



Minutes of Guelph City Council

May 25, 2020, 5:30 p.m.

**Remote meeting live streamed
on guelph.ca/live**

Council:

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

Staff:

S. Stewart, Chief Administrative Officer
C. Clack, Deputy Chief Administrative Officer, Public Services
K. Dedman, Deputy Chief Administrative Officer,
Infrastructure, Development and Enterprise Services
T. Lee, Deputy Chief Administrative Officer, Corporate
Services
C. Cooper, General Manager, Legal Realty and Court
Services/City Solicitor
T. Baker, General Manager, Finance/City Treasurer
M. Aldunate, Manager, Policy Planning and Urban Design
L. Jefferson, Manager, Open Space Planning
S. Laughlin, Senior Policy Planner
A. Thornton, Associate Solicitor
S. O'Brien, General Manager, City Clerk's Office/City Clerk
L. Cline, Council and Committee Coordinator
J. da Silva, Council and Committee Assistant

1. Call to Order

Mayor Guthrie called the meeting to order (5:31 p.m.).

1.1 Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Downer declared a pecuniary interest regarding the Memorandum of Agreement between the City of Guelph and Canadian Union of Public Employees Local 241, Local 973, local 1949 - 2020-60, as she has a family member who is a City staff person belonging to one of these unions.

2. Authority to move into closed meeting

Moved By Councillor Caron Piper

Seconded By Councillor Gibson

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 2(d), (e) and (f) of the Municipal Act relating to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

Carried (13 to 0)

The following matters were considered:

2.1 Disclosure of Pecuniary Interest and General Nature Thereof

2.2 Confirmation of Closed Minutes

2.3 361 Whitelaw Road, City of Guelph Official Plan and Zoning By-law Amendment Application File No. OZS18-005 Notices of Appeal pursuant to Sections 22(7) and 34(11) of the Planning Act

2.4 Memorandum of Agreement between the City of Guelph and Canadian Union of Public Employees Local 241, Local 973, Local 1946 - 2020-60

3. Open Meeting - 6:30 p.m.

The Mayor called the meeting to order (6:38 p.m.).

3.1 Closed Meeting Summary

Mayor Guthrie spoke regarding the items discussed in closed and identified the following:

Confirmation of Closed Minutes

The minutes of the closed Council Meetings held April 16 and May 11, 2020 and the Closed Committee of the Whole meetings held February 3 and March 2, 2020, were adopted.

361 Whitelaw Road, City of Guelph Official Plan and Zoning By-law Amendment Application File No. OZS18-005 Notices of Appeal pursuant to Sections 22(7) and 34(11) of the Planning Act

City Council received information and staff were given direction on this matter.

Memorandum of Agreement between the City of Guelph and Canadian Union of Public Employees Local 241, Local 973, Local 1946 - 2020-60

City Council received information and staff were given direction on this matter.

4. Confirmation of Open Minutes

Moved By Councillor Allt
Seconded By Councillor Caron Piper

That the minutes of the open Council meetings held February 10, 24, March 9, 23, April 16 and May 11, 2020 and the open Committee of the Whole meetings held February 3 and March 2, 2020, be confirmed as recorded and without being read.

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

Carried (13 to 0)

5. Council Consent Agenda

The following item was extracted:

2019 Year-end Operating Variance Report Surplus Allocation - 2020-41

Moved By Councillor Hofland

Seconded By Councillor Downer

That the balance of the May 25, 2020 Council Consent Agenda, as identified below, be adopted:

5.1 2019 Reserve and Reserve Fund Statement - 2020-39

1. That \$1,667,285 be transferred from the Water Operating Contingency Reserve (181) to the Water Capital Reserve Fund (152).
2. That \$2,813,839 be transferred from the Wastewater Operating Contingency Reserve (182) to the Wastewater Capital Reserve Fund (153).
3. That the target for the Workplace Safety Insurance Board Reserve (330) be changed from 50 per cent of the estimate liability to 25 per cent.

5.2 2019 Year-End Capital Variance Report - 2020-25

1. That in accordance with report 2020-25, titled 2019 Year-end Capital Variance Report dated May 25, 2020, \$677,000 be transferred from capital account ST0018 Equipment Replacement and Upgrades to ST0014 Digester Structural Repair and Gas Proofing to complete upgrades to Digester 3 at the Guelph Wastewater Treatment Plant.

5.3 Council support for Lake Erie Source Protection Authority Winter Maintenance Chemicals Report - 2020-27

1. That City Council provide the Lake Erie Source Protection Authority with a letter of support including resolution in support of all of the recommended actions included in SPC-19-12-02 to address the Over-Application of Winter Maintenance Chemicals

5.4 Transition of Blue Box to Producer Responsibility Framework - 2020-29

1. That the City of Guelph state that the preferred transition date for Guelph's Blue Box program as required under the Waste Free Ontario Act is January 1, 2023.

2. That the City's resolution be forwarded to the Association of Municipalities of Ontario and the Ontario Ministry of the Environment, Conservation and Parks.

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

Carried (13 to 0)

6. Items for Discussion

6.1 IDE-2020-17 Clair-Maltby Secondary Plan - Open Space System Strategy, 2020-56

Melissa Aldunate, Manager, Policy Planning and Urban Design, provided introductory remarks.

The following delegates spoke via telephone regarding this item:

Trenton Johnson, Miller Thomson LLP

Anand Desai, Monteith Brown Planning Consultants

Susan Watson

Michael Dube

Carol Koenig, Coalition to Protect Our Moraine

Lin Grist

Ron East, Council of Canadians, Guelph Chapter

Mike Marcolongo, Foundation for the Support of International Medical Training, Inc.

Stan Kozak

Robin-Lee Norris, on behalf of 1077955 Ontario Inc.

Hugh Whiteley

Moved By Councillor Salisbury

Seconded By Councillor Allt

1. That the Clair-Maltby Secondary plan Policy Directions: Open Space System Strategy dated March 2, 2020 and included as Attachment 2 to report IDE-2020-17, be approved to provide direction for the preparation of the draft official plan amendment, secondary plan policies and Master Environmental Service Plan and that Community Park Option #1 be selected as the location for the 10-hectare open space component of the Clair-Maltby Secondary Plan.

Amendment:

Moved By Councillor Billings
Seconded By Councillor Gibson

1. That the Clair-Maltby Secondary Plan Policy Directions: Open Space System Strategy dated March 2, 2020 and included as Attachment 2 to report IDE-2020-17, be approved to provide direction for the preparation of the draft official plan amendment, secondary plan policies and Master Environmental Service Plan and that Community Park Option #1 **and Option #2 at 5 hectares each be selected as the locations** for the 10-hectare open space component of the Clair-Maltby Secondary Plan.

Point of Order

Councillor Downer raised a point of order suggesting that the amendment is out of order as it is contrary to the motion on the floor.

Mayor Guthrie ruled that the amendment is in order.

Councillor Salisbury requested that a vote be called on the Chair's ruling that the amendment is in order.

Vote on Chair's Ruling

Moved By Councillor Salisbury
Seconded By Mayor Guthrie

That the Mayor's procedural ruling that the amendment is in order be upheld.

Voting in Favour: (5): Mayor Guthrie, Councillor Billings, Councillor Gibson, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (8): Councillor Allt, Councillor Bell, Councillor Caron Piper, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, and Councillor Salisbury

Defeated (5 to 8)

The Mayor's ruling was overturned and the amendment was removed from the floor.

Main Motion

Moved By Councillor Salisbury
Seconded By Councillor Allt

1. That the Clair-Maltby Secondary plan Policy Directions: Open Space System Strategy dated March 2, 2020 and included as Attachment 2 to report IDE-2020-17, be approved to provide direction for the preparation of the draft official plan amendment, secondary plan policies and Master Environmental Service Plan and that Community Park Option #1 be selected as the location for the 10-hectare open space component of the Clair-Maltby Secondary Plan.

Voting in Favour: (10): Councillor Allt, Councillor Bell, Councillor Caron Piper, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (3): Mayor Guthrie, Councillor Billings, and Councillor Gibson

Carried (10 to 3)

Moved By Councillor Gibson
Seconded By Councillor Billings

2. That the final parkland recommendations may be impacted and revised based on the Financial Impact Assessment to be completed for the Clair-Maltby Secondary Plan in its entirety.

Voting in Favour: (7): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Gibson, Councillor Hofland, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (6): Councillor Allt, Councillor Caron Piper, Councillor Downer, Councillor Goller, Councillor Gordon, and Councillor Salisbury

Carried (7 to 6)

6.2 2019 Year-end Operating Variance Report Surplus Allocation - 2020-41

Moved By Councillor Gibson
Seconded By Councillor Billings

1. That the tax supported operating surplus of \$5,478,013 be allocated to the reserve and reserve funds as follows:
 - a. Tax Rate Operating Contingency Reserve (180) \$3,696,763
 - b. Library Operating Contingency Reserve (102) \$18,703
 - c. Police Operating Contingency Reserve (115) \$12,547

- d. Environment and Utility Reserve (198) \$650,000
 - e. 100 Per cent Renewable Energy (100RE) Reserve Fund (355)
\$500,000
 - f. Infrastructure Renewal Reserve Fund (150) \$600,000.
2. That the Water Services operating surplus of \$183,746 be allocated to the Water Capital Reserve Fund (152).
 3. That the Wastewater Services operating surplus of \$1,287,410 be allocated to the Wastewater Capital Reserve Fund (153).
 4. That the Stormwater Services operating surplus of \$340,673 be allocated to the Stormwater Capital Reserve Fund (165).
 5. That the Ontario Building Code (OBC) operating surplus of \$2,081,005 be allocated to the Building Services OBC Stabilization Reserve Fund (188).
 6. That the Court Services operating surplus of \$157,608 be allocated to the Court Contingency Reserve (211).

Amendment:

Moved By Councillor Gibson
Seconded By Councillor Billings

That Clause 1 be amended as follows:

1. That the tax supported operating surplus of \$5,478,013 be allocated to the reserve and reserve funds as follows:
 - a. Tax Rate Operating Contingency Reserve (180) \$4,978,013
 - b. 100 Per cent Renewable Energy (100RE) Reserve fund (355)
\$500,000

Voting in Favour: (10): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron Piper, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Salisbury, and Councillor O'Rourke

Voting Against: (3): Councillor Gordon, Councillor Hofland, and Councillor MacKinnon

Carried (10 to 3)

Motion as Amended:

Moved By Councillor Gibson
Seconded By Councillor Billings

1. That the tax supported operating surplus of \$5,478,013 be allocated to the reserve and reserve funds as follows:
 - a. Tax Rate Operating Contingency Reserve (180) \$4,978,013
 - b. 100 Per cent Renewable Energy (100RE) Reserve Fund (355) \$500,000
2. That the Water Services operating surplus of \$183,746 be allocated to the Water Capital Reserve Fund (165).
3. That the Wastewater Services operating surplus of \$1,287,410 be allocated to the Wastewater Capital Reserve Fund (153).
4. That the Stormwater Services operating surplus of \$340,673 be allocated to the Stormwater Capital Reserve Fund (165).
5. That the Ontario Building Code (OBC) operating surplus of \$2,081,005 be allocated to the Building Services OBC Stabilization Reserve Fund (188).
6. That the Court Services operating surplus of \$157,608 be allocated to the Court Contingency Reserve (211).

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

Carried (13 to 0)

7. By-laws

It was requested that the By-laws be voted on separately.

Moved By Councillor Downer
Seconded By Councillor Caron Piper

That By-law Numbered (2020)-20497 is hereby passed.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Caron Piper, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (2): Councillor Bell, and Councillor Billings

Carried (11 to 2)

Moved By Councillor Downer

Seconded By Councillor Caron Piper

That By-law Numbered (2020)-20498 is hereby passed.

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

Carried (13 to 0)

8. Adjournment

Moved By Councillor Caron Piper

Seconded By Councillor Billings

That the meeting be adjourned (9:39 p.m.).

Carried

Mayor Guthrie

Stephen O'Brien - City Clerk