



Minutes of Guelph City Council

June 17, 2020, 1:00 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
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
T. Baker, General Manager, Finance/City Treasurer
C. Cooper, General Manager, Legal Realty and Court
Services/City Solicitor
A. Thornton, Associate Solicitor
T. Sprigg, General Manager, Corporate Communications and
Customer Service
D. McMahon, Manager, Legislative Services/Deputy City Clerk
S. O'Brien, General Manager, City Clerk's Office/City Clerk
J. da Silva, Council and Committee Assistant

2. Call to Order

Mayor Guthrie called the meeting to order (1:02 p.m.)

2.1 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

3. Authority to move into closed meeting

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 the Municipal Act, pursuant Section 239 (2)(e) and (f) of the Municipal Act relating to 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, 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 was considered:

3.1 Disclosure of Pecuniary Interest and General Nature Thereof

3.2 361 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

4. Open Meeting

Mayor Guthrie called the meeting to order (2:01 p.m.).

4.1 Closed Meeting Summary

Mayor Guthrie spoke regarding the matters discussed in close session and identified the following:

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 gave direction to staff on how to proceed with this matter.

4.5 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

5. Council Consent Agenda

The following item was extracted:

Guelph's Temporary Seasonal Patio Program - 2020-74

6. Items for Discussion

6.1 Managing the Impacts of COVID-19: Update #3

Mayor Guthrie provided a summary of intergovernmental collaboration with other levels of government and an update on the Mayor's Task Force for Economic Recovery.

Scott Stewart, Chief Administrative Officer, provided an update on the City's response to COVID-19.

Trevor Lee, Deputy Chief Administrative Officer, Corporate Services, outlined the City's organizational recovery plan and fiscal impacts as it relates to COVID-19.

Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services, outlined the City's economical recovery plan and how the City is supporting businesses during their reopening.

Colleen Clack, Deputy Chief Administrative Officer, Public Services, outlined changes to transit fees and the City's social recovery plan.

Scott Stewart, Chief Administrative Officer, acknowledged the efforts from City staff and the collaboration among departments.

The following delegates spoke via telephone regarding this item:

Dustin Brown

Susan Watson

Mike Darmon

Kate Nixon

Sherry Cox

Lili Ziobakas

Councillor L. Caron joined the remote meeting (3:52 p.m.).

Moved By Councillor O'Rourke

Seconded By Councillor Goller

1. That report "Managing the impacts of COVID-19: Update #3" dated June 17, 2020 be forwarded to the local MP and MPP, FCM, AMO, LUMCO and the Federal Minister of Finance and the Ministers of Municipal Affairs and Housing and Minister of Finance for the Province of Ontario.
2. That Council approve the Principles for post-COVID Stimulus Programs, and that a copy of the principles be forwarded to the local MP and MPP, FCM, AMO, LUMCO and the Federal Minister of Finance and Minister of Infrastructure and Communities, and the Ministers of Municipal Affairs and Housing, Minister of Infrastructure, Minister of the Environment, Minister of Transportation and Minister of Finance for the Province of Ontario.
3. That Council requests that Local Boards and funded agencies take necessary 2020 cost containment actions, similar to those implemented by Council, to mitigate budget overages collectively for the tax and ratepayers of Guelph.
5. That the City of Guelph Sign Bylaw No. (1996)-15245, Table 4, Row 1, be suspended from June 17 to August 31, 2020 to allow for the issuance of more than four, 30-day mobile sign permits to the same business within a calendar year.
6. That the City of Guelph Bylaw No. (2019)-20460, Table 89, related to mobile sign fees be suspended from June 17 to August 31, 2020 to allow for the issuance of 30-day mobile sign permits without a fee.
7. That staff be directed to assist the Guelph Family Health Team and the Guelph General Hospital with a transition plan for relocating the COVID-19 Screening Centre to an

alternate site, in order to allow for the eventual reopening of Victoria Road Recreation Centre.

Amendment:

Moved By Councillor O'Rourke

Seconded By Councillor Caron

That clause 3 be amended as follows:

3. That Council requests that Local Boards and funded agencies, with the exception of The Elliott Community, take necessary 2020 cost containment actions, similar to those implemented by Council, to mitigate budget overages collectively for the tax and ratepayers of Guelph

Voting in Favour: (5): Councillor Allt, Councillor Caron, Councillor Gordon, Councillor Hofland, and Councillor O'Rourke

Voting Against: (8): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Salisbury, and Councillor MacKinnon

Defeated (5 to 8)

Amendment:

Moved By Councillor Hofland

Seconded By Councillor Gordon

That clause 4 be amended as follows:

4. That transit fares be reinstated effective on or around September 1, 2020, subject to ServiceGuelph resuming operations with the public.

Voting in Favour: (4): Councillor Allt, Councillor Caron, Councillor Gordon, and Councillor Hofland

Voting Against: (9): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Defeated (4 to 9)

It was requested that clause 4 be voted separately.

Motion as Amended:

Moved By Councillor O'Rourke
Seconded By Councillor Goller

1. That report "Managing the impacts of COVID-19: Update #3" dated June 17, 2020 be forwarded to the local MP and MPP, FCM, AMO, LUMCO and the Federal Minister of Finance and the Ministers of Municipal Affairs and Housing and Minister of Finance for the Province of Ontario.
2. That Council approve the Principles for post-COVID Stimulus Programs, and that a copy of the principles be forwarded to the local MP and MPP, FCM, AMO, LUMCO and the Federal Minister of Finance and Minister of Infrastructure and Communities, and the Ministers of Municipal Affairs and Housing, Minister of Infrastructure, Minister of the Environment, Minister of Transportation and Minister of Finance for the Province of Ontario.
3. That Council requests that Local Boards and funded agencies take necessary 2020 cost containment actions, similar to those implemented by Council, to mitigate budget overages collectively for the tax and ratepayers of Guelph.
5. That the City of Guelph Sign Bylaw No. (1996)-15245, Table 4, Row 1, be suspended from June 17 to August 31, 2020 to allow for the issuance of more than four, 30-day mobile sign permits to the same business within a calendar year.
6. That the City of Guelph Bylaw No. (2019)-20460, Table 89, related to mobile sign fees be suspended from June 17 to August 31, 2020 to allow for the issuance of 30-day mobile sign permits without a fee.
7. That staff be directed to assist the Guelph Family Health Team and the Guelph General Hospital with a transition plan for relocating the COVID-19 Screening Centre to an alternate site, in order to allow for the eventual reopening of Victoria Road Recreation Centre.

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

Carried (13 to 0)

Moved By Councillor O'Rourke
Seconded By Councillor Goller

4. That transit fares and parking fees be reinstated effective on or around July 6, 2020, subject to ServiceGuelph and the parking office safely resuming operations with the public.

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

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

Carried (10 to 3)

6.2 Rise and recess from Council Meeting

Council recessed at 5:25 p.m. and reconvened at 5:36 p.m..

6.3 Guelph's Temporary Seasonal Patio Program - 2020-74

The following delegates spoke via telephone regarding this item:

Colton Proveau

Martin Collier

The following delegate did not speak:

Susan Watson

Moved By Councillor Caron
Seconded By Councillor Gibson

1. That the Temporary Seasonal Patio Program as described in 2020-74 be approved.
2. That for the period from June 12, 2020 to November 1, 2020, staff are directed to temporarily suspend enforcement of such provisions of the Zoning By-law (1995)-14864 which conflict with Provincial

Directives with respect to licensed outdoor dining capacity and the establishment of temporary outdoor dining premises, and in particular to suspend enforcement of:

- a. restrictions for licensed capacity of outdoor commercial patios in section 4.17.1 which are more restrictive than the temporary Provincial requirement of 1.11 square metres per person; and
 - b. restrictions in required parking numbers in section 4.13.4 of the Zoning By-law in connection with a an establishment which has an approved application for a Temporary Patio, and which are operated in conformity with all applicable laws, including the Temporary City of Guelph Guidelines for outdoor patios and all other relevant Zoning By-law requirements.
3. That the temporary suspension of enforcement of Zoning By-law (1995)-14864 as outlined above shall be strictly time-limited and shall not be interpreted as an authorization for any Temporary Outdoor Patio which is operated beyond these limited timelines or which operates in contravention of any other applicable law and/or of the Temporary Patio Guidelines established by the City.
 4. That operation of a permitted Temporary Outdoor Patio between June 12, 2020 and November 1, 2020 pursuant to this Resolution does not permit the continued use of the land, buildings and/or structures for the purpose temporarily authorized, establish a legal non-conforming use, or entitle any person to an exemption from the Zoning By-Law beyond November 1, 2020.
 5. That staff be directed that any fee associated with the approval of applications in connection with the City of Guelph's Temporary Patio Pilot Program including, but not limited to, fees listed in the User Fee By-law (2019) – 20460, be waived until October 31, 2020.
 6. That the Chief Administration Officer, or designate, be delegated authority until October 31, 2020, to implement, administer and revise any City Council approved form, guideline or requirement associated with the City of Guelph's Temporary Patio Pilot Program, including any modifications which may be necessary to the forms prescribed in connection with Commercial Patio Premises by the City Lands Encroachment By-law (2009) 18799.
 7. That staff shall be directed to conduct further consultations with the community and to prepare a draft temporary use by-law as

authorized under section 39 of the Planning Act in connection with this Resolution, and shall schedule a public meeting in connection therewith as soon as practical.

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

Carried (13 to 0)

7. Councillor Motions in Response to COVID-19

7.1 Motion from Mayor Guthrie

Moved By Councillor Gibson

Seconded By Councillor Salisbury

1. That the City of Guelph offer a pilot program for the opportunity for the Downtown Guelph Business Association and/or commercial areas that are predominantly restaurants and cafes to create temporary, shared "Outdoor Dining Districts" on City streets or to use specified parking areas for Summer/Fall 2020.
2. That staff consult with the Downtown Guelph Business Association and/or interested restaurant owners to identify appropriate locations where City streets or specified parking areas could be temporarily converted into shared Outdoor Dining Districts, and that applications for shared Outdoor Dining Districts be accepted and reviewed through an expedited process with a start date of no later than July 1st, 2020.
3. That any Outdoor Dining Districts follow all applicable public health requirements, including any COVID-related public health requirements, as well as all applicable Provincial Orders.
4. That through the application process, staff ensure safe alternatives with respect to pedestrian safety, accessibility, emergency services, public transit, private accesses or any and other issues that are normally addressed through the regular patio process be implemented.
5. That costs for the establishment of Outdoor Dining Districts on City streets or City parking lots/spaces for temporary road closure

permits, Book 7 traffic management measures, be waived with all other costs to be borne by the applicants.

6. That the applicants be responsible for the management and operation of any approved Outdoor Dining Districts, including ensuring that they are staffed at all times when open, to ensure proper use, cleaning and physical distancing.
7. That the City waive any requirement for site plan review for such locations and waive enforcement of any zoning provisions related to parking supply, provided the patios are created as temporary uses with no permanent fixtures and no alterations that require a Building Permit, and only during the term of the pilot.
8. That when opportunities exist, within established guidelines of Public Health, that "programming" within the downtown core take place, and that staff continue to identify funding for such programming through RT04, Federal and Provincial initiatives and private sector partnerships.
9. That staff collaborate with the Downtown Business Association to provide a report including, but not limited to, feedback, policy and or process changes, overall costs, business and patrons/visitor experience of this pilot project by April 2021 for further consideration by City Council to make this a permanent program.
10. That Council immediately request that the Minister of Municipal Affairs and Housing issue a zoning order for a temporary pause to zoning bylaws that would enable relief from procedural requirements under the Planning Act and Municipal Act to allow the program to initiate on July 1, 2020.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, and Councillor O'Rourke

Voting Against: (1): Councillor MacKinnon

Carried (12 to 1)

7.2 Motion from Councillor Downer

Moved By Councillor Downer

Seconded By Councillor O'Rourke

1. That staff be directed to adjust the 2020 allocation funding from the GMHI dividend through the Community Investment Strategy to focus on the Emergency and Resiliency Funding streams, to permit funding to Community Benefit organizations that are struggling to recover from the impacts of COVID-19; and
2. That the funding allocation for 2020 be \$350,000.

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

Carried (13 to 0)

8. By-laws

Moved By Councillor Gordon
Seconded By Councillor Allt

That By-law Numbered (2020)-20504 is hereby passed.

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

Carried (13 to 0)

9. Adjournment

Moved By Councillor Hofland
Seconded By Councillor Downer

That the meeting be adjourned (7:32 p.m.).

Carried

Mayor Guthrie

Stephen O'Brien - City Clerk