



Minutes of Guelph City Council

**March 29, 2021, 6:30 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
Councillor C. Downer
Councillor D. Gibson
Councillor R. Goller
Councillor J. Gordon
Councillor J. Hofland
Councillor M. MacKinnon
Councillor D. O'Rourke
Councillor M. Salisbury

Staff:

S. Stewart, Chief Administrative Officer
C. Clack-Bush, Deputy Chief Administrative Officer, Public Services
T. Lee, Deputy Chief Administrative Officer, Corporate Services
S. O'Brien, Acting Deputy Chief Administrative Officer, Infrastructure, Design and Enterprise Services
T. Baker, General Manager, Finance/City Treasurer
D. McMahon, Acting General Manager, City Clerk's Office/Acting City Clerk
J. da Silva, Council and Committee Assistant
D. Tremblay, Council and Committee Coordinator

2. Call to Order

Mayor Guthrie called the meeting to order. (6:30 p.m.)

3. Open Meeting

Mayor Guthrie called the meeting to order.

3.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

4. Confirmation of Open Minutes

Moved By Councillor O'Rourke

Seconded By Councillor Gibson

That the minutes of the open Council Meetings held February 8 and 22, 2021, Special Council Meeting held February 17, 2021 and Committee of the Whole Meeting held February 1, 2021 be confirmed as recorded and without being read.

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 MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

5. Committee of the Whole Consent Report

Moved By Councillor Allt

Seconded By Councillor Goller

That the March 29, 2021, Committee of the Whole Consent Agenda be adopted:

5.1 Managing the Impacts of COVID-19 - Update Number 7, 2021-61

That report "Managing the Impacts of COVID-19: Update 7" dated March 1, 2021 be forwarded to the local Member of Parliament and Member of Provincial Parliament, Federation of Canadian Municipalities, Association of Municipalities Ontario, Ontario Big City Mayors and the Federal Minister of Finance and the Ministers of

Municipal Affairs and Housing and Minister of Finance for the Province of Ontario.

5.2 Sign By-law Variance Report for 190 Hanlon Creek Boulevard - 2021-46

1. That the request for variance from Table 2, Row 3 of Sign By-law Number (1996)-15245, as amended, to permit an illuminated freestanding sign to be located distance of 16m and 112m from other freestanding signs on the property of 190 Hanlon Creek Boulevard, be approved. (Sign B)
2. That the request for variance from Table 2, Row 3 of Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated freestanding sign to be located a distance of 16m and 96m from other freestanding signs on the property of 190 Hanlon Creek Boulevard, be approved. (Sign C)
3. That the request for variance from Table 1, Row 3 of Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated building sign with an area of 1.71 m² to be a height of 2.1m above the ground surface at 190 Hanlon Creek Boulevard, be approved. (Sign D)

5.3 Sign Variance Report for 1886 Gordon Street - 2021-44

That the request for variance from Table 1, Row 5 of Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated building sign facing Gordon Street with an area of 2.22m² to be located on the second storey of a building at 1886 Gordon Street, be approved.

5.4 2020 Water Services Annual and Summary Report - 2021-33

That Council approve the 2020 Water Services Annual and Summary Report.

5.5 Building By-law Update - 2021-29

That the Amending By-law, included as Attachment 1, be enacted to amend the Building By-law.

5.6 2021 Property Tax Policy - 2021-60

That the 2021 City of Guelph property tax ratios, subclass discounts and corresponding tax rates, as set out in Attachment-1 to the report titled 2021 Property Tax Policy dated March 1, 2021, be approved.

5.7 Property Tax Relief and Deferral Program Options - 2021-65

That the City of Guelph does not implement any property tax deferral programs other than those legislatively required.

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 MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

6. Items for Discussion

6.2 2021-2023 Seasonal Patio Program - 2021-50

The following delegates spoke on this item:

Marty Williams, on behalf of the Downtown Guelph BIA

Mike Darmon, on behalf of Guelph Coalition for Active Transportation

Greg Bruns

Dr. Meg Thornburn

Richard Overland, on behalf of NV Kitchen Bar

Deborah Dal Bo

Lorenz Calcagno, on behalf of Allen's Pond Neighbourhood

Morgan Dandie-Hannah

Cara McKillop

Steven Petric

Bryan Steele

Colton Proveau, on behalf of Brothers Brewing Company

Brandon Rinne, on behalf of Gin Mill Guelph

The following delegates did not speak:

Khalil Khamis

Main Motion

Moved By Councillor Goller

Seconded By Councillor Hofland

1. That the 2021-2023 Seasonal Patio Program as described in the 2021-2023 Seasonal Patio Program report be approved.
2. That staff be directed to implement road closure Option 1 (Special Events Only) included as part of the 2021-2023 Seasonal Patio Program.

3. That a one-time total transfer of \$112,500 from the Tax Operating Contingency Reserve #180 be approved for the purpose of delivering the Seasonal Patio Program in 2021 with expected future program costs being presented as part of the budget process.
4. That a new annual seasonal patio parking stall rental fee be created in the amount of \$3.00 per square meter, and that staff be directed to waive fees associated with the approval of seasonal patio applications for the 2021 year to support economic recovery due to the COVID-19 pandemic.
5. That the Chief Administration Officer, or designate, be delegated authority until October 31, 2023, to implement, administer and revise any City Council approved form, guideline or requirement associated with the City of Guelph's Seasonal Patio 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.
6. That staff shall be directed to prepare a temporary use by-law as authorized under section 39 of the Planning Act and O. Reg. 345/20 in connection with the 2021-2023 Seasonal Patio Program. And further, to liaise with Provincial representatives from the Ministry of Municipal Affairs and Housing, Ministry of Economic Development, Job Creation and Trade, and Ministry of Finance for the purpose of extending the authority to maintain this temporary use by-law in full force and effect for the duration of the 2021-2023 Seasonal Patio Program.
7. That Council direct staff to complete traffic studies on streets impacted by downtown road alterations before and during the Seasonal Patio Program that are greater than 48 hours in duration and implement mitigating measures as required.
8. That Council direct staff to report back with an Information Items Report on the Seasonal Patio Program in Q1 2022.

First Amendment

Moved By Councillor MacKinnon

Seconded By Councillor Gibson

1. That the 2021-2023 Seasonal Patio Program as described in the 2021-2023 Seasonal Patio Program report be approved **with an amended start date of April 1 with rolling installation dates beginning prior to May.**

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

Voting Against: (1): Councillor Gordon

Carried (12 to 1)

Second Amendment

Moved By Councillor Downer

Seconded By Councillor Gordon

2. That staff be directed to implement road closure **Option 3 (Intermittent Road Closure)** included as part of the **2021** Seasonal Patio Program **only from June 18, 2021 to September 6, 2021.**
3. That the costs of delivering the Seasonal Patio Program in **2021** of **up to \$226,820 be funded from the Safe Restart Grant received from the province for Covid-19 related financial pressures** with expected future program costs being presented as part of the regular budget process.

First Amendment to the Second Amendment

Moved By Councillor Gibson

Seconded By Councillor Goller

2. That Staff be directed to implement road closure Option 3 (Intermittent Road Closure) included as part of the 2021 Seasonal Patio Program only from **April 30, 2021 to September 6, 2021.**

Voting in Favour: (4): Mayor Guthrie, Councillor Billings, Councillor Gibson, and Councillor Goller

Voting Against: (9): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, Councillor Gordon, Councillor Hofland, Councillor MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Defeated (4 to 9)

Second Amendment to the Second Amendment

Moved By Councillor Gibson

Seconded By Councillor Billings

2. That Staff be directed to implement road closure Option 3 (Intermittent Road Closure) included as part of the 2021 Seasonal Patio Program only from **May 21, 2021 to September 6, 2021**.

Voting in Favour: (7): Mayor Guthrie, Councillor Billings, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor O'Rourke, and Councillor Salisbury

Voting Against: (6): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Gordon, Councillor Hofland, and Councillor MacKinnon

Carried (7 to 6)

Third Amendment to the Second Amendment

Moved By Councillor Gibson

Seconded By Councillor Goller

3. That the costs of delivering the Seasonal Patio Program in 2021 of up to **\$294,700** be funded from the Safe Restart Grant received from the province for Covid-19 related financial pressures with expected future program costs being presented as part of the regular budget process.

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

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

Carried (10 to 3)

Second Amendment as Amended

Moved By Councillor Downer

Seconded By Councillor Gordon

2. That Staff be directed to implement road closure Option 3 (Intermittent Road Closure) included as part of the 2021 Seasonal Patio Program only from May 21, 2021 to September 6, 2021.

3. That the costs of delivering the Seasonal Patio Program in 2021 of up to \$294,700 be funded from the Safe Restart Grant received from the province for Covid-19 related financial pressures with expected

future program costs being presented as part of the regular budget process.

Voting in Favour: (8): Mayor Guthrie, Councillor Billings, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor O'Rourke, and Councillor Salisbury

Voting Against: (5): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Hofland, and Councillor MacKinnon

Carried (8 to 5)

Main Motion as Amended

Moved By Councillor Goller

Seconded By Councillor Hofland

1. That the 2021-2023 Seasonal Patio Program as described in the 2021-2023 Seasonal Patio Program report be approved with an amended start date of April 1 with rolling installation dates beginning prior to May.
2. That staff be directed to implement road closure Option 3 (Intermittent Road Closure) included as part of the 2021 Seasonal Patio Program only from May 21, 2021 to September 6, 2021.
3. That the costs of delivering the Seasonal Patio Program in 2021 of up to \$294,700 be funded from the Safe Restart Grant received from the province for Covid-19 related financial pressures with expected future program costs being presented as part of the regular budget process.
4. That a new annual seasonal patio parking stall rental fee be created in the amount of \$3.00 per square meter, and that staff be directed to waive fees associated with the approval of seasonal patio applications for the 2021 year to support economic recovery due to the COVID-19 pandemic.
5. That the Chief Administration Officer, or designate, be delegated authority until October 31, 2023, to implement, administer and revise any City Council approved form, guideline or requirement associated with the City of Guelph's Seasonal Patio 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.

6. That staff shall be directed to prepare a temporary use by-law as authorized under section 39 of the Planning Act and O. Reg. 345/20 in connection with the 2021-2023 Seasonal Patio Program. And further, to liaise with Provincial representatives from the Ministry of Municipal Affairs and Housing, Ministry of Economic Development, Job Creation and Trade, and Ministry of Finance for the purpose of extending the authority to maintain this temporary use by-law in full force and effect for the duration of the 2021-2023 Seasonal Patio Program.
7. That Council direct staff to complete traffic studies on streets impacted by downtown road alterations before and during the Seasonal Patio Program that are greater than 48 hours in duration and implement mitigating measures as required.
8. That Council direct staff to report back with an Information Items Report on the Seasonal Patio Program in Q1 2022.

It was requested that the clauses be voted on separately.

Clauses 2 and 3

Moved By Councillor Goller

Seconded By Councillor Hofland

2. That staff be directed to implement road closure Option 3 (Intermittent Road Closure) included as part of the 2021 Seasonal Patio Program only from May 21, 2021 to September 6, 2021.
3. That the costs of delivering the Seasonal Patio Program in 2021 of up to \$294,700 be funded from the Safe Restart Grant received from the province for Covid-19 related financial pressures with expected future program costs being presented as part of the regular budget process.

Voting in Favour: (8): Mayor Guthrie, Councillor Billings, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor O'Rourke, and Councillor Salisbury

Voting Against: (5): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Hofland, and Councillor MacKinnon

Carried (8 to 5)

Clauses 1 and 4 to 8

Moved By Councillor Goller

Seconded By Councillor Hofland

1. That the 2021-2023 Seasonal Patio Program as described in the 2021-2023 Seasonal Patio Program report be approved with an amended start date of April 1 with rolling installation dates beginning prior to May.
4. That a new annual seasonal patio parking stall rental fee be created in the amount of \$3.00 per square meter, and that staff be directed to waive fees associated with the approval of seasonal patio applications for the 2021 year to support economic recovery due to the COVID-19 pandemic.
5. That the Chief Administration Officer, or designate, be delegated authority until October 31, 2023, to implement, administer and revise any City Council approved form, guideline or requirement associated with the City of Guelph's Seasonal Patio 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.
6. That staff shall be directed to prepare a temporary use by-law as authorized under section 39 of the Planning Act and O. Reg. 345/20 in connection with the 2021-2023 Seasonal Patio Program. And further, to liaise with Provincial representatives from the Ministry of Municipal Affairs and Housing, Ministry of Economic Development, Job Creation and Trade, and Ministry of Finance for the purpose of extending the authority to maintain this temporary use by-law in full force and effect for the duration of the 2021-2023 Seasonal Patio Program.
7. That Council direct staff to complete traffic studies on streets impacted by downtown road alterations before and during the Seasonal Patio Program that are greater than 48 hours in duration and implement mitigating measures as required.
8. That Council direct staff to report back with an Information Items Report on the Seasonal Patio Program in Q1 2022.

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 MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Council recessed at 9:50 p.m. and resumed at 10:00 p.m.

6.1 City of St. Catharine's Resolution: Universal Paid Sick Days in Ontario

Councillor Hofland spoke regarding the City of St. Catherine's resolution for universal paid sick days in Ontario.

Moved By Councillor Hofland
Seconded By Councillor Caron

1. That the City of Guelph endorses legislated sick leave and calls on the government of Ontario to permanently legislate universal paid sick days for all workers in Ontario during the pandemic and beyond, regardless of workplace size, type of work or immigration status; and
2. That this motion be forwarded to the Premier of Ontario, Minister of Labour, Guelph's MPP and all Ontario Municipalities.

Voting in Favour: (7): Councillor Allt, Councillor Caron, Councillor Downer, Councillor Goller, Councillor Gordon, Councillor Hofland, and Councillor Salisbury

Voting Against: (6): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Gibson, Councillor MacKinnon, and Councillor O'Rourke

Carried (7 to 6)

7. By-laws

Moved By Councillor Hofland
Seconded By Councillor Allt

That by-law numbers (2021)-20582 and (2021)-20586 to (2021)-20593, as amended, are 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 MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

9. Adjournment

Moved By Councillor Billings
Seconded By Councillor Allt

That the meeting be adjourned. (10:31 p.m.)

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 MacKinnon, Councillor O'Rourke, and Councillor Salisbury

Carried (13 to 0)

Mayor Guthrie

Dylan McMahon- Acting City Clerk