



Minutes of Guelph City Council

May 30, 2022, 5:30 p.m.

Council Chambers

Guelph City Hall, 1 Carden Street

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
J. Holmes, Deputy Chief Administrative Officer,
Infrastructure, Development and Enterprise Services
T. Lee, Deputy Chief Administrative Officer, Corporate
Services
T. Baker, General Manager, Finance/City Treasurer
D. Evans, General Manager, Culture, Tourism and Community
Investment
J. Regan, General Manager, Economic Development and
Tourism
K. Walkey, General Manager, Planning and Building Services
A. Thornton, Associate Solicitor, Legal Realty and Court
Services
S. O'Brien, General Manager, City Clerk's Office/City Clerk
J. da Silva, Council and Committee Coordinator
G. Meades, Council and Committee Coordinator

1. Call to Order

Mayor Guthrie called the meeting to order. (5:30 p.m.)

1.1 Disclosure of Pecuniary Interest and General Nature Thereof (closed items)

There were no disclosures.

2. Authority to move into closed meeting

Moved By Councillor Hofland

Seconded By Councillor O'Rourke

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239(2) (b), (c), (f), and (i) of the Municipal Act relating to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

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

Carried (11 to 0)

The following items were considered:

2.1 Disclosure of Pecuniary Interest and General Nature Thereof (closed items)

2.2 Confirmation of Minutes for the closed Council meeting held April 25, 2022

2.3 May 2022 Public Appointments to Advisory Committees of Council - 2022-142

2.4 Southgate Business Park Lands – Proposed Term Sheet

3. Open Meeting – 6:30 p.m.

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

3.1 Closed Meeting Summary

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

May 2022 Public Appointments to Advisory Committees of Council - 2022-142

The Mayor advised that information was received and Council will report on this matter later in the meeting.

Southgate Business Park Lands – Proposed Term Sheet

Council received information and recessed their closed meeting on this matter. Council will resume discussion on this matter after items noted on the open agenda are dealt with.

3.2 O Canada

3.3 Silent Reflection

3.4 First Nations Acknowledgement

3.5 Disclosure of Pecuniary Interest and General Nature Thereof

Councillor MacKinnon declared an interest relating to item 6.3 - Councillor Request for Increase to Training Funding 2022, being the applicant asking for the increase in the training budget.

4. Committee of the Whole Consent Report and City Council Consent Agenda

The following items were extracted:

5.3 2021 Year-end Operating Budget Monitoring Report - 2022-155

6.2 May 2022 Public Appointments to Advisory Committees of Council - 2022-134

6.3 Councillor Request for Increase to Training Funding 2022 - 2022-199

Moved By Councillor Hofland
Seconded By Councillor Downer

That the balance of the May 30, 2022 Committee of the Whole Consent Agenda and Council Consent Agenda, as identified below, be adopted:

4.1 2022–2026 Municipal Election Compliance Audit Committee - 2022-160

1. That a joint Municipal Election Compliance Audit Committee be established for the 2022-2026 term of Council in accordance with the draft Terms of Reference as set out in Attachment-1 to report 2022-160, titled 2022-2026 Joint Municipal Election Compliance Audit Committee, dated Monday, May 2, 2022.
2. That the City Clerk be delegated authority to select and appoint Committee Members and that Council be advised of the appointments by way of an Information Report once members have been selected.
3. That the City Clerk be delegated authority to review and revise the Terms of Reference throughout the term of the Committee in accordance and in consultation with other participating municipalities.

4.2 Delegation of Authority for the Period of Restricted Acts after Nomination Day for the 2022 Municipal Election - 2022-145

1. That a by-law be enacted to delegate authority to the Chief Administrative Officer in the event of a Restricted Acts Period for the 2022 Municipal Election.
2. That by-law (2021)-20649, the Procedural by-law, be amended to include November 15 in the year of an election as the first day of the new term of City Council.

4.3 2021 Long-term Financial Statement: Reserves and Debt - 2022-161

1. That Schedule A of the General Reserve and Reserve Fund Policy be amended to reflect the creation of a reserve fund, Development Charges – Public Works (329), subject to the terms and authority as identified in report 2022-161 2021 Long-term Financial Statement – Reserves and Debt.
2. That Schedule A of the General Reserve and Reserve Fund Policy be amended to reflect the consolidation of Development Charges –

Outdoor Recreation (320) into the Development Charge Indoor Recreation (319) and it be renamed the Development Charge – Parks and Recreation (319).

3. That Schedule A of the General Reserve and Reserve Fund Policy be amended to reflect the creation of a Transportation Reserve Fund (164), subject to the terms and authority as identified in report 2022-161 2021 Long-term Financial Statement – Reserves and Debt.
4. That Schedule A of the General Reserve and Reserve Fund Policy be amended to reflect the increased target balance for the Police Operating Contingency Reserve (115) and the Library Contingency Reserve (102) supporting enhanced risk mitigation ability in a multi-year budget environment.

4.4 2021 Year-end Capital Budget Monitoring Report - 2022-150, 2022-181

1. That in accordance with the 2021 Year-end Capital Budget Monitoring Report dated May 2, 2022, the reallocations shown in Table 3 of Attachment-1 Q4, 2021 Capital Budget Adjustments be approved.
2. That in accordance with recommendation 3 of 2020 Year-end Capital Budget Monitoring Report 2020-138, due to provincial soil regulations a net budget increase of \$2,504,300 be approved for projects PN0043 Metcalfe: Speedvale to Eramosa – Phase 2 and PN0264 York: GJR Spurline to Stevenson.

4.5 County of Wellington recommends 2022 funding from the City of Guelph Affordable Housing Reserve - 2022-178

1. That, in accordance with report #2022-178 dated May 30, 2022, \$1,364,050 be awarded to Kindle Communities from the Affordable Housing Reserve (#119) for the supportive housing project at 10 Shelldale Crescent.
2. That to the satisfaction and authority of the City Solicitor and Deputy Chief Administration Officer of Public Services, the necessary agreements be entered into and executed with Kindle Communities to fund, outline, and monitor project criteria for the supportive housing project at 10 Shelldale Crescent.

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. Confirmation of Open Minutes

Moved By Councillor O'Rourke
Seconded By Councillor Downer

That the minutes of the open Council Meetings held April 4, 11, 13 and 25, 2022, be confirmed as recorded and without being read.

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

Carried (11 to 0)

7. Items for Discussion

7.1 2021 Year-end Operating Budget Monitoring Report - 2022-155

Moved By Councillor MacKinnon
Seconded By Councillor Hofland

1. That the net operating deficit of \$2,390,440 be allocated to or funded from the City's reserve and reserve funds or grants as follows:
 - a. Transfer from Safe Restart Funding Transit (344) of \$6,531,826 to fund the deficit in Transit Services.
 - b. Transfer from the Safe Restart Operating Stream Grant held in the Tax Operating Contingency Reserve (180) of \$8,666,323 to the tax supported budget to fund COVID-related expenses and revenue shortfalls.
 - c. Transfer to the Library Contingency Reserve (102) of \$105,000 in accordance with the request from the Guelph Public Library Board.

- d. Transfer to the Police Operating Contingency Reserve (115) of \$1,000,000 partially addressing the request from the Guelph Police Board.
 - e. Transfer to Environment and Utility Reserve (198) of \$480,000 for savings from corporate fuel.
 - f. Transfer to the Tax Operating Contingency Reserve (180) of \$862,780 for the City's commitment to The Elliott Community long-term care bed expansion.
 - g. Transfer to the Infrastructure Renewal Reserve (150) of \$4,421,884 to mitigate future tax impacts related to inflation.
 - h. Transfer the Water Services surplus to the Water Capital Reserve Fund (152) of \$914,314.
 - i. Transfer the Wastewater Services surplus to the Wastewater Capital Reserve Fund (153) of \$2,354,699.
 - j. Transfer the Stormwater Services surplus to the Stormwater Capital Reserve (165) of \$136,256.
 - k. Transfer the Building Services surplus to the Building Services OBC Stabilization Reserve Fund (188) of \$604,717.
 - l. Transfer the Parking Services surplus (net of grant funding) to the Parking Operating Contingency Reserve (106) of \$919,913.
 - m. Transfer from the Safe Restart Operating Stream Grant held in the Tax Operating Contingency Reserve (180) of \$67,686 to fund Court Services deficit.
 - n. Transfer to the Affordable Housing Reserve (119) of \$575,832 to increase the City's capacity to incentivize the development of more affordable housing units in Guelph.
 - o. Transfer to the Efficiency, Innovation and Opportunity Reserve Fund (351) of \$500,000 to support the implementation of the Service Rationalization Review recommendations.
2. That staff be directed to negotiate and enter into one or more agreements, to the satisfaction of the Deputy Chief Administrative Officer, Infrastructure, Development, and Enterprise and the City Solicitor, with CN railway to share in the costs of funding rail/road crossing signal improvements in the vicinity of Edinburgh and Paisley roads and that \$1,300,000 of the surplus funds transferred

to the Infrastructure Renewal Reserve be utilized to address the funding required to complete the improvements.

First Amendment

Moved By Councillor MacKinnon

Seconded By Councillor O'Rourke

- d. Transfer to the Police Operating Contingency Reserve (115) of **\$1,575,832** addressing the request from the Guelph Police Board.

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 MacKinnon, and Councillor O'Rourke

Voting Against: (1): Councillor Salisbury

Carried (12 to 1)

Second Amendment

- g. Transfer to the Infrastructure Renewal Reserve (150) of **\$3,846,052** to mitigate future tax impacts related to inflation.

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 O'Rourke, and Councillor Salisbury

Voting Against: (1): Councillor MacKinnon

Carried (12 to 1)

Main Motion as Amended

1. That the net operating deficit of \$2,390,440 be allocated to or funded from the City's reserve and reserve funds or grants as follows:
 - a. Transfer from Safe Restart Funding Transit (344) of \$6,531,826 to fund the deficit in Transit Services.
 - b. Transfer from the Safe Restart Operating Stream Grant held in the Tax Operating Contingency Reserve (180) of \$8,666,323 to

the tax supported budget to fund COVID-related expenses and revenue shortfalls.

- c. Transfer to the Library Contingency Reserve (102) of \$105,000 in accordance with the request from the Guelph Public Library Board.
- d. Transfer to the Police Operating Contingency Reserve (115) of \$1,575,832 addressing the request from the Guelph Police Board.
- e. Transfer to Environment and Utility Reserve (198) of \$480,000 for savings from corporate fuel.
- f. Transfer to the Tax Operating Contingency Reserve (180) of \$862,780 for the City's commitment to The Elliott Community long-term care bed expansion.
- g. Transfer to the Infrastructure Renewal Reserve (150) of \$3,846,052 to mitigate future tax impacts related to inflation.
- h. Transfer the Water Services surplus to the Water Capital Reserve Fund (152) of \$914,314.
- i. Transfer the Wastewater Services surplus to the Wastewater Capital Reserve Fund (153) of \$2,354,699.
- j. Transfer the Stormwater Services surplus to the Stormwater Capital Reserve (165) of \$136,256.
- k. Transfer the Building Services surplus to the Building Services OBC Stabilization Reserve Fund (188) of \$604,717.
- l. Transfer the Parking Services surplus (net of grant funding) to the Parking Operating Contingency Reserve (106) of \$919,913.
- m. Transfer from the Safe Restart Operating Stream Grant held in the Tax Operating Contingency Reserve (180) of \$67,686 to fund Court Services deficit.
- n. Transfer to the Affordable Housing Reserve (119) of \$575,832 to increase the City's capacity to incentivize the development of more affordable housing units in Guelph.
- o. Transfer to the Efficiency, Innovation and Opportunity Reserve Fund (351) of \$500,000 to support the implementation of the Service Rationalization Review recommendations.

2. That staff be directed to negotiate and enter into one or more agreements, to the satisfaction of the Deputy Chief Administrative Officer, Infrastructure, Development, and Enterprise and the City Solicitor, with CN railway to share in the costs of funding rail/road crossing signal improvements in the vicinity of Edinburgh and Paisley roads and that \$1,300,000 of the surplus funds transferred to the Infrastructure Renewal Reserve be utilized to address the funding required to complete the improvements.

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)

7.2 Councillor Request for Increase to Training Funding 2022 - 2022-199

Mayor Guthrie indicated that Councillor MacKinnon declared a pecuniary interest regarding this item and did not participate in any discussion.

Moved By Councillor Downer
Seconded By Councillor Hofland

That Councillor Mark MacKinnon be authorized to increase his 2022 Training Funding allocation of \$4,875.00 for up to \$8,000.00, to cover costs associated with attendance at the 2022 Association Municipalities of Ontario (AMO), and 2022 Federation of Canadian Municipal (FCM).

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

Voting Against: (1): Councillor Allt

Carried (11 to 1)

8. Authority to move into closed meeting

Moved By Councillor Bell
Seconded By Councillor Caron

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239(2) (c), (f), and (i) of the Municipal Act relating to a proposed or pending acquisition or disposition of land by the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

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)

The following item was considered:

2.4 Southgate Business Park Lands – Proposed Term Sheet

9. Open Meeting

Mayor Guthrie called the open meeting back to order. (8:05 p.m.)

9.1 May 2022 Public Appointments to Advisory Committees of Council - 2022-134

Moved By Councillor Hofland

Seconded By Councillor Allt

1. That Kathleen Beitz and Christopher Lytle be appointed to the Accessibility Advisory Committee for a term ending November 2022 or until such time as successors are appointed.
2. That Wm Frank Holden be appointed to the Transit Advisory Committee for a term ending November 2022 or until such time as successors are appointed.
3. That Cameron McCarthy-Tilley be appointed to Heritage Guelph for a term ending November 2022 or until such time as successors are appointed.
4. That Rick Standish, Graham Dyer, Cameron Fryer, Sean Thompson, Laura Niznik, Carlie Roberts, Imad Syed, Colin Mostyn, Kristel Manes, Margaret Strybosch, and Tom Matulis be appointed to the Guelph Economic Development Advisory Committee for a term

ending November 2022 or until such time as successors are appointed.

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)

Additional Motion

Moved By Councillor Downer
Seconded By Councillor Caron

That staff provide an annual information report in Q4 of each year on the progress made from the Heritage Guelph facilitation work.

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)

9.2 Southgate Business Park Lands – Proposed Term Sheet

Moved By Councillor MacKinnon
Seconded By Councillor O'Rourke

1. That staff be directed to communicate back to the proponent a commitment to prioritize a plan of subdivision within 12 months following a complete application in accordance with applicable city policies and submission requirements which will include:
 - a. tree compensation totalling 35,000 trees in addition to a \$200,000 financial contribution towards additional tree canopy;
 - b. the conveyance of the natural heritage system lands;
 - c. the conveyance of 11 acres (4.45ha) of developable land; and
 - d. all appropriate road and infrastructure upgrades.

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

Voting Against: (3): Councillor Caron, Councillor Downer, and Councillor Gordon

Carried (10 to 3)

10. By-laws

Moved By Councillor MacKinnon
Seconded By Councillor O'Rourke

That By-laws numbered (2022)-20668, (2022)-20700, (2022)-20705, and (2022)-20722 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)

12. Adjournment

Moved By Councillor Billings
Seconded By Councillor Hofland

That the meeting be adjourned. (8:12 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

Stephen O'Brien - City Clerk