



Minutes of Guelph City Council

February 14, 2024, 10:00 a.m.

Council Chambers

Guelph City Hall, 1 Carden Street

Council:

Mayor C. Guthrie
Councillor P. Allt
Councillor C. Billings
Councillor L. Busuttil
Councillor L. Caron
Councillor E. Caton
Councillor K. Chew
Councillor C. Downer
Councillor D. Gibson
Councillor R. Goller
Councillor C. Klassen
Councillor D. O'Rourke
Councillor M. Richardson

Staff:

S. Stewart, Chief Administrative Officer
C. Clack-Bush, Deputy Chief Administrative Officer, Public Services
J. Holmes, Deputy Chief Administrative Officer, Infrastructure, Development and Environment
T. Lee, Deputy Chief Administrative Officer, Corporate Services
D. Godfrey, General Manager, Operations
J. Charles, Acting General Manager, Legal and Court Services/City Solicitor
D. Gronc, Manager Corporate and Community Safety
M. Irish, Associate Solicitor, Litigation and Risk
A. Dolcetti, Housing Stability Advisor
D. McMahon, Manager, Legislative Services/Deputy Clerk
T. Di Lullo, Council and Committee Coordinator
G. Meades, Council and Committee Coordinator

2. Call to Order

Mayor Guthrie called the meeting to order (10:04 a.m.).

2.4 Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

4. Items For Discussion

4.1 Public Space Use Bylaw, 2024-76

Colleen Clack-Bush, Deputy Chief Administrative Officer, Public Services, introduced the Public Space Use Bylaw.

Anthony Dolcetti, Housing Stability Advisor, presented the current response and supports available in the community.

Doug Godfrey, General Manager, Operations, introduced the permissible shelter locations.

The Following delegates spoke:

Denise Mansur

Morgan Dandie

Anthea Millikin

Council recessed (11:26 a.m.)

Council reconvened (11:33 p.m.)

Bonnie Powell

Kevin Bowman

Greg Dorval

Sue Dason

Emma Duell

Horeen Hassan

Arlene Slocombe

Amelia Meister

Nicole Clark

Council recessed (1:00 p.m.)

Council reconvened (1:33 p.m.)

Mik Graf

Ron East

John Fisher

Susan Ratcliffe

Susan Watson
Pina Marfisi
Katherine Nixon
Daniel Loughrin
Andrea Baker
Jill Francis
Omorowa Eguakun
Dani Lindamood
Liz Cherry
Kim Richer
Dorian Hallman
Martin Collier

The following delegates did not speak:

Janice Folk-Dawson
Mario Gonsalves
Scott Yarnell
Brendan Johnson
Kay Miller
Lisa Baird
Barb Cunningham
Maeve Brennagh-Mackie
Christopher Lozinski
Amie Main
Jasper Smith
Maya Helferty
Niqolai Gryphon

Authority to Move into Closed Meeting

Moved By Councillor Busuttil

Seconded By Councillor Goller

1. That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to section 239 (2) (f) of the Municipal Act to consider advice that is subject to solicitor-client privilege, including communications necessary for that purpose, related to the Public Space Use Bylaw.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Closed Meeting Summary

Mayor Guthrie stated that City Council received advice, but no staff direction was given.

Motion to Recess Meeting

Moved By Councillor Goller

Seconded By Councillor Klassen

1. That the meeting be recessed.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Carried (13 to 0)

Council recessed (5:10 p.m.)

Council reconvened (8:47 p.m.)

First Motion

Moved By Councillor Goller

Seconded By Councillor Busuttil

1. That Council approve the draft Public Space Use By-law, as attached to report 2024-76, and incorporating Council's feedback at their February 14, 2024 meeting that staff be directed to place the by-law on the February 27, 2024 agenda for final adoption after which the by-law will come into effect on March 1, 2024.
2. That Council respectfully request that the County of Wellington supply the necessary resources and tools, as well as monthly statistics regarding daily availability and access to accessible permanent shelter for all those on the "by name" list, as well as data on the number of offers made to individuals for accessible permanent shelter where the individual has turned down the offer.
3. That Guelph's advocacy efforts continue with the Association of Municipalities of Ontario (AMO) and the Provincial government to address the need for greater municipal funding to deal with housing instability issues, legislative reform to address public

space use by-laws, and greater health care funding to address urgent community need connected to mental health and substance use issues.

Motion to Defer Clause One of First Motion

Moved By Councillor Busuttil

Seconded By Councillor O'Rourke

1. That recommendation #1 be deferred until the appeal of the Corporation of the City of Kingston v. Doe, 2023 ONSC 6662 decision is available and that staff bring back a report at that time for Council to consider a Bylaw that takes into consideration additional information and available legal decisions.

Voting in Favour: (9): Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

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

Carried (9 to 3)

Clause Two of First Motion

Moved By Councillor Busuttil

Seconded By Councillor Goller

1. That Council respectfully request that the County of Wellington supply the necessary resources and tools, as well as monthly statistics regarding daily availability and access to accessible permanent shelter for all those on the "by name" list, as well as data on the number of offers made to individuals for accessible permanent shelter where the individual has turned down the offer.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

Carried (12 to 0)

Amendment to Clause Three of First Motion

Moved By Councillor Klassen

Seconded By Councillor Busuttil

1. That Guelph's advocacy efforts continue with the Association of Municipalities of Ontario (AMO), the Provincial government **and the federal government** to address the need for greater municipal funding to deal with housing instability issues, legislative reform to address public space use by-laws, and greater health care funding to address **the crisis in our** community connected to **homelessness**, mental health and substance use issues.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

Carried (12 to 0)

Clause Three of First Motion as Amended

Moved By Councillor Goller

Seconded By Councillor Busuttil

1. That Guelph's advocacy efforts continue with the Association of Municipalities of Ontario (AMO), the Provincial government and the federal government to address the need for greater municipal funding to deal with housing instability issues, legislative reform to address public space use by-laws, and greater health care funding to address the crisis in our community connected to homelessness, mental health and substance use issues.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

Carried (12 to 0)

Second Motion

Moved By Councillor Goller

Seconded By Councillor Caton

1. That staff work with Wellington County, front-line workers and unhoused community members to enhance our Encampments on City Property and Road Allowances Operating Procedure, to include fire prevention education for community members staying in encampments in Guelph.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

Carried (12 to 0)

Third Motion

Moved By Councillor Caron

Seconded By Councillor Goller

1. That until the decision of Kingston is resolved, that engagement occur on the proposed bylaw, using the engagement procedures within the City of Guelph policies, that specifically ensures those with lived experiences are considered and incorporated into the report, and that it also take into consideration outcomes from the County Housing and Health Symposium, and that due to capacity issues for engagement that the dark sky bylaw engagement pause at this time.

Motion was withdrawn by mover and seconder.

Fourth Motion

Moved By Councillor Caron

Seconded By Councillor Goller

1. That until the decision of Kingston is resolved, that engagement occur on the proposed bylaw, using the engagement procedures within the City of Guelph policies, that specifically ensures those with lived experiences are considered and incorporated into the report, and that it also take into consideration outcomes from the County Housing and Health Symposium.

Motion was withdrawn by mover and seconder.

Fifth Motion

Moved By Councillor Caron

Seconded By Councillor Busuttil

1. That during the deferral period awaiting further legal proceedings, that staff develop a plan for a public consultation on the subject of use of public space for shelter, following our standard engagement principles and practices, and with specific intention and engagement with people with lived experience in encampments

Motion was withdrawn by mover and seconder.

Sixth Motion

Moved By Councillor Caron

Seconded By Councillor Busuttil

1. That in alignment with the County's Health and Housing symposium, that staff commence a public consultation process on the subject of use of public space for shelter, following our standard engagement principles and practices, and with specific intention and engagement with people with lived experience in encampments and the downtown community.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

Carried (12 to 0)

5. Mayors Announcements

Mayor Guthrie outlined things already completed by members of Council and the Community in relation to items that pertain to the Public Space Use Bylaw.

6. Adjournment

Moved By Councillor Busuttil

Seconded By Councillor Klassen

That the meeting be adjourned (9:44 p.m.).

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor O'Rourke

Carried (12 to 0)

Mayor Guthrie

Dylan McMahon - Deputy City Clerk