



## **Minutes of Committee of the Whole Meeting**

**November 5, 2024, 1:30 p.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:**

T. Baker, 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  
J. Charles, General Manager, Legal and Court Services, City Solicitor  
T. Gayman, General Manager, Engineering and Transportation Services  
N. Tampacopoulos, General Manager, Environmental Services  
K. Gibson, Manager, Technical Services  
C. Walsh, Division Manager, Solid Waste Resources  
D. McMahon, Acting General Manager, City Clerk's Office/City Clerk

J. McDonald, Council and Committee Assistant  
C. Murray-Sprague, Council and Committee Coordinator  
A. Sandor, Council and Committee Coordinator

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**1. Call to Order - Mayor**

Mayor Guthrie called the meeting to order (1:30 p.m.)

**1.1 Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**2. Authority to move into closed meeting**

Moved By Councillor Billings

Seconded By Councillor Allt

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

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Busuttil, Councillor Caron, Councillor Chew, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Klassen, and Councillor Richardson

Carried (11 to 0)

The following items were considered:

**2.1 Call to Order (closed meeting)**

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

**2.3 Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-444**

**3. Closed Meeting Summary**

Mayor Guthrie noted the following:

**Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-444**

Council received information, and no staff direction was given.

#### **4. Open Meeting**

Mayor Guthrie called the meeting to order (2:04 p.m.)

##### **4.4 Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

#### **5. Staff Recognitions**

##### **5.1 Energy Management Insight Award by The Clean Energy Ministerial**

Vice-chair Klassen recognized the following staff:

Bryan Ho-Yan, Manager Energy and Climate Change

Alisa Wiebe, Project Manager, Facilities and Energy Management

Jayne Holmes, Deputy Chief Administrative Officer, Infrastructure, Development and Environment

Robert Page, Supervisor, Fleet Planning

Phil Koechl, Supervisor, Corporate Building Maintenance

Carlin Sweeny, Project Manager, Facilities and Energy Management

Tijo Joseph, Project Manager, Facilities and Energy Management

Antti Vilkkko, General Manager, Facilities and Energy Management

Deepa Puthran, Project Manager, Facilities and Energy Management

##### **5.2 Canadian Railway Operating Rules Certificate and the Track Inspection Guidelines Certificate**

Vice-chair Klassen recognized the following staff:

Amber Bryer, Safety Officer, Guelph Junction Railway

##### **5.3 Registered Professional Planner (RPP)**

Vice-chair Klassen recognized the following staff:

Lucas Mollame, Planner

##### **5.4 Registered Professional Planner (RPP)**

Vice-chair Klassen recognized the following staff:

Rui Tong, Planner

##### **5.5 Certified Engineering Technologist (CET) designation from the Ontario Association of Certified Engineering Technicians and Technologists**

Vice-chair Klassen recognized the following staff:

Shaymaa Al-Ani, Traffic Signal Technologist

#### **6. Service Area - Infrastructure, Development and Environment**

Councillor Klassen assumed the position of Chair.

## **7. Items for Discussion**

### **7.1 Municipal Franchise Agreement with Enbridge Gas Inc. - 2024-416**

The following delegates spoke:

Samantha Hicks

Morgan Dandie

David Douglass

Abigail and Indigo

Gina Lammel

John Lawson

Gyruss Valeriotte

Evan Ferrari

Chuck Castillo

#### **First Motion**

Moved By Councillor Billings

Seconded By Councillor Gibson

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received.
2. That Council approve the form of franchise agreement and draft by-law attached to this report and authorize the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
3. That Council request that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the form of franchise agreement and draft by-law attached to this report is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.
4. That staff be authorized and directed to do all things necessary to give effect to the foregoing resolutions.

Clause 1 was requested to be voted on separately.

#### **Clause 1 of First Motion**

Moved By Councillor Billings

Seconded By Councillor Gibson

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received.

### **Amendment to Clause 1 of First Motion**

Moved By Councillor Caron

Seconded By Councillor Goller

Councillor Gibson called a Point of order, and asked whether Council had a chance to ask questions of staff. Chair Klassen noted that questions could be asked after the motion on the floor was voted on.

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received, **for information.**

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)

### **Clause 1 of First Motion as amended**

Moved By Councillor Billings

Seconded By Councillor Gibson

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received for information.

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)

### **Clauses 2, 3 and 4 of First Motion**

Moved By Councillor Billings

Seconded By Councillor Gibson

2. That Council approve the form of franchise agreement and draft by-law attached to this report and authorize the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act

3. That Council request that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the form of franchise agreement and draft by-law attached to this report is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.

4. That staff be authorized and directed to do all things necessary to give effect to the foregoing resolutions.

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

Voting Against: (10): Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Defeated (3 to 10)

### **Second Motion**

Moved By Councillor Caron

Seconded By Councillor Goller

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff to negotiate a Franchise Agreement with the gas distribution company that:
  - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
  - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
  - c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.

3. That the City of Guelph supports the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.
4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

### **First Amendment to Second Motion**

Moved By Mayor Guthrie

Seconded By Councillor Busuttil

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff, **to the satisfaction of the DCAO of IDE** to negotiate a Franchise Agreement with the gas distribution company that:
  - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
  - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
  - c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.
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4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the

Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

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)

### **Second Amendment to Second Motion**

Moved By Councillor O'Rourke

Seconded By Mayor Guthrie

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:
  - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
  - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
  - c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.
3. That the City of Guelph supports, **in principle**, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.
4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the

Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Voting in Favour: (8): Mayor Guthrie, Councillor Billings, Councillor Busuttil, Councillor Chew, Councillor Gibson, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

Voting Against: (5): Councillor Allt, Councillor Caron, Councillor Caton, Councillor Downer, and Councillor Goller

Carried (8 to 5)

### **Second Motion as Amended**

Moved By Councillor Caron

Seconded By Councillor Goller

1. That Council request the Province of Ontario to amend section 9 of Regulation 584/06 under the Municipal Act, 2001, to permit municipalities to charge fair fees to for-profit gas utilities for their use of public property, as municipalities do in most other provinces.
2. That Council direct staff, to the satisfaction of the DCAO of IDE, to negotiate a Franchise Agreement with the gas distribution company that:
  - a. will allow the City of Guelph to charge fees for use of public property if and when Ontario Regulation 584/06 is amended to allow such charges,
  - b. will ensure that the City of Guelph is not liable to pay for any gas infrastructure relocations needed due to conflicts with municipal infrastructure, and
  - c. will ensure future charges for use of municipal property is not passed on to Guelph customers of the gas distribution company.
3. That the City of Guelph supports, in principle, the Bill 219, "No Free Ride for Fossil Fuels Act, 2024" tabled November 4, 2024 by Guelph MPP Mike Schreiner.
4. That the above referenced motions and a letter of support for Bill 219, be circulated to MPP Mike Schreiner, Premier Doug Ford, Minister of Municipal Affairs and Housing, Paul Calandra, Stephen Lecce, Minister of Energy and Electrification, the

Ontario Big City Mayors (OBCM), the Association of Municipalities of Ontario, and its member municipalities.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Busuttil, Councillor Caron, Councillor Caton, Councillor Chew, Councillor Downer, Councillor Goller, Councillor Klassen, Councillor O'Rourke, and Councillor Richardson

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

Carried (11 to 2)

Council recessed (4:05 p.m.). Council reconvened (4:11 p.m.)

## **7.2 Blue Box Transition Status Update - 2024-449**

Nectar Tampacopoulos, General Manager, Environmental Services and Cameron Walsh, Division Manager, Solid Waste Resources, presented.

The following delegate did not speak:

Greg Dorval

Moved By Councillor O'Rourke

Seconded By Councillor Allt

1. That the report entitled Blue Box Transition Status Update, dated November 5, 2024, be received.

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)

## **8. Service Area Chair and Staff Announcements**

Mayor Guthrie noted that Ward 3 and 4 Councillors are conducting a budget town hall on November 6, 2024, at 6:30 p.m. at the West End Community Centre. Mayor Guthrie also noted that the Mayor's Town Hall event would be taking place live on the Mayor's Facebook page, at 6:00 p.m. on November 5, 2024.

## **9. Adjournment**

Moved By Mayor Guthrie

Seconded By Councillor Goller

1. That the meeting be adjourned (4:31 p.m.)

Carried

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Mayor Guthrie

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Dylan McMahon - Acting City Clerk