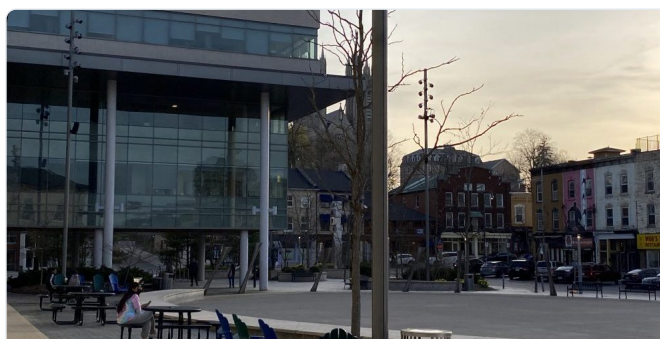




**Adam A. Donaldson** @adamadonaldson

Jul 5 · 100 tweets · [adamadonaldson/status/1676650663269244929](https://twitter.com/adamadonaldson/status/1676650663269244929)

Coming up at 2 pm, it's July's Committee of the Whole. Here's what we're talking about:



**Committee of the Whole Preview – What's on the Agenda for the July 5...**

We've got one more month of meetings before the start of the annual summer break, and it's going to be a pretty busy month. To kick off July, city council will be looking to the future ...

<https://guelphpolitico.ca/2023/06/23/committee-of-the-whole-preview-whats-on-the-age...>

Coming up next, Chair O'Rourke takes over under Infrastructure, Development and Enterprise Services.

First item up, Permanent Seasonal Patio Program.


Krista Walkey, Acting Deputy CAO of Infrastructure, Development and Enterprise Services presents, which is the new permanent version of the current program, which is mostly the same, but has a few specific big changes.

Walkey says that parking is an especially important note still downtown and they're hoping to balance that with the goals of the program. Most people recently surveyed hope that the program will continue.

Alex Jaworiwsky, Manager of Tourism and Destination Development, takes over and covers the patio program thus far:

### Seasonal Patio Program 2021-2023

- Created as a pandemic recovery measure
- Annual program from April 1 to October 31
- Applications were accepted for private property through the Temporary Use By-Law and for public property through the City Lands Encroachment By-law



Source: Seasonal Patio Program, 2023

### Seasonal Patio Program 2021-2023

- Funded through the operational budget and supported by the Safe Restart Fund and the Tourism Recovery Fund
- Application and agreement fees were waived
- A parking fee was implemented in 2023 (\$3 per square meter annually)
- More short-term parking spaces were added in 2022 to support delivery



Source: Seasonal Patio Program, 2023

Even non-patio business owners want to see the program stick around.

### Support for permanent program

"Would you like to see the program continue past 2023?"

"Yes" and "Yes, with modifications":

- Patio operators: 91 percent
- Non-patio operators: 65 percent
- Patio patrons: 97 percent



Source: Seasonal Patio Program, 2023

### Support for permanent program

"Gives downtown a European atmosphere."

"A busy downtown is good for everyone."

"The best thing to happen to downtown in decades."

"A true sense of community."



Source: Seasonal Patio Program, 2023

Changes:

### Seasonal Patio Program: moving forward

- A valuable destination development asset
- Supports investment in the downtown and remains flexible
- Incorporates feedback from participating community groups and staff
- Attributes fair value to the use of public space as commercial space
- Balances the needs and expectations of businesses downtown with cost recovery
- Improved waste management, accessibility, and parking guidelines

Source: Seasonal Patio Program, 2023

### Permanent Seasonal Patio Program

- **Updated program dates**
- **Adjusted fees** in line with the User Fees By-law, and apply fair value to flexible use of public space
- **Remove private property patios**
- **Updated design specifications** in line with Ontario Building Code and removing COVID-19 distancing requirements
- **Added waste management plans and accessibility** inspections with expanded resources for business awareness

New dates and fees:

Program dates	
<b>February 1</b>	Applications and renewals open
<b>April 1</b>	Existing business applications and renewals close*
<b>First weekend in May</b>	Barrier drop off and patio installation begins
<b>Last weekend in September</b>	All patios off-street by end of day Friday and barrier removal Saturday and Sunday
<small>*New businesses that open within the patio season will be able to apply for a patio until August 15 of each year, dependent on available infrastructure and budget.</small>	
<small>Permanent Seasonal Patio Program, 2023</small>	

Program Fees	
<b>Focus on cost recovery and fair value of public space through the User Fees By-law (2021)-20655</b>	
<b>Seasonal patio application fee</b>	\$171 +HST
<b>Encroachment agreement fee</b>	\$228 +HST
<b>Seasonal patio inspection fee</b>	\$260 +HST
<b>On-street fee</b>	\$10 per square meter per month +HST
<small>Permanent Seasonal Patio Program, 2023</small>	

Budget impact:

Revenue and Expenses	
<b>Using the rate of participation from 2023 to estimate the anticipated user fee collection, the below revenue and expenses are anticipated:</b>	
<b>Total expenses</b>	\$175,000
<b>Anticipated User Fees</b>	\$70,000
<b>Transfer from MAT</b>	\$105,000
<b>Impact to Tax Levy</b>	\$0
<small>Permanent Seasonal Patio Program, 2023</small>	

Klassen/Guthrie put the motion on the floor:

<b>Recommendation:</b>
1. That the Seasonal Patio Program as described in the Permanent Seasonal Patio Program report dated July 5, 2023 be approved pending budget approval as part of the 2024-2027 multi-year budget.

First of four delegates: Richard Overland, NV Kitchen and Bar. First, he thanks council and staff for work on Strat. Plan. He says patios have changed everything, couldn't open in the day before in the summer, and still opens in day after patio session. Doubled the staff.

Cllr Goller asks if he has any additions or comments about the changes to the program. On the new fees, Overland says he understands that the City has to be fiscally responsible, but going too high too fast might lose smaller operators.

Dario Dorenzo is next, who co-owns Frank N Steins. He says the patio program has been very impactful and says ditto to many of Overland's comments. His concern is also the cost, which he calls a 1600% increase and is not sure FnS will move forward if that's the case.

It seems that the other two delegates are unavailable to we go to council for questions.

Goller says the comment he's received are overwhelmingly in support, but was an impact analysis done on proposed fees? Jaworiwsky says the fee was not provided to businesses, but it was developed with businesses about expectations for paying fair value for patio space.

Caron asks about concerns around lack of public space, which can people find a place to sit that's not a patio for a private business? Jaworiwsky says there almost 50 public benches, plus table and chairs in St George, Market Squares. Looking at adding more.

Caron asks if today's decision the end, will there still be opportunity to collect feedback? Jaworiwsky says they're looking at ways to expand data collection in the name of storytelling around the program. Activation of public space will come with updates.

Caron asks about using the word "permanent" because there's going to be a lot of work downtown in the next few weeks. There will times when maybe a business can't put out a patio. Jaworiwsky says that's correct.

Busuttil asks about using the MAT on the patio program. Jaworiwsky says this is a placemaking and development activity, which is the point of the municipal accommodation tax. Staff tried to develop program with fees to see DT animated while maintaining public space.

Walkey adds that when they're talking about the fee structure, this is for patios taking up parking spaces not the sidewalks. There's apparently no commercial value to the sidewalk space.

Klassen asks about the barriers, do they have to incorporated into the design? Jaworiwsky says the barriers are there for traffic mitigation and safety, and as downtown renewal projects go forward they're looking at where they may not need barriers.

Guthrie asks if closed streets will require a permit. Jaworiwsky says that's right.

Guthrie asks about the issues with Toronto's permanent patio program, for patios that are going to be consistent year-over-year, how will staff provide quick service?

Jaworiwsky says there's a 2 month window for application & renewals, drawings good of 10 years, rollout consistent first week in May.

Guthrie asks how fees developed. Jaworiwsky says it covers inspection staff + fire/bylaw, other regs prevent it fr being incorp into biz license.

O'Rourke asks why the whole thing isn't being covered under user fees. Baker says that there was a consideration for the shared benefit of the service.

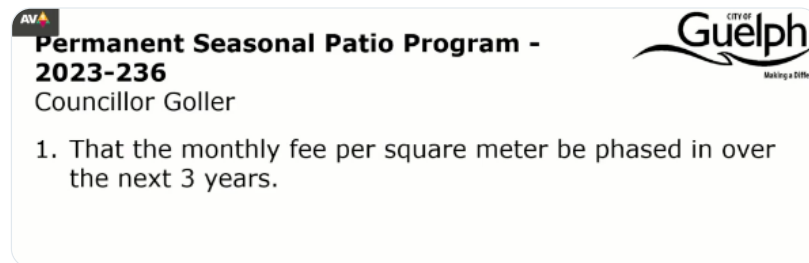
O'Rourke says that it was her understanding was that the MAT would be used for way finding, or highlighting tourism amenity. Why spend quarter to MAT to subsidise private business?

Staff says that they looked at how it's become a tourism driver downtown, and it allows the City to create a sustainable program while still recovering. Also seen as a partnership with businesses as they're paying fees. Full budget coming back to council for MAT use soon.

O'Rourke asks Dunnigan to confirm that this program is for patios all around the city and not just downtown. She confirms.

O'Rourke asks about impact of parking. Jaworiwsky says that the use of the parkades has been unchanged, but there's going to be added impact in 2023 with Macdonell Street lot now part of two-hour free parking.

Goller has a motion: to phase in the monthly fee over the next three years. Guthrie seconds.



Goller asks staff if the rest of the MAT been allocated and can it cover this? Jaworiwsky says the plan for the MAT will be coming back to council with the budget, but it is covered in the tourism strategy in broad stroke. In other words, yes, but council can direct otherwise.

There seems to be some confusion about the order of things here. Is this a separate motion or amendment? O'Rourke says that she's letting it stand as amendment.

Allt says that he wants the two separated and with another motion coming, he would like to see both of them go back to staff for more information for the end of the month.


O'Rourke asks if it would be helpful to direct staff to bring back options that council can look at the end of the month. Stewart says the motion says "phase in" but it doesn't say where it will start, and it also doesn't say where the rest of the \$175k is coming from.

O'Rourke asks Goller to reword the motion to maybe direct staff to bring forward some specific information at the end of the month. The motion is pulled.

Guthrie says that it seems like there's a collective need for more information about some of the financials, do staff need a specific direction about all three matters: bonusing, phase-in, and source of the funding. Stewart says that they can do that without a motion.

Caton says she was going to ask staff to report back about a three season patio program that would allow an expansion since people are still observing COVID protections and can only eat outside to take part in socialising.

This was her motion:

**Permanent Seasonal Patio Program -  
2023-236**  
Councillor Caton

1. That City staff be directed to report to City Council at the July 25th, 2023 City Council meeting regarding the fee structure and broader impact of a three-season patio program.

Allt recommends a referral. O'Brien notes that essentially every vote at CoW is a referral because it has to be ratified at the end of the month anyway for a final decision.

O'Rourke throws it back to Caton, because her motion was about structure not fees, but she does not there's a part of the motion about fees. Jaworivsky says the dates for the program were developed around use, and ops staff is in winter control in April & leaf collection in Oct.

Klassen says that she loves the patio program, and it's bringing life to downtown, but she has a motion:

**Permanent Seasonal Patio Program -  
2023-236**  
Councillor Klassen

That, in preparation for the seasonal patio program, staff be directed to research and report back to Council by Q1 2024 on the following options for businesses impacted by reductions in downtown parking:

- a) The conversion of a small number of 2-hour parking spots to temporary short-term parking spaces during business hours, and/or;
- b) The creation of a program where businesses can offer free parking to their customers in City parkades to offset the reduced on-street 2-hour parking.

O'Rourke says that because these are about parking, should like to have a vote about the recommendation and then do this.

Main recommendation approved unanimously.

**Recommendation:**

1. That the Seasonal Patio Program as described in the Permanent Seasonal Patio Program report dated July 5, 2023 be approved pending budget approval as part of the 2024-2027 multi-year budget.

Allt seconds Klassen's motion.

Guthrie asks if this timing aligns with the DT parking master plan, could this work be referred to that? Walkey says that plan's coming in September, and some of this info will be that report.

Guthrie: So will this info Klassen is looking for be addressed in the report?

Walkey: Yes it will.

Walkey adds that they can meet with Klassen and see if the work in the master plan answers questions before the end of the month, and if they don't they can let the motion stand.

Klassen pulls the motion.

That's a wrap for IDE. Public Service is next with one item on the consent agenda.

**10.1 Paramedic Services Response Time 2022 and Performance Plan 2024 - 2023-265**



**Recommendation:**

1. That the Response Time Performance Plan for 2024 is set as recommended by staff.
2. That Council receives for information the report on the Response Time Performance of Guelph Wellington Paramedic Service in 2022.

[View for Discussion: Public Services](#)

Billings/Allt move it and it passes unanimously.

Committee is now on dinner break. See you after chow!




We now officially begin the Public Services agenda with Vice-Chair Chew.

Next item up is By-law Review Update. Cllr Goller will speak to this item, because this was originally an Item of Information.

Here's the slate of motions Goller wants committee to consider:

**By-law Review Update – 2023-256**  
Councillor Goller Motion



1. That staff report back by October 2023 on any bylaw reviews that are recommended to be removed from the workplan in order to free up resources,
2. That staff report back by October 2023 on the proposed timelines for changes to the workplan in order to add in an update to the noise by-law to explore the use of vehicle noise cameras in Guelph, and
3. That staff report back by October 2023 on the proposed timelines for changes to the workplan in order to add in the creation of a by-law that allows contained smokeless recreational wood-burning fires, and
4. That staff report back by October 2023 on the proposed timelines for changes to the workplan in order to add in the creation of a by-law banning the use and sale of fireworks.

5

Allt seconds Goller's slate.

Allt says that these are worthy of consideration, he may not support all of them in the end, but we need to look at the rationale for some of these things. Fireworks are getting bigger and louder, and perhaps we need to reiterate why we've got the bylaws we've got.

There are two delegates starting with Donna Jennison, No More Noise Guelph. Jennison delegated to the Guelph Police Board on this topic last month, and she says that her group supports bringing the noise bylaw review forward for a number of reasons.

Jennison endorses the implementation of noise cameras, plus the creation a noise complaint committee and other mitigation measures to battle the growing noise pollution from noisy vehicles.

It seems like the second delegate isn't available, so we move on to council questions.

Guthrie asks to separate the motions so that they can dispatch them one at a time. Chew endorses that idea.

On motion #1, O'Rourke asks how staff organise the bylaw review. Doug Godfrey, General Manager of Operations, says that some are administrative and some are directed by council. They tend to review a long-term project and short-term one at the same time.

O'Rourke asks how this aligns with the Strategic Plan. Godfrey says that this is City Building, creating a safe and vibrant community.

O'Rourke asks if the motions are providing direction like "ban" fireworks. Goller says he would like to get a sense from council if they would like to look at these issues, bringing them back to October for the budget, and then make a decision about pursuing them.

Goller says he's not tied to the wording. he brought them forward because they're things his constituents were asking for.

O'Rourke says they all have complaints from constituents, but would like wording that does not preclude a conclusion, something like motion #2 which sound much less prescriptive.

O'Rourke adds that she doesn't even know if the City can bad the sale of fireworks, since they are a legal product.

Guthrie asks staff about what's happening with motion #1, if staff say that they can't remove anything from the work plan, the rest is moot. Godfrey says that there are some items on the list they can talk about coming off the list by October. For example:

<https://t.co/Y78Oho1100https://pub-guelph.escrimemeetings.com/filestream.ashx?DocumentId=38313>

Food and Non-Food	Yes	2016	Rescheduled from 2016	2016	Update	Minor	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Yard Maintenance	No	2016	2024	N/A	Update	Minor	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Tax Licensing	Yes	2017	2024	N/A	Update	Minor	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Animal Control - Chickens	Yes	2020	2024	N/A	Update	Minor	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Property Standards	No	2021	2024	N/A	Update	Major	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Noise By-law Schedule B	No	2017	2025	N/A	Update	Minor	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Exotic Dancers	Yes	2012	Rescheduled from 2012	N/A	New Regulations	Minor	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.
Animal Businesses/Services	Yes	2016	Rescheduled from 2016	2016	New Regulations	Major	Report passed. Housekeeping amendment to business licensing bylaw and software update required to reflect Council direction.

Guthrie is satisfied by that answer. Allt says he's also satisfied about the practicalities. Motion #1 passes unanimously.

Motion #2: Update about noise bylaw?

Allt notes that this came to GPS Board, and they had a debate about whether this was a police or bylaw matter.

O'Rourke asks about the bylaw review on exotic dancers, was that because of sex trafficking. Godfrey says that it was a request by council years ago, and its been deferred ever since. Godfrey says the review will look at all projects and explain why they should remain or not.


Chew asks if committee would be fine if some of this info came back in an information report. Goller says that they're not asking for bylaws to be developed by Oct, he wants to know how much work it would take.

Stewart says staff are going to look for direction from council in October, they could hire more staff to make it happen, but there might be area like housing where they could use the staff more. (hint).

Amendment to #2 by O'Rourke/Guthrie.

## By-law Review Update – 2023-256

Councillor O'Rourke Amendment



2. That staff report back by October 2023 on **potential** timelines for changes to the workplan in order to **update** the noise by-law to explore the use of vehicle noise cameras in Guelph, **and other issues related to the noise by-law**

The amendment passes unanimously. Motion #2 passes as amended unanimously.

Next #3. Goller offers to amend and replace the word "add" with "explore".

**By-law Review Update – 2023-256**  
Councillor Goller Motion



3. That staff report back by October 2023 on the proposed timelines for changes to the workplan in order to add in the creation of a by-law that allows contained smokeless recreational wood-burning fires, and

O'Rourke asks Godfrey if he's any discussion with the fire chief about this. He has not.

Godfrey asks to add "outside burning" to the end of that. Stewart says it's about recent wildfire and smoke, which we've been experiencing lately. Worried about opening the door to more work.

Godfrey adds that smokeless fires can still generate heat and flames, which still present a safety risk.

Guthrie wants to be on the record, if the fire chief says "no" before October that's the end of that, right? Could staff just produce an info report? Stewart says that might come up in a lot of these instances.

Goller asks committee to support this because so many people are doing it illegally, so why don't look at developing some strict guidelines. He calls it a harm reduction.

O'Rourke reminds committee that lots are getting smaller and smaller as we get more dense. But bylaws are city-wide and not just specific to areas. It's kind of an equity thing, like the RV parking.

Another O'Rourke amendment:

**By-law Review Update – 2023-256**  
Councillor O'Rourke Amendment



3. That staff report back by October 2023 on the proposed timelines for changes to the workplan in order to **review the outdoor recreational fire burning by-law, including the potential use of** smokeless recreational wood-burning fires

Goller seconds the amendment and it passes 9-1 (Caton against)

Motion #3 passes as amended 9-1.

Finally, motion #4. The one about fireworks.

Goller says that this comes from constituents that have PTSB or pets that are affected by the noise. We can use drones now, so why not get rid of them. We only allow say week before on three specific days anyway.

Allt says that this might be an idea whose time has come (no matter how much he might like fireworks). Need to consider dry conditions as a hazard as well.

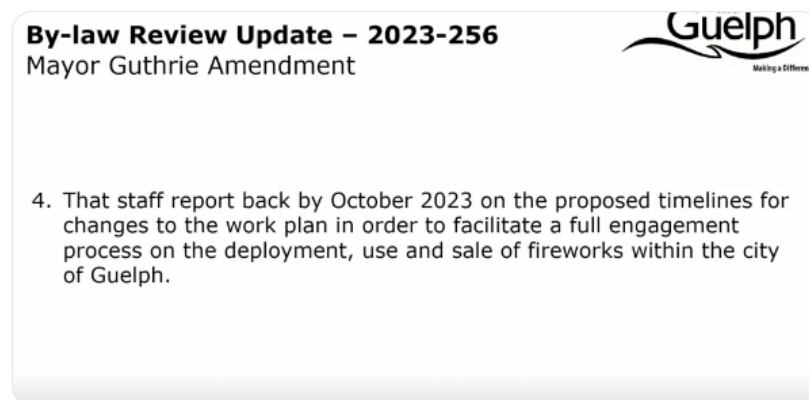
Guthrie asks if council is allowed to ban fireworks. Godfrey says that he doesn't know, that will be part of the mission here.

Guthrie asks Goller if ban is the goal. Could we have more regulated use, or a permitting process? Theoretically, people could go to Fergus or Kit. to buy fireworks. Goller notes Brampton and Caledon banned the sale of fireworks.

O'Rourke asks about the difficulty in responding when fireworks is banned. Godfrey says part of the review itself will look at those logistics. O'Rourke notes that the Oct report is not with fully formed recs, just how much time it will take to review. Godfrey says yes.

Chew asks about setting up fireworks safe areas, is that a possibility? Godfrey says that the Oct. report will look at how long it will take to get that information together.

Guthrie amendment:



Allt seconds the motion. Stewart says that he likes what's on the screen, but notes that this opens the motion open for other options besides straight up ban. Just wants to note that this puts other options on the table.

Goller asks if a ban is still on the table with this motion. Godfrey says yes.

The amendment passes unanimously.

Motion #4 as amended passes unanimously.

Next, E-scooter By-law. There's no presentation, so we get right into delegations. Adrian Salvatore, Guelph Coalition for Active Transportation is up first. Would like to see e-scooters be allowed on multiuse paths too in the name of safety.

Goller asks how many members of GCAT are using e-scooters. Salvatore says that they don't have those deets, but they had a recent event where 20 people showed up compared to about 250 bikes.

Chew asks about promoting safety. Salvatore says that GCAT puts out safety tips in newsletters and social media. Many board members also have safety training.

No second delegate available, so Guthrie asks about using multiuse paths. Godfrey notes that this has been a quick turn around so they can take that into consideration before the end of the month.

Goller proposes an amendment to allow e-scooters on multiuse paths. He notes that anywhere bikes are allowed, scooters should be allowed too.

#### **E-scooter By-law - 2023-276**



1. That the e-scooters usage be limited to City roadways and multi-use paths.
2. That Council approve the draft by-law and any required amendments to the Traffic By-law Number (2022) - 20698 to permit the operation of personal use e-scooters effective August 1, 2023

Chew says there are maybe six multiuse paths around the city, is this going to be a hindrance? Godfrey says transport staff haven't had a chance to weigh in yet, so that can get done by the end of the month.

Stewart says that Chew's question about liability will need to be referred to legal counsel. He asked the question, so now council will need to get the answer by the end of the month.

Guthrie asks if staff needs a motion. Stewart says that they can bring that information without being directed by a motion.

O'Rourke says with zero info she doesn't know if she can vote for this tonight. Goller withdraws the amendment.

Recommendation is passed unanimously.

#### **Recommendation:**

1. That Council approve the draft by-law and any required amendments to the Traffic By-law Number (2022) - 20698 to permit the operation of personal use e-scooters effective August 1, 2023.

So that's the end of the meeting!



@threadreaderapp unroll please!

...