



**Adam A. Donaldson** @adamadonaldson

Oct 29, 2024 · 100 tweets · [adamadonaldson/status/1851381417944420695](https://twitter.com/adamadonaldson/status/1851381417944420695)

Coming up at 6:15, it's this month's regular meeting of council. This is what's on the agenda:



**City Council Preview – What's on the Agenda for the October 29, 2024 ...**

It's time again for the regular council meeting of the month, a chance to revisit all your favourite reports from Committee of the Whole, and there's definitely one report this October ...

<https://guelphpolitico.ca/2024/10/18/city-council-preview-whats-on-the-agenda-for-the-...>

Guthrie reads a statement:

Wants to acknowledge the many emails and respond to common theme - many residents are supporting bylaw but don't think it will go far enough. Concerned about schools, parks, pathways, etc. Council hears you and understands.

...The bylaw gives city the tools to respond to encampments where they're not safe, but wasn't meant to be a catch all. Map was only meant to be an example to show where camps are allowed, its not part of the bylaw and will not be used for enforcement purposes.

...When asked about specific locations, he's not sure people are aware that something needs to be added to the bylaw to constitute a sensitive public space, that means areas intended for sensitive area intended for public use, there are other conditions specifically for kids, etc

The definitions are based on the public nature of the spaces that are being protected, the more sensitive, the more restrictive. He says the bylaw as written gives the city tools to address problems they're hearing about, can't designate every space and address any scenario.

If you see a structure that's unsafe, get in touch with bylaw. To protect areas of personal preference is a slippery slope, and defeats the purpose.

By the way, here's the motion approving the appointment to the Elliott.

**October 2024 Public Appointments – The Elliott Community Board of Trustees**



1. That Thomas Hunter be appointed to The Elliott Community Board of Trustees for a 3-year term ending October 29, 2027, or until such time as a successor is appointed

Disclosure of Pecuniary Interest and General Nature Thereof? Caron noted a conflict on 785 Gordon in closed.

Minutes of the open Council Meetings held September 10 and 24, 2024, and the Committee of the Whole Meetings held September 4 and 17, 2024 all approved.

From Committee of the Whole: Residential Security Cameras By-law Review. Also on consent: Grant Opportunity – Endorsement Request for the Connecting Links Fund Applications.

Recommendation:

That staff be directed to create optional guidelines for proper use of residential security cameras.

And...

Recommendation:

That Council endorse the City of 's grant application to the Connecting Links Program for Intake 10 – Repair and Rebuild, offered through the Ministry of Transportation, for the York Road Phase 4 Stage 1 project as outlined in...

...the Grant Opportunity - Endorsement Request for the Connecting Links Funding Applications report dated October 29, 2024.

Both approved!

Next item: Fireworks By-law Review. There's no new information, and about to dozen listed delegates.

First up is Mo Markham from Waterloo Region Climate Initiatives. Markham says they hope for a full ban b/c unregulated use poses safety hazard and potential trauma. Also asks to consider alternatives.

Next, Erica Hogan from Phatboy's Fireworks. She's been selling fireworks since she was 14, and now owns many businesses. She says she fights PTSD everyday, and understands why fireworks have concerns, but there are there are kid and pet friendly options.

She adds that this is a bylaw issue and bylaw seems to only work 9-5, Monday to Friday. Would love to have bylaw on rotation to address concerns and calls, but there has to be a

better way than a ban. Already lost a business due to a ban and lots of repercussions. So we've skipped over about 3 names who seemed to have backed out or are unavailable. Harmin Gill takes the stand instead. He owns Phatboy and notes that they're the only cross-country retailer. He's seen what works and what doesn't.

Gill says a permit system would end personal fireworks, as it would limit it to licensed technicians and people with insurance, but few technicians have their own insurance. Should look to the Mississauga model with stiffer penalties for scofflaws.

He says Brampton's ban has sent the fireworks use underground, with more fireworks use and improper safety and disposal. Evidence? He lives in Brampton.

Billings asks if Mississauga has a safe discharge distance. Gill says he doesn't know the exact figures, but there are set spaces and times, and his stores try to tailor fireworks to the space.

O'Rourke asks if a person at the point of sale is required to provide safety information. Gill says they follow all requirements for documentation, notes that Diwali requires a permit while Canada Day does not, so they're checking permits now as people come in.

Alex Ciccone returns to delegate. (He was here for Committee of the Whole on this topic.) He notes permitting system is a big improvement, wants city to go further though. This would address the nuisance stuff and reduce the noise happening outside approved windows.

Next is Warinder Singh of the Kirpa Media group. He also cites Brampton as having issues with a fireworks ban. This is a time of education, lots of new Canadians who don't know the rules and regs, and bylaw officers already overburdened.

He notes that places of worship is being overburdened with requests for have fireworks displays, which is putting an unfair financial and regulatory burden on them.

Next, Priyam Vyas. He says a licensed technician is not going to get out of bed for less than \$5,000, so these permits will not be issued for small shows. These will be big shows uses professional fireworks, and thus be a bigger nuisance.

Looks like we're skipping 2 more so we're moving on to Paresh Soni. He's the executive director of a non-profit in London, where they're having the same issue. They've done an awareness and safety campaign and had success.

With over 1 mn Hindus in Canada, and what unites them is celebrate Diwali, and the big part of those celebrations is fireworks. Most people spend about \$50 on average, 15-20 minutes and done, and yes, there are rogue elements, but a ban will hurt the community a lot.

Sarah Rosenberg from EG Canada Inc is next, which operates a location on Silvercreek North. She says a ban will have serious consequences for small businesses, especially since there are mostly Canadian-owned businesses.

Cllr Gibson says it doesn't feel like we're getting rid of the nuisance folks, jut the law abiding, is this the delegation? Rosenberg says yes, they would like to see a focus on eduction and awareness about the allowed times and locations.

Next is Tom Jacobs of Rocket Fireworks. He says education is important, but you need teeth like stronger fines. There are "jerks" doing all manners of things like paying loud music, if

the point is to send a message, then send a message with stronger fines.

Cllr Chew asks about other initiatives that worked. Jacob says Edmonton worked with CFNA to license vendors that stores were offering best possible safety advice. Has high hope for Mississauga fines.

David Calder is next. He says they've always had Victoria Day fireworks in his backyard, and it provides a sense of community for him and his neighbours. He gives Phatboya shout out for providing good and informative experience.

Cllr O'Rourke asks Calder if he's given Guelph's rules at point of sale. Calder says he knows the store provides pamphlets, but he has 20 years of experience. Obviously the City can promote using materials in different languages to be more effective.

Next is Lisa Veit from the Guelph Humane Society. She wants to bring awareness of the harmful consequences to animals in our community, wants to support the bylaw, but also supports going further with a ban. Can't underestimate impact on pets and wildlife.

Next, Victor Chapnik the founder and CEO of Kaboom Fireworks with 80 retailers across Ontario. He says that only a few municipalities have done a full plan, and it hasn't been shown that this actually creates fewer fireworks calls.

Last delegate, Aleem Kanji from Canadian National Fireworks Association. He got his presentation into the agenda this time: <https://pub-guelph.escrimemeetings.com/filestream.ashx?DocumentId=53496>

Kanji says industry and government should create education and certification for users, like with the CNFA's "Be a Good Neighbour" program, which is offered at no cost to municipalities.

Gibson says no one on the pro side tonight has been against more education and enforcement, is that the implication? Kanji says that's right, what they've heard tonight is that more education, enforcement is good. Every community has different needs, bylaws should reflect that.

That brings us to Recommendation: That staff be directed to create a new permit-based fireworks by-law to replace and repeal Fireworks By-law (1993)-14362.

Allt/Busuttil move it.

Gibson proposes amendment to exclude novelty devices like sparklers and party poppers. Caron seconds.

**Fireworks By-law Review, 2024-355**  
Additional Motion - Councillor Gibson



1. That council directs staff to exclude "Novelty Devices" (I.e. sparklers and party poppers), as defined by the Explosives Act (Type F) from requiring a permit for their purchase or discharge.

Gibson says he appreciates the work on this bylaw, but it still seems rather course, and one of the aspects of that is the sparklers. It's possible someone might see a kid with a sparkler and call bylaw.

Cllr Allt asks staff if there are any challenges to this. Fire Chief Arnold says he doesn't have any empirical data, but he has responded to one instance where a girl was burned by a sparkler shoved in her face.

Allt says that being said he will still support the amendment.

The amendment is approved.

Allt says he loves fireworks, but he's in favour of regulation for a number of reasons, and this should not be construed as an attack on diverse practices. This is about safety and responding to community living. Some people don't quit smoking, but we restricted that.

Cllr Caton says that if fireworks are allowed at all, they should be operated by someone trained to use them. If we listen to the fire chief on encampment fires, why don't we listen to him on fireworks? Staff has balanced fireworks and safety.

Cllr Goller says he's heard from many constituents and they overwhelmingly support this even though they want total ban.

O'Rourke confirms there's no draft bylaw right now, this is direction. GM operations Godfrey says that's correct.

If this motion fails, could we not add distances to safety regs on the website? Godfrey says yes.

O'Rourke asks to confirm, people who set off fireworks in public park need a permit? Godfrey says yes.

Are most people aware of that? Godfrey says he doesn't know the answer to that.

O'Rourke says she's been back and forth, but she can't support a ban on legally allowed product and if it is banned, there's no opportunity for education. She says it's hard to apply on website in terms of navigation, and commercial fireworks have worse effects.

O'Rourke says that she would like to keep the current bylaw and add the new safety distances. Doesn't see how enforcement will get better under the bylaw. She won't support

the staff recommendation.

Busuttil says she wishes the recommendation went further, in her area they've been set off in backyards and caused damage. Doesn't want to see fireworks in backyards, and Diwali celebrants say they're happy with the sparklers.

Gibson says he's on the education and enforcement side, and would like to see more work there. There's lots of enjoyment and community, but can we do it better? Of course, and that's where he is at. He's sensitive to the animal concerns.

Guthrie says he still stands by what he said at committee, the status quo can't remain, but does that mean swinging the pendulum so far the other way? Would like to see options like bigger fines and education, so he's a no.

Guthrie, O'Rourke, Gibson, Richardson, Chew, Klassen, and Billings vote against and the recommendation fails.

New recommendations from O'Rourke:

**Fireworks By-law Review, 2024-355**  
Additional Motions - Councillor O'Rourke



1. That the permitted hours for fireworks be changed from "between 9 a.m. and 11:59 p.m." to "between 9 a.m. and 11:00PM"
2. That point-of-sale employees be required to provide information on fireworks safety and Guelph rules and guidelines to purchasers of fireworks.
3. That staff be directed to consider whether a higher fine should be levied for contraventions to the fireworks bylaw.

Wait, we're waiting for a substitution for #3.

Here's the new slate. Gibson seconds.

**Fireworks By-law Review, 2024-355**  
Additional Motions - Councillor O'Rourke



1. That the permitted hours for fireworks be changed from "between 9 a.m. and 11:59 p.m." to "between 9 a.m. and 11:00PM"
2. That point-of-sale employees be required to provide information on fireworks safety and Guelph rules and guidelines to purchasers of fireworks.
3. That minimum safe distances from residences and all vulnerable occupancies (schools, nursing, and care facilities) be added to the current bylaw

Gibson asks if there should be set distances in the motion. Godfrey says that is something that they may need to do more development on, different municipalities have different setbacks versus what was referred to in the memo to council.

Allt says he would like staff to recommend times because they could be seasonal, and on Monday night of a long weekend does interfere with the sleep time of some children.

DCAO Clack-Bush says that the intent will bring this back as a fully formed bylaw that would be approved at the end of the night. So there won't be a full meeting on that bylaw unless council insists so the more specificity the better.

Guthrie asks about the times, why start at 9 am? Godfrey says existing bylaw says 9 am, that's where it's coming from. Has there been any complaints about fireworks in the day? Godfrey says he can't think of one.

Busuttil asks if the distances set are auditory. Godfrey says it's just a straight measurement from the originating point and the gas station or other property.

Busuttil asks if there will be convos with the school board, since fireworks not allowed on school property.

#1: Approved 10-3 (Allt, Caton, Busuttil)

#2: Approved: 10-3 (same spread)

**Fireworks By-law Review, 2024-355**  
Additional Motions - Councillor O'Rourke



1. That the permitted hours for fireworks be changed from "between 9 a.m. and 11:59 p.m." to "between 9 a.m. and 11:00PM"
2. That point-of-sale employees be required to provide information on fireworks safety and Guelph rules and guidelines to purchasers of fireworks.
3. That minimum safe distances from residences and all vulnerable occupancies (schools, nursing, and care facilities) be added to the current bylaw

Billings note concern about 300m, because she thinks that would end up barring fireworks from being allowed at Riverside. Godfrey says they will be looking at establishing a safe setback that doesn't ban personal fireworks. They will determine what's appropriate for Guelph.

Busuttil asks if staff are aware if housing insurance allows for backyard fireworks. Godfrey says he doesn't know.

O'Rourke says she lifted the language from the staff report, so open to other language.

Guthrie says safe distances are printed on all fireworks anyway, so can't they just follow that? Godfrey says they will gather that info and incorporate into recommended bylaw. The 300m applies to location with combustibles.

#3: Approved with Allt, Caton and Busuttil against.

## **Fireworks By-law Review, 2024-355**

Additional Motions - Councillor O'Rourke



1. That the permitted hours for fireworks be changed from "between 9 a.m. and 11:59 p.m." to "between 9 a.m. and 11:00PM"
2. That point-of-sale employees be required to provide information on fireworks safety and Guelph rules and guidelines to purchasers of fireworks.
3. That minimum safe distances from residences and all vulnerable occupancies (schools, nursing, and care facilities) be added to the current bylaw

Chew motion to increase fines, Richardson seconds.

## **Fireworks By-law Review, 2024-355**

Additional Motions - Councillor Chew



1. That staff be directed to seek approval from the Regional Senior Justice for new set fines related to the fireworks bylaw, and that the set fines submitted for approval are greater than the administration fees and take into consideration the impact the violation may have on the public.

Guthrie notes that this seems to be written under the assumption that the original recommendation had passed so it might need rewritten. Chew says there's no reference to permits, but its the line about admin fees, there presently are none.

The refined motion:

## **Fireworks By-law Review, 2024-355**

Additional Motion - Councillor Chew



1. That staff be directed to seek approval from the Regional Senior Justice for new set fines related to the fireworks bylaw and take into consideration the impact the violation may have on the public.

Goller asks how they will set the amount. Godfrey says they would look at Noise bylaw fines and other municipalities to develop a recommendation.

Motion approved 11-2 (Busuttil and Caton).

Chew motion to add more days where fireworks are allowed. Richardson seconds.



**Fireworks By-law Review, 2024-355**  
Additional Motion – Councillor Chew



1. That staff be directed to amend or replace the Fireworks By-law (1993)-14362 to increase the number of allowed days that fireworks may be sold and discharged and to include other culturally significant days (e.g. Lunar New Year and New Years Eve) and improve safety.

Chew says he can sense the energy in the room, and this was option #2 in the slide deck from CoW. Would like to make this part of the education, wants more regs, but also wants more practical consideration.

Guthrie says he wants to add to more days, so maybe the motion is a little wordy. Chew agrees to pull it for an edit.

Godfrey says that the way that the motion is being written doesn't reflect the number of days where they're allowed to sell the fireworks. Clerks are still wordsmithing.

Here's the new motion:

**Fireworks By-law Review, 2024-355**  
Additional Motion – Councillor Chew



1. That staff be directed to amend or replace the Fireworks By-law (1993)-14362 to increase the number of allowed days that fireworks to include Lunar New Year and New Years Eve.

Allt asks about removing days, how significant is Victoria Day now? Clack-Bush says she doesn't want to get too far ahead about adding and subtracting days, and there's still nothing here about sale of fireworks, which are only allowed up to Victoria and Canada Days.

Clack-Bush says they need clear direction on days allowed, and days fireworks are allowed to be sold.

O'Rourke notes that people can get permission now with approval of the fire chief. Doesn't want to rewrite this now without consultation.

Chew offers to withdraw the motion and council consents.

Downer says why they allow the day before Vic and Canada Days, that's part of the status quo not working. Godfrey says it's to allow discharge on Saturday when Canada Day falls on Sunday so kids can stay up late.

Motion to remove the day before issue on dates of significance, moved by Downer seconded by Allt. Clack-Bush notes that at this point the City doesn't allow the sale of fireworks up to Diwali.

Motion:

**Fireworks By-law Review, 2024-355**  
Additional Motion – Councillor Downer



1. To remove the day before Victoria Day and Canada Day from the current Fireworks Bylaw.

Gibson says he feels like there might be unintended consequences, because what if Canada Day falls on a Tuesday. Or rain days. He doesn't not like the idea, but he's vote against because of the blind spots.

Vote on the motion: passes 8-5 with Chew, Guthrie, Richardson, Billings, Gibson.

Guthrie's getting a little testy as Goller expresses confusion about what they're voting on.

Clack-Bush explains that from an equity point of view it's important to allow the sale of fireworks for 7 days before Diwali. They hadn't included that in the original work due to the permit direction. Richardson will move and Gibson seconds.

Motion, but there seems to be some confusion if this is the right wording. Godfrey says that's what he wants.

Motion passes 12-1 (Goller against)

**Fireworks By-law Review, 2024-355**  
Additional Motion – Councillor Richardson



The sale of fireworks is restricted to seven days prior to Victoria Day, Canada Day and Diwali

Goller says he's concerned that things haven't been made better for the 56% of Guelph residents who wanted a ban, what else can be done? Guthrie says he thinks this is out of order unless Goller has a specific motion.

Goller says staff developed a well reasoned direction and council through it out and did something on the fly. He wonders if they missed anything in a well considered approach. Guthrie thinks he's still out of order, more appropriate to ask if they feel like this addresses issue

Guthrie puts foot down and says this is out of order. Asks Goller if he has anything else. Goller says his concern is they did 6 months of engagement and then made decision that goes against that feedback. Should they look at anything from recommendation?

Guthrie still says it's out of order. Caron asks to make a comment, but Guthrie says no, we will only accept challenge. There is none.

Instead Guthrie asks if council has made any decisions that impede staff's work. Godfrey says no.

Case closed.

Next, 2024-2026 Council Appointments.

Audit Chair: Goller nominated, and he's approved.

Corporate Chair: Caron nominated and she's approved.

IDE Chair: O'Rourke nominated and she's approved.

Public Chair: Downer nominated and she's approved.

Elliott Chair: Downer nominated and she's approved.

Vice Chairs

Audit: Richardson nominated and approved.

Corporate: Caton nominated and approved.

IDE: Klassen nominated and approved.

Public: Allt nominated and approved.

Gov/CAO: Busuttil nominated and approved.

Elliott: Caton nominated and approved.

Bylaws of the week approved.

**Recommendation:**

1. That by-laws (2024)-20994, (2024)-21001, (2024)-21004 and (2024)-21006 be approved subject to Section 284.11 (4) of the Municipal Act.

**\*10.1**

**By-law Number (2024) - 20994**

A By-law to delegate certain administrative powers and duties to City staff, to govern the execution of documents, and to repeal By-law (2023) - 20794.

**\*10.2**

**By-law Number (2024)-21001**

A by-law to amend the Traffic and Parking By-law Number (2022) - 20698, as amended, being a By-law to regulate the use of Highways within the City of Guelph and the Traffic and Parking thereon

**\*10.3**

**By-law Number (2024) - 21004**

A by-law to appoint the positions of City Clerk, Deputy City Clerk, City Treasurer, Deputy City Treasurer and repeal bylaws (2014) -19753, (2018) - 20249 and (2017) - 20157.

**\*10.4**

**By-law Number (2024) - 21006**

A by-law to confirm the proceedings of a meeting of Guelph City Council held October 29, 2024.

Mayor's announcements: Upcoming budget town halls next week. Follow this link...



#### Mayor Cam Guthrie - 2025 Draft Budget Town Halls

As part of my 2025 Guelph budget engagement, I will be hosting a series of town halls across the city and online. I encourage you to come on out with your questions, suggestions, and concerns as I pr...

<https://mayorguthrie.com/2024/10/29/2025-draft-budget-town-halls/>

For the record, here's the transcript of Guthrie's comments about the Public Space Use Bylaw at the beginning of the meeting:

I want to just take this opportunity to acknowledge the many emails council has received regarding the public space use by law and to respond to a common theme. The vast majority of emails we've received are from residents who actually support the bylaw but are actually worried it doesn't go far enough to protect certain areas that are important to them personally.

For example, people are concerned about potential encampments near schools or in parks where kids are walking to school, or parks that are even used for school activities. I want people to understand that council hears you and we understand those concerns, and that's why Council supported the by law. The bylaw gives us the tools to respond to encampments in areas where they're not safe or appropriate for them to be.

However, there seems to be some confusion about the scope and the application of the bylaw. As a reminder, the map was only intended to be a high-level visual tool to show examples of where the bylaw applies. Let me be clear: The map is not part of the bylaw, and the map is not going to be used for enforcement purposes.

When residents reach out to me and to other members of council asking about specific locations, I don't think it's widely understood that we don't need to add specific areas to one of the schedules contained in the bylaw in order for it to constitute what's considered a sensitive public space, or a designated area.

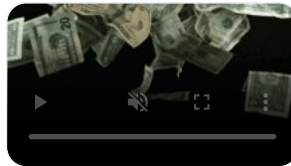
For example, if you read the definition of sensitive public space, it goes from general down to specific. So at the broadest level, sensitive public space means “areas intended for a sensitive public recreational or personal use.” The definition then goes on to provide examples, including areas intended for use by children or pets or for the mobility of the public, or with heightened safety requirements or attracting a heightened expectation of quiet use and enjoyment.

Then the bylaw rolls down even further to give specific examples, including, but not limited to playgrounds, water parks, splash pads, fenced off leash, dog parks, trails, accessibility routes, entrances, exits, municipal cemeteries, community gardens and fountains and the definitions are based on the public nature of those spaces that we are protecting. So, where the public use of that space is more sensitive, more restrictive regulations apply.

To repeat: Sensitive public space is any area intended for a sensitive public recreational or personal use, including areas intended for use by children, pets, or for the mobility of the public. So, I think the bylaw as written gives us the tools to address the concerns we're all hearing.

We don't need to designate every space, and it would be impossible to anticipate every hypothetical scenario. So if you encounter a structure in any area you don't consider safe or appropriate, please reach out to bylaw compliance and provide them with that information right away. Designating too many areas or expanding protective buffers out of fear or personal preference is a slippery slope, and we don't need to go down that slope in order to achieve the purpose of the bylaw, which is the safe use and enjoyment of all of our public spaces.

That's a wrap... for tonight! Back tomorrow for the budget meeting at 9 am!!!



@threadreaderapp unroll please.

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