

# EVIDENCE OF THE CITY OF GUELPH

Exhibit 1

Tabs 1 to 6

EB-2025-0058

June 11, 2025

## EXHIBIT LIST

EXHIBIT	TAB	SCHEDULE	PAGES	CONTENTS
1	1	1	1-2	Certificate of Evidence
1	2	1	3-13	Minutes of Committee of the Whole Meeting – November 5, 2024
1	3	1	14-25	Minutes of Guelph City Council – November 26, 2024
1	4	1	26-29	A copy of Bill 219 “No Free Ride for Fossil Fuels Act, 2024
1	5	1	30-32	Correspondence from Mike Schriener dated March 13, 2025 - Re: Intention to Reintroduce Bill 219
1	6	1	33-46	Copies of all correspondence between Enbridge and the City of Guelph from May 10, 2024 to January 31, 2025
1	7	1	47-55	City of Guelph Climate Pledge
1	7	2	56-298	City of Guelph Community Energy Plan
1	7	3	299-414	Meeting Minutes of The City’s Commitment to Achieve 100% Renewable Energy by 2050
1	8	1	415-451	Economic and Tourism Strategy 2022-2026
1	8	2	452-470	Future Plan; Strategic Plan 2024-2027
1	8	3	471-500	Indigenous Relations Framework
1	8	4	501-560	Provincial Policy Statement 2024
1	8	5	561-954	City of Guelph Official Plan

# TAB 1

## Schedule 1



### **CERTIFICATION OF EVIDENCE**

The undersigned, being City of Guelph (“City”) Junior Solicitor, Kip Phillips, hereby certifies for and on behalf of the City that:

1. I am a Junior Solicitor with the City.
2. This certificate is given pursuant to the Ontario Energy Board’ (the “OEB”) Filing Requirements under s.13.8 of the OEB Rules of Practice and Procedure.
3. This evidence is submitted in support of the City’s Intervention in the Application to renew the Model Franchise Agreement in OEB file EB-2025-0058 is accurate, consistent, and complete to the best of my knowledge.
4. The documents filed in support of the City's above referenced application do not include any personal information (as that phrase is defined in the Freedom of Information and Protection of Privacy Act), that is not otherwise redacted in accordance with rule 9A of the OEB’s Rules of Practice and Procedure.

DATED this 10<sup>th</sup> day of June, 2025

Sincerely,

A handwritten signature in black ink, appearing to be "Kip Phillips", written over a horizontal line.

KIP PHILLIPS

Kip Phillips, Junior Associate Solicitor  
Legal, Realty and Court Services, Corporate Services  
Location: City Hall

**519-822-1260** Extension **4260**; TTY 519-826-9771  
519-822-0705  
**Kip.phillips@guelph.ca**

**City Hall**  
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Guelph, ON  
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[guelph.ca](http://guelph.ca)

# TAB 2

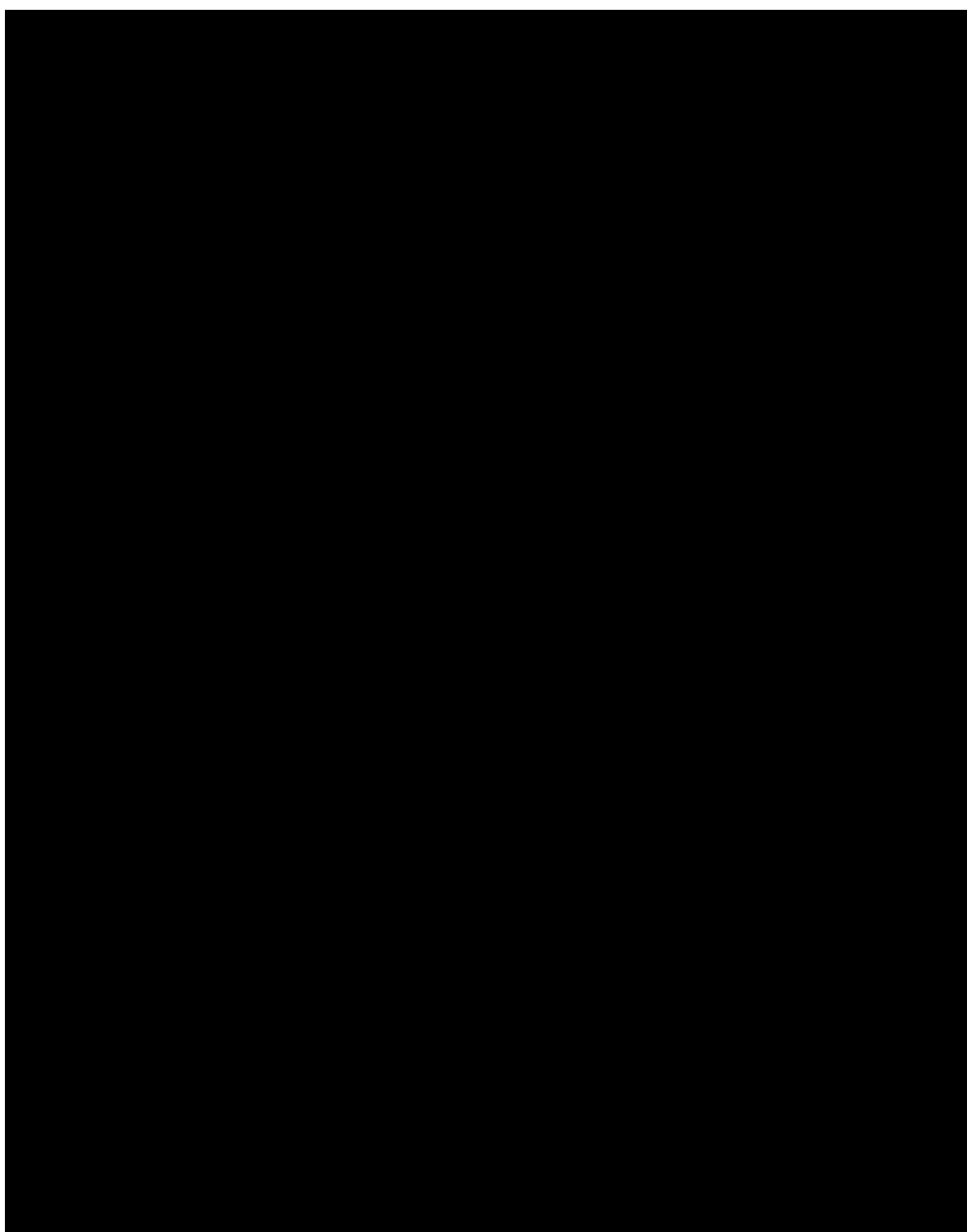
## Schedule 1



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

**November 5, 2024, 1:30 p.m.  
Council Chambers  
Guelph City Hall, 1 Carden Street**

Council:



Staff:

## Committee of the Whole Meeting Minutes: November 5, 2024 - 2

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

Mayor [REDACTED] 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**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

[REDACTED]  
[REDACTED]

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

[REDACTED]  
[REDACTED]

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

[REDACTED]  
[REDACTED]

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

[REDACTED]  
[REDACTED]

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



**7. Items for Discussion**

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

The following delegates spoke:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**First Motion**

[REDACTED]  
[REDACTED]

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**

[REDACTED]  
[REDACTED]

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**

[REDACTED]  
[REDACTED]

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): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

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

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

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

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

- [REDACTED]  
[REDACTED]
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): [REDACTED]  
[REDACTED]

Voting Against: (10): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Defeated (3 to 10)

### **Second Motion**

[REDACTED]  
[REDACTED]

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**

[REDACTED]

[REDACTED]

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 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: (13): M

Carried (13 to 0)

### Second Amendment to Second Motion

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): [REDACTED]  
[REDACTED]  
[REDACTED]

Voting Against: (5): [REDACTED]  
[REDACTED]

Carried (8 to 5)

### **Second Motion as Amended**

[REDACTED]  
[REDACTED]

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): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Voting Against: (2): [REDACTED]

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**

[REDACTED] Environmental Services and  
[REDACTED], Division Manager, Solid Waste Resources, presented.

The following delegate did not speak:

[REDACTED]

[REDACTED]  
[REDACTED]

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

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

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

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

## **9. Adjournment**

[REDACTED]  
[REDACTED]

# TAB 3

## Schedule 1



**November 26, 2024, 5:30 p.m.**  
**Council Chambers**  
**Guelph City Hall, 1 Carden Street**

Response	Percentage
U.S. should take action to address climate change	95%
U.S. should not take action to address climate change	5%
U.S. should take action to address climate change (among those who believe U.S. should take action)	93%
U.S. should not take action to address climate change (among those who believe U.S. should take action)	7%
U.S. should take action to address climate change (among those who do not believe U.S. should take action)	97%
U.S. should not take action to address climate change (among those who do not believe U.S. should take action)	3%

**2. Call to Order**

Mayor [REDACTED] the meeting to order (5:30 p.m.).

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

[REDACTED] declared pecuniary interest as she has a family member that is a member of CUPE 241.

[REDACTED] declared pecuniary interest as she has a family member that is a member of CUPE 973.

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

[REDACTED]  
[REDACTED]

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239(2)(b)(d) of the Municipal Act, regarding personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations.

Voting in Favour: (12): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (12 to 0)

The following items were considered:

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

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

**3.3 Confirmation of Closed Council Minutes**

**3.4 November 2024 Public Appointments – The Elliott Community Board of Trustees**

**3.5 Bargaining Mandate Report Canadian Union of Public Employees Local 241 and 973, 2024-506**

#### 4. Closed Meeting Summary

Mayor [REDACTED] called the open meeting to order (6:00 p.m.).

Mayor [REDACTED] spoke regarding the matters discussed in closed session and identified the following:

##### **Bargaining Mandate Report Canadian Union of Public Employees Local 241 and 973**

Council received information and provided staff direction.

##### **November 2024 Public Appointments – The Elliott Community Board of Trustees**

[REDACTED]

[REDACTED]

[REDACTED] be appointed to The Elliott Community Board of Trustees for a 3-year term ending November 26, 2027, or until such time as a successor is appointed.

Voting in Favour: (13):

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Carried (13 to 0)

#### 5. Open Meeting – 6:00 p.m.

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

There were no disclosures.

#### 6. Recognition

##### **6.1 Community Presentation – Nathan Skoufis**

[REDACTED] for winning Gold in the world championships.

#### 7. Confirmation of Open Minutes

[REDACTED]

[REDACTED]

1. That the minutes of the open Council Meetings held October 8, 29, 30, 2024, and the Committee of the Whole Meeting held October 1, 2024, be confirmed as recorded and without being read.

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

## 8. Items for Discussion

### 8.1 Report to Council re Code of Conduct: Gifts and Benefits - November 19 2024

[REDACTED] Integrity Commissioner, introduced Report to Council re Code of Conduct: Gifts and Benefits - November 19 2024.

[REDACTED]  
[REDACTED]

1. That the report to Council re Code of Conduct: Gifts and Benefits dated November 19, 2024, be received.

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

### 8.2 Code of Conduct Amendment in Relation to Integrity Commissioner Report to Council re Code of Conduct Gifts and Benefits

[REDACTED] introduced Code of Conduct Amendment in Relation to Integrity Commissioner Report to Council re Code of Conduct Gifts and Benefits.

[REDACTED]  
[REDACTED]

1. That Section 5 of the Code of Conduct for Council and Local Boards be amended to include an exception for 'food, lodging, transportation and entertainment provided by third-party organizations for attendance at events which are targeted to a municipal government audience' and, when the total benefit

exceeds \$300, require reporting in the City Council and Local Boards Gift Disclosure within 30 days.

### Amendment

[REDACTED]

[REDACTED]

1. That Section 5 of the Code of Conduct for Council and Local Boards be amended to include an exception for 'food, lodging, transportation and entertainment provided by third-party organizations for attendance at events which are targeted to a municipal government audience **with the prior approval of City Council when the benefit exceeds \$300' and, when the total benefit exceeds \$300**, require reporting in the City Council and Local Boards Gift Disclosure within 30 days.
2. **That, in accordance with Section 5 of the Code of Conduct for Council and Local Boards, City Council approves an exception for food, lodging, transportation and entertainment provided by the Global Covenant of Mayors to Mayor Guthrie for attendance at events which are targeted to a municipal government audience**

Voting in Favour: (4): [REDACTED]

[REDACTED]

Voting Against: (9): [REDACTED]

[REDACTED]

[REDACTED]

Defeated (4 to 9)

### Main Motion

[REDACTED]

[REDACTED]

1. That Section 5 of the Code of Conduct for Council and Local Boards be amended to include an exception for 'food, lodging, transportation and entertainment provided by third-party organizations for attendance at events which are targeted to a municipal government audience' and, when the total benefit exceeds \$300, require reporting in the City Council and Local Boards Gift Disclosure within 30 days.

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

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

The following delegates spoke:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
  
[REDACTED]  
[REDACTED]

1. That the report entitled Municipal Franchise Agreement with Enbridge Gas Inc. dated November 5, 2024, be received for information.
2. 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.
3. 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.
4. 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.
5. 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.

The motions were requested to be voted on separately.

[REDACTED]  
[REDACTED]

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

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

[REDACTED]  
[REDACTED]

2. 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.

Voting in Favour: (11): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Voting Against: (2): [REDACTED]

Carried (11 to 2)

[REDACTED]  
[REDACTED]

3. 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.

Voting in Favour: (10): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Voting Against: (3): Councillor [REDACTED]  
[REDACTED]

Carried (10 to 3)

[REDACTED]  
[REDACTED]

4. 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.



Voting in Favour: (11): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Voting Against: (2): [REDACTED]

Carried (11 to 2)

[REDACTED]  
[REDACTED]

5. 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): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

## 9. By-laws

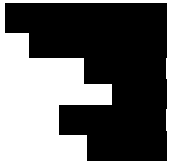
[REDACTED]  
[REDACTED]

1. That by-laws (2024)-21005, (2024)-21012 and (2024)-21017 be approved subject to Section 284.11 (4) of the Municipal Act.

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

## 11. Adjournment



[REDACTED]  
[REDACTED]

1. That the meeting be adjourned (7:51 p.m.).

Voting in Favour: (13): [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Carried (13 to 0)

\_\_\_\_\_  
[REDACTED]  
  
[REDACTED]  
[REDACTED]

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

Carried

---

[REDACTED]

[REDACTED]  
[REDACTED]

# TAB 4

## Schedule 1

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO  
3 CHARLES III, 2024

# Bill 219

**An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006  
with respect to fees and charges imposed on gas services and activities**

**Co-sponsors:**

Ms A. Clancy

Mr. M. Schreiner

**Private Members' Bill**

1st Reading      November 4, 2024

2nd Reading

3rd Reading

Royal Assent



#### EXPLANATORY NOTE

The Bill amends the *Municipal Act, 2001* to give a municipality or local board the power to impose fees or charges on a producer, gas distributor, gas transmitter or storage company, as these terms are defined in section 3 of the *Ontario Energy Board Act, 1998*, for services or activities, costs payable or the use of property. The Act is also amended to provide that a regulation cannot impose conditions and limitations on that power.

Equivalent amendments are made to the *City of Toronto Act, 2006*.

**Bill 219**

**2024**

**An Act to amend the Municipal Act, 2001 and the City of Toronto Act, 2006  
with respect to fees and charges imposed on gas services and activities**

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

***Municipal Act, 2001***

**1 Section 391 of the *Municipal Act, 2001* is amended by adding the following subsection:**

**Fees or charges on gas services and activities**

(1.2) The power of a municipality or local board to impose fees or charges on persons under subsection (1) or (1.1) includes the power to impose a fee or charge on a producer, gas distributor, gas transmitter or storage company, as these terms are defined in section 3 of the *Ontario Energy Board Act, 1998*, for services or activities, costs payable or the use of property with respect to wires, cables, poles, conduits, pipes, equipment, machinery or other works that,

- (a) are or will be located on a municipal highway; and
- (b) are or will be used as part of the business of the producer, gas distributor, gas transmitter or storage company, as the case may be.

**2 Section 400 of the Act is amended by adding the following subsection:**

**Limitation on regulation-making authority**

(2) A regulation made under subsection (1) shall not impose conditions and limitations on the power of a municipality or local board to impose the fees or charges described in subsection 391 (1.2).

***City of Toronto Act, 2006***

**3 Section 259 of the *City of Toronto Act, 2006* is amended by adding the following subsection:**

**Fees or charges on gas services and activities**

(1.2) The power of the City or a local board (extended definition) to impose fees or charges on persons under subsection (1) or (1.1) includes the power to impose a fee or charge on a producer, gas distributor, gas transmitter or storage company, as these terms are defined in section 3 of the *Ontario Energy Board Act, 1998*, for services or activities, costs payable or the use of property with respect to wires, cables, poles, conduits, pipes, equipment, machinery or other works that,

- (a) are or will be located on a municipal highway; and
- (b) are or will be used as part of the business of the producer, gas distributor, gas transmitter or storage company, as the case may be.

**4 Section 266 of the Act is amended by adding the following subsection:**

**Limitation on regulation-making authority**

(2) A regulation made under subsection (1) shall not impose conditions and limitations on the power of the City or local board (extended definition) to impose the fees or charges described in subsection 259 (1.2).

**Commencement**

**5 This Act comes into force on the day it receives Royal Assent.**

**Short title**

**6 The short title of this Act is the *No Free Ride for Fossil Fuels Act, 2024*.**

# TAB 5

## Schedule 1





Mike Schreiner, MPP  
Guelph

March 13, 2025

Nancy Marconi  
Registrar  
Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto, Ontario  
M4P 1E4

Dear Ms. Marconi,

Re: Application to impose a franchise agreement on the City of Guelph EB-2025-0058

I am writing in support of the City of Guelph to request that the Ontario Energy Board decline to impose a franchise agreement on the City and ensure that there is robust public participation in the upcoming hearing on this issue.

As you know, the City of Guelph does not wish to enter into a 20-year franchise agreement with Enbridge Gas on the terms that Enbridge Gas proposes. The proposed agreement is concerning to the municipality because it would require the municipality to provide use of its public lands for Enbridge Gas pipelines without any fees for the term of the agreement. This agreement would harm the municipality if Bill 219 is passed, which would allow fees to be charged by municipalities for use of their public lands for gas pipelines.

I am a co-sponsor of Bill 219. The bill would have made amendments to allow municipalities to charge gas pipeline companies for the use of public lands. Although Bill 219 died when the recent Ontario election was called, I intend to re-introduce it when the legislature resumes sitting. If the re-introduced bill is passed and the proposed franchise agreement has been imposed on Guelph, the municipality would not be able to exercise its rights to charge fair fees for the use of its land.

This issue is important to me as the Member of Provincial Parliament for the riding of Guelph. The elected municipal government should not be overruled by the Ontario Energy Board on this issue. Nor should taxpayers be made to agree to provide free access to their public lands when the municipality has decided that this is not in the public interest.


This is also an important environmental issue. As a province, we cannot hope to effectively combat climate change while subsidizing fossil fuels. A requirement to provide access to public lands without any fees is exactly the kind of fossil fuel subsidy that needs to be eliminated. It is illogical that municipalities can charge zero-emitting district energy providers to put pipes under roads but cannot change these fees for fossil fuel pipelines. Bill 219 would change that, whereas the agreement that Enbridge Gas is trying to impose on the municipality would lock in this fossil fuel subsidy for the duration of the agreement term.

I also ask that the Ontario Energy Board ensure that there is robust public participation in its upcoming hearing. I understand that Enbridge Gas has asked that a local environmental non-profit, eMERGE Guelph, be denied permission to participate in the hearing as an intervenor. I ask that the Ontario Energy Board deny Enbridge's request to block their participation. It is critical that the Ontario Energy Board hear environmental perspectives and the concerns of local Guelph residents.

I understand that Enbridge Gas is arguing that it did not even need to negotiate with the City of Guelph "given that the City of Guelph has not raised any issues unique to the municipality or its citizens that should lead the OEB to consider any deviation from the Model Franchise Agreement." This is disrespectful to all Guelph residents. The Model Franchise Agreement was created 25 years ago in the year 2000. A great deal has changed since that time, including a greatly increased moral, political, financial, and climate imperative to end all fossil fuel subsidies. It is not reasonable for Enbridge to decline to work with Guelph on the important points raised by the municipality and the Ontario Energy Board should not condone this by imposing an agreement on the municipality against the will of its Council and residents.

[REDACTED]

Sincerely,



Mike Schreiner  
MPP, Guelph

CC: Cam Guthrie, Mayor of Guelph

# TAB 6

## Schedule 1

From:  
To:  
Subject:  
Date:

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Hi Jennifer,

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Kind regards,  
Julie

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From: Jennifer Charles <[REDACTED]@guelph.ca>  
Sent: Wednesday, September 11, 2024 12:36 PM  
To: Julie Alexander <[REDACTED]@enbridge.com>  
Subject: [External] RE: Enbridge - Franchise Agreement renewal documents

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Please let me know if you have availability within any of the following timeframes. I'll aim to send you questions by mid next week.

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Thurs Sept 26 10am-1pm

Kind regards,  
Jennifer

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From: Julie Alexander <[REDACTED]@enbridge.com>  
Sent: Wednesday, September 11, 2024 10:44 AM  
To: Jennifer Charles <[REDACTED]@guelph.ca>  
Subject: RE: Enbridge - Franchise Agreement renewal documents

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Hi Jennifer,

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I would be happy to schedule a call but I'm thinking it would be advantageous to send your questions to me in advance. This way if I need to engage our Regulatory group for answers then I can.

Kind regards,  
Julie

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I have the following days/times available:

Wednesday Sept 11 10am-1pm  
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Wednesday Sept 18 12-4pm

Thanks in advance.

Kind regards,  
Jennifer

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**From:** Julie Alexander <[REDACTED]@enbridge.com>  
**Sent:** Tuesday, May 28, 2024 8:32 AM  
**To:** Jennifer Charles <[REDACTED]@guelph.ca>



**Subject:** RE: Enbridge - Franchise Agreement renewal documents

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Good morning Jennifer,

Thank you for your email and acknowledging receipt of the documents and that they are under review.

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**Cc:** Kyle Gibson <[REDACTED]@guelph.ca>; Dylan McMahon <[REDACTED]@guelph.ca>  
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Good Morning Julie,

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Kind regards,  
Jennifer

**Jennifer Charles** | [REDACTED]  
[REDACTED]

---

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**Sent:** Friday, May 10, 2024 3:57 PM  
**To:** Scott Stewart <[REDACTED]@guelph.ca>; Stephen O'Brien <[REDACTED]@guelph.ca>  
**Cc:** CAO <[REDACTED]@guelph.ca>; Clerks <[REDACTED]@guelph.ca>; Julie Alexander <[REDACTED]@enbridge.com>  
**Subject:** Enbridge - Franchise Agreement renewal documents

[REDACTED]

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Dear Mr. Stewart and Mr. O'Brien,

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Provincial legislation requires a franchise agreement between the municipal corporation and the gas company serving that municipality. The Ontario Energy Board has directed that the current 2000 Model Franchise Agreement be used as the model for such agreements.

As a result, Enbridge Gas and the City of Guelph need to commence the process to renew a 20-year franchise agreement using the approved model.

To assist you in this matter, I am enclosing the following documents for discussions with the City of Guelph:

1. Franchise Agreement Renewal Documents:
  - Guidelines to Municipalities Respecting the Renewal of Franchise Agreements
  - Draft Resolution of the municipality
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2. Historical Background:
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*Note: We will apply for a new CPCN for the City of Guelph to account for annexations that have taken place involving the Township of Guelph/Eramosa and the Township of Puslinch.*

3. Reference Documents:
  - a copy of the Gas Franchise Handbook (an explanatory supplement to the 2000 Model Franchise Agreement)
  - customer density map for areas served within the City of Guelph

**We would ask that the Municipality pay special attention to the Updated Guidelines to Municipalities document for the renewal process. We would be happy to meet to go through the renewal process and these guidelines. We did have a pre-renewal**

**meeting with Mayor Guthrie last year so he will be aware that the franchise agreement is up for renewal.**

Please review the *Guidelines to Municipalities Respecting the Renewal of Franchise Agreements* with the City of Guelph and arrange to have a Resolution passed by Council in a timely manner so that the regulatory approval process can commence.

This entire process to get a franchise agreement approved by the Ontario Energy Board can be quite lengthy and may take up to eight months. I will follow up on when the information may be reviewed by the City of Guelph at a council meeting.

If [REDACTED]

Thank you,  
Julie

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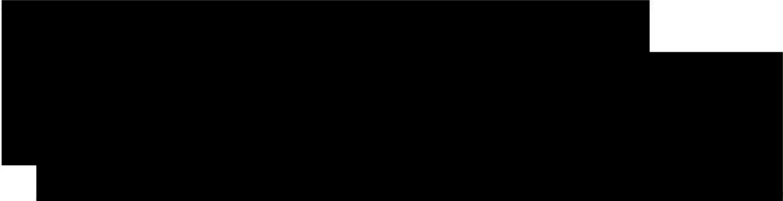
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Good morning Julie,

I am writing to provide an issues list for our upcoming call. This list is not exhaustive, as I anticipate our initial call will be an opportunity for introductions and to provide you with an overview of our areas of concern. We expect a subsequent call will be necessary to address takeaways.

If you have anything to add to the agenda, please let me know.

We look forward to speaking with you then.

- Scope - The term “highway” is broader than as defined in the Municipal Act, 2001 and includes public squares and walkways. These types of municipal property are unique from roads and road allowances. The breadth of Enbridge’s right to construct in these areas, combined with the obligation to grant alternative easements or cost-share in the event of relocation, is an area of concern.
- Approval of Construction – Seeking clarity on the meaning of “known project” or “known highway deficiency”. Discuss City of Guelph permit application process.
- Submissions - Timeline for submission of “as built” drawings – seeking reduction from 6 months.
- Relocation – Concern that the concept of total relocation costs compensates for Enbridge’s costs of doing business and does not take into account costs incurred by the City in connection with relocations.
- Disposition of Gas System – Removal or relocation of decommissioned gas system is at Enbridge’s option and can result in imposition of costs on the City. Based on the cost implications, it is in Enbridge’s interest to leave decommissioned infrastructure in situ, which has practical and financial implications for the City.
- Deemed Amendments – The Franchise Agreement is subject to deemed amendment in the event of changes to the Model Franchise Agreement. It is a fundamental principle that a contract be agreed to by all parties – a meeting of the minds. With a deemed amendment provision, the City is being asked to enter into an agreement that can be amended without consent.

Kind regards,  
Jennifer

**Jennifer Charles**



**City of Guelph**

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