

**TOWNSHIP OF WOOLWICH
COMMITTEE OF THE WHOLE MINUTES
NOVEMBER 3, 2009**

The Committee of the Whole met on the above date commencing at 6:00 p.m. Present: Mayor Strauss, Councillors Bauman, Martin, Shantz and Weber. Councillor Weber chaired the meeting.

DISCLOSURES OF PECUNIARY INTEREST

Councillor Shantz declared a conflict of interest in regards to the request to waive development charges from Elmira District Community Living.

DELEGATIONS

Lynn Macaulay, Homelessness and Housing Umbrella Group (HHUG)

Ms. Macaulay was not present.

Debora Ritchie, KW Community Foundation: Request to Declare November 13th as Random Act of Kindness Day

Kathy Durst commented that she was present along with Debora Ritchie, Chair of the KW Community Foundation to request Council's support of the second annual Random Act of Kindness Day. Ms. Durst commented that this event encourages the pay it forward philosophy by encouraging others to pass on random acts of kindness. Acts of kindness are limitless from bringing someone a coffee to opening the door for someone. Since September over 100,000 random act of kindness cards have been distributed. Ms. Durst concluded by requesting that Council proclaim November 13th Random Act of Kindness Day.

Councillor Bauman challenged everyone to perform a random act of kindness every day and not just on November 13th.

MOVED BY Councillor Bauman

SECONDED BY Councillor Shantz

THAT the Council of the Township of Woolwich declares November 13th, 2009 as Random Act of Kindness Day in the Township of Woolwich.

...CARRIED

Greg Bechard, Elmira District Community Living: Request to Waive Development Charges

Greg Bechard, Executive Director of Elmira District Community Living commented that the organization provides residential support for people with a developmental disability. This year a new venture is being undertaken and a four-plex will be built in Elmira for four adults who are considering leaving home and living on their own. Historically the organization has provided support in a group home setting. The cost of operating a traditional group home is \$400,000 to \$500,000 a year. The cost of operating the four plex will reduce the cost to approximately \$50,000 a year dependent on the abilities of the persons being supported. The four-plex would have support available as required. Elmira District Community Living has partnered with Renison College to provide support at this home. Two full scholarships will be provided through the organization and in exchange the students will live in these buildings to provide support to the residents. A support schedule will be set monthly for each resident including family members and friends.

Mr. Bechard said that the Region of Waterloo has forgiven the development charges for this building and he would request the same of the Township of Woolwich. This is the first time that the organization has requested relief from these charges and this would help limit the debt that the organization would accrue to proceed with this project.

Councillor Bauman requested that the issue be deferred to staff and that they return with a recommendation.

MOVED BY Councillor Bauman

SECONDED BY Mayor Strauss

THAT the Council of the Township of Woolwich defers the request from Elmira District Community Living for the relief of development charges for the property at 75 Snow Goose Crescent and directs staff to report back to Council with further details.

...CARRIED

E84-2009: Zone Change Application 11/2009 (Tanem Developments (Kuntz Topsoil))

Dan Kennaley, Director of Engineering and Planning Services, commented that staff are recommending approval to extend a temporary use by-law for another three years to allow the topsoil operation as an ancillary use to the gravel pit operation. Staff is satisfied that the gravel extraction is the predominant use on the property.

Ray Kuntz, owner of Kuntz Topsoil, commented that he supports the staff recommendation.

Councillor Bauman asked if the Grand River Conservation Authority is continuing to charge a fee for extensions to temporary use by-laws were no changes have been made. Dan Kennaley responded that he is not sure in regards to this application, however the fee was charged on two other similar applications. Mayor Strauss commented that the GRCA has assured him this fee would not be charged and he will follow up with the GRCA and Mr. Kennaley.

MOVED BY Councillor Bauman

SECONDED BY Councillor Shantz

THAT the Council of the Township of Woolwich approves Zone Change Application 11/2009 (Tanem Developments (Kuntz Topsoil)), to extend the Temporary Use By-law for an additional three years for the lands Part Lot 4, GCT and know as 889 Bridge Street West, to allow the extension of the topsoil operation as ancillary to the gravel pit, subject to the following:

1. That the amending By-law be in accordance with the proposed by-law attached as Appendix A to Report E84-2009.

...CARRIED

E89-2009 Zone Change Application 10/2009 Ruth Demandt

Dan Kennaley stated that staff are recommending an extension for two years as this application does not meet the requirements under the Official Plan which permits temporary housing for temporary farm help or to care for family members that need assistance. Mr. Kennaley commented that the two years has been permitted to allow the applicants to either come into compliance with the Official Plan or remove the mobile home from their property.

Ruth Demandt and her husband Chris were present in support of the application as this will give them some time to consider their options.

MOVED BY Mayor Strauss

SECONDED BY Councillor Martin

THAT the Council of the Township of Woolwich approves Zone Change Application 10/2009 to extend the Temporary Use By-law for an additional two year period concerning lands described as Crooks Tract, Concession 3, East of the Grand River, Part Lot 3, Township of Woolwich and located at 6270 Crowsfoot Road (Ruth Demandt) which will allow the continued use of a mobile home, subject to the following conditions:

1. That the amending By-law be in accordance with the proposed By-law attached as Appendix A to Report E 89-2009;
2. That the By-law be deemed to conform to the Township Official Plan.

...CARRIED

A06-2009: Victoria Glen

MOVED BY Councillor Bauman

SECONDED BY Councillor Shantz

THAT the Council of the Township of Woolwich hears any unregistered delegations and that the time limit for speaking be restricted to three minutes for each delegation that did not register prior to the meeting.

...CARRIED

Councillor Weber thanked everyone present for their interest in the Victoria Glen issue and commented that the meeting is intended to give citizens an opportunity to comment on Report A6-2009 for Victoria Glen. She provided the following instruction to the audience on the format for this portion of the meeting:

- Staff will present the report and recommendation for Victoria Glen first.
- Copies of the report were available in the hallway outside of the Council Chambers. Copies had been emailed to people who registered at the last public meeting, a letter was sent out informing people on how to obtain the report, and copies were available at the Township Office and on the website.
- The people who registered to speak will be given an opportunity to do so and if there are others wishing to speak they will be heard after the list of registered delegations.
- The audience was asked not to clap after any speaker as this increases the length of the meeting and may impact the number of people who will have an opportunity to speak.
- Media interviews on the issue should be performed outside of Council Chambers out of respect for people wanting to hear what is happening in the meeting.
- All speakers who come to the podium should state their full name and address for the minutes.
- Once Council has made a motion, no further input is allowed from the audience.

Presentation of Report A06-2009:

Laurel Davies-Snyder, Economic Development and Tourism Officer, stated that Council previously requested that staff evaluate the proposal to declare the subject lands surplus and develop them for residential uses, and present an analysis and recommendations in the Fall 2009. The evaluation included the planning framework, technical merit including environmental and technical issues, financial issues and public and neighbourhood issues.

The subject lands consist of three parcels owned by the Township. The total area of the Township-owned lands proposed for development consists of 1.03 hectares (2.55 acres) and are located next to an existing low density residential neighbourhood. The subject lands are used for passive recreation including hiking, walking, education, meditation, etc. An access to the Kissing Bridge Trailway is adjacent to the lands.

When reviewing the planning framework, staff determined that it conforms to the Township's Official Plan as it is part of the Elmira Settlement Area. It is zoned residential, is in keeping with the density policies, and conforms to environmental policies. The proposal also conforms to and supports the Regional Official Plan and Places to Grow (Provincial Policy Document) as it promotes infill development and intensification within existing built-up areas. The zoning of the property also allows residential development.

Consultation with the Grand River Conservation Authority (GRCA) and with Regional staff took place regarding the environmental aspect of the land. A background study was also completed by Ecoplans which included a 3-season vegetation and wildlife inventory and assessment of the subject lands and surrounding lands. Key findings from this report indicated that there are no endangered or threatened species present and no Provincially Significant Wetlands. Ecologically significant and sensitive areas are north of the subject lands, and, therefore, would be retained and protected. Through the normal development process, consultation with agencies such as the GRCA would ensure that appropriate measures would be put in place to ensure conservation and protection of features.

Other technical issues include sanitary sewer capacity, storm water management, grading, water service and road connections. These issues would not preclude the development going forward and details would be addressed through the detailed design stage.

If Victoria Glen is not declared as surplus lands, Ms. Davies-Snyder stated that funding will need to be found from other sources for the Capital Projects Fund. There are options available such as increasing tax bills across the Township or postponing or cancelling planned capital projects.

Public and neighbourhood issues consisted of the retention and conservation of the natural habitat and environmental features, water quality and flow, the design of the development and the use of the area. Reforestation and environmental rehabilitation would be recommended in the overall area and over 3.97 hectares of the land would be retained by the Township and maintained in its original state. A storm water management report would be required and GRCA regulations would be implemented. Accessibility and safety concerns would be addressed in the detailed design stage, and enhancements to the existing Kissing Bridge Trailway would be recommended and the existing trails on the property to be retained by the Township would remain.

The required process to determine appropriate development options before the detailed design stage would include a storm water management report, a lot grading and drainage plan, a survey of the flood line elevation, and a verification of wetland area in the field.

Ms. Davies-Snyder concluded by recommending that Council direct staff to proceed with declaring the subject lands surplus and move forward with development in accordance with the 12 principles outlined in the recommendation intended to ensure appropriate development in accordance with good planning and ecological principles. The recommendation also directs staff to engage services to complete required studies to determine appropriate development option; continue negotiations with the Region for the purchase of Regional lands; and report back to Council with a full analysis, preferred development option, and work plan.

Registered Delegations

Dave Matthews had registered as a delegation but was not in attendance.

Jennifer Wall-Tripp commented that she contacted the Township prior to purchasing her current property and was assured that the Victoria Glen property would not be developed. Other residents were assured the same thing and Ms. Wall-Tripp submitted a document outlining the inquiries. Victoria Glen is listed on the Township's website as a park and a revitalization sign is posted at the entrance of the park including the Township's logo. Residents have been led to believe that this is parkland and now they feel misled. Ms. Wall-Tripp commented that she might not have purchased her property at a premium if she had known this land would be developed, and she is concerned about the future value of her land. She has spoken to a realtor who indicated that if this land is developed it may drop the value of her property which is 30 feet from a green space by approximately \$6,990.00 compared to a property that is 1,000 feet from a green space. Ms. Wall-Tripp also referred to the encroachment issues on this property as residents along some of the subject land have built sheds and gardens on Township property. She indicated that the offer has not been made to them to purchase the land and the residents have been maintaining this area for years. Ms. Wall-Tripp asked if the revenue versus expenditures has been considered as it is hard to imagine \$1.5 million of revenue being realized through the sale of this land. She also asked if the Township has a developer in mind already. Ms. Wall-Tripp commented that the Township has discounted the sale of other surplus lands and properties for bringing in revenue as these properties may not sell for several years. Ms. Wall-Tripp requested that staff consider this option again before developing Victoria Glen. Ms. Wall-Tripp concluded by stating that the Township is being a bit hasty in this decision and asked that a vote be deferred until next year's budget or the 2010 election year.

David Brenneman, Chief Administrative Officer, commented that staff has researched the revenues and expenditures. The actual revenue after all expenses are paid is estimated to be \$1.5 million. There is no developer in mind yet for this property as that would not be following the proper process. The Township has not indicated that it will not retain control over the development on this property. The Township would ensure that the subject lands are developed responsibly.

Elin Edwards stated that she does not believe that the report adequately supports the recommendations being made. The report summary says that there would be no significant environmental constraints that would preclude development on subject lands, however, the consultant's recommendations were not firm or solid and much evaluative work still needs to occur. The area has been getting wetter and wetter and the trail used to be closer to the creek but has been moved due to the rising water levels. She said the proposed development does not fit at all with promoting healthy communities. Ms. Edwards also stated that the Walmart development cannot be used as a comparison to this development. Her house is sited viewing the open space and when she built the house she was told that it would be parkland forever. Ms. Edwards also stated that there was a lack of transparency previously as no one was aware until more recently that this land had the potential to be developed to help offset capital projects even though it has been in process since 2006. Ms. Edwards admonished Council to heed the arguments of the residents and to initiate the process to rezone the land open space.

Richard Petrone, Snow Goose Crescent, commented that he is an environmental professional and a resident of Elmira and has worked in the natural resource industry for years. Mr. Petrone stated that he is disappointed with the outcome of this report and has concerns about the data that the report was based on. Mr. Petrone commented that the lay of the land and the way that the water is flowing needs to be studied more closely as the entire proposed settlement is to be established on a hill slope. Residents in this area have their sump pumps running year round and the current floodplain line should be re-evaluated. Mr. Petrone stated that he considered suggesting development only on the south side of the unopened road allowance, however, he determined that this should not be an option as it would still be costly and he is not convinced that this can be done without impacting the rest of the area.

Mr. Petrone stated that green space and parkland are at a premium in any municipality and asked what the financial panic is that would have a significant semi-natural area developed into a residential area. There is a difference between soccer fields, trails and jungle gyms, and they are not comparable to this semi-natural land.

Ruth Josephs, Riverside Drive West, commented that this area could have been built up previously when there was a need for housing, however, it has never been developed for a reason. Ms. Josephs also stated that when she purchased her property she had significant drainage issues and her backyard was very wet. She has taken measures to drain her backyard but asked what will happen to her neighbours' properties due to potential drainage issues. The trees that remain will not be able to survive and they will suffocate from the development in a few years. Ms. Josephs concluded that it is best to reduce spending rather than sell assets.

Barb Taylor commented that she has worked with Woolwich Clean Waterways for years to ensure that the waterways remain clean. This is accomplished by asking farmers to put fences up for their livestock and, in turn, Woolwich Clean Waterways provides a buffer strip of no less than 4 metres by these bodies of water. Farmers give up significant active acreage to allow these green spaces. Residents in this area are willing to pay the price to maintain green space and \$10 a year per resident is a small cost to pay to avoid development of this land.

Karen Orr commented that she lives across from the forest on Snyder Avenue and stated that the residents at 38, 40 and 42 Riverside Drive did not receive information on the meeting. Ms. Orr stated that the trust in this community regarding the public process has been broken as these residents should have been directly informed. Taking away this green space is not a responsible decision that works for the good of the people. Ms. Orr commented that over 1,300 people signed a survey in opposition to this development and she asked what it will take for Council to listen to the residents.

Laurel Davies-Snyder stated that all surrounding property owners were notified of the public meeting in June and were asked to sign the register to be notified of any future meetings and to receive any information regarding this issue. An email list was created, information was put on the website and an ad was placed in the Community Page in the Woolwich Observer. A blog was also created by residents with links to the information.

Councillor Shantz asked what the residents are referring to when they say they will lose 14 or 15 feet of their property if this development occurs. Staff responded that residents have encroached on the green space owned by the Township and no one will be losing private property.

Unregistered Delegations:

Bob Jonkman, James Street, stated that to preserve the commons or public land guardians are appointed to make sure someone doesn't take more than their fair share of public domain. Council are these guardians of public land and Mr. Jonkman requested that they protect and preserve Victoria Glen forest.

Sally Winterbon, First Street West, stated that she has lived in an apartment building in Elmira for two months and moved to the community because it felt like home and her family had a good experience living here. When she heard about the Victoria Glen issue she went to the area to see what the discussion was about. Ms. Winterbon, stated that the trees speak for themselves. She asked Council not to use 20th century ways for making decisions. Ms. Winterbon concluded by asking what legacy Council wants to leave for youth, and asked that this remain as a loved and respected gem for the future.

Bob Menkveld, commented that he is 15 years old and has lived near the forest for his entire life. A lot of youth care about these issues and he has started a Facebook page that has over 800 members. Mr. Menkveld asked why the Township would tear Victoria Glen down as the people in the future will not appreciate this. He said the project is not to the benefit of the general public.

Jeff Seddon, Sunset Place, commented that the issue here is money. He said there is a general feeling that the residents are wasting their time attempting to oppose this project. Mr. Seddon asked when Council will let the public know what their intention is.

Heide Keul, Dunke Street North, commented that she walks the park everyday and asked that the park be left as it is. She said all the residents want is a few garbage bins and signs asking people not to litter. She asked Council to let the residents keep their park.

Ian McGregor, Porchlight Drive, commented that he does not live close to the green space but it improves the quality of life and he is envious of anyone who lives near this area.

Councillor Bauman thanked the residents for their comments and stated that the Township of Woolwich Environmental Enhancement Committee (TWEEC) has performed some trail enhancements in the area and has noticed some dangerous trees along the trail. Tree cutting will begin this week, however, this is only to remove dangerous trees and has nothing to do with this proposal.

Councillor Bauman stated that he feels that any development of Parcel One is off limits, but he is willing to look at the development of the area south of the unopened road allowance.

Councillor Martin stated that Council needs some answers to the questions that were asked tonight before a decision can be made. He has spoken to some residents that feel this area could be developed responsibly and that this is a good area to develop rather than using good farmland for developments. He noted that staff prepared the report as direction from Council. Councillor Martin concluded by stating the residents have gotten the facilities they requested and that maybe it is time to make some sacrifices.

Councillor Shantz asked for an estimate of what the revenue would be if only the south side of the Victoria Glen unopened road allowance is developed. Laurel Davies-Snyder stated that the forecasted expenses would not decrease by much but any revenue from the land would be less than \$500,000.

Councillor Shantz commented that Southwood Park on the south side of town is approximately 16 acres, Gibson Park is 14 acres and the subject property is approximately 14 acres. This would keep a large green space on the south side of town, in the centre, and on the North side of town. Councillor Shantz stated that she is not prepared to support the recommendation as is and is not sure that it would be worth developing only a portion of the property.

Mayor Strauss commented that there are a lot of questions that were asked that need answers. He would still like to see the development of Parcel Two, however, he is not sure if the Regional lands indicated as Parcels Four and Five can be obtained for a reasonable price.

Councillor Weber stated that she thinks Council owes the residents a decision tonight.

Councillor Bauman recommended removing Parcel One from the staff recommendation and directing staff to declare Parcel One as Open Space in the Official Plan review.

Councillor Weber commented that all arguments heard tonight have some validity. Several years ago when she initially looked at the property it was during the late Fall and the property looked like scrubland. Any potential revenue to use for a new recreation facility was appealing. She visited the property this past summer and walked the unopened road allowance and she said she now understands why the residents are fighting so hard to maintain it as green space. She said the area is a gem and opening a road through it would ruin the park. Councillor Weber concluded by stating that she cannot support development of any of the subject lands.

MOVED BY Councillor Bauman

SECONDED BY Mayor Strauss

THAT the Council of the Township of Woolwich directs Township staff to:

1. Proceed with declaring the Township-owned lands shown on Map 1 as Parcels 2, 3, and the unopened road allowance as surplus, and proceed with the development of these lands for residential uses in accordance with the following key principles:
 1. Develop an appropriate number of residential lots on the Township-owned lands (Parcels 2 and 3) and lands currently owned by the Region (Parcels 4 and 5) as appropriate to the existing urban form and densities in the surrounding area.
 2. Provide for accessible, safe, and well-designed public access throughout the development area, including connections to the surrounding area.
 3. Implement enhancements to pedestrian access points to the Kissing Bridge Trailway to improve the experience for trail users, including consideration of a public access through the subject lands to the Kissing Bridge Trailway.
 4. Manage any encroachment on the subject lands associated with adjacent properties.
 5. Be sensitive to the needs and potential impact(s) on the surrounding area, and ensure that appropriate measures are taken to mitigate the impact of residential development on the surrounding area.
 6. Conform to the policies in the Township of Woolwich Official Plan, including Environmental and Stewardship policies.
 7. Ensure that any residential development and associated infrastructure is outside of the regulatory floodline and other significant environmental features regulated by the GRCA and outside of the Locally Significant Natural Areas as identified by Ecoplans.
 8. Conduct an improvement cut of the woodlot in accordance with good ecological principles.
 9. Provide for the protection and conservation of trees where possible.
 10. Balance environmental protection and conservation with providing sufficient funds for Township of Woolwich Capital Projects.

11. Ensure that appropriate reforestation, tree planting, and/or other environmental rehabilitation projects within the general area of the subject lands are implemented in conjunction with the development of the subject lands, and in accordance with good ecological principles.
12. Ensure that development does not adversely impact the existing infrastructure and services in Elmira.

AND FURTHER THAT the Council of the Township of Woolwich directs staff to engage necessary services to complete required studies to determine the appropriate development option;

AND FURTHER THAT the Council of the Township of Woolwich directs staff to continue negotiations with the Regional Municipality of Waterloo for the purchase of the Region-owned lands (Parcels 4 and 5 on Map 1 of Report A6-2009), and that the final approval of the Purchase & Sale Agreement, if successfully negotiated, will be conditional upon:

1. standard conditions applying to any Purchase & Sale Agreement;
2. that the Purchase & Sale Agreement is reviewed by the Township Solicitor; and,
3. Council passes a By-law authorizing the Mayor and Clerk to sign the Agreement.

AND FURTHER THAT staff reports back to Council with a full analysis, preferred development option, and work plan with a target date of Fall 2010.

AND FURTHER THAT Council directs staff to consider Parcel One as Open Space during the review of the Official Plan.

Discussion on the motion:

Councillor Shantz commented that she is concerned about how much staff time will be involved for a development that may not bring in enough revenue to make it worth developing.

Councillor Bauman stated that this will allow staff to negotiate with the Region of Waterloo on the regional lands. If that doesn't go anywhere then the staff time required will be minimal. The first step is to determine the potential revenue from the development of the south side of the unopened road allowance.

Councillor Shantz asked staff for the details on the revenue estimate done. Ms. Davies-Snyder replied that the forecasted expenses were \$1.4 million. This would only drop to approximately \$1.3 million if developing the south side only. Potential revenue from developing the south side is approximately \$386,000.

Randy Miller, Engineering Technologist, stated that this estimate was reached by reviewing past projects and is considered a Level C estimate. A 25% contingency has been built in recognizing that further studies need to be done and that the expenses are dependent on the industry pricing and the economy at the time of development.

C.A.O. David Brenneman stated that further exploration of this proposal will require significant staff time and costs. To proceed, further consultants will need to be hired to answer questions raised tonight.

Councillor Shantz stated that she cannot support the recommendation.

Councillor Martin said that he is not comfortable making a decision and would like to defer this issue to staff.

Mayor Strauss stated that Council needs to know what the Region will sell its land for prior to proceeding further with this development.

Councillor Shantz reminded Council that staff has provided an estimate of less than \$400,000 as revenue for developing the subject lands.

Councillor Bauman clarified that he is not asking staff to spend a lot of time on this but that the price of the Regional lands will have a large affect on the project and the recommendation will allow staff some time to negotiate with the Region. He said Council has a responsibility to the taxpayers to exhaust all possibilities to generate revenue prior to increasing taxes.

...CARRIED

Councillor Bauman commented that if the negotiations with the Region fall through, the entire development may not take place.

John Scarfone, Manager of Planning, clarified that an estimate has been included in the expected expenses and the Regional lands may not be that critical in affecting the surplus.

Councillor Weber commented that, as the recommendation reads, staff can enter into an agreement with the Region prior to coming back to Council.

Councillor Bauman directed staff to have some numbers for Council next week and that this is why decisions are ratified a week later at Council.

David Brenneman thanked the media for outlining the public process in editorials as it is important to educate the public on the public process. The final vote on the recommendation made tonight will occur on November 10, 2009.

Mayor Strauss commented that if the Township will not develop the north side of the unopened road allowance, it may be used as a bargaining tool with the Region to obtain a more reasonable price on the land that they own. Mayor Strauss asked staff to have the information available for next week's meeting.

Councillor Weber thanked residents for attending, asked residents to register if they wish to speak at next week's meeting and reminded residents that the meeting on November 10th starts at 7pm.

**5 minute recess at 8:50 p.m.*

STAFF REPORTS

E85-2009: Environmental Zoning – Work Plan

Dan Kennaley commented that the purpose of this report is to inform Council of the proposed work plan for proceeding with the zoning of the environmental features in the Rural Land Use Area. Currently the zoning does not recognize environmental features such as the floodplain. The GRCA has the majority of the features mapped out along with an identified buffer. The work plan is laid out in Appendix A of the report and the project is expected to be complete in Fall 2010.

Mayor Strauss commented that the address on the report is still for the old municipal building.

E87-2009: Amending Subdivider's Agreement – Empire Communities (Riverland) Ltd. – Stage 2

MOVED BY Mayor Strauss

SECONDED BY Councillor Martin

THAT the Council of the Township of Woolwich authorizes the Mayor and Clerk, by by-law, to execute a supplementary agreement (attached as appendix 'C' to Report E87-2009), which amends Subdivider's Agreement dated November 1, 2007, registered as Instrument No. WR-341434 on November 2, 2007, as amended by Supplementary Agreement dated April 9, 2008 and registered as Instrument Number WR-373556 on April 9, 2009, with Empire Communities (Riverland) Ltd. To recognize a revised Stage 2 area (ie. Stages 2a and 2b) for the development of Plan of Subdivision 30T-97008, subject to the following:

1. That Supplementary Agreement be in accordance with the Agreement attached as Appendix C to Report E87-2009; and
2. The Subdivider signs the Supplementary Agreement.

...CARRIED

E88-2009: Zone Change Application 12/2009 (Willard and Lorraine Martin)

Dan Kennaley commented that this application is to extend a temporary use by-law for a mobile home to accommodate the applicant's parents. Mayor Strauss directed Dan Kennaley to contact the Grand River Conservation Authority regarding the fee that has been charged for the extension of temporary use by-laws.

MOVED BY Councillor Martin

SECONDED BY Councillor Shantz

THAT the Council of the Township of Woolwich approves Zone Change Application 12/2009 to extend the Temporary Use By-law for an additional three years concerning lands described as GCT, Part Lot 61, Township of Woolwich and located at 1071 Cedar Spring Road (Willard and Lorraine Martin) which will allow the continued use of a mobile home (garden suite), subject to the following conditions:

1. That the amending By-law be in accordance with the proposed By-law attached as Appendix A to Report E 88-2009;
2. That the By-law be deemed to conform to the Township Official Plan.

...CARRIED

E91-2009: Proposed Heritage Designation – Township Halls, Elmira and Conestogo

Dan Kennaley commented that staff is asking for direction from Council to proceed with preparing the notice of intention to designate the Township Hall at 69 Arthur Street South in Elmira and the Township Hall at 1924 Sawmill Road in Conestogo. These two properties were previously declared surplus and part of that recommendation was that they be considered for heritage designation. In order for a property to be designated it must meet one or more of three criteria including: design or physical value, historical/associative value and contextual value (relationship to surroundings). Both of these buildings meet all three of the criteria. The designation for the building at 69 Arthur Street South would include the exterior only along Arthur Street South and Wyatt Street and the interior of the clock tower. The other sides of the facility have been changed previously. The designation for the building at 1924 Sawmill Road would be for exterior features of the facility only.

Councillor Martin asked if the foundation of the Conestogo Town Hall would have to go back to the original form if repairs were undertaken. Dan Kennaley responded that it would not necessarily have to be the same form as long as any changes were in keeping with the designation and the changes would look the same or similar to the original foundation. Councillor Martin clarified a portion of the report stating that the church was completed in 1888 as a church for the Mennonite Brethren in Christ and not the New Mennonite Church as the report indicates.

Councillor Weber also requested that the term 'Mennonite' be struck from the section referring to a Mennonite style of building as the word 'Mennonite' does not define a certain type of building.

Mayor Strauss asked how long the designation would take and when the properties would be put on the market. Dan Kennaley responded that the formal designation could be done at one of the December meetings.

MOVED BY Councillor Bauman

SECONDED BY Mayor Strauss

THAT the Council of the Township of Woolwich directs staff to prepare a 'Notice of Intention to Designate' under the Ontario Heritage Act to designate the following properties as Heritage structures:

- Township Hall at 69 Arthur Street South, Elmira; and
- Township Hall at 1924 Sawmill Road, Conestogo.

...CARRIED

R22-2009: Recreational Infrastructure Canada Program Contribution Agreement

Larry Devitt commented that this is a housekeeping item required by the Province. A few minor corrections to the by-law including a spelling error and a reference to the Ministry of Health Promotions is required.

Councillor Weber asked why no funding was received for Lions Park as requested. Staff commented that they do not receive the rationale on which projects are approved for funding and which are not.

MOVED BY Councillor Bauman

SECONDED BY Councillor Shantz

THAT the Council of the Township of Woolwich authorizes the Mayor and CAO to execute a contribution agreement to authorize funding under the Recreational Infrastructure Canada (RinC) Program for the following projects:

- Bloomingdale Park Ball Diamond Lighting Replacement
- Breslau Park Ball Diamond Lighting Replacement; and
- Rehabilitation of Trans Canada Trail Link at St. Jacobs Farmers Market.

...CARRIED

Year-to-date report period ending September 30, 2009

David Brenneman commented that the Operating Budget is tracking well. Staff are closely monitoring the expenses for winter control and recreation. The water and wastewater programs are currently in a deficit position. The capital projects are moving along well.

PUBLIC MEETING

None.

CORRESPONDENCE

None.

OTHER BUSINESS

None.

OUTSTANDING ACTIVITY LIST, as of October 30th, 2009

No changes.

GREEN AND PINK ITEMS, as of October 30th, 2009

None.

RESOLUTIONS REGARDING PUBLIC NOTICE

None.

NOTICE REGARDING CLOSED MEETINGS

None.

Meeting adjourned.

Respectfully submitted by
Ruby Weber, Chair