

**TOWNSHIP OF WOOLWICH
COMMITTEE OF THE WHOLE MINUTES
May 24, 2011**

The Committee of the Whole met in Regular Session at 6:00 p.m. in Council Chambers on the above date. Present: Mayor Cowan and Councillors Bauman, Bryant, Herteis and Poffenroth.

DISCLOSURES OF PECUNIARY INTEREST

Councillor Bauman declared pecuniary interest in respect to report P01-2011 on volunteer fire fighter's life insurance.

RESOLUTIONS TO COME FORWARD FROM CLOSED SESSION

None.

DELEGATIONS

Memo: Proposed Jigs Hollow Gravel Pit – Visual Impact

Dan Kennaley, Director of Engineering & Planning Services outlined the memo and highlighted that staff have come to the conclusion that there would be no negative visual impact concerns in regards to the proposed gravel pit on Jigs Hollow Road. Mr. Kennaley noted that if Council wishes to reconsider the matter for a peer review request on the Visual Impact Study, and the peer review position is different from that of staff's opinion, staff will be unable to defend this new position at the Ontario Municipal Board. Mr. Kennaley made an amendment to the memo, stating that the references to Phase 2 should be Phase 1. In response to an inquiry by Councillor Poffenroth, Mr. Kennaley advised that when staff visited the site to determine if there would be negative visual impacts, there were leaves on the trees, however staff stand by their determination with or without leaves on the trees.

Ray Kuntz & David Sisco

David Sisco of the IBI Group addressed Council acting on behalf of Ray Kuntz . Mr. Sisco provided Council with an update on where the applicant is in regards to the 9 conditions that were required by the previously approved-in-principle zone change. Mr. Sisco also voiced the applicant's support for the memo provided by staff in regards to visual impact.

In response to an inquiry by Councillor Bauman, Mr. Sisco advised that the outstanding issues on the table are, in their opinion, the requirement to sign a road agreement, the sunset clause and the vertical zoning.

MOVED BY Councillor Bauman

SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich hears the unregistered delegations of Jan Huissoon and Karen Bleckert.

...CARRIED

Jan Huissoon

Jan Huissoon, a resident of Sunset Drive, addressed Council and read correspondence previously provided by both Rick Strooboscher a resident of Golf Course Road and himself in opposition to staff's opinion expressed in the memo. Mr. Huissoon outlined reasons why they believe a peer review should be conducted on the initial Visual Impact Assessment completed by IBI Group. In response to an inquiry by Councillor Bauman, Mr. Huissoon advised that he does not believe there is a quantifiable way to assess visual impact in the same way there is for noise impact.

Karen Bleckert

Karen Bleckert, a resident of Sunset Drive addressed Council in opposition to staff's opinion expressed in the memo. Ms. Bleckert also noted that the initial report by IBI Group, along with the Township's report was not sent to her address and she believes her address should be included as the view from her home looks right into the area of the proposed pit.

In response to inquiries by Council, Mr. Kennaley outlined the criteria reviewed when assessing visual impact and advised that the properties located between 44-58 Sunset Drive were considered, in staff's opinion, the most visually affected by the application. Mayor Cowan expressed the need for consistency of requirements throughout all gravel pit applications and questioned if other applications have been required to have peer reviews conducted on the Visual Impact Assessment. Mr. Kennaley advised that in assessing particular circumstances associated with applications, staff have concluded that the proximity of the Hunder Developments application to neighboring residences resulted in the requirement of a peer review of the Visual Impact Study. Mr. Kennaley advised that there are specific circumstances in each application that results in various requirements and referred to the Cultural Heritage Impact Study required in West Montrose.

Mr. Kennaley advised that the peer review for the Visual Impact Assessment will likely cost around \$5,000.00 and will take approximately 6 months to complete. Mr. Kennaley confirmed that the residences located on Golf Course Road are higher in elevation than the residences on Sunset Drive.

Councillor Bauman raised concerns with supporting a peer review for the Visual Impact Assessment, as there are no quantifiable aspects and he believes by doing so will delay the process. He also asked if the Township would consider paying for the peer review, since staff have concluded that there are no negative impacts. Councillor Bauman asked what items are left outstanding on this application from staff's perspective. Mr. Kennaley advised that on top of the items addressed by Mr. Sisco, there are outstanding matters in regard to the engineering design work associated with the paving of Jigs Hollow Road. Mr. Kennaley noted that although the peer review regarding the Environmental Study has been received, there has been no conclusion that the issue is finalized at this point. Mr. Kennaley advised that Township staff are waiting for discussions with the Region of Waterloo on both the groundwater monitoring information and intersection improvements, as well as waiting on confirmation that the Ministry of Natural Resources will accept the changes to the site plan. Councillor Bauman asked that a memo be provided to Mr. Sisco outlining these items.

MOVED BY Councillor Herteis
SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich directs staff to require a peer review on the Visual Impact Assessment completed by the IBI Group for the gravel pit application submitted by Kuntz Sand Gravel & Topsoil on Jigs Hollow Road.

...TIE VOTE, COUNCILLOR BRYANT BROKE THE TIE, MOTION CARRIED

F10-2011: Grand River CarShare

Richard Petherick, Director of Finance/Treasurer addressed Council and summarized the report.

Matthew Piggot & James Hammond, Grand River CarShare

Matthew Piggot, the Member Services Coordinator of Grand River CarShare addressed Council and made a presentation that provided background information on car sharing and the existence of the organization in Waterloo Region.

Jason Hammond, President of the Board of Directors of Grand River CarShare addressed Council and presented slides outlining various business aspects of the organization. Mr. Hammond reiterated the requests made previously to Council on February 7, 2011. In response to inquiries by Council, Mr. Hammond explained the process of gas surcharges charged to members. Mr. Hammond confirmed that vehicles are bought locally in the area and are typically 2-3 years old.

Councillor Herteis questioned various logistics of the service to which Mr. Hammond advised that cleaning and maintenance of the vehicles is done by four full-time staff members. Mr. Hammond explained the penalty process if a vehicle is not returned on time, and confirmed that vehicles can be booked up to a year in advance. Mr. Hammond addressed concerns raised by Councillor Herteis on the dollar amount requested for the line of credit by noting that the line of credit allows the organization to purchase the initial fleet of vehicles. CAO David Brenneman advised that staff are looking to structure the repayment plan of this line of credit to meet the needs of the Township.

Councillor Bauman questioned if there would be a financial benefit to the Township if employees had access to a car through Grand River CarShare to use. Mr. Petherick advised that staff have looked at the benefit of having the service in Woolwich and have not looked at corporate membership at this time.

In response to questions from Mayor Cowan, Mr. Petherick advised that the requirement of audited statements from the organization and provisions to safeguard the line of credit can be worked into an agreement. Mr. Petherick confirmed that staff feels as though the Route 21 transit service and CarShare are complimentary services.

MOVED BY Councillor Bauman

SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich enters into a five-year partnership with Grand River CarShare, which includes a line of credit for \$30,000 from the Township of Woolwich, subject to the following:

1. That the Grand River Transit Route 21 becomes a permanent route in Woolwich; and
2. That any outstanding principle on the line of credit is paid back before any further agreements for a line of credit from the Township with Grand River CarShare is entered into.
3. That Grand River CarShare provide financial statements to be viewed by the Township Treasurer prior to any agreement being signed.

...CARRIED

Staff Report R10-2011: Naming of Breslau Memorial Park Pavilion

Larry Devitt, Director of Recreation and Facilities Services introduced the report and advised that the Breslau Recreation Association is requesting that the Breslau Memorial Park Pavilion be named in honour of Jim Burton, a long time volunteer to the association.

Lisa Nadon, Breslau Recreation Association

Lisa Nadon addressed Council and advised that Mr. Burton has been maintaining the park area for over 20 years, and that up until 2 years ago was doing so as a volunteer. Ms. Nadon advised that Mr. Burton is now only paid for liability reasons and for this reason the Association wishes to show appreciation by naming the Pavilion in his honour. Councillor Bauman confirmed that Mr. Burton was an enthusiastic advocate for the facility.

MOVED BY Councillor Herteis

SECONDED BY Councillor Poffenroth

THAT the Council of the Township of Woolwich names of the Breslau Memorial Park Pavilion as the "**Jim Burton Pavilion.**"

...CARRIED

Breslau Recreation Association Staffing Concerns

Ms. Nadon addressed Council on behalf on the Breslau Recreation Association and provided background information on the Association. Ms. Nadon provided information on the amount of volunteer hours that are being spent on administrative work put in by members of the Association which is resulting in a lack of members, and the current board members are getting burnt out.

In response to an inquiry by Mayor Cowan, Mr. Devitt advised that staff have met with members of the Association and are looking at logistics for providing staff support. Mr. Devitt advised that there are other recreation associations with similar work loads and staff are working through budget numbers to determine how to best provide administration support. Mayor Cowan asked that this item be added to the Outstanding Activity List.

PLANNING PUBLIC MEETING

Councillor Bryant read the following introduction to the Planning Public Meeting: *This meeting constitutes the formal public meeting required under Section(s) 17 & 34 of the Planning Act. The meeting is for information purposes only and no decisions will be made at this time. The applications will be brought forward at a future meeting of the Committee of the Whole when staff has had an opportunity to review all submissions and prepare recommendations. All those in attendance will be given an opportunity to speak. Interested parties are invited to sign the appropriate sign up sheet in the lobby, if they wish further notification with respect to the applications. Individuals are requested to submit a written outline of any oral submissions made at the Public Meeting to the Township Clerk.*

Zoning Amendment

If a person or public body that files an appeal of a decision of the Council of the Township of Woolwich in respect of the proposed zoning by-laws does not make oral submissions at a public meeting or make written submissions to the Council of the Township of Woolwich before the proposed zoning by-law amendments are passed:

- a) the person or public body is not entitled to appeal the decision of the Township of Woolwich to the Ontario Municipal Board; and*
- b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.*

Official Plan Amendment

If a person or public body that files a notice of appeal of a decision of the Council of the Regional Municipality of Waterloo in respect of the proposed Official Plan Amendment, does not make oral submissions at a public meeting or make written submissions to the Council of the Township of Woolwich before the proposed Official Plan Amendment is adopted:

- a) the person or public body is not entitled to appeal the decision of the Regional Municipality of Waterloo to the Ontario Municipal Board; and*
- b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.*

Councillor Bryant declared the public meeting to be open and asked staff to review the first application.

E41-2011: Z/C 6/2011 – 603048 BC Limited

Dan Kennaley, Director of Engineering & Planning Services presented the report and noted that the purpose of the application is to amend the existing site specific provisions to permit the fabrication of farm related equipment (bale wrapping, front end loaders and miscellaneous farm equipment) with accessory uses including sales of associated parts and equipment repairs. Mr. Kennaley advised that comments have been received from a neighbour with concerns regarding noise from forklifts and that staff will prepare a recommendation for Council's consideration once all input has been received. In response in a question raised by Council, staff noted that if

successful, this Zone Change would maintain the existing zoning, however a site specific provision would be added to the property and the property would be taxed at the Industrial rate.

Sam Head, Dryden Smith and Head Planning Consultants

Sam Head of Dryden Smith and Head Planning Consultants addressed Council on behalf of Tubeline, who has an offer to purchase the property, conditional on receiving the necessary zoning approval. Mr. Head provided a brief history of the property and outlined what day to day operations would look like at the property should the application be approved. Mr. Head confirmed that noise concerns have been addressed in the design of the building. He noted that although this land is Agriculturally zoned, the land has not been farmed for 50 years. In response to an inquiry by Councillor Bauman, Mr. Head noted that at this time Tubeline only has plans to manufacture agricultural equipment.

Paul Horst, Tubeline Manufacturing

Paul Horst of Tubeline Manufacturing addressed Council and advised that the equipment manufactured at the company is farm-related and the company says that they will be manufacturing this equipment for the foreseeable future.

Since there was nothing further with respect to this application, Councillor Bryant declared this portion of the public meeting to be closed and asked staff to bring forward the next application.

E42-2011: Z/C 7/2011 – King/86 Developments Ltd.

Dan Kennaley, Director of Engineering & Planning Services presented the report and noted that the purpose of the application is to amend the Power Centre Commercial policies and provisions in the Official Plan and Zoning By-law respectively, to permit the unit size of restaurants to be less than 465 sq m (5,000 sq ft). In addition, the applicants propose to amend the Service Commercial definitions to broaden the range of service commercial type uses. Mr. Kennaley advised that that staff will prepare a recommendation for Council's consideration once all comments have been received.

Kiet Ngo, Smart Centres King/86

Kiet Ngo of King/86 Developments Limited / Smart Centres addressed Council and presented slides outlining the site plan of the area and provided details on the Official Plan and Zoning requirements.

Bernard Tang, Malone Given Parsons Ltd.

Bernard Tang addressed Council on behalf of Malone Given Parsons Ltd. who have been retained by Smart Centres to complete a market and planning study of the areas owned by King/86 Developments Ltd. Mr. Tang provided slides outlining the findings of the study and confirmed that the findings of the study believe that the proposed application is appropriate for the site and represent good planning.

Councillor Bauman raised concerns that smaller restaurants have more drive-throughs, and would like to see them designed without. Mr. Kennaley advised that this will be an issue that can be looked at in evaluating the application and preparing a recommendation to Council.

Councillor Poffenroth noted that if vacant space is occupied by businesses, this results in higher revenue for the Township through taxes.

Marcus Shantz, Mercedes Corp.

Marcus Shantz addressed Council on behalf of Mercedes Corp. in St. Jacobs. Mr. Shantz referred to a map of the area and pointed out the area that is owned by his company. Mr. Shantz advised that his company has also run into trouble filling vacancies as the zoning currently in place is quite restrictive, however noted that his company has been encouraged to wait for a larger planning process such as comprehensive review of the whole area. Mr. Shantz advised that he is not opposed to this application but would like to encourage a more comprehensive review be completed soon.

In response to inquiries by Council, Mr. Shantz provided details on the difficulties his company has had filling vacancies due to zoning restrictions. Mr. Kennaley advised that staff are proposing to do a secondary plan for the Stockyards area, however felt it was advisable to postpone this review for a year due to the possibility of a high tech area potentially being added to the stockyards area. Councillor Poffenroth raised concerns that removing zoning restrictions from this area could have negative implications on areas of Waterloo and downtown Elmira.

Since there was nothing further with respect to this application, Councillor Bryant declared this portion of the public meeting to be closed and asked staff to bring forward the next application.

E43-2011: 1066626 Ontario Ltd./ Marhome Farms

Dan Kennaley, Director of Engineering & Planning Services presented the report and provided the explanation of the proposal. Mr. Kennaley advised that comments have been received stating no concerns and advised that that staff will prepare a recommendation for Council's consideration once all representations have been known and considered.

A representative from Max's Golf Centre was present and provided additional details about the application.

Since there was nothing further with respect to the application, Councillor Bryant declared the public meeting to be closed.

STAFF REPORTS

A06-2011: Woolwich Economic Development Plan

Laurel Davies-Snyder, Economic Development and Tourism Officer addressed Council and provided a presentation outlining the process and findings of the research done to develop the Woolwich Economic Development Plan. Ms. Davies-Snyder advised that the project came in under budget and was beneficial as it provides an excellent picture of where the economy is locally and more wide-spread. Ms. Davies-Snyder noted that she believes the process has helped build relationships with key businesses in the area and a number of goals were accomplished through the process. Mayor Cowan asked if the plan will be able to help the Township change restrictions to help existing businesses to flourish. Ms. Davies-Snyder advised that through the implementation plan, the Township will be able to focus on the high-level priorities revealed through the research.

MOVED BY Mayor Cowan

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich adopts the Woolwich Economic Development Plan in principle and directs staff to:

- Form a Task Force to assist with developing an implementation Plan;
- Continue to review and improve the Economic Development and Tourism information on the Township's website;
- Continue to develop and improve the Business Retention & Expansion Program including the Salute to Woolwich Businesses Event and the Woolwich Business Visitation Program (BVP);
- Develop and implement a Marketing and Communications Plan for supporting local community economic development; and,
- Seek funding support for short-term initiatives through the Township's budget process and other funding programs.

...CARRIED

CAO David Brenneman thanked Ms. Davies-Snyder for her efforts through the research and advised that he believes the benefits of the work done have developed a good action plan for the economic development of Woolwich.

E37-2011: Award 2011 Gravel Tender

Dan Kennaley, Director of Engineering & Planning Services presented the report and provided a summary of the recommendation. Mr. Kennaley noted that the Road Needs Study recommends gravel be applied every seven years to roads, opposed to the current ten years.

In response to an inquiry raised by Councillor Poffenroth, Mr. Petherick confirmed that none of the companies that submitted tenders for this work are taxpayers in the Township.

MOVED BY Councillor Poffenroth

SECONDED BY Councillor Herteis

THAT the Council for the Township of Woolwich awards the tender for placement of Granular "A" on various Township roads as per Tender No. 2011-05 to Donegan's Haulage Limited for the tendered cost of \$8.98/Tonne net HST.

...CARRIED

F12-2011: Tax Rate By-law

Richard Petherick, Director of Finance / Treasurer presented and summarized the report. In response to an inquiry by Councillor Poffenroth, Mr. Petherick advised that a change in software programs last year resulted in the tax rate not being included in the final tax bill, however this has been remedied and will be included this year. Mayor Cowan asked that a breakdown be provided with the final tax bills to educate residents on what portion of taxes are provided to the Township, School Board and the Region of Waterloo. Mr. Petherick confirmed that staff is looking at including this information for residents.

MOVED BY Councillor Bauman

SECONDED BY Councillor Poffenroth

THAT the Council of the Township of Woolwich approves the tax rates, special area rates, tile drain loan payments, local improvement charges, and water/sewer capital charges for 2011 as set forth in the By-Law attached as Appendix "A" to Report F12-2011.

...CARRIED

**Councillor Bauman left the meeting*

P01-2011: Volunteer Fire Fighters Insurance

Rick Pedersen, Fire Chief, presented the report and advised that other municipalities have reviewed the proposal and are in agreement with the increase of on-duty life insurance by \$50,000.00 for volunteer fire fighters. Chief Pedersen advised that this increase can be supported in this year's budget and he believes this will help with volunteer firefighter retention support. In response to an inquiry raised by Councillor Poffenroth, Chief Pedersen confirmed that if a fire was determined the cause of death for a firefighter, they would have insurance coverage under this policy.

In response to inquiries raised by Council, Mr. Petherick advised that all the municipalities in the Region, along with the Region of Waterloo, are involved in the process and all townships need to agree. Councillor Poffenroth advised that he supports the increase, and believes an increase to coverage of \$250,000.00 would be acceptable.

MOVED BY Councillor Poffenroth

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich approves the increase in insurance premiums for an additional "On Duty" Loss of Life Benefit coverage of \$50,000 for Woolwich's Volunteer Fire Fighters;

AND FURTHER THAT the Council of the Township of Woolwich gives direction to the Director of Finance & Treasurer to request the coverage increase at the next Waterloo Region Municipalities Insurance Pool meeting.

...CARRIED

**Councillor Bauman entered the meeting*

R08-2911: St. Jacobs Warehouse Lease (Dotzert / Beauty Maid)

Larry Devitt, Director of Recreation and Facilities Services presented and summarized the report. In response to an inquiry by Councillor Herteis, Mr. Devitt compared rental fees of the building compared to the Woolwich Memorial Centre.

MOVED BY Mayor Cowan

SECONDED BY Councillor Bauman

THAT Council of the Township of Woolwich approves the extension of the lease of the St. Jacobs Warehouse to Dotzert Glove/Beauty Maid Products from June 15, 2011 to June 14, 2013;

AND FURTHER THAT the rate per square foot be increased 5% to \$5.85 in 2011 and 4% to \$6.08 in 2012;

AND FURTHER THAT the Mayor and Clerk be authorized to execute the lease.

...CARRIED

R09-2011: Unbudgeted Expenditure to Repair Roofs – Lawn Bowling Clubhouse / Lions Park Fieldhouse

Larry Devitt, Director of Recreation and Facilities presented and summarized the report. Councillor Herteis advised that she has spoken with the President of the Elmira Lawn Bowling Club and he wanted to thank the Township for looking into the leak and offered to help. Mr. Devitt advised that if the Lawn Bowling Club was able to make a small donation, it would go to a reserve fund. Councillor Bauman raised concerns that due diligence was not done on these roofs prior to the leaks occurring. Mr. Devitt confirmed that the repairs have been reviewed by a contractor who has advised that it is shingling that is required, and not a complete roof replacement.

MOVED BY Councillor Bauman
SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich approves the unbudgeted expenditure for roof reshingling to the Lawn Bowling Clubhouse and Lions Park Fieldhouse at a cost not to exceed \$7489.53 after HST rebate;

AND FURTHER THAT the work be funded from the Property Maintenance Reserve Fund.

...CARRIED

CORRESPONDENCE

Proposed Sidewalk Installation on the East Side of Nightingale Crescent, Elmira

Council reviewed the following items of correspondence that were received:

- Petition to the Mayor and Council of the Township of Woolwich regarding objection to the proposed installation;
- Letters from *Scott & Deanna Smith, Don & Karen Buddo*

Christine Broughton, Director of Council and Information Services, advised that these items were placed on the agenda to let residents know Council received them. Staff will address the concerns when a report comes forward to Council. Mayor Cowan suggested recommending staff to prepare a report on the concern. Councillor Herteis asked that the criteria for one sidewalk over two be included in the report.

OTHER BUSINESS

Court of Revision for Weber-Brubacher Municipal Drain (2-2010)

The date of June 28, 2011 at 5:00 p.m. was set for Court of Revision further information on those details will be provided at the Committee of the Whole meeting on June 21, 2011.

OUTSTANDING ACTIVITY LIST, as of May 20, 2011

Mayor Cowan advised that the review of life insurance for firefighters can be taken off, and asked that review of staff support for the Breslau Recreation Association be added.

Ms. Broughton advised that the Sign By-law report will be moved to the June 21, 2011 Committee of the Whole meeting.

GREEN AND PINK ITEMS, as of May 20, 2011

None.

PUBLIC NOTICE

None.

NOTICE REGARDING CLOSED MEETINGS

None.

ADJOURNMENT

MOVED BY Mayor Cowan
SECONDED BY Councillor Bauman
THAT the meeting be adjourned.

...CARRIED

Submitted by,
Bonnie Bryant
Chair