

**TOWNSHIP OF WOOLWICH
COMMITTEE OF THE WHOLE MINUTES
May 3, 2011**

The Committee of the Whole met in Closed Session at 5:00 p.m. in the Councillors' Office and 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.

CLOSED SESSION – 5:00 P.M.

MOVED BY Councillor Bryant

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich convene in closed session in accordance with Section 239 (2b & 2c) of the Municipal Act, 2001, as amended with respect to a matter pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board.

...CARRIED

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

THAT Council reconvenes in Regular Session.

...CARRIED

DISCLOSURES OF PECUNIARY INTEREST

None.

RESOLUTIONS TO COME FORWARD FROM CLOSED SESSION

None.

DELEGATIONS

Steve Hanley, Woolwich Minor Hockey Association Re: Request for Amendment to Woolwich Minor Hockey Association's Lease at the Woolwich Memorial Centre

Steve Hanley, President of the Woolwich Minor Hockey Association addressed Council and requested that Council review the lease agreement between the Association and the Township. Mr. Hanley advised that the Association was initially unaware that they were being charged for storage space at the Woolwich Memorial Centre and although they are willing to pay the lease for the office space, they are asking for an exemption to the lease for the storage space. Mr. Hanley advised that an amended lease has been provided to the Township, and asked for Council's acceptance.

In response to inquiries by Council, Larry Devitt, Director of Recreation of Facilities Services advised that the square footage of the storage room is approximately 188 square feet; the Association also uses an office space that is approximately 158 square feet. Mr. Devitt advised that in the former facility there were no charges for rental space used by user groups and when the lease came to Council in June of 2010, user groups were given an opportunity to address Council on these new charges. He noted that at that time the Junior B Association received

approval for an arrangement to work on a fundraiser to provide revenue in lieu of rental revenue.

Mayor Cowan expressed concerns with charging Woolwich Minor Hockey for rental space, as they donated \$25,000 toward the FIT campaign and advised that he believes Council should support groups that helped to build the facility for the community.

MOVED BY Mayor Cowan

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich directs staff to waive the rental fee for storage space at the Woolwich Memorial Centre for the Woolwich Minor Hockey Association for 2011 in the amount of \$250.60.

Discussion on the motion

Councillor Poffenroth raised concerns that by waiving the rental fee on storage space Council would be setting a precedent and that other user groups that have previously agreed to the lease agreement and are required to pay this fee will also expect an exemption.

Councillor Bauman suggested that the fee for the storage space being used by Minor Hockey be reduced from \$6/ sq ft to \$3/ sq ft. Mayor Cowan affirmed that he did not wish to amend the motion.

...CARRIED

Recreation User Fees Public Input

Woolwich Minor Hockey Association

Steve Hanley, President of Woolwich Minor Hockey addressed Council again in opposition of the user fee increase for 2011 for the following reasons:

- The budget for the organization was set on March 29, they did not receive notice of the fee increase until April 16;
- The new rates will result in a 5% increase and a \$12,000 deficit as registration rates have already been established;
- Due to rate increases in recent years, registration rates are higher than surrounding centres making it difficult for participation;
- Due to a decrease in subsidy percentage in recent years.

Mr. Hanley advised that Woolwich Minor Hockey currently has a 30% subsidy on rental fees. In response to inquiries by Council, Mr. Devitt confirmed that Woolwich Minor Hockey is the largest hourly user of the facilities at Woolwich Memorial Centre.

MOVED BY Mayor Cowan

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich directs Recreation and Facilities Services staff to work with Woolwich Minor Hockey to evaluate options for subsidy models for ice rental fees and report back to Council in time for the start of the 2011-2012 ice rental season.

Discussion on the motion

Councillor Bauman raised concerns that if revenue is cut, it will be difficult for staff to find efficiencies. Councillor Bauman also noted that he cannot support the recommendation as he believes all user groups are important to the community and subsidy rates should be equal for all groups. Mayor Cowan did not wish to amend the motion.

Councillor Bauman asked for a recorded vote.

Yes
Councillor Bryant
Mayor Cowan
Councillor Herteis

No
Councillor Bauman
Councillor Poffenroth

...CARRIED

Woolwich Youth Soccer

John Collinson, Referee-In-Chief for Woolwich Youth Soccer made a presentation to Council outlining why the organization is in opposition of the recreation user fee increase. Mr. Collinson outlined that the needs of the organization are not being met with the current facilities and a cooperative review of these needs to implement a 5 year plan to help improve the organization was requested.

In response to an inquiry by Councillor Poffenroth, Mr. Devitt confirmed that rates for the following year are typically set earlier than they were this year. The delay was due to the Watson & Associates rate study which took longer than anticipated.

Councillor Herteis asked for confirmation on whether the group was concerned with the rate increase or the condition of the facilities. Mr. Collinson advised that the group's main concern is that rates have gone up over the years; however there has been no improvement in the quality of the facilities that are being offered. Mr. Collinson advised that in 2011, they would like to see the fee increase dealt with, however moving forward they would like to see a plan for a longer term fee structure developed in conjunction with the group that takes into consideration the operation model of the group.

In response to an inquiry by Mayor Cowan, Mr. Collinson advised that he believes the largest issue with the facilities is overuse which does not allow for the investment of time to be made to improve them.

MOVED BY Councillor Bauman

SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich directs staff to continue to work with Woolwich Minor Soccer to formulate a 5 year plan for a fee structure to meet the needs of the club.

...CARRIED

Councillor Poffenroth moved a motion to direct Recreation and Facilities Services staff to set rental fees each fall for the following year, however there was no seconder and the motion was lost.

Mayor Cowan asked that short comings in youth sports be identified in future budget talks.
Cyril Zister Re: Request to Waive Minor Variance Fees at 1021 Bisch Street

Dan Kennaley, Director of Engineering & Planning Services presented a map of the property at 1021 Bisch Street and explained that Mr. Zister is requesting an exemption to the fees for a Zone Change and a Severance from the Township of Woolwich. Mr. Kennaley advised that Mr. Zister's property is split between the Township and the City of Waterloo and Mr. Zister will need to apply for severances in both jurisdictions. Mr. Kennaley advised that Staff are not recommending reduction in fees for the applications, based on the idea that fees are collected on a user pay basis so taxpayers are not subsidizing costs of these applications. Correspondence was received from Joel Cotter of the City of Waterloo noting that the City of Waterloo will waive their fee on the understanding that Mr. Zister will pay the fees to Woolwich.

Cyril Zister

Mr. Zister advised that his property is 56 acres with 23 acres in Waterloo and 33 acres in Woolwich. Mr. Zister noted he was prompted to seek the severance of his land when he was sent a draft strategy of development from the City of Waterloo to all owners of land in North Waterloo. He was informed that both a severance and a Zone Change are required in Woolwich, as his land is considered undersized for an agriculturally zoned parcel; however he is only required to complete a severance with the City of Waterloo. Mr. Zister added that he does not believe precedence is being set by waiving these fees, as he is unaware of other lands that are split between the two jurisdictions. Mr. Zister asked that the fees be omitted for these applications.

In response to questions by Council, Mr. Zister confirmed that the City of Waterloo has informed him that he will not be charged for a severance application through the city. Mr. Kennaley confirmed that the City of Waterloo will waive fees, if Woolwich charges the fee.

Council discussed the issue and decided that in light of the correspondence from the City of Waterloo, Woolwich will not waive required fees.

Report C25-2011: Tiger Paw Exotics Request for Full Exemption to Animal Control By-law for the Odd and Unusual Sales

Deputy Clerk Val Hummel explained that this is the third time the issue of exotic animals being sold at the Odd and Unusual Sale twice a year in St. Jacobs has come before Council. The first request that came in 2010 was for a full exemption to the exotic animal restrictions in the Township's Animal Control By-law; staff didn't support that request but the previous Council had staff come back with a proposal for a limited exemption because it didn't sound too dangerous to allow animals such as llamas, alpacas or tortoises to be sold. In the end, Mr. Height was allowed to display and sell exotic hoofed animals (camels, llamas, alpacas, and zebra) along with tortoises, at his Odd and Unusual Sales, along with domestic animals. All other animals designated as exotic pets under the Animal Control By-law continued to be restricted from the sales.

Ms. Hummel outlined that two Odd and Unusual Sales were held in 2010 and restricted exotic species were displayed for sale using video. She noted that the previous Council never gave formal approval for the video display technique but, in the spirit of co-operation, the technique was allowed informally on a trial basis with the understanding that Tim Height of Tiger Paw Exotics would come back to Council following the spring sale to ask for formal approval. That did not happen after the spring sale or in time for the fall 2010 sale. Finally, a request came in

on March 3, 2011 to list Mr. Height on the March 8th Council agenda. There was no time to prepare information for Council and so the issue was deferred until this meeting so that Council had a full report in front of them to help them make a decision.

Ms. Hummel advised that Mr. Height is no longer asking for formal approval of the video display technique. He now wants a full exemption to the Animal Control By-law so that he can bring exotic animals in to the sale and he feels he and his staff are capable of controlling what types of animals come in and where they go.

Ms. Hummel provided background on the 2006 update of the Animal Control By-law that saw the 1995 Exotic Pets By-law incorporated into the Animal Control By-law. She outlined that a resolution of Council adopted in 2001 exempted Tiger Paw Exotics displays at the Elmira Fair and also exempted the Odd and Unusual Sales from the restrictions of the Exotic Pets By-law of 1995. A review of the minutes shows that Council had limited information and no community input at the time. The resolution granted a wide-open exemption for the Odd and Unusual Sales so, technically, primates and carnivores could have gone through the sales. When staff updated the by-law in 2006, the Council resolution was missed but if it had been available, staff would not have recommended a continuation of the exemption because of a greater awareness of the contradiction that it created. So the Odd and Unusual Sales had a 3-year reprieve until the discrepancy was realized in response to a by-law enforcement complaint.

Ms. Hummel commented that someone stated at one of the meetings in 2010 where Council heard Mr. Height's requests that Mr. Height's shows are good for Woolwich Township and they bring in tourism dollars. She pointed out that the Animal Control By-law prohibits not just residents, but any person from owning, harbouring, possessing, keeping, selling or offering for sale any animal designated as an exotic pet in the by-law and it would be consistent to hold businesses to the same standard that the by-law holds Woolwich Township residents to. She noted that an activity should not be allowed just because it's good for business and brings in tourist dollars.

Ms. Hummel also noted that Mr. Height stated at a past meeting that 10%-20% of the animals that go through his Odd and Unusual Shows are designated as exotic pets and that 80%-90% of his shows involve the sale of domestic animals. She advised that he has also stated at a past meeting that denying his request for a full exemption would not put him out of business. She commented that this request relates to a relatively minor component of the Odd and Unusual Sales.

Ms. Hummel outlined that Mr. Height has previously stated that if Council does not grant an exemption to the by-law, it will be promoting the underground sale of exotics. Ms. Hummel commented that private sales are likely already widespread, especially with the use of the internet.

Ms. Hummel noted that the Township's solicitor advised back in February of 2010 that Council needs to treat all requests for exemptions the same. Allowing an exemption of any type sets the precedent and opens the door up to similar requests. Allowing the sales to happen within the Township sends a contradictory message to residents and has the potential to create challenges for the Township's Enforcement Division.

Ms. Hummel advised that additional Letters of Opposition were received and circulated to Council and that delegation Jen Middleton could not attend this evening and forwarded her comments in writing.

Ms. Hummel referred to page 45 of the Council Information package which was a copy of the April 16th Sale Flyer. She noted that the list of allowed and prohibited animals that Mr. Height included in the sale flyer was wrong, and that it was a list that had been developed by Mr. Height to outline all the species that he wants approval to display. The list included in the flyer was not the list of exemptions that Council approved back in 2010.

Ms. Hummel summarized Council's options as being:

1. not to allow the sale of any exotic animals at the Odd and Unusual Sale;
2. keep the status quo of allowing exotic hoofed animals and tortoises which would require Council to make a decision about the video display method of sales; or
3. grant a full exemption to the Animal Control By-law as requested by Mr. Height but which is not supported by staff.

In response to inquiries by Council, Ms. Hummel provided the following information:

- The Kitchener Waterloo Humane Society (KWHS) and By-law Enforcement staff are not trained to deal with exotic animals and there is no facility to take them to should an owner not be able to keep the animal. Problem or unwanted animals would be euthanized.
- There is currently no indication on timing of Bill 125 before legislature addressing the issue of ownership of exotic animals.

Larry Witzel, Ontario Livestock Exchange (OLEX)

Mr. Witzel, Manager of the Ontario Livestock Exchange spoke in favor of a full exemption to the Animal Control By-law and expressed concern to Council about the following points in the staff report:

- Reference to the request being made last minute, as Mr. Witzel advised he was informed he was required to attend.
- The animals sold at the April 16, 2011 Odd & Unusual Sale were sold by video based on the prior approval from Council.
- The KWHS is in attendance at livestock sales every week, therefore he would have been aware of the sale.

In response to an inquiry from Councillor Bauman, Mr. Witzel confirmed that both lemurs and wallabies were sold at the April 16th sale by video, as they were under the impression they were able to continue running the sale with the previous exemption from Council.

Tim Height, Tiger Paw Exotics

Mr. Height addressed Council and spoke in favor of a full exemption. Mr. Height asked for clarification on the allowance of exemptions through the Animal Control By-law. Ms. Hummel advised that the exemption clause was created in 2010.

Mr. Height advised that he believes that Council needs to give people rights to own exotic animals, as it is not illegal throughout Canada. Mr. Height advised that OLEX and Tiger Paw have liability insurance and are responsible in the sales and in all the years of operation there

has never been a safety concern. Mr. Height believes that through these sales, everyone can see who bought an animal and where it is going. Mr. Height said he believes that although animal rights groups cite animal abuse, there are government agencies that look out for that (i.e. Humane Society).

Mr. Height advised that if this exemption is not accepted, the sale will need to move and there will be legal action taken on behalf of Tiger Paw Exotics to strike down the By-law.

In response to inquiries by Council, Mr. Height advised that OLEX is the best facility for these sales and they would like a full exemption to the By-law. Ms. Hummel advised that the By-law was passed in 1995 and was based on other municipalities' by-laws and it is common practice to have exotic animal restrictions.

Councillor Bryant referred to Correspondence by Melissa Matlow included in Council's meeting package.

Florine Morrison, Zoocheck

Ms. Morrison addressed Council in support of staff's recommendation to deny and repeal the exemption due to sound objections raised by KWHS, residents, animal welfare groups and Township staff. Ms. Morrison advised that there are no regulations on the ownership of exotic animals in Ontario and until provincial legislation does this, it is up to the individual municipalities to take responsibility. Ms. Morrison advised that she believes that allowing these animals to be sold contradicts the By-law.

Ms. Morrison presented pictures of exotic animals, similar to what are sold at the Odd & Unusual Sale in improper conditions and added that Tiger Paw Exotics has disregarded the By-law and should not be rewarded with another exemption. Ms. Morrison encouraged Council to send a request to the Province asking for the regulation of exotic animals in Ontario.

Mary Shepard, Friends of Captive Animals

Ms. Shepard addressed Council and asked that they carefully consider repealing the exemption for exotic hoofed animals and tortoises. Ms. Shepard believes that by doing so will demonstrate a progressive and responsible set of values as these animals do not belong in a captive environment. Ms. Shepard believes lack of respect for decisions of this Council has been perceived, and she doesn't know why animals prohibited from being owned in the Township would be allowed to be sold in the Township and sent to other townships. Ms. Shepard concluded by asking that Council continue in the direction that Council has determined to be ethical and correct.

Jen Middleton

Not in attendance, comments in writing provided to Council.

Mr. Height referred to the staff report and asked who "staff" is. Councillor Bryant advised that "staff" is the staff member who prepared the report and also the Senior Management Team.

Director of Council and Information Services Christine Broughton explained the process for enforcing the Animal Control By-law.

Councillor Herteis advised that she believes that by-laws are put in place for a reason and that although the business seems viable, Council would be disregarding the By-law by allowing the exemption.

Councillor Bauman voiced support for Bill 125.

Ms. Hummel clarified that the last clause of the recommendation, if approved, would repeal the current By-law allowing Tiger Paws to sell exotic hooved animals and tortoises. It would also repeal the exemption clause that was adopted by the previous Council. Councillor Bauman noted that he believes the recommendation outlined in the report provides clarity to the By-law by allowing no exemptions.

MOVED BY Councillor Herteis

SECONDED BY Councillor Poffenroth

WHEREAS Section "L" of Township of Woolwich By-law 75-2006 restricts residents from owning, harbouring, possessing, keeping, selling or offering for sale any animal designated as an exotic pet in the By-law;

NOW THEREFORE the Council of the Township of Woolwich denies the request of Tim Height for a full exemption to Animal Control By-law 75-2006 to display and sell animals designated by the by-law as "exotic pets" at the Ontario Livestock Exchange;

AND FURTHER THAT By-law 25-2010 being a by-law to amend By-law 75-2006 to allow Tim Height to display and sell exotic hooved animals and tortoises be repealed.

...CARRIED

MOVED BY Councillor Poffenroth

SECONDED BY Councillor Bauman

That the Council of the Township of Woolwich directs the Mayor to send correspondence to the Ontario government in support of Bill 125 – The Exotic Wildlife in Captivity Act.

...CARRIED

E26-2011: Zone Change 1/2011 & Amending Conditions of Draft Approval for Plan of Subdivision 30T-97008 Empire Communities (Riverland) Ltd.

Dan Kennaley, Director of Engineering & Planning Services introduced the report and provided Council with an amended recommendation. Mr. Kennaley noted that the recommendation amends condition #2 regarding requirements from the Region of Waterloo. Mr. Kennaley advised that this request will help ensure compatibility between the older and newer areas of Breslau through balance and transition of density.

In response to inquiries from Council, Mr. Kennaley advised that staff are on board with the transition of density and that approval of this application will not affect the timeframe for assumption of services, or the acquisition of the land for the Breslau Community Centre. Mr. Kennaley also confirmed that this application will not affect sewage capacity to accommodate the project by the Breslau Mennonite Church.

David MacLeod & Toulia Nessimis, Armstrong, Hunter and Associates

David MacLeod addressed Council on behalf of Empire Communities and noted that this is the final phase of the subdivision. Mr. MacLeod referred to other changes in the Plan of Subdivision that have benefitted the municipality and density. Mr. MacLeod advised that Empire purchased the land in 2006 however the Plan of Subdivision has been in place since 2003 which has resulted in changes to the market demand and policy development.

Gudrun Schropp

Ms. Schropp addressed Council and advised that she represents 150 property owners who signed a petition against this proposal. Ms. Schropp raised concerns that more units in this subdivision will result in more houses, people and traffic and current infrastructure is not adequate to meet these needs. Ms. Schropp advised that she believes this subdivision is diminishing enjoyment of property, lowering property value and resulting in lost environmental area and asked that Council not approve the application.

In response to an inquiry by Mayor Cowan, Ms. Schropp advised that although this application is for 10 additional units she believes the result of those units will create more traffic and parking problems which outweigh the financial gain for Empire. Mr. Kennaley advised that staff are not concerned with the increase in density on infrastructure. Mr. Kennaley advised that there are additional lands in Breslau owned by Empire and there will be further development south of Woolwich Street.

Frank Coyle

Mr. Coyle addressed Council and expressed opposition of the proposed changes and he asked Council to stop the damage that he feels the subdivision has caused the village and neighbourhood. Mr. Coyle advised that although there are 150 people that signed the petition, people who live in the Riverland subdivision have told him that they would have signed the petition as well. Mr. Coyle raised concern that those who have bought lots in that area were notified that there were single family lots and have not been informed of the proposed changes. Mr. Coyle believes that there have been too many changes to the plan and asked Council to not allow this change.

In response to a question by Councillor Poffenroth, Mr. Kennaley advised that the present owners of land within a radius surrounding the project have been informed of the proposed changes.

Councillor Bauman noted that, although change is hard to accept for those who live in small communities, Breslau has been designated in the Regional Official Plan as a place where there will be growth and he believes this 10 unit increase small sample of what will be seen in communities in the future.

MOVED BY Councillor Herteis

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich approves Zone Change Application 1/2011 concerning a portion of Empire Communities (Riverland) Ltd. lands in Breslau, proposing to rezone a 0.51 hectare parcel of land described as Blocks 82 to 86 and located on Shallow Creek Road within the unregistered portion of Plan of Subdivision 30T-97008 (Stage 2d) from Residential – Mixed High Density with Design Guidelines (R-5A) to Residential – Multiple with Design Guidelines (R-7A) for the purpose of developing 23 townhouse units, subject to the following:

1. That the amending By-law be in accordance with the proposed By-law attached as Appendix 'A' to Report E26-2011; and
2. That the modification to the Draft Approved Plan of Subdivision 30T-97008 receives Regional approval.

AND FURTHER THAT Council of the Township of Woolwich recommends approval of the modifications (Stage 2d) to the Draft Approved Plan of Subdivision 30T-97008 (Riverland) attached as Appendix 'B' to Report E26-2011 to the Region of Waterloo and that the modified Township conditions outlined in Appendix 'C' to Report E26-2011 be applied as conditions of draft approval.

AND FURTHER THAT Council of the Township of Woolwich allocates an additional 10 residential units from the infilling sanitary sewage reserve assigned to the Breslau Settlement Area to Empire Communities (Riverland) Ltd.'s entire development in Plan of Subdivision 30T-97008 (Stages 1 and 2), which will now total 495 residential units.

AND FURTHER THAT the Council of the Township of Woolwich authorizes the Mayor and Clerk, by By-law, to execute an Agreement, attached as Appendix 'D' to Report E26-2011, which amends the Subdivider's Agreement dated November 1, 2007, registered as Instrument No. WR341434 on November 2, 2007, as amended, with Empire Communities (Breslau) Ltd., to reflect the changes to the modified Draft Plan for Stage 2d of Plan of Subdivision 30T-97008, subject to the following:

- That the Subdivider executes the Amending Agreement; and
- That Schedules 'C' and 'D', attached to the Amending Agreement are finalized.

...CARRIED

E34-2011: Zone Change Application 6/2010, Further Amending of Zoning By-law Amendment and Conditions of Draft Approval of Plan of Subdivision 30T-05701 (Thomasfield Homes Ltd.)

Dan Kennaley, Director of Engineering & Planning Services introduced the report and referred to mapping of the project area.

Bill Green & Brandon Flewwelling, GSP Group

Brandon Flewwelling of the GSP Group, planning consultant on behalf of Thomasfield Homes addressed Council and advised that this application provides for a minor change to avoid the need for a retaining wall in this area. The residents do not want a retaining wall. Mr. Flewwelling advised that the grading changes have caused a slight shift in the shape of the road

and a shift of the open space block. Homeowners that are purchasing the lots that were formally backing onto open space have been informed of the change and have signed off.

MOVED BY Councillor Bauman

SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich amends Council's resolution adopted on November 23, 2010, approving in principle, Zone Change Application 6/2010 concerning a portion of Thomasfield Homes Limited's Stage 4 Hopewell Heights subdivision (30T-05701) in Breslau, by further amending the proposed amending Zoning By-law that was attached as Appendix 'A' to Report E79-2010 in order to recognize the following minor changes:

- A revised lot layout and road pattern as shown on the modified draft plan in Appendix 'B' to Report E34-2011 ("the modified draft plan"),
- Application of an Open Space (O-2) zone to Block 71 on the modified draft plan to permit a landscaped noise attenuation berm and passive open space; and
- An amendment to the residential and open space zoning to shift the trail connection (Block 72) to the north, between proposed Lot 30 on the modified draft plan and the neighbouring property at 2367 Victoria Street North,

subject to the following:

1. That the amending By-law, as further amended, be in accordance with the proposed By-law attached as Appendix 'A' to Report E34-2011; and
2. That the modification to the draft approved Plan of Subdivision 30T-05701 receives Regional approval.

AND FURTHER THAT Council of the Township of Woolwich recommends to the Region of Waterloo in their consideration of a modification to the draft plan approval of Subdivision Plan 30T-05701 – Thomasfield Homes Limited, that the draft plan and the Township conditions of draft approval for the draft plan, as adopted by resolution by Township Council on November 23, 2010 and forwarded to the Region, be further modified in the manner outlined in Appendix 'B' and Appendix 'C' to Report E34-2011, respectively, for the purpose of addressing a grading issue at the northeast corner of the draft plan.

AND FURTHER THAT Council of the Township of Woolwich deems that Thomasfield Homes Limited's request to amend Council's resolution of November 23, 2010 concerning Zone Change Application 6/2010 and modification to the draft plan approval of Subdivision Plan 30T-05701 – Thomasfield Homes Limited as detailed in Report E34-2011, is minor in nature and does not require another public meeting, pursuant to Section 34 (17) of the Planning Act.

...CARRIED

Memo: Proposed Middlebrook Road Gravel Pit

Dan Kennaley, Director of Engineering and Planning Services provided Council with a status report on the Middlebrook Road gravel pit. Mr. Kennaley outlined conditions of approval necessary for staff to recommend approval of the application that have currently been agreed to between the applicant and the Township.

Councillor Bauman questioned if changes could be applied retroactively to this application if an appeal was made in regards to vertical zoning. Mr. Kennaley advised that he will report back.

Mr. Kennaley advised that although the sunset clause could be appealed, he is not aware of a similar clause being appealed within the Province.

Lockhart Delegation (Bob Gibson, Don & Lynn Lockhart)

Bob Gibson of Gibson Consulting addressed Council and expressed concerns with the condition regarding vertical zoning, as the Ministry of Natural Resources (MNR) or the Ontario Sand, Stone and Gravel Association (OSSGA) could appeal this condition and delay the process. Mr. Gibson also noted that although the appeal period for the Aggregate Resources Act application is over, there is concern that the MNR could refuse the inclusion of the sunset clause in the Aggregate Resources Act site plan, resulting in a possible stale mate.

Mayor Cowan asked that a meeting with Diane Schwier of the Ministry of Natural Resources be organized.

Jigs Hollow Gravel Pit Re: Correspondence from David Sisco

Mr. Kennaley referred to the correspondence received from Mr. Sisco of the IBI Group regarding visual impact in regards to the proposed Jigs Hollow gravel pit. Mr. Kennaley advised that staff will be reporting back on May 24th in regards to this issue.

PLANNING PUBLIC MEETING

None.

STAFF REPORTS

C24-2011: Noise By-law Exemption Request St. Jacobs Mennonite Church Picnic

MOVED BY Councillor Bauman

SECONDED BY Mayor Cowan

THAT the Council of the Township of Woolwich approves the request from the St. Jacobs Mennonite Church for a Noise By-law Exemption to allow the use of amplified sound at a Church Picnic in Gibson Park in Elmira on Sunday, June 5, 2011 commencing at 9:00 a.m. and ending at 3:00 p.m., subject to the condition that any outdoor speakers face downwards.

...CARRIED

E31-2011: Temporary Road Closure – Victoria Day Fireworks Display

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich authorizes closure of Elgin Street West, Evening Star Lane and Feodore Street in Conestogo, on Monday, May 23, 2011 from 4:00 p.m. to 11:00 p.m. for the Conestogo Winterbourne Optimists Annual Fireworks Display subject to the following:

- a) that the Township Fire Department confirms they are in support of the Fireworks application

...CARRIED

E35-2011: Temporary Road Closure – Canada Day Celebration

Councillor Poffenroth raised concerns with the safety of the bandstand. Larry Devitt, Director of Recreation and Facilities Services advised that staff are currently working toward making necessary upgrades to the bandstand, however as the structure is designated as a heritage structure certain restrictions need to be met which is resulting in higher costs and a more complicated process.

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

THAT the Council for the Township of Woolwich authorizes closure of Hampton Street from Park Avenue West to Arthur Street South, and Park Avenue West from Arthur Street South to Hampton Street in Elmira, on Friday, July 1, 2011 from 12:00 p.m. to 8:00 p.m. for the annual Canada Day Celebration.

...CARRIED

E36-2011: Temporary Road Closure – Waterloo Air Show

MOVED BY Councillor Herteis

SECONDED BY Councillor Poffenroth

THAT the Council for the Township of Woolwich authorizes closure of Lonsdale Road from Menno Street to the end of Lonsdale Road on Saturday, August 20th and Sunday, August 21st, 2011 from 7:00 a.m. to 6:00 p.m. for the Waterloo Air Show;

AND FURTHER THAT Council authorizes parking prohibitions for both sides of Menno Street between Fountain Street and Shantz Station Road, on Saturday, August 20th and Sunday, August 21st, 2011 for the Aviation Expo and Air Show.

...CARRIED

R06-2011: TWEEC 2011 Work Plan

MOVED BY Councillor Poffenroth

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich approves the 2011 Work Plan, attached as Appendix "B" to Report R06-2011, for the Township of Woolwich Environmental Enhancement Committee (TWEEC).

...CARRIED

R07-2011: Breslau & Bloomingdale Parks - Special Occasion Permit Requests

MOVED BY Councillor Poffenroth

SECONDED BY Councillor Bauman

THAT The Council of the Township of Woolwich approves the requests for Special Occasion Permits for the Breslau Memorial Park Picnic Shelter on the following dates:

May 21 & 22, 2011,
May 28 & 29, 2011,
June 11 & 12, 2011,
July 9 & 10, 2011,
July 16 & 17, 2011,
August 6 & 7, 2011,
August 20 & 21, 2011,

August 27 & 28, 2011,
September 3 & 4, 2011;

AND FURTHER THAT Council approve the request for a Special Occasion Permit for the Bloomingdale Park Shelter on the following date:

September 17, 2011;

AND FURTHER THAT the LCBO be formally notified.

...CARRIED

CORRESPONDENCE

Memo: Letter of concern Re: Z/C 10/2010 – Wellington Fertilizer

Mr. Kennaley advised that the writers of this letter were at the public meeting in late 2010 and staff are investigating their concerns. Staff are also requiring the applicants to complete reports covering these concerns.

OTHER BUSINESS

Tree Planting on Barnswallow Drive

Councillor Poffenroth announced that the Kiwanis Club planted 29 trees along Barnswallow Drive last Saturday in cooperation with the Township.

Skateboard Park

In response to an inquiry by Councillor Herteis, CAO David Brenneman advised that although no land has been identified for a potential skateboard park, this item has been placed on the SMT Outstanding List. Councillor Herteis noted that if land is determined for the park, fundraising efforts can start.

Grand River Transit Public Meeting

Mayor Cowan asked that a Public Meeting on Grand River Transit happen before the vote for Light Rail Transit (LRT), as he believes there will be feedback provided on the LRT at this time.

Clean Up Day – April 30, 2011

Councillor Bauman advised that there were 225 participants at Clean Up Day and 153 bags of garbage were collected. Councillor Bauman advised that there were more participants and less garbage collected this year. Councillor Bauman noted that through the Adopt a Road program there is 50 km of Woolwich Township roads that have been adopted by various groups to be kept clean, however there is still 195 km of roads looking for adoptive groups. Councillor Poffenroth noted that the Kiwanis Club will be cleaning the ditches in West Montrose this coming Saturday.

OUTSTANDING ACTIVITY LIST, as of April 29, 2011

None.

GREEN AND PINK ITEMS, as of April 29, 2011

Mandatory Retirement of Firefighters

Fire Chief Rick Pederson referenced correspondence regarding the mandatory retirement of firefighters at the age of 60, and advised that this should be monitored as there is a concern for Woolwich that this requirement is for full time firefighters only, and not volunteers. Councillor Bauman asked that this item be reviewed and brought back for discussion at a later meeting.

Life Insurance Policies for Volunteer Fire Fighters

In response to an inquiry from Councillor Poffenroth, it was noted that this item will be brought back for discussion on May 24, 2011.

H.S.T. Gas Tax Revenue Dedicated to Transportation Infrastructure and Maintenance

Council asked that a resolution be brought forward in support of this item.

PUBLIC NOTICE

None.

NOTICE REGARDING CLOSED MEETINGS

None.

ADJOURNMENT

MOVED BY Councillor Herteis
SECONDED BY Councillor Poffenroth
THAT the meeting be adjourned.

...CARRIED

Submitted by,
Bonnie Bryant
Chair