

**TOWNSHIP OF WOOLWICH
COUNCIL MINUTES
DECEMBER 20, 2011**

Woolwich Township Council met in Closed Session at 6:00 p.m. in the Councillor's Office and in Regular Session at 7:00 p.m. in Council Chambers, on the above date with the following members present:

Mayor Cowan
Councillor Bauman
Councillor Bryant
Councillor Herteis
Councillor Poffenroth

CLOSED SESSION

MOVED BY Councillor Bryant

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich convene in closed session in accordance with Section 239 (2) (e) of the Municipal Act, R.S.O. 2001, as amended for the purpose of litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

...CARRIED

MOVED BY Councillor Bauman

SECONDED BY Councillor Poffenroth

THAT the Council of the Township of Woolwich reconvenes in open session.

...CARRIED

MOMENT OF SILENCE OR PRAYER

Mayor Cowan advised that Kate's Kause has been a finalist in the Aviva Community Fund competition.

Mayor Cowan also noted that the Rick Hansen Relay came through the Township of Woolwich in early December and two residents of Woolwich Township, Dianna Weltz and Corin Metzger were chosen as medal bearers.

DISCLOSURES OF PECUNIARY INTEREST

None.

RESOLUTIONS TO COME FORWARD FROM CLOSED SESSION

None.

MINUTES

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT the following minutes be adopted as presented:

- Council Minutes November 29, 2011
- Committee of the Whole Minutes December 13, 2011

...CARRIED

PROCLAMATIONS

None.

CORRESPONDENCE

None.

PRESENTATIONS

Mayor Cowan presented Pat Cosgrove of the Bridgekeepers with a certificate of recognition for his regular attendance to the Township of Woolwich Committee of the Whole and Council meetings.

DELEGATIONS

E97-2011: Applicant: Hawk Ridge Homes Inc. Zone Change Application 9/2009 & Plan of Subdivision 30T-09701

Dan Kennaley, Director of Engineering and Planning Services introduced and summarized the report.

Ken Dreidger

Mr. Dreidger addressed Council on behalf of the APT Chemtura Committee in opposition of the proposed application for development and outlined reasons for health and safety concerns. Mr. Dreidger referred to correspondence submitted by the Committee which outlined reasons for concern.

Alan Marshall

Mr. Marshall addressed Council and agreed with previous comments noted by Mr. Dreidger. Mr. Marshall made a presentation outlining his reasons for opposition to the proposed development application.

Ron Koniuch, Sulco Chemicals

Mr. Koniuch, General Manager at Sulco Chemicals addressed Council in opposition of the proposed development application. Mr. Koniuch asked that Council treat the issue of Health and Safety seriously through this proposed development.

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT the Council of the Township of Woolwich takes the position before the Ontario Municipal Board (OMB) concerning OMB Cast # PL101098 that Zone Change Application 9/2009 and Plan of Subdivision 30T-09701 by Hawk Ridge Homes Inc. concerning a proposed residential development on a 3.2 hectare property located at 36-68 Union Street in Elmira should be denied

because issues related to land use compatibility have not been satisfactorily addressed for the reasons outlined in Report E97-2011;

AND FURTHER THAT if the land use compatibility has been addressed to the satisfaction of the Township and/or the Ontario Municipal Board, then the Council of the Township of Woolwich recommends to the Ontario Municipal Board to approve Zone Change 9/2009 (Hawk Ridge Homes Inc.) concerning a 3.2 hectare property located at 36-68 Union Street in Elmira, which proposes to rezone the lands from Residential Mixed Medium Density (R-4)/General Industrial Urban (M-2)/Floodway (FW)/Flood Fringe (FF) to Residential Mixed High Density with Design Guidelines (R-5A)/Open Space (O-2)/Flood Fringe (FF) for the purpose of developing a residential subdivision, subject to the following:

1. That the amending By-law be in accordance with proposed By-law attached as Appendix 'C' to Report E97-2011, as further modified to include any special provisions that may be required by the Township, Region and/or the Ontario Municipal Board to implement an approved land use compatibility study; and
2. That Plan of Subdivision 30T-09701 (Hawk Ridge Homes Inc.) receives draft approval from the Ontario Municipal Board;

AND FURTHER THAT if the land use compatibility issue is addressed to the satisfaction of the Township and/or the Ontario Municipal Board, then the Council of the Township of Woolwich recommends draft approval of Plan of Subdivision 30T-09701 (Hawk Ridge Homes Inc.), as modified and attached as Appendix 'D', and that the conditions outlined in Appendix 'E' to Report E97-2011 shall be applied to the conditions of draft approval, as further modified to include any special conditions that may be required by the Township, Region and/or the Ontario Municipal Board to implement an approved land use compatibility study.

...CARRIED

Cultural Heritage Landscape

Hans Pottkamper, West Montrose Resident's Association

Mr. Pottkamper addressed Council on behalf of the West Montrose Resident's Association and The Bridgekeepers in full support of the recommendation.

C55-2011: Grant Policy Update

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich hears the unregistered delegation of Don Harloff.

...CARRIED

Joyce Blake, District 26 Senior's Games

Ms. Blake addressed Council in support of the grant policy.

Ron Brohman, Historical Society of St. Boniface & Maryhill Community

Mr. Brohman addressed Council and advised that he has concerns with the application process and referred to correspondence he submitted regarding these concerns.

Don Harloff, Woolwich Community Services

Mr. Harloff addressed Council in support of the report. Mr. Harloff advised that 174 families in Woolwich Township received food, clothing and gifts through Woolwich Community Services throughout the holiday season. Mr. Harloff requested that Council review the amount given to Community Groups through the grant process, as he believes that the needs of these organizations have grown. In response to an inquiry by Mayor Cowan, Mr. Harloff advised that he believes to meet the needs of the services that have expanded, the current amount given could be doubled.

In response to an inquiry by Councillor Bauman, Deputy Clerk Val Hummel advised that under the new qualifications outlined in the report, all groups that have previously received grant money will still qualify, for the exception of the Maryhill Play Group.

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT Council adopts the updated Grants Policy attached as Schedule "A" to Report C55-2011.
...CARRIED

UNFINISHED BUSINESS

None.

INTRODUCTION OF BY-LAWS

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT the following by-laws be introduced and read a first time:

- A By-law to amend By-law 87-2007 being a By-law to establish and require payment of fees authorized under the Planning Act and similar charges
- A By-law to amend By-law 2-2009 being a By-law to establish and require payment of fees and charges for certain services provided by the Fire Department
- A By-law to amend By-law 104-2004 being a By-law to establish and require payment of fees and charges
- A By-law to further amend Zoning By-law 55-96, of the Township of Woolwich (Lunor Group)
- A By-law to adopt Official Plan Amendment Number 18 to the Official Plan of the Woolwich Planning Area (West Montrose Cultural Heritage Landscape)
- A By-law to appoint members to the Grand River Accessibility Advisory Committee
- A By-law to confirm all actions and proceedings of the Council (November 29, 2011)

...CARRIED

COMMITTEE OF THE WHOLE

MOVED BY Councillor Bauman
SECONDED BY Councillor Bryant
THAT Council convenes into the Committee of the Whole.

...CARRIED

Recommendations from Committee of the Whole

Councillor Bauman asked that items 4 through 7 be removed to be voted on separately.

MOVED BY Councillor Bauman
SECONDED BY Councillor Herteis
THAT items 1 through 3 and 8 of the Summary of Recommendations of the Committee of the Whole dated December 13, 2011 be adopted as follows:

1. THAT the Council of the Township of Woolwich makes the following appointments to the Grand River Accessibility Advisory Committee for a 3-year term ending December 31, 2014:

Anthony Cashin of Kitchener
Dawn Griffin of Kitchener
Mike Shipley of Elmira
Dorothy Staal of Waterloo
Andrew Tutty of Waterloo

2. THAT the Council of the Township of Woolwich approves the hiring of The Planning Partnership consulting firm (and its associated consulting team) to prepare a Breslau Secondary Plan at a maximum cost of \$235,293.54 (after HST rebate), which will be funded by the 2011, 2012 and 2013 Planning Section budgets.

AND FURTHER THAT the Council of the Township of Woolwich transfers the un-used tax levy component in the 2011 Planning Section budget allocated for the Breslau Secondary Plan, in the amount of \$9,000, to the 2012 Planning Section budget, which will be over and above the proposed budget amount in 2012 for the Breslau Secondary Plan.

AND FURTHER THAT the Council of the Township of Woolwich approves the hiring of The Planning Partnership consulting firm (and its associated consulting team) on a sole source basis to complete peer reviews of the technical studies received from any Breslau developers in support of their respective development proposals during the Breslau Secondary Plan project in accordance with the Township's Purchasing By-law, which will be funded by the said developers on a per application basis (or informal submission), as per the Township's Fees and Charges By-law.

3. THAT the Council of the Township of Woolwich receives Report E94-2011 for information and directs Staff to request that the applicant for the proposed Jigs Hollow Gravel Pit address the visual impact issues identified in the peer review dated November 2011 completed by Walker, Nott, Dragicevic Associates Limited.

6. THAT the Council of the Township of Woolwich adopts the By-laws attached as Appendices "A", "B" and "C" to report F20-2011 to establish fees and charges for planning and fire purposes and general Township services.

AND FURTHER THAT staff be directed to forward the Cemetery Tariff of Fees and Charges to the Ministry of Consumer and Commercial Relations for filing, in order that the proposed fees and charges may become effective.

8. THAT Council directs staff to come back with options for the ice rental rates and tournament fees for Council's consideration.

Item # 4 – OPA # 18

Councillor Bauman noted that he has a concern that parts of the designation will have potential implications to landowners, however he supports the recommendation.

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT item 4 of the Summary of Recommendations dated December 13, 2011 be adopted as follows:

4. THAT the Council of the Township of Woolwich adopts the Official Plan Amendment attached as Appendix B to Report E96-2011 concerning Official Plan Amendment Application 3/2011, to amend the Official Plan with policies to designate and protect the West Montrose Cultural Heritage Landscape, and that the Amendment be forwarded to the Region of Waterloo for final approval.

...CARRIED

Item # 5 – Draft Water & Wastewater Budget

Councillor Bauman referred to an inquiry made at the Committee of the Whole meeting on December 13, 2011 regarding hydrant servicing costs being covered by a general tax levy. Council directed staff to investigate this as an option.

In response to another inquiry by Councillor Bauman, Dan Kennaley Director of Engineering and Planning Services provided information on the Inflow and Infiltration program being investigated in Elmira and St. Jacobs. Council directed staff to investigate an option of Township staff inspecting properties to ensure there is proper drainage for sump pumps.

MOVED BY Councillor Bauman

SECONDED BY Councillor Herteis

THAT item 5 of the Summary of Recommendations dated December 13, 2011 be adopted as follows:

5. THAT the Council of the Township of Woolwich approves the Draft 2012 Water and Wastewater Budgets attached to report F19-2011 as Appendix "A" and Appendix "B".

AND FURTHER THAT Council adopts the Draft amended Water and Wastewater fees and charges By-law attached to report F19-2011 as Appendix "C" and Appendix "D".

AND FURTHER THAT Council directs staff to bring the 2012 Water and Wastewater Budgets forward for final Council approval on February 21, 2012.

...CARRIED

Item # 6 – Nuisance Alarms

Fire Chief Rick Pedersen advised that alarm monitoring is being promoted across the Region for early detection. Councillor Bauman asked that nuisance alarms be amended from allowing two per calendar year, to one per calendar year.

MOVED BY Councillor Herteis

SECONDED BY Councillor Bryant

THAT item # 6 of the Summary of Recommendations dated December 13, 2011 be adopted as amended:

6. THAT the Council of the Township of Woolwich adopts the By-laws attached as Appendices "A", "B" and "C" to report F20-2011 to establish fees and charges for planning and fire purposes and general Township services.

AND FURTHER THAT staff be directed to forward the Cemetery Tariff of Fees and Charges to the Ministry of Consumer and Commercial Relations for filing, in order that the proposed fees and charges may become effective.

...CARRIED

Item # 7 – Recreation and Facilities Fees

In response to an inquiry by Councillor Bauman, Richard Petherick advised that the details for ice rental fees will come forward to Council at the same time as the Recreation and Facilities Department budget.

MOVED BY Councillor Herteis

SECONDED BY Councillor Bauman

THAT item # 7 of the Summary of Recommendations dated December 13, 2011 be adopted as follows:

7. THAT the Council of the Township of Woolwich adopts the By-law attached as Appendix "D" to report F20-2011 to establish fees and charges for Recreation and Facilities Services excluding ice rental rates and tournament fees.

...CARRIED

Staff ReportsE98-2011: Annual Report for the Drinking Water Quality Management System

Dan Kennaley, Director of Engineering and Planning Services introduced Roy Garbotz, Water and Wastewater Supervisor and advised that he is the Township representative for the Drinking Water Quality Management System. Mr. Kennaley provided background information on the Drinking Water Quality Management System.

MOVED BY Councillor Bryant

SECONDED BY Councillor Herteis

THAT Council receives Report E98-2011 for information, endorses the changes to the Water Distribution System Operating Plans attached as Appendix "D" and endorses the recommended procedure for making changes to the Operating Plans in the future.

...CARRIED

A10-2011: Evaluation of the Waterloo Regional Tourism Marketing Corporation

MOVED BY Councillor Bauman

SECONDED BY Councillor Bryant

THAT the Township of Woolwich continues to provide funding and support for the Waterloo Regional Tourism Marketing Corporation (WRTMC), as described in Report A10-2011, dated December 20, 2011;

THAT Council approves funding for WRTMC totaling \$10,000 per year, subject to annual budget approvals;

AND THAT another evaluation of WRTMC activities and financial support be completed in 2015.
...CARRIED

A11-2011: Evaluation of the Council Liaison Framework and Process

MOVED BY Councillor Herteis

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich approves the continuation of the Council Liaison Framework and Processes as outlined in the Appendix A to Report A11-2011;

AND THAT Council determine the Council Liaison appointments for each area for 2012, and that in the event that there are two or more Councillors seeking the same appointment a Council vote be conducted.

...CARRIED

C56-2011: Update on the Integrated Accessibility Standard

MOVED BY Councillor Bauman

SECONDED BY Councillor Poffenroth

THAT Council receives Staff Report C56-2011 for information regarding the requirements of the Integrated Accessibility Standard of the *Accessibility for Ontarians with Disabilities Act*.

...CARRIED

E58-2011: Final Acceptance for the Underground Services on Donway Court within the Southfield Business Park, Elmira Registered Plan 58M-465

In response to an inquiry by Councillor Poffenroth, Dan Kennaley, Director of Engineering and Planning Services confirmed that this partial release is for underground services only and above ground services will come back for approval for release at a later date.

MOVED BY Councillor Herteis

SECONDED BY Councillor Bryant

THAT the Council of the Township of Woolwich authorizes the issuance of a Partial Certificate of Release for final acceptance of underground services on Donway Court within the Southfield Industrial Business Park, Registered Plan 58M-469;

AND FURTHER THAT the date of commencement for final acceptance of the underground services is concurrent with Council approval.

...CARRIED

P05-2011: Tiered Response Agreement

Fire Chief Rick Pedersen confirmed that this agreement is in response to the new system implemented by Emergency Medical Services.

MOVED BY Councillor Bryant

SECONDED BY Councillor Herteis

THAT the Council of the Township of Woolwich approves the level of service for Emergency Medical calls with Regional Emergency Medical Services.

...CARRIED

Operation Woolwich – Joint Emergency Exercise Final Report

In response to inquiries from Council, CAO David Brenneman advised that the Township is required to complete an emergency exercise each year and Council will be kept informed of these exercises.

MOVED By Councillor Herteis

SECONDED BY Councillor Bauman

THAT the Council of the Township of Woolwich receives the Operation Woolwich – Joint Emergency Exercise Final Report as information.

...CARRIED

Other BusinessRegional Matters

Mayor Cowan advised that as of June, 2012 American Airlines will be flying from the Waterloo Regional Airport to Chicago daily.

Council Reports / Updates

Councillor Bryant provided an update on the cleaning of the Safety Kleen site.

Notice Regarding Closed Meetings

None.

Outstanding Council Activity List as of December 16, 2011

No discussion.

Items from Green Pink Sheets as of December 16, 2011

No discussion.

Second Reading of the By-laws

MOVED BY Councillor Herteis
SECONDED BY Councillor Bryant
THAT the by-laws in the hands of the Clerk be read a second time.

... CARRIED

ADOPTION OF PROCEEDINGS OF THE COMMITTEE OF THE WHOLE

MOVED BY Councillor Herteis
SECONDED BY Councillor Bryant
THAT the Committee of the Whole rise and report to Council.

... CARRIED

MOVED BY Councillor Herteis
SECONDED BY Councillor Bauman
THAT Council confirms and adopts the proceedings of the Committee of the Whole.

... CARRIED

FINAL PASSAGE OF BY-LAWS

MOVED BY Councillor Bauman
SECONDED BY Councillor Herteis
THAT the following by-laws in the hands of the Clerk be read a third time and finally passed, that they be numbered as By-law Numbers 77-2011 to 83-2011, and that they be signed by the Mayor and Clerk and sealed with the corporate seal.

... CARRIED

PUBLIC NOTICE

None.

NOTICE OF MOTION

None.

ADJOURNMENT

MOVED BY Councillor Bryant
SECONDED BY Councillor Herteis
THAT the meeting adjourns to meet again in regular session on Tuesday, January 10, 2012.

... CARRIED

Mayor

Clerk

Chairman, Committee of the Whole