Township of Woolwich
Council Minutes

March 28, 2017
7:00 p.m.
Council Chambers, 2nd Floor
24 Church Street West, Elmira

Present: Mayor Shantz
Councillor Merlihan
Councillor Hahn
Councillor Bauman
Councillor Martin
Councillor Shantz

Present from Staff: David Brenneman, Chief Administrative Officer;
Val Hummel, Director of Council and Information Services/Clerk;
Richard Petherick, Director of Finance/Treasurer;
Ann McArthur, Director of Recreation and Facilities Services;
Dan Kennaley, Director of Engineering and Planning Services;
Rick Pedersen, Fire Chief;
Dave Kramp, Engineering Project Supervisor;
Adelina Corpodean, Clerk’s Administrative Assistant

Public Resolution to Move into Closed Session

A Closed Session was not held.

Moment of Silence

The meeting began with a moment of silence, remembering the fallen soldiers of 1917 from the Battle of Vimy Ridge.

Disclosures of Pecuniary Interest

Councillor Hahn declared a pecuniary interest with regards to Item #3 from the Summary of Recommendations (Sawmill Road Reconstruction).

Councillor Merlihan also declared a pecuniary interest with regards to the Elmira BIA and the Waterloo North Hydro Memo.

Adoption of Minutes

Moved By Councillor Bauman
Seconded By Councillor Martin
THAT the following minutes be adopted:

- Committee of the Whole Minutes: February 28, 2017
- Council Minutes: March 7, 2017

...Carried
Delegations

Elmira BIA: 2017 Budget Presentation

Councillor Merlihan left the meeting due to a pecuniary interest.

Elmira BIA Chairperson Steve Pond and BIA Treasurer Christine Aberle provided Council with a brief overview of the 2017 Budget for the Elmira BIA. Responding to a Council inquiry, Mr. Pond affirmed that the transfer of $75,000 from the reserve will be used to upgrade streetlighting, leaving $30,000 in the reserve.

Moved By Councillor Hahn
Seconded By Councillor Shantz
THAT the Council of the Township of Woolwich approved the 2017 Elmira BIA Budget.

Councillor Merlihan returned to the discussion.

C06-2017: Licensing By-law Exemption Request - Refreshment Vehicle (5965 Line 86)

Trevor Garner appeared before Council in support of his application. He advised there is no place to eat in the neighbourhood and he is proposing to operate a refreshment vehicle on the property as a complementary business to Landscape Plus. In response to a Council inquiry, he affirmed that he is seeking Council's approval to operate from May 1st to October 1st, 2017 and daily hours would be from 10:00 a.m. to 5 p.m. Parking will not be a challenge at the location. It was noted for Council's benefit that refreshment vehicles are normally restricted to Industrial and Commercial zones and not allowed in the Agricultural zone. In this instance, industrial and commercial uses are already happening on the property which is why staff supports the application.

Moved By Councillor Martin
Seconded By Councillor Hahn
THAT the Council of the Township of Woolwich approves the request from Trevor Garner for an exemption to Section 6.3 of By-law 47-2013 being a By-law to license, regulate and govern business within the Corporation of the Township of Woolwich to permit the operation of a refreshment vehicle at 5865 Line 86, in the Agriculture zone, beginning on May 1st until October 1st annually.

William Street & Snyder Avenue Sidewalk Installation

This issue was previously dealt with at the March 21st Committee of the Whole meeting. The recommendation of approval from Committee of the Whole was on the Summary of Recommendations for consideration later in this meeting.

Delegation Jon Millar appeared before Council again to share his continuing opposition to the installation of sidewalk in front of his home on the south side of William Street between Snyder Avenue and Herbert Street. Mr. Millar noted he would not be in favour of any sidewalk policy developed by the Township. He asked if there will be a complete reconstruction of William Street and if it would make sense to hold off on the installation of new connecting sidewalks on
Council Meeting Minutes – March 28, 2017

William Street, Herbert Street, and Samuel Street sidewalks until a full road reconstruction happens. Engineering Project Supervisor Dave Kramp described the work that will be completed and noted that a full reconstruction will not happen for another 20-30 years.

Delegation Ken Chalmers stated he lives at the corner of Riverside Drive and Snyder Avenue. He expressed his opposition to the proposed sidewalk on Snyder Avenue north of William Street. His concerns included loss of driveway space, possibility of more parked cars on the road and minimal pedestrian traffic (i.e. only four people walk down that street each day).

Delegation Marc Christiaens spoke in support of the proposed recommendation for sidewalks. Mr. Christiaens declared that the sidewalks will ensure the safety of everyone in the community, as there are many people walking in the community. He revealed how dangerous it is for the children walking in the neighbourhood in the winter time, especially on Herbert Street. He concluded by saying that sidewalks should be in each residential area of the Township.

Council acknowledged correspondence from Kris Konig on the agenda which outlined concern about the proposed sidewalk installation.

Council held off further discussion on this matter until later on the agenda under discussion for the Summary of Recommendations.

Unfinished Business

None.

Consent Items

Moved By Councillor Hahn
Seconded By Councillor Bauman
THAT the following item be received for information:

- Remediation Advisory Committee (RAC) Minutes: December 8, 2016  ...Carried

Committee of the Whole

Moved By Councillor Hahn
Seconded By Councillor Bauman
THAT Council convenes into the Committee of the Whole.  ...Carried

Recommendations from Committee of the Whole (March 21, 2017)

Council dealt with each recommendation from the March 21st Committee meeting separately.
Council Meeting Minutes – March 28, 2017

**Item #1 – New Kennel for 1861 Lobsinger Line**

Moved By Councillor Hahn  
Seconded By Councillor Bauman  
THAT Item 1 of the Summary of Recommendations of the Committee of the Whole dated March 21, 2017 be adopted as follows:

1. THAT the Council of the Township of Woolwich approves the application of Amon B. Martin for a new breeding kennel operation for a maximum of 25 dogs at 1861 Lobsinger Line.  

---Carried

**Item #2 - Reconstruction of Snyder Avenue North, Elmira**

Prior to the Council voting on the recommendation, Mr. Kennaley advised Council that the Township is still awaiting on the Canada Water and Wastewater Funding, as it has not been confirmed yet. Staff will report back to Council with the announcement of whether the funding has been received in mid-April.

A member of Council requested a Recorded Vote.

Moved by Councillor Shantz  
Seconded by Councillor Martin  
THAT Item 2 of the Summary of Recommendations of the Committee of the Whole dated March 21, 2017 be adopted as follows:

2. THAT the Council of the Township of Woolwich, in accordance with Report E14-2017, awards the tender for the reconstruction of Snyder Avenue North to Terracon Underground Ltd. at a total cost of $1,734,950.87 after H.S.T. rebate;

AND FURTHER THAT the Mayor and Clerk of the Township of Woolwich be authorized to sign the contract documents;

AND FURTHER THAT GM BluePlan Engineering be retained for the contract administration, inspection and post construction services at a total cost of $117,721.28 after H.S.T. rebate;

AND FURTHER THAT the Council of the Township of Woolwich approve the installation of new sidewalk as shown on Appendix B to the report.

**Opposed**  
Councillor Hahn  
Councillor Merlihan

**In Favour**  
Councillor Bauman  
Councillor Martin  
Councillor Shantz  
Mayor Shantz  
---Carried
Item #3 – Extension of Municipal Water Servicing, Sawmill Road, Conestogo

Councillor Hahn did not participate in or influence the following vote due to his declared pecuniary interest.

Moved By Councillor Martin
Seconded By Councillor Shantz
THAT Item 3 of the Summary of Recommendations of the Committee of the Whole dated March 21, 2017 be adopted as follows:

3. THAT the Council of the Township of Woolwich, in accordance with Report E20-2017, approve the extension of municipal water servicing on Sawmill Road in Conestogo from Northfield Drive to the Grand River as part of the Regional Municipality of Waterloo’s reconstruction project, Contract T2017-101;

AND FURTHER THAT Council adopt a by-law in accordance with Section 326 of the Municipal Act to create a Special Service Levy for the benefitting properties within the limits of the area where it is proposed to extend municipal water servicing, to cover the associated costs on a proportionate basis, once construction costs are fully determined.

Item #4 – Mail Folder Items

Moved By Councillor Hahn
Seconded By Councillor Shantz
THAT Item 4 of the Summary of Recommendations of the Committee of the Whole dated March 21, 2017 be adopted as follows:

4. THAT the Mail Folder items be received for information as follows:

- AMCTO Municipal Minute: March 8, 2017
- AMO WatchFile: March 9, 2017
- AMCTO Municipal Minute: March 15, 2017
- AMO WatchFile: March 16, 2017

...Carried

Item #5 – Design of Walkway Connection to Green Warbler Crescent

A member of Council requested a Recorded Vote.

Moved By Councillor
Seconded By Councillor
THAT Item 5 of the Summary of Recommendations of the Committee of the Whole dated March 21, 2017 be adopted as follows:

5. THAT the Council of the Township of Woolwich, in accordance with Report E18-2017, approve the construction of Option 3 for the walkway where it crosses Green Warbler Crescent at Blue Heron Court, as shown in Appendix C, with the installation of a barrier in the future if required.
Item #6 – Elmira and St. Jacobs Boundary Rationalization

Moved By Councillor Hahn
Seconded By Councillor Martin

6. THAT the Council of the Township of Woolwich direct staff to prepare an official plan amendment to implement boundary rationalization in Elmira and St. Jacobs as proposed by Report E21-2017 and to hold a statutory public meeting concerning this proposed official plan amendment.

...Carried

Item #7 – Waterloo North Hydro Holding Corporation Shareholders’ Agreement

Councillor Merlihan did not participate in or influence the following vote due to his declared pecuniary interest.

Moved By Councillor Bauman
Seconded By Councillor Shantz

7. THAT the Council of the Township of Woolwich approve the Waterloo North Hydro Holding Corporation Shareholders’ Agreement as attached as Appendix “A” to report F07-2017;

AND FURTHER THAT Council adopt the By-law, attached as Appendix B to Report F07-2017, authorizing the Mayor and Clerk to execute the Shareholder’s Agreement.

...Carried

Staff Reports and Memos

Memo: Code of Conduct/ Integrity Commissioner Update

Moved By Councillor Bauman
Seconded By Councillor Merlihan

THAT the Mayor and Clerk be authorized to sign the by-law to establish the agreement between the Township of Woolwich and ADR Chambers Inc. (Integrity Commissioner).

...Carried
Memo: Lifting of Reserves (Sunset Hills Estate)

Moved By Councillor Martin
Seconded By Councillor Merlihan
THAT the Mayor and Clerk be authorized to sign the by-laws to lift the reserves for Subdivision Plan 58M-599 (Sunset Hills Estates, Maryhill)

Memo: Waterloo North Hydro Strategic Direction Notice of Motion

Councillor Merlihan left the room due to his declared pecuniary interest.

Moved By Councillor Bauman
Seconded By Councillor Martin
WHEREAS the three community shareholders of Waterloo North Hydro (the City of Waterloo, Township of Woolwich and Township of Wellesley) recognize the Local Distribution Company (LDC) framework continues to evolve throughout Ontario.

AND WHEREAS the Province of Ontario has produced a number of studies and implemented certain actions that support the direction of LDC consolidation across Ontario, attracting private sector investment and improving cost efficiency of the energy sector.

AND WHEREAS the Waterloo North Hydro LDC is one of the best operating utilities in the province - ranking 17th out of 72 LDCs for lowest operating costs per customer (per latest OEB statistics), placing Waterloo North Hydro ahead of the five largest LDCs in the province;

AND WHEREAS the Holdco Board of Waterloo North Hydro and its shareholders have been actively observing a number of recent changes in the LDC environment across Ontario and in close proximity to Waterloo including the acquisition of Brant County Power by Cambridge & North Dumfries Hydro, the proposed merger of St Thomas Energy and Chatham Kent Entegrus, the merger of Enersource Hydro Mississauga Inc., Horizon Utilities Corporation and PowerStream Inc. coupled with the purchase of Hydro One Brampton Networks Inc; the sale of Woodstock Hydro to Hydro One; and most recently the decision by Guelph City Council to explore potential merger partners for Guelph Hydro;

AND WHEREAS the basic options that the majority of Ontario communities have examined with regard to their LDC assets include buying other LDC’s, selling all or a portion of the LDC, merging the LDC, and maintaining full ownership/status quo.

AND WHEREAS the number of LDC entities in the Province of Ontario has gone from 307 LDC’s in 1996 to approximately 70 LDC’s; and whereas the scale of the Waterloo North Hydro entity has gone from 14th place in the province to 13th place because of the scaling up of these LDC entities;

AND WHEREAS the notion of a larger LDC entity may result in savings to the hydro customers, may improve or maintain dividend payments to the shareholders and provide a more sustainable business environment given the disruptive technology options possible in the sector; particularly as it relates to power generation and storage and the blur of the lines between customer and supplier;
AND WHEREAS Waterloo North Hydro is jointly owned by the City of Waterloo (73.2 per cent), Township of Woolwich (20.2 per cent) and Township of Wellesley (6.6 per cent).

NOW THEREFORE BE IT RESOLVED that, subject to approval of this motion by the Township of Woolwich and the Township of Wellesley, that Waterloo City Council gives direction to the Holdco Board of Directors to undertake the necessary discussions and analysis to update and present a comprehensive review of the sector changes and options currently being undertaken or being considered throughout the Province, and the applicability of such options as it relates to our own Waterloo North Hydro LDC regulated business;

That this Council directs City and Township staff along with the Holdco Board of Directors of Waterloo North Hydro to develop a Public Engagement Strategy to determine the Waterloo North Hydro Customer sentiment as it relates to the future of our Waterloo North Hydro community asset and any such available options; and that this strategy be brought forward to this Council for approval;

That this Council directs that City and Township staff along with the Waterloo North Hydro Holdco Board of Directors to develop evaluation criteria; and further that this Council signals that a desirable evaluation criteria for the options will include continued community ownership of the LDC;

BE IT FURTHER RESOLVED that this Council sends a copy of this motion to the Cities and Townships of Waterloo Region, City of Guelph, County of Wellington, City of Stratford, Hydro One and County of Perth.

...Carried

Councillor Merlihan returned to the room.

E17-2017: Apple Grove Road Tender Award Report

Moved By Councillor Martin
Seconded By Councillor Bauman
THAT the Council of the Township of Woolwich, in accordance with Report E17-2017, awards the contract for the rehabilitation of the Apple Grove Road Bridge (Structure #360139) to Theo Vandenberk Construction Inc. at a total cost of $191,448.52 after H.S.T. rebate;

AND FURTHER THAT Council approves GM BluePlan Engineering Limited being retained for contract administration, inspection, and post construction services at a total cost of $34,070.21 after H.S.T. rebate;

AND FURTHER THAT the Mayor and Clerk of the Township of Woolwich be authorized to sign the tender documents.

...Carried

Responding to a Council inquiry, Mr. Kennaley noted that he will bring a report back to Council with regards to using surplus funds for potential new sidewalks in the Township, particularly on Bluejay Road. He advised that public consultation will always need to occur in conjunction with sidewalk projects.

Moved By Councillor Shantz
Seconded By Councillor Martin

AND FURTHER THAT the Council of the Township of Woolwich receive for information the 2016 water summary reports from the City of Waterloo, the City of Kitchener and the Region of Waterloo attached to Report E19-2017 as Appendices D to F.

...Carried

F08-2017: Statement of Remuneration and Expenses (2016)

In response to a Council inquiry, Mr. Petherick advised that the remuneration is less in 2016 as there was one less pay period which occurred in the year. He also reported that there were changes to the payroll expenses, which caused the payroll to increase; however, that was out of the Township’s control.

Moved By Councillor Hahn
Seconded By Councillor Martin
That the Council of the Township of Woolwich receive report F08-2017 – Statement of Remuneration and Expenses for 2016 for information purposes only.

...Carried

F09-2017: Investment Statement (December 31, 2016)

Moved By Councillor Shantz
Seconded By Councillor Bauman
That the Council of the Township of Woolwich receive report F09-2017 – Investments as at December 31, 2016 for information purposes only.

...Carried


Moved By Councillor Hahn
Seconded By Councillor Bauman

...Carried

Other Business

Mayor’s Report on Regional Matters

Mayor Shantz shared information about Regional matters including University U-Pass Cards, and the Regional Public Health Department giving feedback on Ministry standards.
Presentations

Tree Cover in Elmira Discussion

Mr. Kennaley presented Council with a general background on the tree cover in Elmira discussion, which had been scheduled to be presented to Council during the First Quarter.

Throughout his presentation Mr. Kennaley commented on the following points:
- Official Plan Policy
- Subdivision Agreement Requirements
- Street Trees
- Arthur Street Streetscape Plan
- Site Plan Guidelines
- TWEEC’s Green Plan for Elmira and Trees for Woolwich initiatives
- Kiwanis Club Tree Planting

Responding to a Council inquiry, Mr. Kennaley explained that Silva cells are an underground tree bed system which is designed to avoid the underground services. The Silva cells cost $15,000 each, however it is possible that the Township may find ways to reduce the cost. Further, Mr. Kennaley assured Council that the Township does have tree planting guidelines which list the tree species within the guidelines.

Council Reports/ Updates

Woolwich Memorial Centre – Swim Times Update:

Ms. McArthur affirmed that staff has listened to the concerns of residents and modified the Sunday swim schedule to alleviate those concerns. She assured Council that staff will continue to feedback from residents.

Crowsfoot Road:

Responding to a Council inquiry, Mr. Kennaley noted that he will email Council with a summary of the program which has occurred.

Outstanding Council Activity List as of March 24, 2017

Mr. Kennaley provided Council with an update on the Outstanding Activity List items from the Engineering and Planning Services Department as follows:

Settlement Boundary Rationalization Process

Having reported back to Council on March 21st, staff is on track with the process and will be bringing the final reports for Breslau and the other settlements by the end of 2017. A public meeting will be held at the last Committee of the Whole meeting in June.
Investigations of Glasgow Street Traffic Options

Staff has completed the Load Limit review and will need to reconsider the Traffic Study which had been scheduled in Quarter 2 due to the reconstruction on Sawmill Road. The public meeting and report to Council on this activity will also need to be rescheduled.

Benjamin Road Pedestrian Crossing

The consultant has updated the traffic study and the Township has received the report. An internal meeting will occur, followed by an external meeting with the Region. Staff will report back to Council in the Second Quarter as indicated.

Cost Analysis – Resurfacing of Snyder’s Flats Road and Bloomingdale Community Centre Parking Lot

Staff is on track and the geotechnical investigations will be completed in the Second Quarter as indicated.

Additional Street Lighting in Bloomingdale

The survey has been sent out and staff is on track to report to Council in the Second Quarter.

Reduce Speed Limit in School Zones

The Township has undertaken the analysis for review and staff will report back to Council in the Second Quarter. Implementation will occur in the Second and Third Quarters of this year.

Adam Street – Snow Plowing and Traffic Concerns

Township staff will be meeting with the property owner and will report back to Council in the Second Quarter.

St. Jacobs BIA Garbage Collection Request

There is a slight delay with the report, however it is scheduled to be brought to Council on April 11th.

First and Second Reading of the By-laws

Moved By Councillor Martin
Seconded By Councillor Bauman
THAT the following by-laws be introduced and read a first and second time.

- A by-law to authorize the execution of the Shareholder’s Agreement for the Waterloo North Hydro Holding Corporation
- A by-law to Lift Reserves for Sunset Hills Estates (Zingervilla Place, Maryhill)
Council Meeting Minutes – March 28, 2017

- Being a by-law to amend By-law 71-2012 being a by-law for establishing the parking of Motor Vehicles on Private Property or in Municipal Lots (Specially Appointed Officers)
- A by-law to authorize the execution of an agreement between the Township of Woolwich and John MacDonald Architect Inc. (Breslau Fire Hall and EMS Building)
- A by-law to authorize the execution of an Agreement between the Township of Woolwich and ADR Chambers Inc. (Integrity Commissioner)
- A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Lloyd and Hildie Peters - 1175 Wurster Place)
- A by-law to authorize the execution of an agreement with Lloyd and Hildie Peters - 1175 Wurster Place (Encroachment Agreement)
- A by-law to confirm all actions and proceedings of Council (March 28, 2017)  ...Carried

Adoption of proceedings of the Committee of the Whole

Moved By Councillor Bauman  
Seconded By Councillor Shantz  
THAT the Committee of the Whole rise and report to Council.  
...Carried

Moved By Councillor Bauman  
Seconded By Councillor Hahn  
THAT Council confirms and adopts the proceedings of the Committee of the Whole.  
...Carried

Correspondence

JL's Home Hardware Building Centre Letter: Celebrating the Grand Re-Opening (5 Duke Street, Elmira)

Council received JL's Home Hardware Building Centre Letter about the Grand Re-Opening (5 Duke Street, Elmira)

Public Notice

On behalf of Council, Mayor Shantz thanked Fire Chief Rick Pedersen for his for the years of service and professionalism that he brought to the Township and his contribution to the Fire Department and the entire Township. Council wished him all the best in the next stage in life.

Notice of Closed Meetings

None.
Notice of Motion

None.

Final Passage of By-laws

Moved By Councillor Shantz
Seconded By Councillor Merlihan
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 018-2017 to 025-2017, and that they be signed by the Mayor and Clerk and sealed with the corporate seal:

- A by-law to authorize the execution of the Shareholder’s Agreement for the Waterloo North Hydro Holding Corporation
- A by-law to Lift Reserves for Sunset Hills Estates (Zingervilla Place, Maryhill)
- Being a by-law to amend by-law 71-2012 being a by-law for establishing the parking of Motor Vehicles on Private Property or in Municipal Lots (Specially Appointed Officers)
- A by-law to authorize the execution of an agreement between the Township of Woolwich and John MacDonald Architect Inc. (Breslau Fire Hall and EMS Building)
- A by-law to authorize the execution of an Agreement between the Township of Woolwich and ADR Chambers Inc. (Integrity Commissioner)
- A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Lloyd and Hildie Peters - 1175 Wurster Place)
- A by-law to authorize the execution of an agreement with Lloyd and Hildie Peters - 1175 Wurster Place (Encroachment Agreement)
- A by-law to confirm all actions and proceedings of Council (March 28, 2017) ...Carried

Adjournment

Moved By Councillor Shantz
Seconded By Councillor Hahn
THAT the meeting adjourns to meet again in regular session on April 25th, 2017. ...Carried

_________________________________
Mayor

_________________________________
Clerk