

**Township of Woolwich
Council Minutes**

Tuesday, June 29, 2021

7:00 pm

Video Conference

**Hosted in Council Chambers, 2nd Floor
24 Church Street West, Elmira**

Present: Mayor Shantz (Chairperson)
Councillor Martin
Councillor McMillan*
Councillor Merlihan*
Councillor Shantz*

Present from Staff: David Brenneman, Chief Administrative Officer*
Val Hummel, Director of Corporate Services/Clerk
Richard Petherick, Director of Finance/Treasurer*
Jared Puppe, Director of Infrastructure Services*
Jenna Morris, Economic Development and Tourism Officer*
Alex Smyth, Council and Committee Facilitator
Jeremy Vink, Manager of Planning*

**indicates remote participation*

Public Resolution to Move into Closed Session (5:30 P.M.)

Moved by Councillor Martin

Seconded by Councillor Redekop

That the Council of the Township of Woolwich convenes in closed session on Tuesday, June 29, 2021 at 5:30 p.m. electronically in accordance with section 239 (2) of the Municipal Act, 2001, for the purposes of considering the following subject matters:

- a. Personal matters about an identifiable individual, including municipal or local board employees (Recruitment Matter); and
- b. A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried out or on behalf of the municipality or local board (Waterloo North Hydro).

...Carried

Resolution to Reconvene in Open Session (7:00 P.M.)

Moved by Councillor Shantz

Seconded by Councillor Redekop

That Council reconvenes in open session.

...Carried

Moment of Silence

Mayor Shantz began the meeting with the following statement:

Our flags remain at half mast as we mourn with our First Nations. As they gather around the sacred fire and relive the horrors of how we settlers treated them and continue to treat them, we must acknowledge our own long hidden and unspoken history. Hundreds – no thousands of souls demand that we pay attention so we can walk alongside our Indigenous hosts and be part of the healing that needs to happen together. I have struggled long to choose the right words. Words to express horror, grief, but what affects me the most is this: Why does the discovery of graves – and there will be more – touch me so much more deeply than the words spoken from our Indigenous neighbours for so many years? That disturbs me, because that is how I contribute to perpetuating injustices. I will try to do better; to be better.

As June comes to an end – a month to recognize Indigenous history – and we head into our traditional Canada Day weekend, we do so recognizing that we have been complicit by virtue of our silence and our disbelief in great and unspeakable acts and injustice. We do live in a great country – an imperfect country, like all countries are. We can celebrate that. But we need to own all of our history – corporately and individually and continue to seek to truly hear each other, respect each other and the land we occupy together with our Indigenous hosts and our brothers and sisters who continue to arrive from around the world.

Waterloo Region was land granted to the Haudenosaunee when the first settlers arrived here. Before them, the Anishinaabe and Attawandaron. We settled here in peace. Let us learn from each other and move forward in a spirit of reconciliation and mutual understanding.

Today we will begin with a moment of silence. I encourage you, now and on July 1st to take a moment to consider how you will be part of reconciliation and healing for the many who are suffering in many different ways in our community.

Council observed a moment of silence.

Disclosures of Pecuniary Interest

None.

Items to Come Forward from Closed Session

None.

Adoption of Minutes

Moved by Councillor Shantz

Seconded by Councillor McMillan

That the following minutes be adopted as presented:

- Council Minutes – June 8, 2021
- Committee of the Whole Minutes – June 22, 2021

...Carried

Planning Public

None.

PresentationsMatthew Betik, KPMG: 2020 Audit Findings

Matthew Betik of KPMG provided Council with a presentation outlining his findings of the 2020 financial audit. Mr. Betik's presentation detailed:

- An executive summary;
- What was new in 2020;
- Materiality;
- Financial statement summary;
- Audit risks and results;
- Adjustments and differences; and
- Current developments and audit trends.

F13-2021: Audited Financial Statements – 2020

Moved by Councillor Martin

Seconded by Councillor Redekop

That the Council of the Township of Woolwich, considering Report F13-2021 respecting the Audited Financial Statements-2020:

1. Approve the Consolidated Financial Statements of The Corporation of the Township of Woolwich for the year ended December 31, 2020, attached as Appendix "A"; and
2. Direct the Treasurer to publish in a newspaper having general circulation in the municipality, within sixty (60) days, a notice that the Audited Financial Statements, Notes to the Financial Statements and the Auditor's Report and the 2020/2021 tax rate information will be made available at no cost to any taxpayer or resident, upon request.

...Carried

Delegations

None.

Unfinished Business

None.

Consent Items

Moved by Councillor McMillan

Seconded by Councillor Merlihan

That the following items be approved:

Items for Approval**F14-2021: Cancellation, Reduction and Refund of Taxes**

That the Council of the Township of Woolwich, considering Report F14-2021 respecting the adjustment of taxes, approves the cancellations, reductions, and refunds of taxes under the provisions of sections 357 and 358 of the Municipal Act, 2001 for a total amount of \$33,352.58 as attached in Appendix "A".

R15-2021: Transfer Payment Agreement for the ICIP COVID Resiliency funding for capital Roof Replacements

That the Council of the Township of Woolwich, considering Report R15-2021 authorize the Mayor and Clerk to sign the Transfer Payment Agreement for the ICIP COVID Resiliency funding for capital Roof Replacements.

...Carried

Committee of the Whole

Moved by Councillor Redekop
Seconded by Councillor Shantz
That Council convenes into the Committee of the Whole.

...Carried

Recommendations from the Committee of the Whole Meeting of June 22, 2021

Moved by Councillor McMillan
Seconded by Councillor Shantz
That items 1-4, & 6-9 on the Summary of Recommendations of the Committee of the Whole dated June 22, 2021 be adopted as follows:

1. Motion to Postpone DS25-2021: Capital Paving Report and Delegations to July 13

That the Council of the Township of Woolwich postpone delegations and consideration of Report DS25-2021, respecting Official Plan Amendment (OPA) 3/2019 and Zoning By-law Amendment (ZBA) 9/2019 – 1226 Maryhill Road, 1175 Foerster Road, 1195 Foerster Road and 1472 Village View Road, for Capital Paving to a special Committee of the Whole meeting on July 13, 2021 with ratification of any decisions made that evening to occur at the Special Council meeting of August 10, 2021.

2. Motion for Start Time of July 13 Special Committee of the Whole Meeting

That the Council of the Township of Woolwich, respecting the July 13, 2021 Special Committee of the Whole meeting, direct staff to organize the meeting with a 5:00 pm start time.

3. Sawmill Development Corporation (Consent B1/2021-B82021)

That the Council of the Township of Woolwich, considering Report DS28-2021, authorize the Mayor and Clerk to enter into the Subdivider's Agreement (attached as Appendix 'A') with Sawmill Development Corporation for Consent Applications B1/2021 to B8/2021, inclusive, to provide for the servicing and development of six (6) singled detached lots and one (1) industrial/commercial block (i.e., Consent Plan) and to implement their conditions of consent approval, subject to:

1. Schedules A through F inclusive, to the Subdivider's Agreement being finalized and approval of the final design of the external and internal works;
2. Township solicitor reviewing the Subdivider's Agreement and Staff incorporating the requested changes accordingly; and
3. The Subdivider/Mortgage Company signing the Agreement.

And further that, the Council of the Township of Woolwich, considering Report DS28-2021, authorize the Mayor and Clerk to enter into the Lot/Block Agreement (attached as Appendix 'B') with Sawmill Development Corporation for Consent Applications B1/2021 to B8/2021, inclusive, to provide for the ongoing maintenance of the lots and block within the Consent Plan and to implement the conditions of consent approval, subject to:

1. Schedules A through F inclusive, to the Lot/Block Agreement being finalized and approval of the final design of the external and internal works;
2. Township solicitor reviewing the Lot/Block Agreement and Staff incorporating the requested changes accordingly; and
3. The Subdivider/Mortgage Company signing the Agreement.

4. Empire Homes – Request Regarding Staging and Increase in Units per Year

That the Council of the Township of Woolwich, in accordance with Report DS27-2021, grant Riverland Area 2, Empire Communities (Riverland) Ltd. Subdivision:

1. an increase of 25 units per year, from 50 units to 75 units, starting in 2021; and
2. exempt Block 53 from the staging plan,

subject to the applicant:

- i. amending the Zoning By-law to provide for stacked townhouses;
- ii. amending the subdivision agreement and draft plan conditions accordingly to modify Empire's staging plan; and
- iii. entering into an agreement to address that Block 53 develop with:

- a. only rental units, being 17 standards townhouses, 45 rear lane townhouses, and 84 stacked townhouses;
- b. units range in size from approximately 760sqft to 1660sqft;
- c. no less than 15 affordable housing units within the block; and
- d. construction of the block to be initiated in 2022.

6. Development Engineering – Staff Increase Request

That the Council of the Township of Woolwich, considering Report DS24-2021, respecting the Development Engineering – Staff Increase Request:

1. approve the hiring of one additional full-time Development Engineering Technologist for the Development Services Department; and
2. include this position in the 2021 Operating Budget which in turn is funded from Development Engineering revenues, and Development Administration Reserve Fund, and therefore having no tax levy impact.

7. Building Section – Staff Increase Request

That the Council of the Township of Woolwich, considering Report DS29-2021 respecting the Building Section staff increase request, approve the hiring of a permanent full-time Plans Examiner position, for the Building Division, with funding to be fully covered from the Building Reserve.

8. Woolwich COVID-19 Relief Fund – Proposed Process for Allocation of Funding

That the Council of the Township of Woolwich, considering Report F15-2021 respecting Woolwich's COVID-19 Relief Fund – Proposed Process for Allocation of Funding:

1. authorize staff to develop a submission process and related evaluation methodology whereby Woolwich community support organizations, community service groups, and other non-for-profit community groups that serve the residents of Woolwich, can access funds from Woolwich's COVID-19 Relief Fund to assist with the financial and/or delivery of service pressures they have experienced though the COVID-19 pandemic; and
2. direct staff report back to Council regarding the submissions received and related recommendations on the allocation of available funds from Woolwich's COVID-19 Relief Fund

9. 2021 Paving Program Tender Award

That the Council of the Township of Woolwich, considering Report IS23-2021, respecting the 2021 Paving Program:

1. award Tender 2021-05 Paving Program for various roadways and parking lots within the Township to Steed and Evans Limited at a total cost of \$3,371,308.80 after H.S.T. rebate;
2. authorize the reallocation of Federal Gas Tax in the amount of \$300,000.00 from Recreation & Community Service's 2021 Property Maintenance Capital Budget to Infrastructure Service's 2021 Capital Paving Budget;
3. authorize the reallocation of Infrastructure Reserve Fund in the amount of \$300,000.00 from Infrastructure Service's 2021 Capital Paving Budget to Recreation & Community Service's 2021 Property Maintenance Capital Budget;
4. authorize additional funding from the Federal Gas Tax Reserve Fund to be used for the Hill Street Hot Mix Resurfacing project; and,
5. authorize the Mayor and Clerk to sign the contract documents.

...Carried

Item 5 on the Summary of Recommendations was discussed and voted on separately.

Moved by Councillor McMillan

Seconded by Councillor Merlihan

That item 5 on the Summary of Recommendations of the Committee of the Whole dated June 22, 2021 be adopted as follows:

5. Draft Plan of Subdivision 30T-16701 and Zone Change Application 6/2016, Hawk Ridge Homes

THAT the Council of the Township of Woolwich refuse Zone Change Application 6/2016 (Hawk Ridge Homes) concerning a property located at 36-68 Union Street in Elmira to rezone the 3.2-hectare property from Residential Mixed Medium Density (R-4), Residential Mixed Medium Density/Flood Fringe (R-4 (FF)) and General Industrial – Urban/Flood Fringe (M-2(FF)) to:

- Residential – Mixed Medium Density with Design Guidelines (R-4A) and Residential – Mixed High Density with Design Guidelines (R-5A) with site-specific provisions for the proposed residential portion of the Hawk Ridge Homes Draft Plan (the "Draft Plan"),
- Flood Fringe (FF) overlay on a portion of Lots 32 to 36 within the Draft Plan;
- Convenience Commercial (C-4A) with site-specific provisions for a small-scale convenience commercial development on Block 37 of the Draft Plan;
- Open Space (O-1) for a proposed park on Block 38 of the Draft Plan; and

- Open Space (O-2) for the remaining 0.9-ha portion of lands within the Floodway area, adjacent to the creek / storm drain on Block 39 of the Draft Plan.

AND FURTHER THAT the Council of the Township of Woolwich does not recommend draft approval to the Region of Waterloo for Plan of Subdivision Application 30T-16701 – Hawk Ridge Homes as modified to identify Block 37 for convenience commercial purposes, which is attached as Appendix 'B' (the "Draft Plan").

AND FURTHER THAT Council of the Township of Woolwich does not allocate sewage capacity for an infill development within the Elmira Settlement Area equivalent to a population of 117 people for the purpose of developing the Draft Plan.

That the Council of the Township of Woolwich considering Report DS30-2020 (as amended), respecting the Draft Plan of Subdivision 30T-16701 and Zone Change Application 6/2016, Hawk Ridge Homes direct staff to work with the applicant to find a buffer zoning between industrial zoning and residential zoning.

...Carried

Staff Reports and Memos

DS30-2021: Draft Land Use Compatibility Guideline – Proposed Amendments – Environmental Registry of Ontario (ERO)

Council discussed the classification system, application on gravel pits, demonstration of needs studies, grocery zoning in Woolwich, submitting comments regarding the Local Planning Appeal Tribunal, ability for the public as well as the private sector for providing comments, and class discrepancies.

Moved by Councillor Shantz

Seconded by Councillor Merlihan

That the Council of the Township of Woolwich, in consideration of Report DS30-2021 respond to the Environmental Registry of Ontario (ERO) posting in regard to the Draft Land Use Compatibility Guideline with the following comments and concerns:

1. That the implementations of the new guidelines will result in increased costs for development applications and significantly increase the number of applications that require submissions of compatibility studies which will:
 1. Prevent or deter intensification that is to take place as per the PPS;
 2. Require municipalities to hire and train additional staff to process and review applications; and
 3. Increase the timing to process Planning Applications.
2. That the guidelines be altered to allow municipalities to determine what studies are required or if studies can be scoped in situations where there are other intervening sensitive land uses between the industry and the proposed development;
3. That the new guidelines be based on science and accurate information than just complaints which is not reflective of all industry;
4. The guidelines clearly identify and define a sensitive use;

5. That Demonstration of Need Study should not be required to provide an evaluation of alternative sites;
6. That On-Farm Businesses in the rural area be exempt or reviewed in further detail to determine more appropriate AOIs and MSD and shall not apply to sensitive uses on the same parcel;
7. That the Province does not delegate and low risk enforcement issues looking to local municipality as the local municipalities do not have tools/powers or enforcement staff to deal with such issues; and
8. That the proposed changes will contradict Provincial growth plan policies and the creation of complete communities, further segregates all developments, increasing transportation issues, preventing, and restricting infill and intensification.

...Carried

DS31-2021: Draft Odour Guidelines – Proposed Amendments – Environmental Registry of Ontario (ERO)

Moved by Councillor McMillan

Seconded by Councillor Redekop

That the Council of the Township of Woolwich, receive Report DS31-2021 regarding proposed amendments to the Draft Odour Guidelines and posted on the Environmental Registry of Ontario (ERO) for information purposes.

...Carried

DS32-2021: Regional Official Plan Review Update – Preliminary Growth Scenario and Evaluation Criteria

Moved by Councillor Shantz

Seconded by Councillor McMillan

That the Council of the Township of Woolwich, in consideration of report DS32-2021 and the Region of Waterloo's Report PDL-CPL-21-29, dated June 10, 2021 provide the following comments to the Region:

1. That as part of the Regional Official Plan review, that intensification targets be reviewed on an individual community basis to ensure the targets are reasonable, setting separate targets for each community to achieve the proposed percentage; and
2. That the Designated Greenfield Area (DGA) targets be reviewed based on the community (ie., Township Urban Area (Elmira/St. Jacobs) and Urban Areas (ie., Breslau and Cities)) type and appropriate targets set to average to a preferred DGA target.

...Carried

DS33-2021: River Access Development in West Montrose

Moved by Councillor Martin

Seconded by Councillor Shantz

That the Council of the Township of Woolwich, considering report DS33-2021, respecting the River Access Development in West Montrose:

1. Approve a final allocation up to \$5,000.00 towards the project; and
2. Authorize the funding to be taken from the Transient Accommodation Tax (MAT) Reserve Fund.

...Carried

F12-2021: 2020 Surplus/Deficit Distribution

Moved by Councillor Martin

Seconded by Councillor Redekop

That the Council of the Township of Woolwich, considering report F12-2021, respecting the 2020 surplus/deficit distribution, approve the transfer of the 2020 surplus distribution as outlined in Appendix "A".

...Carried

IS24-2021: Consolidated Operations and Maintenance Facility Environmental Assessment Study – Selection of Engineering Consultant

Moved by Councillor Shantz

Seconded by Councillor Martin

That the Council of the Township of Woolwich, considering Report IS24-2021, respecting the Award of the Consolidated Operations and Maintenance Facility Environmental Assessment Study project:

1. Approve the contract for engineering services for the consolidated operations and maintenance facility environmental assessment study to MTE Consultants Inc. at a total cost of \$129,483.49 after HST rebate; and
2. Authorize the Mayor and Clerk of the Township of Woolwich to sign the Consultant Agreement.

...Carried

Memo: Canada Day 2021 – Township of Woolwich

Council thanked staff for responding to Council's requests regarding planned festivities on July 1st.

Verbal Update from the Clerk regarding the July 13 Special Committee of the Whole Meeting

Clerk Hummel provided Council with an update regarding the July 13 Special Committee of the Whole meeting which detailed a summary of the June 22, 2021 Committee of the Whole meeting and sought direction from Council regarding delegation timing for organized groups.

Council discussed specific timing for the Hopewell Creek Resident's Association delegation.

Moved by Councillor Shantz

Seconded by Councillor Redekop

That the Council of the Township of Woolwich, respecting the Hopewell Creek Ratepayers Association's organized delegation scheduled for the July 13th Special Committee of the Whole Meeting, grant up to 60 minutes for the combined 8 delegates combined presentation.

...Carried

Other BusinessSupport for A Call for a National Action Summit on Islamophobia

Moved by Councillor Shantz

Seconded by Councillor Merlihan

Whereas on June 6, 2021, four members of the Afzaal/Salman family were killed, and their son was injured in London, Ontario in what police believe to be a premeditated, terrorist attack targeting the family because of their Muslim faith;

And whereas on June 8, 2021, members from all major parties from both the Federal and Provincial Governments joined Members of the City of London Council in calling for a National Action Summit on Islamophobia;

Now therefore be it resolved:

That the Council of the Township of Woolwich unequivocally denounces this Islamophobic attack;

And further that Council acknowledges that Islamophobia exists in Woolwich Township commits to end Islamophobia and hate in our community;

And further that Council supports the call for a National Action Summit on Islamophobia and stands ready to participate in any Summit or related intergovernmental effort to dismantle all forms of Islamophobia.

Council thanked Mayor Shantz and Staff for creating and bringing the motion forward.

...Carried

Mayor's Report on Regional Matters

None.

Council Reports/ Updates

None.

Outstanding Activity List as of Friday, June 25, 2021

None.

First and Second Reading of the By-laws

Moved by Councillor McMillan

Seconded by Councillor Merlihan

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

- A By-law to Confirm all Actions and Proceedings of the Council (June 29, 2021)

...Carried

Adoption of proceedings of the Committee of the Whole

Moved by Councillor Shantz
Seconded by Councillor Redekop
That the Committee of the Whole rise and report to Council.

...Carried

Moved by Councillor Merlihan
Seconded by Councillor Shantz
That Council confirms and adopts the proceedings of the Committee of the Whole.

...Carried

Correspondence

Council received the following item of correspondence for information:

- Town of Fort Erie Letter to Prime Minister Trudeau – Licensing of Cannabis Operations Previously Operating Illegally

Public Notice

None.

Notice of Closed Meetings

None.

Notice of Motion

None.

Final Passage of By-laws

Moved by Councillor McMillan
Seconded by Councillor Merlihan
That the following by-law in the hands of the Clerk be read a third time and finally passed, that it be numbered as By-law number 46-2021, and that it be signed by the Mayor and Clerk and sealed with the corporate seal:

- A By-law to Confirm all Actions and Proceedings of the Council (June 29, 2021)

...Carried

Public Resolution to Move Back into Closed Session (8:55 P.M.)

Moved by Councillor Shantz
Seconded by Councillor Redekop
That the Council of the Township of Woolwich reconvene in closed session on Tuesday, June 29, 2021 at 8:55 p.m. electronically in accordance with section 239 (2) of the Municipal Act, 2001, for the purposes of considering the following subject matters:

1. Personal matters about an identifiable individual, including municipal or local board employees (Recruitment Matter).

...Carried

Public Resolution to Reconvene in Open Session and Adjourn (9:32 P.M.)

Moved by Councillor Redekop

Seconded by Councillor Shantz

That Council reconvene in open session and adjourn.

...Carried

Sandy Shantz, Mayor

Val Hummel, Clerk

DRAFT