

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
SIXTH REGULAR 2010 COUNCIL MEETING

**MINUTES**

**DATE:** Wednesday, February 17, 2010

**TIME:** 7:30 P.M.

The Sixth Regular 2010 Council Meeting was held on the above date and called to order at 7:30 p.m. in the Council Chambers, Aberfoyle.

**ATTENDANCE:** All members of Council and the CAO/Clerk-Treasurer.

**OTHERS IN ATTENDANCE:**

1. Kathy White
2. Jean and Fred Stahlbaum
3. Chris Daponte, Wellington Advertiser
4. Bev Wozniak, Mill Creek CLT
5. Holly Franklin, Puslinch Pioneer
6. Fire Chief Bob Gordon
7. Helen Purdy
8. Dennis Lever
9. Janice Marr
10. Brian Cowan, Planning Advisory Committee
11. Doug Smith, Planning Advisory Committee
12. Wayne Stokley, Planning Advisory Committee
13. Dianne and Dino Paron
14. Aldo Salis, Sr. Planner, County of Wellington
15. Sarah Wilhelm, Planner, County of Wellington
16. Bruce Donaldson, Black Shoemaker Robinson & Donaldson

**ADOPTION OF THE MINUTES:**

**Motion No. 1:** Moved by Matthew Bulmer and Seconded by Susan Fielding.

**THAT:** The Fifth Regular 2010 Council Meeting Minutes dated February 3, 2010 and the Special 2010 Council Meeting Minutes dated February 8, 2010, be and are hereby adopted as presented.

**CARRIED.**

**BUSINESS ARISING OUT OF THE MINUTES:**

1. Delegations #1, on page 7 under Strategic Plan, Councillor Don McKay obtained copies of Strategic Plans from other municipalities. Don will make copies available, if requested. Don has been in contact with 2 out of 3 facilitators and each are putting together a proposal for Council's consideration.

**DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF:**

None.

**COMMUNICATIONS:**

1. **City of Guelph**

- (a) Notice of Public Meetings dated January 29, 2010 regarding 410 Clair Road East. The application proposes a Sikh Temple. A public information meeting is scheduled for February 16 from 7 to 9 p.m. at the Salvation Army Church, 1320 Gordon Street and a public meeting is scheduled for March 1 at 7 p.m. at City Hall.
- (b) Ontario Municipal Board Notice of Appointment for Hearing dated February 3, 2010 regarding a severance application by Camilla Havlik-Patten affecting Part Lot 16, Concession 7. The Board has set aside 2 days for the hearing starting on Tuesday, March 23 at 10:30 a.m. at the Puslinch Municipal Complex.

**This matter has been re-scheduled to April 6 at 10:30 a.m. at the Puslinch Fire Hall.**

2. **City of Cambridge**

- (a) Correspondence from Janet Babcock, Commissioner of Planning Services, City of Cambridge dated January 20, 2010 regarding a proposed Official Plan and Zoning By-law amendment for 2310 Townline Road - Suncor (formerly Petro-Canada). The proposal is scheduled to be heard by the

General Committee on February 1, 2010 in the Atrium/Bowman Room, Main Floor, 50 Dickson Street, Cambridge. The Planning Staff recommend that the applicant's request be refused as the site will be under utilized, is not consistent with Provincial Policy Statement or Places to Grow and does not represent good planning.

3. **Region of Waterloo**

(a) Correspondence from Craig Hockaday, Principal Planner, Region of Waterloo to Lawrence Kuk, Planner, City of Cambridge dated February 3, 2010 regarding a Plan of Condominium proposal for 465 Pinebush Road. Mr. Hockaday advises that regional staff have completed the circulation of the proposed plan of condominium and provide their comments for consideration. The proposal includes 10 industrial units which are zoned M3 (industrial).

4. **Mini Lakes Residents' Association**

(a) Correspondence from Miles MacCormack, Stantec Consulting dated January 28, 2010 enclosing the quarterly monitoring report. Overall the plant performed well with respect to TP, CBOD<sub>5</sub>, TSS and nitrates.

(b) Correspondence from Gary Cousins, Director of Planning and Development, County of Wellington dated January 29, 2010 regarding a proposed draft plan of subdivision and common elements condominium. Mr. Cousins is requesting that the Township hold a Public Meeting pursuant to the Planning Act on behalf of the County of Wellington.

**The Township will hold a public meeting at the appropriate time. This matter is still in circulation with comments due by the end of February.**

5. **Zoning By-law Amendment Application #P1/10**

**1143084 Ontario Inc. - 3990 Sideroad 10 South**

(a) Notice of receipt of a complete application to amend the zoning by-law dated February 1, 2010 from Colleen Sutton, Secretary, Planning Advisory Committee to Bruce Donaldson, Black Shoemaker Robinson & Donaldson. The proposed amendment is to rezone a portion of the subject land from "A-Agricultural" and "NE – Natural Environment" to an appropriate zone, which would permit the existing building contractor's office use.

**This matter will be discussed at the February 22, 2010 Planning Advisory Committee meeting.**

6. **County of Wellington**

(a) Memo from Nicole Cardow, Deputy Clerk, County of Wellington dated February 5, 2010 regarding the Haiti Relief Fund. Nicole advises that the County of Wellington has made a one thousand dollar donation to The Canadian Red Cross on behalf of the seven member municipalities and the County of Wellington.

7. **Highway #401 Improvements**

(a) Correspondence from Ann Baldwin, Regional Director, West Region, Ministry of Transportation dated January 29, 2010 regarding bicycle lanes and pedestrian sidewalks. Ms. Baldwin advises that new sidewalks and/or bicycle lanes approaching the bridge and any associated widening of the bridge would be at the cost of the municipality.

(b) Council will be meeting with the Minister of Transportation's Parliamentary Assistant, Liz Sandals at Ontario Good Roads Association conference on Monday, February 22, 2010 at 11 a.m. for approximately ten minutes. Councillor Fielding will be the council spokesperson and will provide an executive summary outlining the chronology of events. Council plan to

invite the Minister of Transportation Kathleen Wynne, Liz Sandals and Ted Arnott for an on-site visit.

8. **Puslinch COP Committee**

- (a) Correspondence from Glenna Smith, Chairperson, Puslinch COP Committee to Mr. Hallett dated February 1, 2010 regarding Wellington County Rd. #46. Many of Mr. Hallett's comments are being considered as part of the Puslinch Design Guidelines project and Traffic Calming initiative.
- (b) Correspondence from Glenna Smith, Chairperson, Puslinch COP Committee to Mr. Gord Ough, Engineering Services, County of Wellington dated February 1, 2010 regarding signage on County Roads 46 and 34. The committee would like to see the 80 km/hr speed sign on Wellington County Road #34 just east of the lights at Victoria Road removed as it promotes acceleration through the intersection. The committee thanked Mr. Ough for implementing some changes on Wellington County Road #46 as there has been an overall reduction in speeding through Aberfoyle as well as fewer complaints received by the OPP.

9. **Hamilton Conservation Authority**

- (a) Correspondence from Brian Rodgers, Finance Manager/Secretary-Treasurer, Hamilton Conservation Authority dated January 28, 2010 enclosing a copy of the 2010 Regular Budget. The distribution of the total Regular budget levy between the City of Hamilton and the Township of Puslinch is based on Ontario Regulation 670/2000 made under the Conservation Authorities Act. A breakdown of the budget is as follows:

	<b>Budgets</b>	<b>Hamilton</b>	<b>Puslinch</b>
<b>Regular</b>	<b>10,928,360</b>	<b>3,499,333</b>	<b>9,794</b>
<b>TOTAL</b>	<b>10,928,360</b>	<b>3,499,333</b>	<b>9,794</b>

In 2009, the Puslinch levy was \$9,602 representing a 2% increase for 2010.

10. **Source Water Protection**

- (a) Email from Simon Glauser, Source Protection Program Coordinator, Grand River Conservation Authority dated February 3, 2010 enclosing the February 18<sup>th</sup> Joint Municipal Water Services Technical Group and Planning Group meeting agenda.

11. **Aggregate Operations**

**Heritage Lake Pit (Lic. #15682) Reid's Heritage Homes**

- (a) Correspondence from Al Murray, Area Supervisor, Ministry of Natural Resources dated January 25, 2010 regarding the surrendering of the aggregate license. Mr. Murray advises that the owner would like to surrender the license and construct a residential development on the site. Prior to surrendering the license, the licensee is required to rehabilitate the property to the standards identified on their approved site plan. The Ministry has reviewed the drawings and consultant reports. The Ministry is satisfied that the proposed final use and detailed restoration plan is consistent with the approved ARA site plans. The Ministry of Natural Resources has no objection to the developer proceeding with surrendering the aggregate license and pursuing clearance of a draft plan condition 8y.

**The Township has agreed to deal with the final rehabilitation of the site through site plan control / site plan agreement. However, the Township would not support the surrender of the license until the licensee and Ministry of Natural Resources address the unexpected development of the spillway. The spillway was not on the site plans but was created several years ago during the operations at the site. This makes it an operational / mitigation issue rather than a rehabilitation issue. Therefore, the Ministry of Natural Resources prior to the license being surrendered should address the creation of the spillway.**

(b) Correspondence from Dr. Paul Wozniak and Bev Wozniak dated February 7, 2010 regarding the cash in lieu valuation prepared by Edward Kennedy and Associates. The Wozniaks feel that the estimated value placed on the property by the appraiser is too low. The Reid Heritage lots are half-acre lots while the comparisons quoted are for full acre lots.

**An independent appraiser has been requested to review and comment on the appraisal.**

#### **Nigro Pit (Lic. #20749) CBM Aggregates**

(c) Correspondence from Andrew Pentney, Groundwater Science Corp. dated January 27, 2010 providing the 2009 groundwater monitoring data. The monitoring results indicate that groundwater levels were above the proposed thresholds at all locations in 2009. No threshold response action was recommended.

#### **12. Intergovernmental Affairs**

(a) Various correspondences for review.

#### **DELEGATIONS**

1. **Bruce Donaldson, Black Shoemaker Robinson & Donaldson Public Meeting to Consider an Application to Amend the Zoning By-law Affecting Part Lot 11, Concession 5 (#P5/09 – Cumsport)**
  - See 2010 Public Meeting Minutes dated February 17, 2010.
2. **Aldo Salis, Sr. Planner, and Sarah Wilhelm, Planner from the County of Wellington regarding the Final Version of the Puslinch Design Guidelines**
  - Sarah reviewed the final version of the Puslinch Design Guidelines.
  - At a public open house, comments were made about the need to reduce the number of lanes on Brock Road.
  - Planning staff recently met with County Engineering Services to discuss public feedback.
  - Items related to Morriston and the interchange will require comment from the Ministry of Transportation Ontario.

- The County will consider what kind of role it can play related to bicycle traffic safety.
- Comments from Owen Scott regarding maintaining a separation between bicycles, and heavy car, truck and bus traffic merit thoughtful consideration.
- Comments suggesting implementation of something less than a four lane section from Maltby to the 401 would be inconsistent with the findings of the Maltby to Wellington County Road #34 Environmental Assessment.
- The Environmental Assessment for Brock Road between Maltby Road and Wellington Rd. #34 calls for a four lane rural cross section.
- County Engineering is unable to consider alternative designs but is able to give consideration to traffic calming measures and streetscape improvements for the balance of Brock Road.
- The County will take a fresh look at how best to treat the Aberfoyle Creek and Fox Run Estate connections to Wellington Road #46.
- Speed limits and the level of enforcement, issues related to the use of curb and gutters, sidewalks, bike lanes, street lighting, traffic signal sequencing and the use of pedestrian signal heads at signalized intersection will all be given consideration.
- Some changes to the final document were made to provide for more clarity about which streetscape strategies would apply to the different sections of the road.
- Editorial changes were also added. Those were: (a) an implementation section ("Making It Happen"); (b) division of the document into three parts; and (c) index of photos and references for further reading.

### **Implementation ~ "Making It Happen"**

- The guidelines apply to enhancing the streetscapes on Brock Road (WR46)/Queen Street (Highway 6 S) and Highway 6 N (Hanlon Expressway) as well as commercial, industrial and institutional development/redevelopment and associated planning applications.
- Small scale Brock Road improvements include gateway signage, roadside plantings, banners, benches, bike racks and trash receptacles, directional signage.
- Large scale Brock Road improvements include traffic calming measures, roadside bicycle route from Maltby Road to Aberfoyle, barrier curb, sidewalks and boulevards in village, pedestrian/street lighting in villages, change in material for signalized pedestrian crossings in villages, and sidewalks on bridge over Highway 401.
- The implementation of streetscape design guidelines for the road right-of-way in Morriston is contingent upon the Highway 6 realignment.
- The design guidelines will be mainly implemented through site plan review.
- Many of the design guidelines dealing with the Brock Road streetscape represent increased standards and are likely to result in higher construction and maintenance costs.

- Depending on the type of infrastructure involved, some or all of the cost will need to be borne by the Township.
- The Township should work closely with the County Engineering Services Department to determine the design feasibility of various improvements and the cost implications to the municipality.
- These costs will need to be given consideration relative to other Township capital planning priorities.
- The Township may be in a position to obtain grants under various programs ie. TD Friends of the Environment Foundation, Wal-Mart – Evergreen Green Grants and The Home Depot Evergreen Rebuilding Nature Grant.

#### **“Where to Start”**

- (i) Site Plan Control: Amend application materials to include references to design guidelines; encourage pre-consultation concerning design guidelines early in the process.
- (ii) Brock Road Improvement Group: Provide an opportunity for community members to partner with the Township to plan and complete small scale roadside components (eg. Mass plantings along roadside ditches, gateway landscaping, fundraising, etc.)
- (iii) Gateway Signage: Select a priority location to install primary or secondary gateway signage; construct and install a professionally designed primary or secondary gateway sign, which incorporates a theme or characteristics representative of Puslinch.
- (iv) Zoning By-law Review: Conduct a review of Township’s zoning by-law to ensure consistency with design guidelines and where appropriate, translate guidelines into zoning regulations (e.g. build-to lines in villages)
- (v) Sign By-law Review: Conduct a review of Township’s sign by-law to ensure consistency with design guidelines.

#### **Implementation Committee:**

Councillor Matthew Bulmer will get the original project team committee organized again to start working on this along with Sarah.

**Council thanked Sarah and Councillor Bulmer for their hard work in carrying the Puslinch Design Guidelines through to completion.**

**Motion No. 2:** Moved by Matthew Bulmer and seconded by Susan Fielding.

**THAT:** The Council in and for the Corporation of the Township of Puslinch does hereby adopt the final version of the Puslinch Design Guidelines prepared by the County of Wellington Planning and Development Department dated February, 2010.

**CARRIED.**

**REPORTS:**

1. **Fire Department**

(a) **Motion No. 3:** Moved by Dick Visser and seconded by Don McKay.

**THAT:** The Fire Department Accounts for Payment for the Month of January, 2010 in the amount of \$35,852.00 be and are hereby authorized for payment.

**CARRIED.**

(b) MPP Ted Arnott was honoured with a life membership to the Fire Fighters Association of Ontario as noted in FFAO quarterly magazine.

(c) Puslinch Firefighters were recognized at Duff's Church on January 31, 2010.

2. **Financial Report**

(a) Financial Reports as of December 31, 2009 and January 31, 2010

(b) Statements of Expenditures for the period ending December 31, 2009 and January 31, 2010

**Council acknowledged these reports.**

**ACCOUNTS FOR PAYMENT:**

1. **Motion No. 4:** Moved by Susan Fielding and seconded by Matthew Bulmer.

**THAT:** The Council does hereby authorize for payment the Fillion Wakely Thorup Angeletti invoices dated January 29, 2010 for legal services rendered regarding the following:

1	Dan & Richard Quinnell	\$91.88
2	Bill Manderson FOI Request	\$91.88
	<b>TOTAL</b>	<b>\$183.76</b>

**CARRIED.**

2. **Motion No. 5:** Moved by Don McKay and seconded by Dick Visser.

**THAT:** The Council does hereby authorize for payment the HGC Engineering invoice dated January 21, 2010 for services rendered regarding the peer review of the noise report for the Neubauer gravel pit in the amount of \$3,022.69. This amount shall be invoiced to the applicable party.

**CARRIED.**

3. **Motion No. 6:** Moved by Matthew Bulmer and seconded by Susan Fielding.

**THAT:** The Council does hereby authorize for payment the Harden Environmental Services Ltd. invoices dated January 31, 2010 for services rendered regarding the following:

1	Puslinch Lake	\$2,000.25
2	Roszell Pit	\$1,071.00
3	Township Projects	\$63.00
4	DeCorso	\$252.00
	<b>TOTAL</b>	<b>\$3,386.25</b>

These amounts shall be invoiced to the applicable parties.

**CARRIED.**

4. **Motion No. 7:** Moved by Dick Visser and seconded by Don McKay.  
**THAT:** The Council does hereby authorize for payment the McElderry & Morris invoice dated February 1, 2010 for legal services rendered regarding the Preston Sand & Gravel appeal to the Ontario Municipal Board in the amount of \$16,330.13.  
**CARRIED.**
  
5. **Motion No. 8:** Moved by Susan Fielding and seconded by Matthew Bulmer.  
**THAT:** The Council does hereby authorize for payment the General Accounts for the month of December, 2009 in the amount of \$4,338,574.29 and January, 2010 in the amount of \$204,105.45.  
**CARRIED.**

**BY-LAWS:**

1. **Motion No. 9:** Moved by Don McKay and seconded by Dick Visser.  
**THAT:** The Council in and for the Township of Puslinch does hereby give By-law #16/10, being a by-law to amend By-law #19/85, as amended, being the Zoning By-law of the Township of Puslinch, its First, Second and Third Readings and Finally Passed this 17<sup>th</sup> day of February, 2010. Re: #P5/09 Cumsport Limited Part Lot 11, Concession 5.  
**CARRIED.**

**NEW BUSINESS:**

1. At the Puslinch Recreation Commission meeting on Tuesday, February 16 Councillor Bulmer introduced the idea of a farmer's market to the committee. The focus of the market will be on food. Councillor Bulmer would like to attend a Kitchener workshop along with a support person from the Ignatius Jesuit Centre support person along. The cost is about \$250.00 each. Council approved Matthew's request.

2. Councillor Don McKay attended the Hamilton Conservation Authority annual meeting on February 4, 2010. Don advised that he has been reappointed as Vice-Chair of the Hamilton Conservation board.
3. Councillor Don McKay met with the Puslinch Soccer Club and discussed the Recreation Commission's new user fees. The Club plans to address the Puslinch Recreation Commission. The group were of the understanding that the Recreation Commission meetings were by invitation only but are open to the public.
4. A meeting with Lanca Contracting, Hans Groh and Dave Thompson will be held. The purpose of the meeting is to review why Lanca was not successful with their MURF tender.
5. Mayor Whitcombe reported on the Federation of Canadian Municipalities Sustainability Communities Conference last week in Ottawa.

**CLOSED MEETING:**

None.

**UNFINISHED BUSINESS:**

None.

**CONFIRMING BY-LAW:**

**Motion No. 10:** Moved by Matthew Bulmer and Seconded by Susan Fielding.

**THAT:** The Council in and for the Corporation of the Township of Puslinch does hereby give By-law #17/10 being a by-law to confirm the proceedings of the Council of the Corporation of the Township of Puslinch at its meeting held on February 17, 2010, its First, Second and Third Readings and Finally Passed this 17<sup>th</sup> day of February, 2010.

**CARRIED.**

**ADJOURNMENT:**

**Motion No. 11:** Moved by Dick Visser and Seconded by Don McKay.

**THAT:** The Council does hereby Adjourn at 8:56 p.m.

**CARRIED.**

Signed: \_\_\_\_\_  
Brad Whitcombe, Mayor

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Brenda Law, CAO/Clerk-Treasurer