



THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN



COUNCIL MINUTES

MEETING NO. THIRTEEN: Monday, November 15, 2010 - Township Administration Building, 318 Canborough Street, Smithville, Ontario - 7:00 p.m.

PRESENT:

Council: Mayor Katie Trombetta
Alderman Mary Dinga
Alderman John Glazier
Alderman Norm Johnson
Alderman Douglas Joyner *
Alderman Mike Rehner

Staff: Derrick Thomson, CAO * (refer page 2)
Carolyn Langley, Clerk
Brian Treble, Director of Planning & Building *
Stephanie Nagel, Treasurer/Director of Finance *
Dennis Fisher, Fire Chief *
Warren Rees * IT Administrator
Trevor Hall, Director of Public Works & Engineering *

Others: Allard & Emie Colyn *
Luigi Martinello *
Matt & Domenica Prestie *
Jean Martin
Blake Landry, Niagara Economic Development Corp.
Allison Smith, Niagara Economic Development Corp.
Hazel & John Sluymmer *
Ed Fulford *
Joann Chechalk *
Alex Micallef *

Media: Carolyn Goard, West Niagara News *
Pieter VanTiel, Grimsby Lincoln News*
William Kelly, Cogeco *

ABSENT: Alderman Sue-Ellen Merritt

* IN ATTENDANCE PART TIME

1. **INVOCATION:** Alderman Mike Rehner
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST:**

Mayor Trombetta noted Alderman Mary Dinga's conflict of interest and/or disclosure of pecuniary interest as declared at the November 1, 2010 Planning/

Building/Environmental Committee meeting, with respect to Item P126-10 (Legal Matter – OMB Appeal – Growth Strategy) as her husband owned property within the proposed urban boundary expansion area. Alderman Dinga did not be taking part in any discussion nor voting with respect to this issue and that she would be leaving the Council Chambers during discussions of this confidential item.

3. COMMENTS FROM THE PUBLIC:

- (a) Mrs. Monica Presti
Re: Rezoning Application – Jean Martin

Mrs. Monica Presti read from a prepared statement which is attached as Schedule “A” to these minutes.

- (b) Mr. Allard Colyn, Agent for Jean Martin
Re: Rezoning Application – Jean Martin

Mr. Colyn stated that he was the agent for Ms. Jean Martin and noted that Ms. Martin had a dog operation and that there were a number of comments in support of her operation. Mr. Colyn further noted that the Region had supported the application with some fencing requirements and he requested that the by-law be approved. Mr. Colyn showed some of the ribbons and awards that his client had won for her dogs and thanked Members of Council for their time and consideration.

4. CONFIRMATION OF MINUTES:

- (a) Council Minutes – Regular
October 12, 2010

Moved by Alderman Norm Johnson and seconded by Alderman Mike Rehner:

That, the minutes relating to the October 12, 2010 regular Council meeting be accepted without errors or omissions.
- Carried

- (b) Public Meeting under the Planning Act
November 1, 2010 Minutes

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, the minutes of a public meeting held on November 1, 2010 under Section 34 of the Planning Act, with respect to:

- (a) ZONING BY-LAW AMENDMENT – Roy & Elise Farrell & Charles Farrell
(File Nos. 1601-011-10 & 1601-012-10)
(b) ZONING BY-LAW AMENDMENT – Jean Martin (File No. 1601-008-10)
be accepted.
- Carried

5. **COMMUNICATIONS:**

There were no communications.

6. **APPOINTMENTS/PRESENTATIONS:**

- (a) Blake Landry & Allison Smith, Niagara Economic Development Corporation
Re: Township of West Lincoln - Economic Development Web Page

Mr. Blake Landry provided an overview of the proposed web-site by reviewing his presentation which is attached as Schedule "B" to these minutes. Mr. Landry advised that after his presentation, he would be available to answer questions and concerns and get opinions and input from Members of Council with respect to the proposed web-site.

Mayor Trombetta thanked Mr. Landry for his presentation and commended him and Township staff for an exceptional economic development web-site. Mayor Trombetta noted that she was thrilled to finally have this web-site as the Township was too small to have a dedicated Economic Development Officer and she was thankful that economic development assistance was available through the Region of Niagara.

- (b) Mr. John Sluymer
Re: Zoning By-law Amendment Application 1601-008-10 – Township of West Lincoln (Jean Martin)

Mr. John Sluymer read from a prepared statement which is attached as Schedule "C" to these minutes.

7. **REPORT OF COMMITTEE:**

- (a) Planning/Building/Environmental Committee
Re: November 1, 2010 Minutes
NOTE: ALL MINUTES UNDER SEPARATE COVER

(Open Session & Confidential Set 1)

Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That, the minutes relating to the Planning/Building/Environmental Committee meeting held on November 1, 2010, be received and that the recommendations contained therein, be approved, with the exception of Items no. P126-10.

That the confidential minutes (Set 1) of the closed session portion of the November 1, 2010 Planning/Building/Environmental Committee meeting be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

ITEM P126-10 - Report No. PD-139-10 – (Legal Matter – OMB Appeal – Growth Strategy)

Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That, Item P126-10 from the November 1, 2010 Planning/Building/Environmental Committee meeting be approved:

(ITEM P126-10

Director of Planning (Brian Treble) & CAO (Derrick Thomson)

Re: Legal Matter – OMB Appeal – Growth Strategy

The Committee rose without reporting.)

- Carried

(Confidential Set 2)

Alderman Mary Dinga noted that she had a conflict of interest and/or disclosure of pecuniary interest with respect to Item P126-10 (Legal Matter – OMB Appeal – Growth Strategy) as her husband owned property within the proposed urban boundary expansion area. Alderman Dinga noted that she would not be taking part in any discussion nor voting with respect to this issue and that she would be leaving the Council Chambers during discussions of this confidential item.

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That the confidential minutes (Set 2) of the closed session portion of the November 1, 2010 Planning/Building/Environmental Committee meeting be received and approved; and that the minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

- Carried

8. RECONSIDERATION:

There were no items for reconsideration.

9. NOTICE OF MOTION:

There were no notices of motion.

10. OTHER BUSINESS:

For the benefit of those in attendance, Mayor Trombetta advised that the zoning amendment application from Ms. Jean Martin had been approved by Members of Council and that the By-law would be dealt with at a later point in the meeting.

- (a) Director of Planning & Building AND Director of Public Works & Engineering
Re: Report PD-155-10 – No Parking Signage and Stop Signs on Townline Road

In response to an inquiry from Alderman Glazier, the Director of Public Works confirmed that there would not be any posted parking restrictions on the north side of Townline Road, east of the bridge to Regional Road 20, as parking

restrictions on this section of road are already imposed by the Ontario Highway Traffic Act

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

That, Report No. PD-155-10 dated November 15, 2010, relating to No Parking Signage and Stop Signs on Townline Road, Smithville, BE RECEIVED; and

That, the north side of Townline Road from Canborough Street easterly to the Twenty Mile Creek Bridge be designated as a no parking area; and,

That, the intersection of Shurie Road and Townline Road be established as a three way stop, immediately, in order to control the speed of through traffic on Townline Road; and,

That, the necessary by-laws to amend the applicable schedules of the Consolidated Traffic By-law 89-2000, be forwarded to Council for approval.

- Carried

- (b) Director of Public Works & Engineering
Re: Report RFI-PW-48/2010 – Traffic speeds investigations at the intersection of Abingdon Road and Concession 5 Road

In response to a request for clarification from Alderman Johnson, the Director of Public Works advised that the majority of traffic travels safely (within the 85th percentile) and that peak traffic speeds are measured in 15 minute increments.

Moved by Alderman Norm Johnson and seconded by Alderman Mike Rehner:

THAT, report RFI PW-48/2010, re: Traffic speeds investigations at the intersection of Abingdon Road and Concession 5 Road, dated November 15th, 2010, be received for information.

- Carried

- (c) Deputy Treasurer
Re: Report RFD-T-19-10 - Ontario Regulation 284/09 2009 Expenses

The Director of Finance/Treasurer reviewed the report and explained that the information contained in the report was obtained from the Financial Statements and had to be reported to Council as it was a new requirement under the legislation.

Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That Report RFD-T-19-10, detailing the exclusion of amortization and post-employment costs from the 2009 Budget be approved by Council as required by Ontario Regulation 284/09.

- Carried

- (d) Treasurer/Director of Finance & Fire Chief
Re: Report RFD-T-20-10 – Fire Reserve and Equipment

Moved by Alderman Mary Dinga and seconded by Alderman Mike Rehner:

1. That, the Treasurer Report RFD-T-20-10, regarding “Fire Reserve and Equipment”, dated November 15, 2010 be received, and
 2. That, Council approves the use of \$15,000 from the surplus funds in the Fire operating account related to the works performed by West Lincoln firefighters at Superior Propane, and
 3. That, Council approves the transfer of the remaining surplus funds in the Fire operating account related to the works performed by West Lincoln firefighters at Superior Propane in the amount of \$220,542.12 to the Fire Reserve.
- Carried

- (e) Treasurer/Director of Finance
Re: Report RFD-T-17-10 - Development Charge Reserve Funds – Treasurer’s Annual Statement

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

1. That, the Treasurer Report RFD-T-17-10, regarding “Development Charge Reserve Funds- Treasurer’s Annual Statement”, dated November 15, 2010 be received, and
 2. That, the Treasurer forward Schedule A to the Ministry of Municipal Affairs and Housing, as per legislation.
- Carried

- (f) Treasurer/Director of Finance
Re: Report RFI-T-18-10 - Annual Repayment Limit - ARL

In response to a request from Mayor Trombetta, the Director of Finance/Treasurer reviewed her report and advised Members of Council of what the debt capacity of the Township was and the tax implications should the Township incur such debt.

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, Treasurer/Director of Finance Report RFI-T-18-10 “Annual Repayment Limit - ARL” dated November 15, 2010, be received for information.

- Carried

- (g) Director of Planning & Building and Planning Technician
Re: Recommendation Report RFD-PD-156-10 – Request for Exemption from Planning Act Approval for the Wes-Li Gardens Extension Plan of Condominium (File No. 2000-058-CDM)

Moved by Alderman Mary Dinga and seconded by Alderman Mike Rehner:

That, Report No PD-156-10, dated November 15, 2010, relating to a request for exemption of the Wes-Li Gardens Extension Plan of Condominium from Planning Act approval under Section 9(3) of the Condominium Act, 1998, BE RECEIVED; and

That, Council for the Corporation of the Township of West Lincoln confirms that it is expedient to exempt R.V.L. Contracting (File No. 2000-058-CDM) from the provisions of Section 51 and 51.1 of the Planning Act and that Council approves the issuance of a Certificate of Exemption under Section 9(3) of the Condominium Act, S.O. 1998, c.19., subject to the following condition:

1. That, prior to the issuance of the Certificate of Exemption, the applicant provide the appropriate documentation demonstrating how the conditions of draft plan approval as outlined in Planning report PD-070-04 (Attachment No. 3) have been satisfied; and,

That, the Director of Planning & Building be authorized to endorse the Mylars and appropriate plans for the remaining two phases of this Condominium development once all conditions of approval are satisfied.

- Carried

- h) CAO
Report RFD-CAO-10-2010 – West Lincoln Wind Action Group (WLWAG) – Request for Rental of Gymnasium at Caistor Central Elementary School

In response to an inquiry from Alderman Rehner, the CAO confirmed that this was a one-time sponsorship allocation.

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

- (1) That, Report RFD-CAO-10-210, dated November 15th, 2010, regarding West Lincoln Wind Action Group (WLWAG) – Request for Rental of Gymnasium at Caistor Central Elementary School, be received and;
- (2) That, the Township of West Lincoln approve the request received from Mr. Cam Pritchard of the West Lincoln Wind Action Group (WLWAG), dated November 5, 2010, to cover the one time rental fee of the gymnasium at Caistor Central Elementary School, in the amount of \$250.00, to host an information meeting and that the cost of the gymnasium rental be funded from the Corporate Sponsorship Account.

- Carried

- (i) CAO
Report RFD-CAO-11-2010 – Christmas Hours

In response to an inquiry from Alderman Rehner, the Clerk confirmed that the typographical error would be corrected, being the date of the report which should read November 15 in lieu of December 13.

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

- (1) That, Report RFD-CAO-11-2010 dated November 15, 2010 regarding "Christmas Hours", be received; and,
 - (2) That, the Main Office and Public Works Building be closed for business from December 24, 2010 to December 31, 2010 inclusive.
- Carried

- (j) West Lincoln Cemetery Board Minutes
Re: May 4, 2010

Mayor Trombetta advised Members of Council that she had attended the Cemetery Board meeting to present certificates of appreciation to Bill Stewart and Louis Madzo for their dedication as members of the Cemetery Board.

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, the West Lincoln Cemetery Board Minutes of a meeting held on May 4, 2010 be accepted.

- Carried

- (k) West Lincoln Public Library Board
Re: August 3, 2010

Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That, the West Lincoln Public Library Board minutes of a meeting held on August 3, 2010 be received for information.

- Carried

- (l) Members of Council
Re: Other Business Items

1. Mayor Trombetta
Re: Last Meeting – Note of Thanks

Mayor Trombetta thanked the residents for their support during her sixteen year term as Alderman (6 years) and Mayor (10 years) of the Township and expressed her appreciation for their faith and support noting that it was an honour and pleasure to serve the residents of West Lincoln. Mayor Trombetta further thanked Council and staff and wished every success to the new incoming Council.

2. Alderman Rehner
Re: Note of Thanks

Alderman Rehner advised that he felt the Township had progressed a lot in his seven years as Alderman and he was proud of Council's accomplishments, in particular, the recently built new Fire Hall. Alderman Rehner stated that it was a pleasure and enjoyable to work with staff and Council and he wished the new Mayor and Council the very best and stated that it has been a pleasure and honour to serve the residents of West Lincoln.

3. Alderman Joyner
Re: Note of Thanks

Alderman Joyner stated that it was a privilege and honour to work with three fine aldermen and under Mayor Trombetta's tutelage and wished the three departing aldermen good luck in their future endeavours.

4. Alderman Norm Johnson
Re: Note of Thanks

Alderman Johnson stated that his seven years as Alderman were "pretty good" noting that you win some and lose some. Alderman Johnson further stated that it would be difficult not seeing staff on a weekly basis and noted that the two newly elected aldermen for Ward 2 were in attendance and he offered them his best wishes and suggested they stay true to themselves and not worry about criticism.

5. Alderman Mary Dinga
Re: Note of Thanks

Alderman Dinga thanked Council and staff and stated that it was a pleasure working with them and that although there had been some disagreements, she felt they had accomplished a lot. Alderman Dinga wished the new Council good luck noting that her departure after 13 years was a good time for her to leave.

11. BY-LAWS:

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, leave be granted to introduce the following by-laws and the same be now read a first time:

- (a) By-law 2010-99 To confirm proceedings of October 12, 2010 regular Council meeting
- (b) By-law 2010-100 To exempt certain land from Part Lot control pursuant to Section 50 of the Planning Act, R.S.O. 1990 (676658 Ontario Inc. (Georgakakos – Lot 8 - Anastasio Estates – Phase IV)

- (c) By-law 2010-101 To exempt certain land from Part Lot control pursuant to Section 50 of the Planning Act, R.S.O. 1990 (676658 Ontario Inc. (Georgakakos – Lot 110 - Anastasio Estates – Phase IV)
- (d) By-law 2010-102 To authorize the Mayor and Clerk to sign the “Warning Clause Agreement” between the Corporation of the Township of West Lincoln and Lawrence R. Johnson & Eleanor P. Johnson to satisfy a condition of Consent Application B10/2009WL and to be registered on title to the lands described as Part 32, Concession 6, being further described as Parts 1 & 2 on Registered Plan 30R-13604 in the former Township of South Grimsby, now in the Township of West Lincoln
- (e) By-law 2010-103 To authorize an Amending Site Plan Authorizing By-law for the Trustees of the Congregation of the Canadian Reformed Church at Smithville, Ontario (File 2100-003-09) - (Amends By-law 2009-80)
- (f) By-law 2010-104 Zoning By-law Amendment - Roy and Elise Farrell
- (g) By-law 2010-105 Zoning By-law Amendment - Charles Farrell
- (h) By-law 2010-106 Zoning By-law Amendment – Kennel – Martin
- (i) By-law 2010-107 To authorize a Site Plan Agreement between the Township of West Lincoln and R.V.L. Contracting Inc.
- (j) By-law 2010-108 To authorize an agreement with Her Majesty the Queen in Right of Ontario as represented by the Ministry of the Attorney General as an Opt-in Municipality under Section 13 of the Provincial Offences Act (POA), as amended.
- (k) By-law 2010-109 To amend By-law 89-2000 which regulates traffic and parking on Township roads (amend Schedule C – Parking restrictions and amend Schedule P – Stop Sign locations - Townline Road)

- Carried

Moved by Alderman Mary Dinga and seconded by Alderman Norm Johnson:

That, By-laws 2010-99, 2010-100, 2010-101, 2010-102, 2010-103, 2010-104, 2010-105, 2010-106, 2010-107, 2010-108 and 2010-109 just read a first time be now read a second and third time and finally passed and that the Mayor and Clerk do sign and seal the same, any rule of this Council to the contrary notwithstanding.

- Carried

12. CONFIDENTIAL MATTERS:

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, the next portion of this meeting be closed to the public to consider the following pursuant to Section 239(2) of the Municipal Act 2001:

1. personal matters about an identifiable individual, including municipal or local board employees;

- Carried (8:24 p.m.)

Mayor Trombetta declared that there would be a brief recess taken at 8:24 p.m. and the meeting subsequently reconvened at 8:35 p.m.

Moved by Alderman John Glazier and seconded by Alderman Douglas Joyner:

That, this Council meeting does now resume in open session at 8:50 p.m..

- Carried

- (a) Coordinator of Revenue Services
Re: RFD-T-15-10 - Section 357 Tax Write Offs – Personal Matter – (Identifiable Individuals)

Moved by Alderman Norm Johnson and seconded by Alderman Mary Dinga:

That, the Coordinator of Revenue Services' Report RFD-T-15-10, on Section 357 Tax Write Offs, dated November 8, 2010 be received and that the list of applications as contained in Report RFD-T-15-10 be approved.

- Carried

- (b) Coordinator of Revenue Services
Re: RFD-T-16-10 - Section 357 Application #10-15

Moved by Alderman Douglas Joyner and seconded by Alderman John Glazier:

That, the Coordinator of Revenue Services' Report RFD-T-16-10, on Section 357 Application #10-15, dated November 8, 2010 be received and that the application be denied.

- Carried

13. ADJOURNMENT:

Moved by Alderman Mike Rehner and seconded by Alderman Mary Dinga:

That, this Council meeting does now adjourn at the hour of 8:52 p.m. and if a special meeting is required it will be at the call of the Mayor.

- Carried

Township of West Lincoln Council meeting 15 November, 2010

Speaking notes to address file No. 1601-008-10.

My name is John Sluymer and I am here this evening with my wife Hazel to express our concerns over how the proceedings have gone to date.

We are 25 year residents on the adjoining property immediately to the North of the applicant with whom we share a common lot line of about 1400 feet.

It is with no pleasure that we find ourselves in the council chambers for a third meeting for what has been going on for far too long.

We originally stated at the meeting of the 23rd of August that our only intent was to ensure that our rights were protected and to keep an eye on the proceedings as unbiased observers to the property set-back issues to the South.

What we have witnessed over the past two sessions can be most charitably described as deceitful and misleading on behalf of the applicant.

In the meeting of the 23rd of August the applicant's story revolved around the desire to MAINTAIN her six personal dogs but when confronted with the possibility of being limited to that specific number, the story changed.

After the public meeting of the 23rd of August we saw submissions of an ALL TIME client list of 43 dogs claimed to have stayed on the applicant's property (attachment #2 pages 22 & 23 to November 1st recommendations report) and a statement from the applicant's lawyer that "History of use shows greater than 20 dogs kenneled since inception of use". (attachment # 2 page 14) Let's keep in mind that these so called facts were not included with the original documentation and were only submitted later in the proceedings when things were starting get a bit tight for the applicant.

On November 1st, responding to Alderman Johnson's question asking if all training is done on site, the applicant responded that off site training is VERY minimal and is normally ONLY done when a puppy has yet to be vaccinated. Read this to say that the business is conducted almost entirely on her property.

One would assume that the documentation submitted by the applicant would be the most supportive of her own case. In other words, the applicant would be highly motivated to produce documentation for the largest numbers of dogs that she can to support the claimed level of activity.

Remember the numbers here: A TOTAL client list of 43 dogs and 20 dogs kenneled SINCE INCEPTION in 2004, a period of 6 years as stated by the applicant and her solicitor.

At the November 1st meeting, responding to Alderman Glazier's request for clarification on the number of dogs on average that she was training, the applicant responded that the AVERAGE was between 6 and 8 per day but that on that particular day the number was 3.

For the record Alderman Johnson noted 4 dogs on the day he visited the site and Mr. Treble only noted 2 dogs when in the house on the occasion of his visit. The fact that these numbers are a far cry from 6 to 8 commercial plus 6 private dogs is noteworthy particularly in light of the applicant's comments that she has "not altered any part of her business to try and run it under the radar", as noted in the minutes of the November 1st meeting on page 10.

In addition to the 6 to 8 AVERAGE, the applicant also stated that she needs a higher limit for those occasions when she trains 20 dogs in ONE DAY.

Let's now look at these numbers. 6 to 8 per day AVERAGE translates into over 2900 dog days per year. TWENTY NINE HUNDRED!

Keep in mind that the 2900 per year should be added to her 6 personal dogs for a total of over 5000 dog days per year. That is a lot of dogs and would suggest a lot, a whole lot of activity on and around the property.

Keeping with the 2900 figure, and referring back the list of 43 ALL TIME dog list, that would suggest that for any given year, each and every one of the 43 dogs is getting 67 days of training from Ms Martin at her home if in fact they all come back year after year. If they don't, the number of boarded or training days per dog only increases. This seems to fly in the face of "Puppy Training" as a mission statement as many of the listed dogs are getting rather long in the tooth to be classified as puppies. If one disregards dogs 7 years and older keeping in mind that the business has been in operation for only 6 years, the list of 43 goes down to 23 making the length of stay 126 days per year per dog; a very substantial amount of training indeed on a per dog basis.

We also note a major contradiction in the statement from the applicant's solicitor. He states "20 dogs kenneled since inception". That is 20 dogs TOTAL over a period of 6 years or less than 4 DOGS PER YEAR, a far cry from 6 to 8 on a daily average!

From our home we can see the entire house, the entire dog run area as well as the entire driveway of the neighboring property and can provide 100% assurance that activity does not support anything close to the claimed number of dogs. We can honestly say that we have NEVER seen more than 6 dogs at any given time on the property. I have been on the property on many occasions over the years in the course of providing assistance to Ms Martin doing snow clearing and other property maintenance tasks and even with the close up view of her activities can honestly say the conclusion is the same even from the improved vantage point.

We don't see the dogs, we don't see the vehicular traffic that supports dogs coming and going on a steady basis and we don't see any service vehicles delivering supplies or removing waste. The numbers simply are NOT there.

At the November 1st meeting we heard the Director of Planning and Building clearly says that the purpose of this process was "to recognize the kennel business as it exists today" and that any future expansion of the business "would require a variance or rezoning application".

We don't disagree with the stated objective and understand the Township's need to come to terms with the issue but feel it is extremely important to differentiate between what WAS

established as a business at the time these proceedings started versus the applicant's hope for what the business MIGHT BECOME in the future.

We draw your attention to page 24 of attachment no.2 in the recommendations report to committee. This is the document entitled "Kennel boarding stats January through December". In this statement the applicant attempts to demonstrate the number of dogs that are required on a rolling average basis against projected income and expenses to run a viable business. It is extremely important to note that this is purely a PROJECTION of what it MIGHT take to run a business looking forward and should not be confused for a statement of PAST activities. We refer you again to Mr. Treble's stated objective of establishing what the business IS TODAY and that it has nothing to do with wishful projections into the future.

One would have thought that if the business is of the scope that the applicant would have you believe it is then some form of substantiation would have gone a long way in confirming that status. One might suggest that any of the following would have added credibility to the claims:

- A registry showing in and out dates for each of the dogs as they come for training.
- A set of accounting books.
- Copies of receipts issued to clients.
- Copies of receipts offsetting business expenses.
- Any form of taxes paid receipts, be they GST, PST or HST or even income tax statement.

The above documents are part of normal day to day record keeping in any business regardless of size and would provide VERIFIABLE proof of the size and scope of the business.

We contend that none of these were offered because they either don't exist or because they would compromise the scope of business claims made by the applicant.

The applicant has stated on numerous occasions that the puppy business has been her only source of income. Given that she has been driving a school bus for at least two of the past three years, one wonders how this could be anything other than a misleading statement. One would also wonder what happened with the 12 to 14 daily dogs that were reported to be on present on average during the two daily school bus runs.

In summary, an image of something that is not real is being projected before you. I again use the charitable terms of deception and misrepresentation as the tools used to attempt to sway you vote.

DO NOT REWARD DECEPTION. DO NOT REWARD BAD BEHAVIOR.

The numbers to vote for are 6 and ZERO. (Private vs. commercial)

Respectfully,

John & Hazel Sluymer