



**TOWNSHIP OF WILMOT
COUNCIL MINUTES
August 10, 2009**

**BUDGET AD HOC ADVISORY MEETING
WILMOT COMMUNITY ROOM
6:00 P.M.
REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
7:00 P.M.**

Members Present: Mayor W. Roth, Councillors E. Fung, P. Roe, T. Broda, L. Armstrong

Staff Present: Chief Administrative Officer G. Whittington, Clerk B. McLeod, Deputy Clerk D. Mittelholtz, Director of Development Services H. O'Krafka, Director of Facilities & Recreation Services S. Nancekivell, Director of Finance R. Tse, Fire Chief J. Ritz, Planner/EDO A. Martin

1. **MOTION TO GO INTO CLOSED SESSION (if necessary)**
2. **MOTION TO RECONVENE IN OPEN SESSION (if necessary)**
3. **MOMENT OF SILENCE**
4. **ADDITIONS TO THE AGENDA**
5. **DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**
6. **MINUTES OF PREVIOUS MEETINGS**

6.1 Council Meeting July 13, 2009

Resolution No.2009-158

Moved by: L. Armstrong

Seconded by: P. Roe

That the minutes of the following meeting be adopted as presented:

Council Meeting July 13, 2009

CARRIED.

7. PUBLIC MEETINGS

- 7.1 REPORT NO. PB 2009-16
Official Plan Amendment Application 02/09
Zone Change Application 05/09
Rick Tomic
1257 Bridge Street, New Dundee**

Resolution No.2009-159**Moved by: L. Armstrong****Seconded by: E. Fung****That Report PB 2009-16 be received for information.****CARRIED.**

Mayor W. Roth declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Ontario Municipal Board, the Board has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor W. Roth stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website.

The Director of Development Services highlighted the report.

Mayor W. Roth asked if there were questions of a technical nature from Council; there were none.

Mayor W. Roth asked the applicant if he wished to address Council.

Mayor W. Roth asked twice if anyone else wished to address Council, and in the absence of any further comments, declared the public meeting to be closed.

Mayor W. Roth asked Council if they had any questions. There were none.

- 7.2 REPORT NO. PB 2009-20
ZCA-06/09
Carla Bechtel
Part Lot 12, Concession 1, Block A
2021 Sandhills Road**

Resolution No.2009-160**Moved by: E. Fung****Seconded by: T. Broda**

That zone change application 06/09 by Carla Bechtel, affecting Part of Lot 12, Concession 1, Block A, to extend a temporary use by-law for an additional 3 years to permit a temporary mobile home for full time farm labour, be approved.

CARRIED.

Mayor W. Roth declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Ontario Municipal Board, the Board has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor W. Roth stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website.

The Planner/Economic Development Officer highlighted the report.

Mayor W. Roth asked if there were questions of a technical nature from Council; there were none.

Mayor W. Roth asked twice if anyone else wished to address Council, and in the absence of any further comments, declared the public meeting to be closed.

Mayor W. Roth asked Council if they had any questions. There were none.

8. PRESENTATIONS/DELEGATIONS

8.1 Steve Sachs, Waterloo Regional Labour Council Re Proposed Employment Insurance Changes

Mr. Steve Sachs presented Council with information pertaining to the current economic climate, its effects on the public and various forms of assistance provided by the Government. Mr. Sachs provided Council with a handout containing articles regarding the Canadian economy.

Mayor W. Roth thanked Mr. Sachs for his presentation and advised that the matter will be turned over to staff.

9. REPORTS

9.1 CAO –no reports

9.2 CLERKS

9.2.1 REPORT NO. CL 2009-19 Provincial Request to Rescind Township of Wilmot Small Game Hunting Licence Requirement

Resolution No.2009-161

Moved by: T. Broda

Seconded by: P. Roe

That the small game hunting licence program within The Township of Wilmot cease, and further;

That the Deputy Clerk be authorized to prepare a by-law to rescind all associated By-Laws with respect to the program, and further;

That the Ministry of Natural Resources be advised accordingly.

CARRIED.

The Deputy Clerk highlighted the report.

Councillor P. Roe asked if there will be any affect on the hunting of wild turkeys. The Deputy Clerk replied that there will be none as turkeys were not covered under this licence.

**9.2.2 REPORT NO. CL 2009-20
New Hamburg Lions Club Raffle Lottery Licence**

Resolution No.2009-162

Moved by: L. Armstrong

Seconded by: E. Fung

That the application from the New Hamburg Lions Club Inc. be authorized for a raffle licence for cash prizes totalling \$10,875.00, to be awarded as follows:

- 1. Special Draw – July 1, 2010, \$500.00,**
- 2. Special Draw – November 11, 2010, \$500.00,**
- 3. Family Day – February 15, 2010, \$250.00,**
- 4. Easter – April 4, 2010, \$250.00,**
- 5. Thanksgiving – October 11, 2010, \$250.00, and**
- 6. Weekly, 7 @ \$25, \$9,125.00.**

Conditional that this raffle be conducted in accordance with the Ministry of Consumer and Commercial Relations, Gaming Commission, Terms and Conditions for Raffle Events and Township of Wilmot Lottery Licensing Policies.

AND FURTHER, that a Letter of Credit is forwarded to the Township of Wilmot Lottery Licencing Officer upon their receipt.

CARRIED.

9.3 FINANCE

**9.3.1 REPORT NO. FIN 2009-25
Development Charges By-law**

Resolution No.2009-163

Moved by: L. Armstrong

Seconded by: P. Roe

**That the Development Charges By-law be endorsed and further,
That the policy to exempt Development Charges for “industrial infill developments” on a case-by-case basis be approved.**

CARRIED.

The Director of Finance highlighted the report.

9.3 PUBLIC WORKS – no reports

9.5 DEVELOPMENT SERVICES**9.5.1
Building Statistics****Resolution No.2009-164****Moved by: L. Armstrong****Seconded by: E. Fung**

That the Building Statistics for the month of July 2009 be received for information purposes.

CARRIED.**9.5.2 REPORT NO. PB 2009-18
Minor Modification to Draft Plan of Subdivision 30T-87005
Sunvest Development Corp
Catherine Street, New Hamburg****Resolution No.2009-165****Moved by: P. Roe****Seconded by: T. Broda**

That Council recommend a minor modification to Draft Plan of Subdivision 30T-87005 to the Region of Waterloo as follows:

- 1. minor relotting as infill to increase the number of single family units in the plan from 71 to 74**

CARRIED.

The Director of Development Services highlighted the report.

In response to Councillor T. Broda's inquiries, the Chief Administrative Officer replied that the Catherine Street and Steinman Street reconstruction will begin in 2010 and that the Director of Public Works will respond regarding any repercussions the projects may have on Waterloo Street.

**9.5.3 REPORT NO. PB 2009-19
Amendment to Comprehensive Zoning By-law 83-38
Definition of Adult Entertainment
Prohibition in all Zones****Resolution No.2009-166****Moved by: L. Armstrong****Seconded by: E. Fung**

That Council give notice of its intent to amend Comprehensive Zoning By-law 83-38 to add the following definition and to prohibit the same in all zones.

“Adult Entertainment Parlour shall mean any premises or part thereof, used in pursuance of any trade, calling, business or occupation, for the purpose of a live performance,

exhibition or activity designed to appeal to erotic or sexual appetites or inclinations, of which a principal feature or characteristic is the nudity or partial nudity of any person, and in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “erotic”, or “sexy”, or any other word, picture, symbol or representation having like meaning or implication may be used on any sign, advertisement, or advertisement device, and without limiting the generality of the foregoing includes any performance, exhibition, or activity involving striptease dancers, exotic dancers, wet clothing contests, or best body part contests.”

CARRIED.

**9.5.4 REPORT NO. PB 2009-17
GO Transit EA
Georgetown – Kitchener Update**

Resolution No.2009-167

Moved by: P. Roe

Seconded by: L. Armstrong

- 1. That Report PB 2009-17 be received for information.**

CARRIED.

The Director of Development Services highlighted the report.

Councillor L. Armstrong noted that he has received nothing but positive feedback in regards to this initiative.

Mayor W. Roth added that once need is demonstrated the project will commence that much sooner.

**9.5.5 REPORT NO. PB 2009-22
Sign By-law Variance
Took-a-Look Media Billboard
Northwest Corner of Nafziger Road and Waterloo Street**

Resolution No.2009-168

Moved by: L. Armstrong

Seconded by: E. Fung

That the proposed variance to the Township Sign By-law 2002-35 to reduce the required setback for a billboard sign on the subject property to 3.0m, be approved subject to the following:

- 1. That, should the travelled portion of Nafziger Road or Waterloo Street be widened in such a manner that the distance to the billboard is reduced, the billboard shall be moved to reinstate the distances as proposed by this application.**

CARRIED.

The Planner/Economic Development Officer highlighted the report.

The Planner/EDO confirmed for Mayor W. Roth that the primary sight line would be from Nafziger Road.

**9.5.6 REPORT NO. PB 2009-21
Proposed Fence By-law**

Resolution No.2009-169

Moved by: P. Roe

Seconded by: L. Armstrong

That notice of a public meeting be given to consider regulations to be included in a proposed fence by-law.

That notice be given of the Township's intent to amend Comprehensive Zoning By-law 83-38 to modify Section 6.5, which deals with obstructions on corners, to reduce the dimension used to establish a corner visibility triangle, from 15.0m to 7.5m.

CARRIED.

The Planner/Economic Development Officer highlighted the report.

Mayor W. Roth commented that the brochure outlining this by-law is a good idea.

9.6 FACILITIES AND RECREATION SERVICES

**9.6.1 REPORT NO. PRD 2009-09
Nith River Erosion Control Works
Award of Tender**

Resolution No.2009-170

Moved by: L. Armstrong

Seconded by: T. Broda

That the tender for the Nith River Erosion Control Works located adjacent to the pedestrian walkway on the east side of the Nith River, north of the New Hamburg Dam, be awarded to R&M Construction, for the bid price of \$99,680.00 plus GST be approved.

CARRIED.

In response to questions from Councillor T. Broda, the Director of Facilities and Recreation Services replied that the lighting along the pedestrian walkway is not part of the erosion control contract. A separate contractor will relocate the decorative lighting. Illumination measurements will be taken and the lights will be adjusted as necessary. The Director also responded that the spacing for the light posts will also be examined and that the lighting for the deck area will be evaluated to ensure ample lighting near the stairs. The Director confirmed that the deadline for the erosion control project is September 30, 2009.

9.7 FIRE**9.7.1 REPORT NO. FI 2009-05
Quarterly Activity Report****Resolution No.2009-171**

Moved by: E. Fung

Seconded by: P. Roe

That the Fire Department Activity Report for April through June 2009 be received for information purposes.

CARRIED.

9.8 CASTLE KILBRIDE – no reports**10. CORRESPONDENCE**

- 10.1 Grand River Conservation Authority – GRCA Minutes, July 2009
- 10.2 Association of Municipalities of Ontario – Call for Applications for the Ontario Transportation Demand Management (TDM) Municipal Grant Program
- 10.3 Association of Municipalities of Ontario – Government Releases Draft Built Environment Standard Under the AODA for Public Review
- 10.4 Ontario Municipal Knowledge Network – New OMKN Developments
- 10.5 Grand River Conservation Authority – Grand Actions, July/August 2009

Resolution No.2009-172

Moved by: L. Armstrong

Seconded by: P. Roe

THAT Correspondence items 10.1 to 10.5 be received for information.

CARRIED.

11. BY-LAWS

- 11.1 By-law No. 2009-30 being a By-law for the Imposition of Development Charges
- 11.2 By-law No. 2009-31 being a By-law to Rescind By-laws No. 84-46 and No. 2001-51 Regarding Small Game Hunting Licences
- 11.3 Zoning Amendment By-law No. 2009-32 - ZCA-06/09, Carla Bechtel - Part Lot 12, Concession 1, Block A, 2021 Sandhills Road

Resolution No.2009-173

Moved by: L. Armstrong

Seconded by: E. Fung

That By-law Nos. 2009-30, 2009-31 and 2009-32 be read a first, second and third time and finally passed in Open Council.

CARRIED.

12. NOTICE OF MOTIONS**13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

13.1 Request from the merchants of New Hamburg.

Resolution 2009-174

Moved by: L. Armstrong

Seconded by: T. Broda

That Peel Street, from Burns Street to Huron Road, be closed on Friday, August 14, 2009 between 5:00 pm and 10:00 pm for the New Hamburg Sidewalk Sale and Cruise Night subject to the Township of Wilmot Special Events Policies.

CARRIED.

Mayor W. Roth confirmed that the Public Works road's staff are to be notified.

13.2 Business arising from the Budget Ad Hoc Advisory Committee Meeting

Resolution No. 2009-175

Moved by: P. Roe

Seconded by: L. Armstrong

That Report PRD-2009-07 be endorsed.

CARRIED.

13.3 Business arising from the Budget Ad Hoc Advisory Committee Meeting.

Resolution No. 2009-176

Moved by: L. Armstrong

Seconded by: T. Broda

That pre-budget approval be given to tender for the replacement of the 2001 GMC Sonoma truck, and that the funds be allocated as forecasted within the 2010 Capital Budget.

CARRIED.

13.4 Councillor T. Broda asked that Public Works staff please follow up with him regarding his question pertaining to the reconstruction of the sidewalk on Jacob Street at the Council Meeting on June 29, 2009.

13.5 In response to inquires from Councillor T. Broda the Director of Facilities and Recreation services advised that the landscaping at the Grandstand would be completed sometime between Moparfest and the Fall Fair and that the landscaping drawings are available for viewing.

13.6 The Director of Facilities and Recreation Services advised Council that the CBO has passed the Grandstand for its final inspection.

14. BUSINESS ARISING FROM CLOSED SESSION

15. **CONFIRMATORY BY-LAW**

15.1 **By-law No. 2009-33**

Resolution No.2009-177

Moved by: E. Fung

Seconded by: L. Armstrong

THAT By-law No. 2009-33 to Confirm the Proceedings of Council at its Meeting Held on August 10, 2009 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

16. **ADJOURNMENT**

Resolution No.2009-178

Moved by: E. Fung

Seconded by: P. Roe

THAT we do now adjourn to meet again at the call of the Mayor.

CARRIED.

Mayor

Clerk