



**TOWNSHIP OF WILMOT  
COUNCIL MEETING MINUTES  
MONDAY, AUGUST 31, 2015**

**REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
7:00 P.M.**

**Members Present: Mayor L. Armstrong, Councillors A. Junker, P. Roe, B. Fisher, J. Gerber,  
M. Murray**

**Staff Present: Chief Administration Officer G. Whittington, Director of Clerk's Services  
B. McLeod, Deputy Clerk D. Mittelholtz, Director of Public Works G. Charbonneau,  
Director of Facilities and Recreation Services S. Nancekivell, Director of  
Development Services H. O'Krafka, Fire Chief M. Raine, Director of Finance R. Tse,  
Curator/Director of Castle Kilbride T. Loch, Planner/EDO A. Martin, Manager of  
Accounting P. Kelly**

- 1. MOTION TO CONVENE INTO CLOSED SESSION**
- 2. MOTION TO RECONVENE IN OPEN SESSION**
- 3. MOMENT OF SILENCE**
- 4. ADDITIONS TO THE AGENDA**
- 5. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST  
ACT**

Councillor B. Fisher disclosed a pecuniary interest with regards to Item Number 7.1 as he is an owner of property abutting the subject lands.

**6. MINUTES OF PREVIOUS MEETINGS**

- 6.1 Council Meeting Minutes July 20, 2015  
Special Council Meeting Minutes August 5, 2015**

**Resolution No. 2015-171**

**Moved by: M. Murray**

**Seconded by: P. Roe**

**THAT the minutes of the following meeting be adopted as presented:**

**Council Meeting July 20, 2015, and  
Special Council Meeting August 5, 2015.**

**CARRIED.**

**7. PUBLIC MEETINGS**

- 7.1 REPORT NO. DS 2015-29  
Official Plan Amendment Application 01/13  
Zone Change Application 08/13  
Labreche Patterson & Associates Inc. / Westcap Development Inc.  
296, 302 and 308 Snyder's Road East / Brubacher Street, Baden**

**Resolution No. 2015-172****Moved by: A. Junker****Seconded by: M. Murray****THAT Council:**

- 1. adopt Official Plan Amendment No. 8 to the Township of Wilmot Official Plan to change the designation of a portion of the subject lands from Light Industrial to Urban Residential;**
- 2. approve Zone Change Application 08/13 by Labreche Patterson & Associates Inc. / Westcap Development Inc., affecting Part of Lots 13 and 14, Concession North of Snyder's Road to place a portion of the property abutting Brubacher Street within Zone 4a (Residential Row), subject to the following:
  - a) the maximum number of dwelling units shall be 12,**
  - b) a minimum of 3 off-street parking spaces shall be provided per dwelling unit,**
  - c) the minimum side yard setback shall be 2.5m**
  - d) the lands be subject to the (H) symbol indicating that development cannot proceed until such time as a Record of Site Condition is acknowledged by the Ministry of the Environment;****

**and,**

- 3. approve Zone Change Application 08/13 by Labreche Patterson & Associates Inc. / Westcap Development Inc., affecting Part of Lots 13 and 14, Concession North of Snyder's Road to place a portion of the property abutting Snyder's Road East within Zone 4a (Residential Row) and Zone 11 (Open Space), subject to the following:
  - a) the maximum number of dwelling units shall be 20,**
  - b) the maximum height of a dwelling unit shall be one storey,**
  - c) a "Residential Building – Semi-Detached" shall be a permitted use,**
  - d) a minimum of 3 off-street parking spaces shall be provided per dwelling unit,**
  - e) the minimum front yard setback shall be 5.0m,**
  - f) the lands be subject to the (H) symbol indicating that development cannot proceed until such time as a Record of Site Condition is acknowledged by the Ministry of the Environment.****

**CARRIED.**

Mayor Armstrong 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 Armstrong 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.

Councillor B. Fisher disclosed a pecuniary interest with regards to this application and refrained from any discussion or subsequent voting thereof.

The Planner/EDO highlighted the report.

Mayor L. Armstrong asked if there were questions of a technical nature from Council. There were none.

Mayor Armstrong asked if the applicant wished to address Council.

The applicant, Scott Patterson, voiced his support for staff's recommendation. He advised Council that he was available to answer any questions they may have.

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

In response to Councillor P. Roe, the Planner/EDO noted that the dam on the property could be addressed in a later report in so far as what can or cannot be done with it.

**7.2 REPORT NO. DS 2015-30  
Zone Change Application 08/15  
exp Services / 1920270 Ontario Inc.  
Part of Lot 15, Concession South of Snyder's Road  
Foundry Street / Gingerich Road / Brewery Street Baden**

**Resolution No. 2015-173**

**Moved by: B. Fisher**

**Seconded by: P. Roe**

**THAT Council approve Zone Change Application 08/15 by exp Services / 1920270 Ontario Inc., affecting Part of Lot 15, Concession South of Snyder's Road, to place the lands within Zone 10a (Light Industrial) subject to the following:**

- a) outdoor storage is prohibited,**
- b) the following additional uses be permitted:**
  - 1. a commercial establishment where services are rendered**
  - 2. light fabricating, assembly and manufacturing where there is low probability of fugitive emissions**
  - 3. contractor, building supplies dealer**
  - 4. offices**
  - 5. clinic or laboratory**
  - 6. gym or dance studio**
  - 7. accessory uses including:**
    - i. gas bar**
    - ii. convenience retail accessory to a gas bar**
    - iii. one take-out restaurant accessory to a gas bar, not including a drive-thru.**

**CARRIED.**

Mayor Armstrong 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 Armstrong 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/EDO highlighted the report.

Mayor L. Armstrong asked if there were questions of a technical nature from Council. There were none.

The Planner/EDO clarified for Councillor B. Fisher that a light industrial zoning includes general industrial which could include manufacturing that produces less noise making it more compatible with residential and commercial properties.

In response to Councillor B. Fisher, the Planner/EDO confirmed that sound barriers would be addressed through the site plan process which would be consistent with other similar developments.

Councillor B. Fisher inquired about the permitted use including a convenience store and gas bar. The Planner/EDO advised that they would be accessory to the light industrial which would mean that the light industrial would need to be built before any accessory components.

Mayor Armstrong asked if the applicant wished to address Council. The applicant did not address Council.

Mayor L. Armstrong asked if anyone wished to address Council on this matter.

#### **Nancy Pereira, 85 Village Green Way**

Mrs. Pereira expressed her opposition to having commercial use in this light industrial development. Her opposition is about having two plazas in the town of Baden and that this new development would potentially take residents out of the downtown area. She expressed that this new development plus the addition of another stop light would take away from the "small town" feel of Baden. She further emphasized how the development would take people out of the down town area.

Mayor L. Armstrong advised Mrs. Pereira that the stop lights are a Regional initiative. The Planner/EDO further clarified that the stop lights were independent of this application and were not required as a result of the application.

The Director of Public Works confirmed that the Region had been planning improvements to the subject intersection prior to this application.

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

In response to Councillor J. Gerber, the Planner/EDO confirmed that the accessory components are specified in the Zoning By-law and that the By-law requires that the building of the accessory components be warranted by the existence of the light industrial uses before they can be built.

With regards to Councillor J. Gerber's comments on the exclusion of the possibility for a drive-thru, the Planner/EDO noted that the proposal did not include a drive-thru.

Councillor B. Fisher expressed the importance of offering places for people to work in Wilmot through the light industrial development but that he was not necessarily in favour of the gas bar and convenience store.

## **8. PRESENTATIONS/DELEGATIONS**

### **8.1 Ben Broughton, Wilmot Agricultural Society**

Mr. Broughton thanked Council for having him back to provide an update on the New Hamburg Fall Fair which will be celebrating 100 years of 4H in Ontario. He advised Council that the Fair will run for four days and will include all of the traditional favourites including the midway, horse pull, horse show, livestock displays, demolition derby and homecraft exhibits. He noted the farm petting zoo, exotic pet show and barnyard children's area that will keep the young ones entertained. As new features to the Fair there will be an antique tractor show and team sorting on horseback competition. He concluded his presentation by noting the need for more volunteers for the Fair especially for working at the gates.

### **8.2 Kathy Mostardi and/or Dorothy Wilson, Nith Valley Eco Boosters Blue Dot Movement**

#### **Resolution No. 2015-174**

Moved by: A. Junker

Seconded by: J. Gerber

**WHEREAS the Township of Wilmot supports in principle, the Blue Dot Movement's recommendation relating to the rights of citizens to live in a safe and healthy environment as follows;**

**WHEREAS the Township of Wilmot has historically strived to maintain within its jurisdiction, a healthy environment for all citizens through its many plans, policies, programs and practices in conformity with its Strategic Plan, Official Plan and by-laws;**

**AND WHEREAS the Township understands that people are part of the environment, and that a healthy environment is inextricably linked to human health and the social and economic well-being of our community;**

**AND WHEREAS the Township within its jurisdictional mandate supports in principle the right of all people to live in a healthy environment, including:**

- (a) the right to breathe clean air;**
- (b) the right to drink clean water;**
- (c) the right to consume safe food;**
- (d) the right to access nature;**
- (e) the right to know about pollutants and contaminants released into the local environment;  
and,**
- (f) the right to participate in decision-making that will affect the environment.**

**THEREFORE BE IT RESOLVED:**

- (a) THAT the Mayor, on behalf of Township Council, be directed to forward this resolution to the Prime Minister of Canada with the request that the right of all citizens to live in a healthy environment be enshrined in appropriate federal legislation and the Canadian Charter of Rights and Freedoms;**
- (b) THAT the Mayor, on behalf of Township Council, be directed to forward this resolution to the Premier of Ontario with the request that the right of all citizens to live in a healthy environment be enshrined in appropriate provincial legislation including the Ontario Environmental Bill of Rights;**

- (c) **THAT a copy of this resolution be forwarded the Kitchener-Conestoga Riding MP and MPP representatives; and,**
- (d) **THAT a copy of this resolution be sent to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.**

**CARRIED, UNANIMOUSLY.**

Ms. Mostardi introduced herself and the Blue Dot Movement. She noted how the movement began with David Suzuki and the David Suzuki Foundation to promote environmental rights being enshrined in the Canadian Constitution. The process Blue Dot is using for accomplishing this is by establishing a grassroots presence, such as the Nith Valley Eco Boosters in Wilmot, to gather interest at a local level and having the local municipality pass a Resolution that would be forwarded to the senior levels of Government. The next step is for the Provinces to adopt legislation confirming environmental rights and then for the Federal Government to pass similar legislation.

Ms. Wilson advised Council on the local efforts of the Nith Valley Eco Boosters including a petition having been signed by 2,100 citizens in Waterloo Region to advocate for local municipalities passing resolutions regarding environmental rights being enshrined in legislation. She also noted some events where Blue Dot has been present, local media coverage and partnering with local organizations. She spoke of the Nith Valley Eco Boosters being a relatively new group that have attended the 2015 Canada Day celebrations and the 2015 Baden Corn Festival. She concluded her presentation by advising Council that the recommendation presented to them in the Agenda was from Blue Dot but was edited by environmental planners with the Region of Waterloo for a made-in-Waterloo recommendation.

## **9. REPORTS**

### **9.1 CAO**

#### **9.1.1 REPORT NO. CAO 2015-03 Updated 2015 Municipal Work Program**

#### **Resolution No. 2015-175**

**Moved by: M. Murray**

**Seconded by: J. Gerber**

**THAT the updated 2015 Municipal Work Program, as per the report dated August 31, 2015, prepared by the Chief Administrative Officer, be endorsed.**

**CARRIED.**

The CAO highlighted the report.

The Director of Public Works responded to Councillor A. Junker's inquiry about stop ahead signs by stating that the Roads Foreman is proactive with sign placements enhancing safety at newly improved roads. Both the Director and Councillor A. Junker confirmed that the flashing beacons for stop ahead signs have been effective.

Mayor L. Armstrong noted that sign placement is important but that drivers need to be responsible when driving on unfamiliar roads.

In response to Councillor P. Roe, the Director of Public Works noted that the Roads Foreman does perform a weekly roads tour to identify any low hanging branches or other obstructions to signage but that he will advise the Foreman of any identified obstructions.

Mayor L. Armstrong responded to Councillor P. Roe that wider roads for more bike lanes would be very costly for many country roads since many of those roads do not have shoulders.

The Director of Public Works confirmed for Councillor B. Fisher that the loose gravel on Shade Street will be resolved as the newly tar and chipped road is used more and the weather will help the gravel affix to the tar.

The Director of Facilities and Recreation Services confirmed for Councillor B. Fisher that the interdepartmental Trails Working Group will be meeting to discuss priorities for trail development prior to the 2016 Capital Budget process.

## **9.2 CLERKS**

### **9.2.1 REPORT NO. CL2015-20 St. Agatha Drain 2015 Acknowledgement of Revised Drainage Engineer's Report**

#### **Resolution No. 2015-176**

**Moved by: P. Roe**

**Seconded by: B. Fisher**

- 1. THAT the Revised Drainage Engineer's Report dated August 6, 2015, prepared by J. Kuntze of K. Smart & Associates Inc. for the St. Agatha Drain 2015, serving the following drainage works:**
  - 1. improved drainage outlet for the low area in the south part of the Kraehling Farms Inc property; SE part of Lot 6, Concession NER;**
  - 2. improved drainage outlet for Notre Dame Drive north of Erb's Road;**
  - 3. improved drainage outlet for the low area in the southwest part of the Dietrich property in the E 1/2 Lot 4, Con NER;**
  - 4. improved drainage outlet for the low area in the northwest part of the Haid property in the SE part of Lot 5, Con NER;**
  - 5. improved drainage outlet for the low area on the RJS Farms Ltd. Property on the south side of Erb's Road in the northeast part of Lot 5, Concession SER;**

**be received and further,**

- 2. THAT the Open House and Special Council Meeting to Consider the Report be held Monday, September 21<sup>st</sup>, 2015 at 6:00 p.m. at the St. Agatha Community Centre.**

**CARRIED, AS AMENDED.**

The Director of Clerk's Services highlighted the report.

At the request of Councillor A. Junker, the date of the Special Council Meeting was corrected to be Monday, September 21, 2015.

Councillor J. Gerber noted that he will not be able to attend the Special Council Meeting due to a prior commitment.

The Drainage Engineer, J. Kuntze, clarified for Councillor B. Fisher that any new development in St. Agatha will not have an impact on the drainage works given the storm water management requirement for the pre and post development flows into a drainage system to be equal.

Mr. Kuntze confirmed for Councillor B. Fisher that repair to the Ditner Drain would not be adequate to address this matter and provide the lands to the east with a proper outlet into a municipal drain.

**9.2.2 REPORT NO. CL2015-21  
Proposed 2016 Council Meeting Schedule**

**Resolution No. 2015-177**

**Moved by: J. Gerber**

**Seconded by: M. Murray**

**THAT the following schedule for Regular Council Meetings be adopted:**

<b>January 11, 2016</b>	<b>February 8, 2016</b>
<b>March 7, 2016</b>	<b>April 4, 2016</b>
<b>March 21, 2016</b>	<b>April 18, 2016</b>
<b>May 2, 2016</b>	<b>June 6, 2016</b>
<b>May 16, 2016</b>	<b>June 20, 2016</b>
<b>July 18, 2016</b>	<b>August 22, 2016</b>
<b>September 12, 2016</b>	<b>October 3, 2016</b>
<b>September 26, 2016</b>	<b>October 24, 2016</b>
<b>November 7, 2016</b>	<b>December 5, 2016.</b>
<b>November 21, 2016</b>	

**CARRIED.**

**9.3 FINANCE**

**9.3.1 REPORT NO. FIN 2015-27  
Ontario Community Infrastructure Fund (OCIF) Intake Two**

**Resolution No. 2015-178**

**Moved by: M. Murray**

**Seconded by: A. Junker**

**THAT the Township submit an application to the Ontario Community Infrastructure Fund Intake Two for funding towards the Main Street Reconstruction Project.**

**CARRIED.**

The Manager of Accounting highlighted the report.

**9.4 PUBLIC WORKS – no reports**



**9.5 DEVELOPMENT SERVICES**

- 9.5.1 REPORT NO. DS 2015-32**  
**Approval of a Billboard Sign**  
**Rick Held**  
**417 Waterloo Street, New Hamburg**

**Resolution No. 2015-179****Moved by: B. Fisher****Seconded by: A. Junker****THAT Staff be authorized to issue a Billboard Sign Permit subject to the following:**

- 1. That, approval apply only to the existing portable sign and proposed advertising face;**
- 2. That, at such time as the existing portable sign is removed or proposed to be replaced, such replacement shall be subject to a new license and the sign shall be in the form of a permanent sign, in compliance with the Township Sign By-law and subject to a subsequent license approval by Council;**
- 3. That, prior to the issuance of a permit, the applicant shall pay a license fee of \$166.67 (representing the remaining 4 months of the annual \$500 fee);**
- 4. That, the applicant shall provide staff with a request for Council to renew the permit no later than Monday November 30, 2015 accompanied by the annual license fee of \$500.**

**CARRIED.**

The Planner/EDO highlighted the report.

**9.6 FACILITIES AND RECREATION SERVICES – no reports****9.7 FIRE – no reports****9.8 CASTLE KILBRIDE**

- 9.8.1 REPORT NO. CK2015-05**  
**Ontario Heritage Trust Award Nomination**

**Resolution No. 2015-180****Moved by: J. Gerber****Seconded by: P. Roe****THAT Council support the nomination prepared by Nancy Silcox with respect to Marie Voisin as the recipient of the Lieutenant Governor's Heritage Award for Excellence in Conservation.****CARRIED.**

The Curator/Director of Castle Kilbride highlighted the report.

**10. CORRESPONDENCE**

- 10.1 Grand River Conservation Authority – 2014 Annual Report on Actions**  
**10.2 Grand River Conservation Authority – Grand Actions, July/August 2015**

**Resolution No. 2015-181****Moved by: J. Gerber****Seconded by: B. Fisher****THAT Correspondence Items 10.1 to 10.2 be received for information.****CARRIED.**

In response to Councillor A. Junker, Mayor L. Armstrong advised that if any person knows of a water way within the GRCA watershed that they would like explored for potential rehabilitation that they can contact the GRCA directly.

**11. BY-LAWS**

- 11.1 **By-law No. 2015-45 – Official Plan Amendment Application 01/13, Labreche Patterson & Associates Inc. / Westcap Development Inc., 296, 302 and 308 Snyder's Road East / Brubacher Street, Baden**
- 11.2 **By-law No. 2015-46 – Zone Change Application 08/13, Labreche Patterson & Associates Inc. / Westcap Development Inc., Brubacher Street, Baden**
- 11.3 **By-law No. 2015-47 – Zone Change Application 08/13, Labreche Patterson & Associates Inc. / Westcap Development Inc., 296, 302 and 308 Snyder's Road East, Baden**
- 11.4 **By-law No. 2015-48 – Zone Change Application 08/15, exp Services / 1920270 Ontario Inc., Part of Lot 15, Concession South of Snyder's Road, Foundry Street / Gingerich Road / Brewery Street, Baden**

**Resolution No. 2015-182****Moved by: J. Gerber****Seconded by: M. Murray****THAT By-law Nos. 2015-45, 2015-47 and 2015-48 be read a first, second and third time and finally passed in Open Council.****CARRIED.****Resolution No. 2015-183****Moved by: A. Junker****Seconded by: P. Roe****THAT By-law No. 2015-46 be read a first, second and third time and finally passed in Open Council.****CARRIED.**

Councillor B. Fisher disclosed a pecuniary interest with regards to this zoning application and refrained from any discussion or subsequent voting thereof.

**12. NOTICE OF MOTIONS**

**13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

**13.1 Council Meeting Schedule Conflict**

**Resolution No. 2015-184**

Moved by: J. Gerber

Seconded by: A. Junker

**THAT the Regular Council Meeting scheduled for Monday, October 19, 2015 be cancelled due to the Federal Election.**

**CARRIED.**

13.2 Councillor A. Junker advised Council of the New Dundee Soapbox Derby on Monday September 7, 2015 at 2:00.

13.3 At the request of Councillor P. Roe, Council directed staff to prepare a letter of congratulations to Her Majesty Queen Elizabeth II for becoming the longest serving monarch in British history on September 9, 2015.

**14. BUSINESS ARISING FROM CLOSED SESSION**

**15. CONFIRMATORY BY-LAW**

**15.1 By-law No. 2015-49**

**Resolution No. 2015-185**

Moved by: A. Junker

Seconded by: M. Murray

**THAT By-law No. 2015-49 to Confirm the Proceedings of Council at its Meeting held on August 31, 2015 be introduced, read a first, second, and third time and finally passed in Open Council.**

**CARRIED.**

**16. ADJOURNMENT (8:35 P.M.)**

**Resolution No. 2015-186**

Moved by: P. Roe

Seconded by: J. Gerber

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

**CARRIED.**

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Mayor

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Clerk