



**TOWNSHIP OF WILMOT
COUNCIL MINUTES
MONDAY, MAY 12, 2014**

**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 Administrative 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,
Planner/EDO A. Martin**

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 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**

A Conflict of Interest was declared by Councillor B. Fisher in regards to Agenda Item 9.5.1 concerning the Sign By-law Variance for 162 Snyder's Road East, Baden because he is an adjacent property owner.

6. MINUTES OF PREVIOUS MEETINGS

6.1 Council Meeting Minutes April 28, 2014

Resolution No. 2014-97

Moved by: P. Roe

Seconded by: M. Murray

THAT the minutes of the following meetings be adopted as presented:

Regular Council Meeting April 28, 2014.

CARRIED.

7. PUBLIC MEETINGS

- 7.1 REPORT NO. DS 2014-12
Zone Change Application 03/14
Hillcrest Service Ltd.
Part of Lot 26, Concession South of Bleams Road
1065 Huron Street**

Resolution No. 2014-98**Moved by: M. Murray****Seconded by: A. Junker**

THAT Zone Change Application 03/14 made by Hillcrest Service Ltd., affecting Part of Lot 26, Concession South of Bleams Road be approved to change the zoning of the subject property from Zone 1 (Agricultural) to Zone 8 (Commercial) and to reduce the required front yard setback from 7.6m to 6.6m.

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.

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

Mayor L. Armstrong asked if there were any questions from Council. There were none.

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.

- 7.2 REPORT NO. DS 2014-13
Zone Change Application 04/14
Kevin Smith
Lot 5, Plan 58M-276
55 Reinhart Place, Petersburg**

Resolution No. 2014-99**Moved by: P. Roe****Seconded by: M. Murray**

THAT Zone Change Application 04/14 made by Kevin Smith, affecting Lot 5, Plan 58M-276 be approved to:

- 1. increase the maximum combined floor area of all accessory structures from 69m² to 181m²;**

2. to increase the maximum height of one accessory building (the pool house) from 4.5m to 6.0 m; and,
3. to permit habitable space within one accessory building (the pool house) including a kitchen, but not including a dwelling unit.

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.

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

Mayor L. Armstrong asked if there were any questions from Council. There were none.

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.

8. PRESENTATIONS/DELEGATIONS

8.1 Mark Jackson, Chair, Board of Directors Jerry Van Ooteghem, President and CEO Kitchener-Wilmot Hydro Inc. 2013 Annual Report

Mr. Jackson introduced himself and Mr. Van Ooteghem and briefly provided a Council with an overview of the presentation.

Mr. Van Ooteghem gave Council the highlights from the 2013 Annual Report which included statistics regarding customers, consumption, financial performance, financial indicators and customer service performance indices. He thanked the staff and Board of Directors for Kitchener-Wilmot Hydro Inc. for the work completed in 2013 including the challenges faced during the ice storms. He then presented Mayor L. Armstrong with the 2013 dividend cheque for \$258,000 and the 2014 reforestation grant for \$40,000.

Following the concerns noted by Councillor A. Junker regarding communications with members of Council and members of the public, Mr. Van Ooteghem assured Council that Council Members can be included in the update messaging during an outage and that Kitchener Wilmot Hydro is investing in upgrades to the communication tools that would include an outage management system with mapping of outages and regular online updates. He also advised Council that a new position has been created specifically for communications.

Mayor L. Armstrong added that the Board has engaged in great discussion on the matter. He also commended Kitchener Wilmot Hydro staff on their performance during the recent weather challenges.

Mr. Jackson further noted that Kitchener Wilmot Hydro will be seeking input from the two major stakeholders with regards to communications.

Councillor P. Roe inquired about small scale feed-in from solar power generators and the effects on the costs for distribution. Mr. Van Ooteghem replied that there are no immediate concerns regarding what they accommodate with respect to energy flowing into the system but that there is limited capacity. It has caused them to change the way they look at distribution and to evaluate the effect on safety for their workers.

Mr. Van Ooteghem noted that there was a great deal of pole rebuilds in the south-east and north-east sections of Wilmot Township and that they are proactively removing many ash trees to mitigate the effects of a dying tree falling on to power lines.

8.2 John Jung, CEO Canada's Technology Triangle Update to Council

Mr. Jung presented to Council a summary of the five year strategic plan for Canada's Technology Triangle (CTT) including the seven key priorities for the organization. He described the past actions taken to attract businesses to the area and what the focus will be for 2014 which centers around a strategic Regional approach.

In response to Councillor B. Fisher, Mr. Jung responded that the majority of the efforts for the organization has been in attracting Information Technology companies and Advanced Manufacturing. He added that other areas of focus include food, food processing and automotive companies although they will engage other industries such as financial, biotechnology and education.

Responding to Councillor J. Gerber, Mr. Jung advised that the employment lands in Wilmot would be attractive to industries requiring highway access. He noted that CTT has promoted the lands to many potential developers but that there are several factors involved in which industries may be interested in different areas.

Mr. Jung responded to Councillor A. Junker regarding the South West Economic Alliance (SWEA) by stating that they have been focusing more on the southernmost portions of the province but are looking at other areas. Councillor A. Junker also inquired about adding a Township Mayor to the list of delegations when travelling abroad. Mr. Jung responded that he would extend the invitation as Mayors are often needed to open doors in some jurisdictions.

Councillor P. Roe inquired as to the relationship between CTT and Communitec. Mr. Jung advised that CTT was originally branded around innovation but the mandate is for the attraction of direct foreign investment. By comparison, Cimmunitec is an organization that acts as a chamber of commerce for the technology industry.

Responding to Councillor P. Roe, Mr. Jung expressed that the recent focus on the "east side lands" is because many industries are currently looking at areas with prestige lands that are close to Toronto and the 401 Highway and have access to an airport. He further advised Council that CTT has recently hired a lead generator relative to the airport and lands near the airport.

9. REPORTS

9.1 CAO – no reports

9.2 CLERKS

**9.2.1 REPORT NO. CL 2014-16
Levy of Drain Maintenance Costs**

Resolution No. 2014-100

Moved by: J. Gerber

Seconded by: B. Fisher

THAT report CL 2014-16 be received for information purposes.

CARRIED.

9.3 FINANCE

**9.3.1 REPORT NO. FIN 2014-18
Federal Gas Tax Municipal Funding Agreement**

Resolution No. 2014-101

Moved by: A. Junker

Seconded by: M. Murray

THAT Finance Report FIN 2014-18, prepared by the Director of Finance, regarding the Federal Gas Tax Municipal Funding Agreement be received for information purposes;

AND FURTHER, THAT the agreement be executed and returned to the Association of Municipalities of Ontario (AMO).

CARRIED.

The Director of Finance highlighted the report.

In response to Councillor A. Junker, the Director of Finance advised that staff will be reviewing all guidelines relative to the Gas Tax Funding and will have recommendations during the Budget Process.

**9.3.2 REPORT NO. FIN 2014-19
Ice Storm Assistance Program**

Resolution No. 2014-102

Moved by: J. Gerber

Seconded by: P. Roe

THAT report FIN 2014-19, prepared by the Director of Finance, regarding the Ice Storm Assistance Program, be endorsed.

CARRIED.

The Director of Finance highlighted the report.

9.4 PUBLIC WORKS**9.4.1 REPORT NO. PW-2014-09
Surface Treatment – Award of Tender****Resolution No. 2014-103**

Moved by: A. Junker

Seconded by: M. Murray

THAT the tender submitted by Cornell Construction Limited for the application of surface treatment to Township roads in the amount of \$249,814.31, net of the HST rebate, be accepted.

CARRIED.**9.4.2 REPORT NO. PW-2014-10
Hot Mix Paving – Award of Tender****Resolution No. 2014-104**

Moved by: A. Junker

Seconded by: M. Murray

THAT the tender submitted by Coco Paving, for the paving of Township roads with hot mix asphalt, in the amount of \$163,955.72, net of the HST rebate, be accepted.

CARRIED.**9.5 DEVELOPMENT SERVICES****9.5.1 REPORT NO. DS 2014-14
Sign By-law Variance
Seasons Grande / PW Concrete
162 Snyder's Rd E, Baden****Resolution No. 2014-105**

Moved by: J. Gerber

Seconded by: A. Junker

THAT variances to the Township Sign By-law 2002-35 be approved for the subject property as follows:

1. Reduce the minimum setback from the front property line for the proposed ground sign to approximately 0.6m,
2. Increase the maximum height of the proposed ground sign to approximately 3.8m,
3. Increase the maximum area of a ground sign located in front of the building line to approximately 4.7m²; and,
4. To allow temporary signs to be attached to a fence located along the south property line (Snyder's Road East) and on a fence connecting the aforementioned fence and the existing building up to a maximum of 25% of the area of one side of said fences.

CARRIED.

Councillor B. Fisher declared a conflict of interest with respect to the sign variance because he is an adjacent property owner and did not take part in the discussion or subsequent voting thereof.

**9.5.2 REPORT NO. DS 2014-15
April Building Statistics**

Resolution No. 2014-106

Moved by: P. Roe

Seconded by: B. Fisher

THAT the April 2014 Building Statistics be received for information.

CARRIED.

9.6 FACILITIES AND RECREATION SERVICES – no reports

9.7 FIRE – no reports

9.8 CASTLE KILBRIDE – no reports

10. CORRESPONDENCE

10.1 Canada Post – Closure on Saturdays and Realignment of the Hours of Operation During the Week Only at the Petersburg Post Office

Resolution No. 2014-107

Moved by: M. Murray

Seconded by: B. Fisher

THAT Correspondence Item 10.1 be received for information.

CARRIED.

11. BY-LAWS

11.1 By-Law No. 2014-20 – To Provide for the Levy of Drain Maintenance Costs for the Wagner Drain Branch D and Don Myers Drain

11.2 By-Law No. 2014-21 – Authorize the Execution of the Agreement for the Federal Gas Tax

11.3 By-law No. 2014-22 – Zone Change Application 03/14, Hillcrest Service Ltd., Part of Lot 26, Concession South of Bleams Road, 1065 Huron Street

11.4 By-law No. 2014-23 – Zone Change Application 04/14, Kevin Smith, Lot 5, Plan 58M-276, 55 Reinhart Place, Petersburg

11.5 By-law No. 2014-24 – By-law to Appoint Municipal Law Enforcement Officer David Zeinstra

Resolution No. 2014-108

Moved by: M. Murray

Seconded by: J. Gerber

THAT By-law Nos. 2014-20, 2014-21, 2014-22, 2014-23 and 2014-24 be read a first, second and third time and finally passed in Open Council.

CARRIED.

12. NOTICE OF MOTIONS**12.1 Notice of Motion Concerning Speed Limits at Schools and Libraries in Wilmot Township****Resolution No. 2014-109****Moved by: A. Junker****Seconded by: B. Fisher**

WHEREAS the Regional Municipality of Waterloo is responsible for establishing speed limits on roads within its jurisdiction;

AND WHEREAS the following elementary, secondary schools and Regional Library branches are located on arterial regional roads;

- **New Dundee Public School, Bridge Street, New Dundee**
- **Sir Adam Beck Public School, Snyder's Road, Baden**
- **Waterloo Oxford District Secondary School, Snyder's Road, Baden**
- **Holy Family Catholic School, Huron Street, New Hamburg**
- **Grandview Public School, Huron Street, New Hamburg**
- **Forest Glen Public School, Waterloo Street, New Hamburg**
- **St. Agatha Catholic School, Notre Dame Drive, St. Agatha**
- **New Dundee Regional Library, Queen Street, New Dundee**
- **Baden Regional Library, Snyder's Rd., Baden**

AND WHEREAS it has been observed that school zones and the roads within the vicinities of libraries across the Township of Wilmot are venues of escalating congestion and activity for students and the public, thereby creating safety concerns;

AND WHEREAS as a community, we all share responsibility to reduce the risk and enhance the safety of our children, youth, crossing guards and the general public;

THEREFORE BE IT RESOLVED that in light of the safety concerns, the Township of Wilmot requests that the Region of Waterloo consider the feasibility of lowering the existing speed limit within the school zones and in the areas of the Regional Library Branches at the above locations from their existing speed limit to 40 km/hr.

CARRIED, AS AMENDED.

Councillor A. Junker notified Council that his purpose in bringing forward the Motion was to resolve a safety issue that had previously been brought to the attention of the Region of Waterloo but had not been resolved. He noted that there have been similar requests in the Region which resulted in a decrease of the speed limit to forty kilometers per hour.

Councillor J. Gerber expressed his opinion that this was a great goal but believes it may not be achievable at all schools. Specifically he mentioned the schools fronting on Snyder's Road East. He concluded saying that any decrease would be welcome.

Mayor L. Armstrong commented that he would expect some resistance from Regional staff on this matter and that the lower speed limit at Conestoga Public School was granted due to the topography.

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

- 13.1 Councillor J. Gerber announced that he may be late for the Council Meeting occurring on May 26, 2014 due to other commitments.
- 13.2 Councillor A. Junker announced the annual Victoria Day celebrations occurring on May 19, 2014 in New Dundee. He noted that the Firefighters' Breakfast will not be offered this year.
- 13.3 Councillor P. Roe announced that the St. Agatha Strawberry Festival will be on June 21, 2014 and that the Petersburg Father's Day Breakfast and Classic Car Show will be on June 15, 2014.
- 13.4 On behalf of the students at Waterloo-Oxford D.S.S., Councillor J. Gerber announced that the Relay for Life raised \$98,500 and he thanked Council for their assistance with the Noise By-law Exemption. He noted a comment received by a police officer attending the event who requested to see a copy of the Noise By-law Exemption. Staff will discuss the notification process with the police to ensure officers are aware of the exemptions.
- 13.5 Councillor M. Murray commended the Fire Chief on the attainment of the Water Tanker Shuttle Accreditation. The Fire Chief notified Council that the Fire Department has achieved the commercial rating for the Water Tanker Shuttle and that the certificate will be received shortly.

14. BUSINESS ARISING FROM CLOSED SESSION**15. CONFIRMATORY BY-LAW****15.1 By-law No. 2014-25****Resolution No. 2014-110****Moved by: P. Roe****Seconded by: M. Murray**

THAT By-law No. 2014-25 to Confirm the Proceedings of Council at its Meeting held on May 12, 2014 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.**16. ADJOURNMENT (8:37 P.M.)****Resolution No. 2014-111****Moved by: P. Roe****Seconded by: B. Fisher**

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

CARRIED.

Mayor

Clerk