



## **Council Meeting Agenda**

**Monday, May 31, 2021**

**Closed Council Meeting**

**6:00 P.M.**

**Regular Council Meeting**

**Virtual**

**7:00 P.M.**

This meeting is open to the public and is available through an online platform. Please subscribe to the [Township of Wilmot You Tube Channel](#) to watch the live stream or view after the meeting.

Delegations must register with the [Information and Legislative Services Department](#). The only matters being discussed at this meeting will be those on the Agenda.

### **1. MOTION TO CONVENE INTO CLOSED SESSION**

#### **RECOMMENDATION**

THAT a Closed Meeting of Council be held on Monday, May 31, 2021 at 6:00 p.m. in accordance with Section 239(3.1) of the Municipal Act, 2001, for the purposes of Educational or training session.

### **2. MOTION TO RECONVENE IN OPEN SESSION**

#### **RECOMMENDATION**

THAT Council reconvenes in Open Session at 7:00 p.m.

- 3. MOMENT OF SILENCE**
- 4. LAND ACKNOWLEDGEMENT – Councillor B. Fisher**
- 5. ADDITIONS TO THE AGENDA**
- 6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**
- 7. MINUTES OF PREVIOUS MEETINGS**

**7.1 Council Meetings Minutes Monday May 17, 2021**

**RECOMMENDATION**

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

Regular Council Meeting May 17, 2021.

**8. PUBLIC MEETINGS**

**8.1 REPORT COR 2021-021**

**Development Charges Update Study**

**RECOMMENDATION**

THAT Report COR 2021-021, as prepared by the Director of Corporate Services / Treasurer, regarding the Development Charges Background Study Update, be received for information purposes.

**9. PRESENTATIONS**

**9.1 Cultural Heritage Landscape Study**

**Christopher DeGeer, University of Waterloo Heritage Resource Centre**

**9.1.1 REPORT DS 2021-020**

**Cultural Heritage Landscape (CHL)**

**Township of Wilmot / Region of Waterloo**

**University of Waterloo Heritage**

**RECOMMENDATION**

THAT Council receives report DS 2021-020 for information.

**10. DELEGATIONS**

**11. CONSENT AGENDA**

**11.1 ILS 2021-22**

**Notice of Proposed Procedural By-law Amendments**

**Recommendation**

THAT Report No. ILS 2021-22 be approved.

**12. REPORTS**

**12.1 PARKS, FACILITIES AND RECREATION SERVICES**

**12.1.1 REPORT NO. PFRS 2021-011**

**RFT Award Administration Building/Castle Kilbride HVAC &  
Boiler Equipment Replacement**

**RECOMMENDATION**

THAT RFT 2021-22 be awarded to Keith's Plumbing & Heating Inc. for the supply and installation of new HVAC & Boiler equipment, as per their submission dated May 18, 2021, in the amount of \$930,313 including HST.

**13. CORRESPONDENCE**

**14. BY-LAWS**

**15. NOTICE OF MOTIONS**

**16. ANNOUNCEMENTS**

**17. BUSINESS ARISING FROM CLOSED SESSION (May 20, 2021)**

**RECOMMENDATION**

THAT The Talent Company Ltd. be awarded a contract for Executive Recruitment Services, for the upset limit of \$60,000.00, plus HST; and further,

THAT the Mayor and Clerk be authorized to execute contract documents with The Talent Company Ltd.

**18. CONFIRMATORY BY-LAW**

**18.1 By-law No. 2021-29**

**RECOMMENDATION**

THAT By-law No. 2021-29 to Confirm the Proceedings of Council at its Meeting held on May 31, 2021 be introduced, read a first, second, and third time and finally passed in Open Council.

**19. ADJOURNMENT**

**RECOMMENDATION**

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



## **Council Meeting Minutes**

**Monday, May 17, 2021**

**Closed Council Meeting**

**6:00 P.M.**

**Regular Council Meeting**

**7:00 P.M.**

Members Present: Mayor L. Armstrong, Councillors A. Hallman, C. Gordijk, B. Fisher, J. Gerber and J. Pfenning

Staff Present: Acting Chief Administrative Officer / Director of Parks, Facilities and Recreation S. Jackson, Director of Information and Legislative Services D. Mittelholtz, Director of Public Works J. Molenhuis, Director of Development Services H. O'Kafka, Director of Corporate Services / Treasurer P. Kelly, Fire Chief R. Leeson, Director / Curator Castle Kilbride T. Loch, Manager of Information and Legislative Services / Deputy Clerk T. Murray, Manager of Planning / EDO A. Martin

### **1. MOTION TO CONVENE INTO CLOSED SESSION**

**Resolution No. 2021-95**

**Moved by: Councillor      Seconded by: Councillor**

THAT a Closed Meeting of Council be held on Monday, March 22, 2021 at 6:00 p.m. in accordance with Section 239(2) of the Municipal Act, 2001, for the purposes of:

- c) a proposed or pending acquisition or disposition of land by the municipality or local board

**CARRIED.**

### **2. MOTION TO RECONVENE IN OPEN SESSION**

**Resolution No. 2021-96**

**Moved by: Councillor C. Gordijk      Seconded by: Councillor B. Fisher**

THAT Council reconvenes in Open Session at 7:00 p.m.

CARRIED.

**3. MOMENT OF SILENCE**

**4. LAND ACKNOWLEDGEMENT**

**4.1 Councillor A. Hallman read the Land Acknowledgement**

**5. ADDITIONS TO THE AGENDA**

**6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL  
CONFLICT OF INTEREST ACT**

**6.1** Councillor J. Gerber declared has an indirect conflict of interest in reference to Item 11.1.1 as a member of his family is employed by the applicant.

**7. MINUTES OF PREVIOUS MEETINGS**

**7.1 Council Meetings Minutes Monday April 26, 2021**

**Resolution No. 2021-97**

**Moved by: Councillor C. Gordijk      Seconded by: Councillor A. Hallman**

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

Regular Council Meeting April 26, 2021.

CARRIED.

**Resolution No. 2021-98**

**Moved by: Councillor B. Fisher Seconded by: Councillor C. Gordijk**

THAT delegation registered for matters not on the Agenda be allowed 5 minutes each to address Council.

DEFEATED.

Members of Council discussed the proposed procedural amendment for the meeting and suggested that insufficient notice had been given to the delegates. Staff was directed to review the delegation portions of the Procedural By-law as part of the review currently taking place.

## **8. PUBLIC MEETINGS**

### **8.1 REPORT NO. DS 2021-017**

**Zone Change Application 06/21**

**Concept Development Group In**

**Part of Lot 14, Concession North of Snyder's Road Parts 1 and 2,  
Plan 58R-1966**

**162 Snyder's Road East, Baden**

### **Resolution No. 2021-99**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor J. Pfenning**

THAT Report DS 2021-017 be received for information.

CARRIED.

The Manager of Planning / EDO outlined the report.

Andrea Sinclair, MHBC Planning, presented an overview of development. The presentation is attached as Appendix A. Council raised concerns over the suggested parking and Ms. Sinclair noted that those details are still being refined.

Jennifer Zielman appeared as a delegation, expressing concerns over the reduced set back and impacts on privacy for her property.

The Manager of Planning / EDO clarified that the reduced set back and visibility provisions would be highlighted in subsequent reports to Council.

O'Derald Gingerich appeared as a delegation and expressed his concerns over the proposed size of the development could potentially house 100 residents making it the largest residential building in Baden. He noted concerns over the height of the building and visitor parking.

Natasha Salonen appeared as a delegation and expressed concerns the proposed development and the alignment with the Township Strategic Plan, noting that the proposed parking reductions would not be supported by alternative transportation as the transit schedule does not run 7 days a week. Ms. Salonen also expressed her concerns that the design and aesthetic of the building is not compatible with the countryside community. She expressed her concerns for the lack of outdoor living space and access to greenspace for future residents.

Jeff Pinkney appeared as a delegation, noting that his family shares the similar concerns to previous delegations and encouraged reconsideration of an appropriate size building for the site.

## **9. PRESENTATIONS**

### **9.1 KW Hydro Annual Report**

**Mr. Jerry VanOoteghem, KW Hydro Corporation**

**Mr. Jim Philips, KPC Chair**

#### **Resolution No. 2021-100**

**Moved by: Councillor J. Pfenning      Seconded by: Councillor A. Hallman**

THAT the audited financial statements of Kitchener Power Corporation for the year ended December 31, 2020 as audited by KPMG LLP, as presented, are hereby received; and,

THAT Mr. James Phillips, Ms. Rosa Lupo and during their tenure, Mayor Berry Vrbanovic, Mayor Les Armstrong, Mr. Dave Schnider, Mr. Paul Singh and President & CEO Mr. Jerry Van Ooteghem be hereby elected Directors of Kitchener Power Corporation for the ensuing year; and,

THAT KPMG, LLP be hereby appointed as Auditors of Kitchener Power Corporation for the ensuing fiscal year and the Directors are authorized to set their remuneration.

**CARRIED.**

Mr. Jerry VanOoteghem and Mr. Jim Philips provided a presentation on the KW Hydro Annual Report. The presentation is attached as Appendix B.

Mr. VanOoteghem answered Council inquiry that the work from home data they had collected showed a 7.9% increase in residential usage while other classifications saw decreases in demand.

Council thanked KW Hydro for the community supports they continue to show.

## **10. CONSENT AGENDA**

### **10.1 PW 2021-012**

**Annual OSIM Inspections Program – Award of Contract**

### **10.3 ILS 2021-17**

**Newdale Farm (Stewart Good) Petition and Badenview (Patrick George) Petition – Engineer Appointment Transfer**

### **10.4 ILS 2021-18**

**Receipt of Petition for Drainage Works  
1184 Gerber Road, N ½ Lot 10, Concession 3B  
Township of Wilmot**

### **10.5 COR 2021-018**

**Municipal Collaboration, Joint Township ESRI ELA**

**Resolution No. 2021-101**

**Moved by: Councillor J. Pfenning      Seconded by: Councillor J. Gerber**

THAT Report Nos. PW 2021-012, ILS 2021-17, ILS 2021-18 and COR 2021-018 be approved.

CARRIED, AS AMENDED.

### **10.2 PW 2021-011**

**Annual Concrete Sidewalk Program – Award of Contract**

**Resolution No. 2021-102**

**Moved by: Councillor C. Gordijk****Seconded by: Councillor J. Pfenning**

THAT RFT 2021-13 be awarded to Chad Hartman Construction of St. Pauls, Ontario for the Annual Concrete Sidewalk Program, as per their bid submission dated April 14, 2021, in the amount of \$64,350.00, plus HST.

CARRIED.

The Director of Public Works and Engineering confirmed that the minor spot repairs in Manheim will be on Milne Drive, Knechtel Court and in New Dundee on Queen Street and Bridge Street.

## **11. REPORTS**

### **11.1 DEVELOPMENT SERVICES**

#### **11.1.1 REPORT DS 2021-018**

**Zone Change Application 04/20**

**Miller Boys Inc. /**

**Dryden, Smith & Head Planning Consultants**

**142-148 Snyder's Road West, Baden**

#### **Resolution No. 2021-103**

**Moved by: Councillor B. Fisher****Seconded by: Councillor J. Pfenning**

THAT Council approve Zone Change Application 04/20 made by Miller Boys Inc. / Dryden, Smith & Head Planning Consultants, affecting Part of 16, Concession North of Snyder's Road, to amend the current zoning to:

- permit 18 dwelling units in form of single-detached, semi-detached, townhome and apartments;
- reduce the overall required parking on site from 27 spaces to 26 spaces;
- reduce the required west side yard setback from 2.0m to 1.2m;
- reduce the required rear yard setback from 7.5m to 2.3m; and
- apply a holding symbol (H) that requires the approval of a noise study and archaeological assessment, and demonstration that sanitary sewer infrastructure constraints have been addressed, prior to development.

CARRIED.

The Manager of Planning / EDO outlined the report.

Nathan Riedel appeared as a delegation and expressed concerns with the proximity of the development to his property and requested that the development be reduced to a two-story structure. Mr. Riedel also expressed concerns for the parking allocations for the development.

Sam Head, Dryden, Smith & Head Planning Consultants, provided an overview of the status of the development project, noting that any concerns from delegations will be discussed with Township staff. Mr. Head advised Council that the project is designed for seniors, noting that the drainage report has been submitted to the Township and the final site plan process will address any issues. He advised that in terms of the building height, he would have further discussions with the applicant.

The Manager of Planning / EDO advised that the zoning regulates the height of the buildings, noting that the zoning allows for 10.5 meters.

## **12. CORRESPONDENCE**

## **13. BY-LAWS**

### **13.1 By-law No. 2021-27**

### **Zone Change Application 04/20**

### **Resolution No. 2021-104**

**Moved by: Councillor A. Hallman**

**Seconded by: Councillor J. Gerber**

THAT By-law Nos. 2021-27 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

## **14. NOTICE OF MOTIONS**

## **15. ANNOUNCEMENTS**

**15.1** Councillor A. Hallman congratulated Marilyn Saurus of New Dundee was recognized for her continued volunteering in the Township.

**15.2** Councillor J. Pfenning reminded everyone to do one small thing everyday for themselves to recharge and help get through these challenging times.

## **16. DELEGATIONS**

The following persons appeared as delegations in relation to the proposed Hallman Pit. Any prewritten statements provided will be included in the appendices as noted.

- 16.1 Rory Farnan and Samantha Lernout, Citizens for Safe Ground Water, Appendix C.
- 16.2 Dorothy Wilson, Appendix D.
- 16.3 Linda Laepple, Appendix E.
- 16.4 Dave Prong, appeared as a delegation and expressed his concerns for the proposed Hallman Pit, noting objections to the proposal and the need to protect the farmland that would be lost. He noted concerns for the ground water, wetlands and animal habitat impacts that could result from the development.
- 16.5 Mark Gordon appeared as a delegation and expressed his concerns on the climate change impacts and the potential health impacts on the residents in the surrounding area.
- 16.6 Christina Harnack, Appendix F.
- 16.7 David Bricker appeared as a delegation, expressing concerns for noise, nature and health impacts as a result of the operations of the proposed gravel pit.
- 16.8 Laverne Forwell appeared as a delegation and expressed his concerns on the impacts the proposed Hallman Pit could have on the natural area.

## **17. BUSINESS ARISING FROM CLOSED SESSION**

### **Resolution No. 2021-105**

**Moved by: Councillor A. Hallman**

**Seconded by: Councillor C. Gordijk**

THAT Confidential Report PFRS 2021-09 be received for information; and further,

THAT Council accepts the generous donation of land from Wolfgang, Regina, Ekk and Jenn Pfenning, for passive recreational use, and that this natural area be named in memory of Andreas Pfenning; and further,

THAT the Township assume all surveying and legal costs associated with the transfer; and

THAT, the Township provide a tax receipt in an amount determined by an independent certified appraisal the cost of which, including any review by the Township solicitor, would be borne by the Township.

CARRIED.

## **18. CONFIRMATORY BY-LAW**

### **18.1 By-law No. 2021-28**

#### **Resolution No. 2021-106**

**Moved by: Councillor B. Fisher**

**Seconded by: Councillor C. Gordijk**

THAT By-law No. 2021-28 to Confirm the Proceedings of Council at its Meeting held on May 17, 2021 be introduced, read a first, second, and third time and finally passed in Open Council.

## **19. ADJOURNMENT (10:14 p.m.)**


#### **Resolution No. 2021-107**

**Moved by: Councillor A. Hallman**

**Seconded by: Councillor J. Pfenning**

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

CARRIED.



# Statutory Public Meeting

Proposed Multiple Residential Development  
162 Snyder's Road E, Baden  
May 17, 2021



# PRIMARY PROJECT TEAM

**Steve Schwartzentruer and Mike Ulmer,**

*Concept Development Group Inc.*

**Glenn Reinders**

*Reinders & Law*

**Andrea Sinclair and Gillian Smith**

*MHBC Planning*

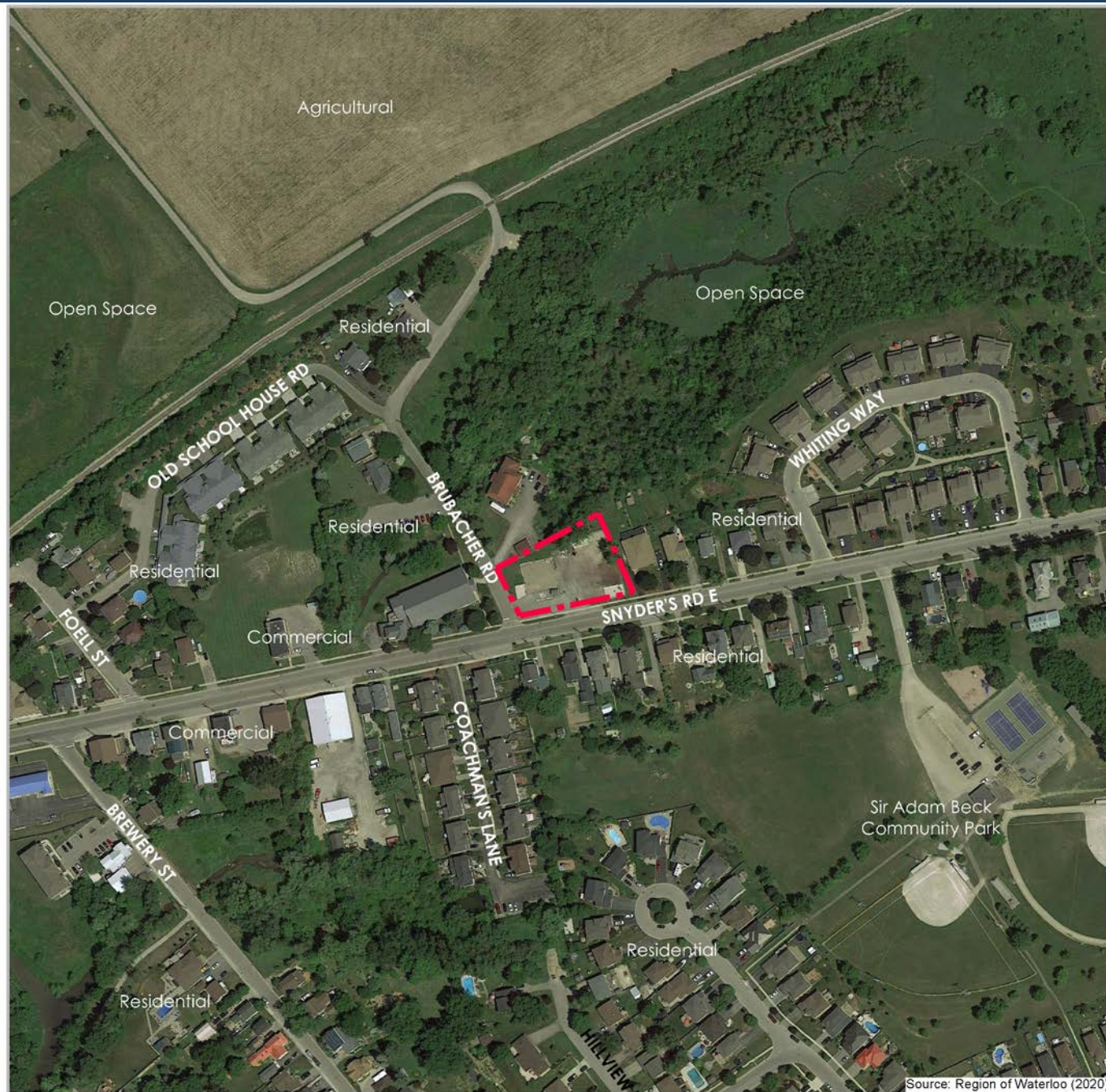
*Technical Reports including Planning, Servicing, Archaeology, and Noise have been prepared in support of the Zoning By-law Amendment*

# LOCATION

162 Snyder's Road E, Baden

Within close proximity of key services and amenities including:

- Transit
- Active Transportation
- Sir Adam Beck Community Park
- Grocery/Convenience Stores
- Downtown Baden

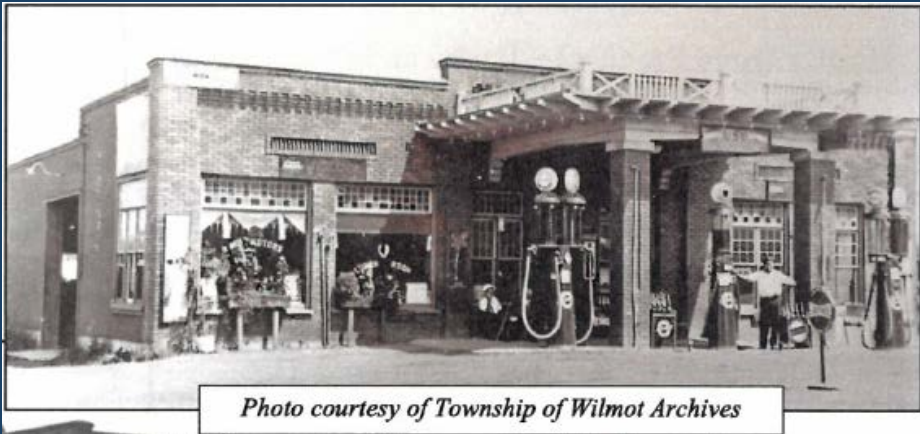


# SITE HISTORY

162 Snyder's Road E, Baden



*Photo courtesy of Marlene Miller*



*Photo courtesy of Township of Wilmot Archives*



*Photo courtesy of Sarah Demerling of Demazing Photography*

162 Snyder's Road East has an exciting history and has been subject to a number of owners and uses. Past uses have included:

- Woolen Mill (burned to the ground in 1916)
- Garage (lunch bar, gas pumps, car repairs)
- Construction of wood furniture (1977 fire)
- Meat Market and Grocery
- Landscape Supplies (2016 fire)

The lands are currently a vacant Brownfield site. Remediation of the site is underway.

# DEVELOPMENT PROPOSAL

162 Snyder's Road E, Baden



- 32 one & two bedroom rental apartment units
- Pedestrian connection from the lobby to the Snyder's Rd sidewalk
- Tenants governed by landlord-tenant legislation
- Landscaping within the site & along Snyder's Rd & Brubacher St
- Amenity space including balconies & a rooftop terrace
- Lockers, vehicular parking & bicycle storage

# BENEFITS OF PROPOSAL

Current Use of Property	Proposed Use of Property
Vacant	Apartment building providing purpose built rental units
Contaminated soils	Remediate & re-urbanize
Underutilized	<p>Infill of an underutilized parcel of land in the Urban Area that will:</p> <ol style="list-style-type: none"><li>1) Be located within an established area of the Township, in close proximity to Downtown Baden;</li><li>2) Introduce more housing options to the area;</li><li>3) Support the social, health &amp; well-being of current and future residents.</li></ol>

# PLANNING APPLICATION TIMELINE

162 Snyder's Road E, Baden

- Informal Pre-Submission Meeting: December 16, 2020
- Zoning By-law Amendment Submitted April 9, 2021
  - Including all required technical reports
- Application deemed 'Complete' on April 15, 2021
- Statutory Public Meeting (We Are Here)
- Review of Staff, Agency and Public Comments
- Consideration of comments and resolution of any technical issues
- Staff Recommendation Report and Council Decision

# PURPOSE OF PLANNING APPLICATION

162 Snyder's Road E, Baden

The vacant site is proposed to be redeveloped as a multiple residential apartment building comprised of 32 residential units.

## **EXISTING ZONE:**

**Zone 5:** *which permits dwelling units only above ground level commercial uses.*



## **PROPOSED ZONE:**

**Zone 5:** *to permit residential units at ground level (stand alone residential building)*

### ***Other provisions included:***

- *1.2 parking spaces/unit*
- *4.6m rear yard setback*
- *5.2m exterior side yard setback*

162 Snyder's Road E, Baden



## Reduced Rear Yard

# POLICY CONFORMITY

## **Provincial Policy Statement**

- Represents efficient use of land and results in the infill of underutilized land within an urban area
- Introduces more housing types
- Utilizes existing infrastructure (transportation, servicing) and will provide a connected sidewalk
- Located near community facilities and downtown Baden
- Redevelopment of a contaminated site

## **Growth Plan for the Greater Golden Horseshoe**

- Located in the built up area of the Region
- Assist the Region in achieving their intensification target
- Contributes a range and mix of housing options

# POLICY CONFORMITY

## **Region of Waterloo Official Plan**

- Designated as *Township Urban Area* and lies within the *Built Up and Designated Greenfield Area's*, where the bulk of growth will be directed to.
- Supports the regions planned community structure by developing within the built up and designated greenfield areas of Baden
- Protects the Townships unique rural character and land uses by proposing compact redevelopment on a site within the existing built-up area
- Represents appropriate land use within the Township that will contribute to the Region's growth goals

# POLICY CONFORMITY

## **Township of Wilmot Official Plan**

- Designated as *Urban Core Area* which permits residential, commercial, institutional and other services
- With a projected pop. of 28,500, the proposal will assist in meeting the Township's growth objectives
- Encourages reurbanization and provides a diverse range and mix of housing options that satisfy a variety of household sizes and incomes
- Will maintain the existing character of the area through appropriate setbacks, heights and design features

# PRELIMINARY RENDERINGS



View from the south side of Snyder's Road E, looking west

# PRELIMINARY RENDERINGS



View from Brubacher Street, looking south east (rear of building)

# PRELIMINARY RENDERINGS



Rear of building, looking south west

# IN CONCLUSION

- The proposed zone amendment is consistent with the Provincial policy framework and conforms with Regional and Township Official Plans.
- The proposed residential use is **permitted** by the Official Plan and Zoning By-law, no use is being added that is not already permitted. The amendment is seeking to allow multi-residential use at ground level.
- The proposed zoning requests reduced parking and reduced rear yard and exterior side yard setbacks.
- The zoning by-law amendment will result in the highest and best use of the land, introduce new housing types, will be representative of a complete community, and will be in conformity with the surrounding land-uses.



THANK YOU

## *Kitchener-Wilmot Hydro Inc.*

*Your Local Supplier of Safe, Reliable and  
Efficient Electricity Distribution Services*



# Statistics

- **Number of Customers = 99,026 (97,719 in 2019)**
  - **Residential 89,926**
  - **Small Business 8,134**
  - **Commercial 966**
- **Billed Energy Consumption = 1,820M kWhs (1,825M kWhs in 2019)**
- **Peak Demand = 386 MW (345 MW in 2019)**

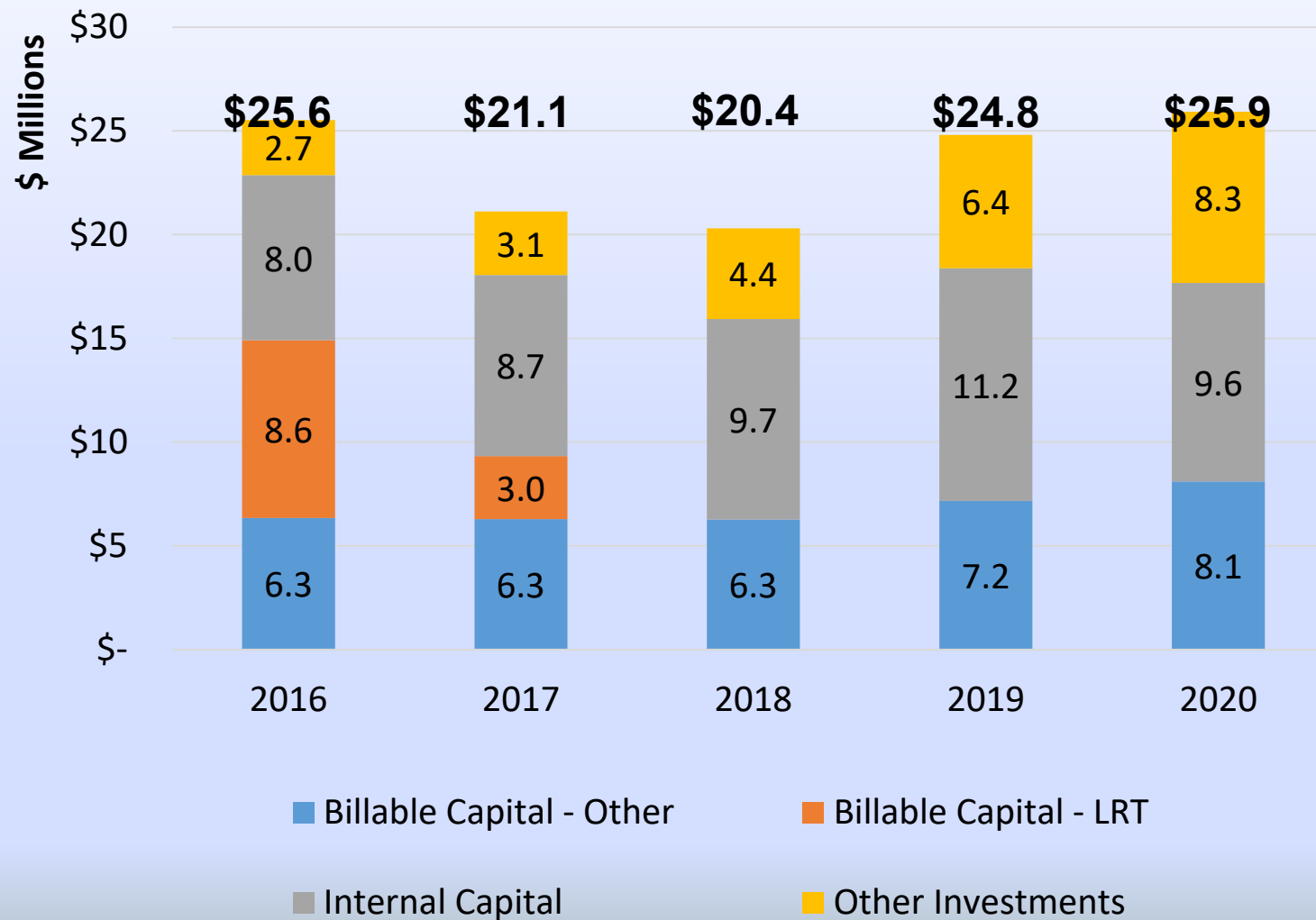
# Financial Performance

- Total Revenue = \$285.6M (\$250.0 in 2019)
- Distribution Revenue = \$43.3M (\$42.3M)
- Total Expenses = \$274.7M (\$239.3M)
- Operating Expenses = \$36.4M (\$36.4M)
- Net Income = \$11.0M (\$10.5M)

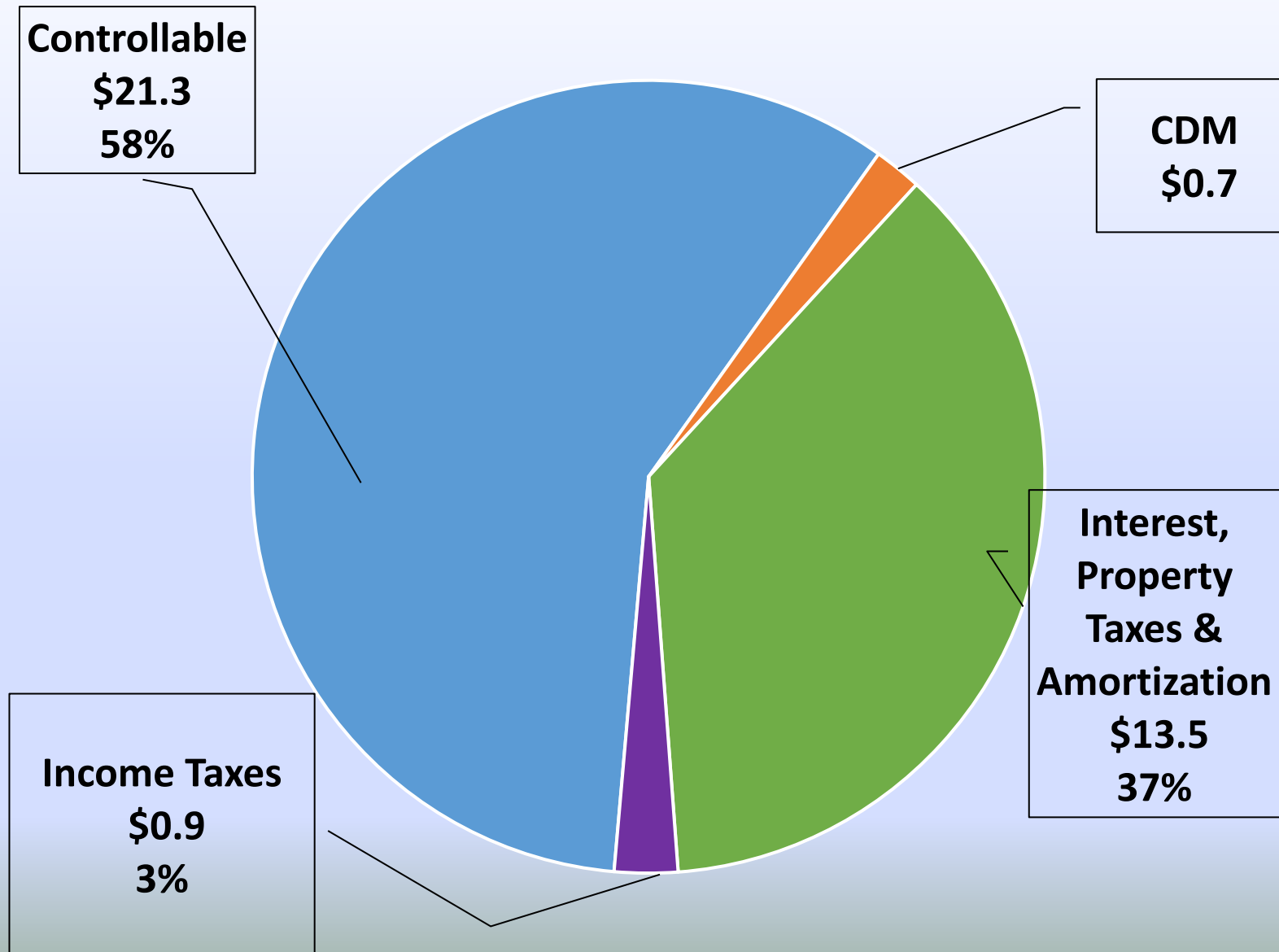
# Financial Impact of COVID-19

- Increase in OM & A Costs
  - Additional bad debts (\$500K increase)
  - New Covid Expenses (\$786K)
    - Transformer Station Monitoring
    - Safety Supplies
    - Vehicle Rentals
    - IT and System Changes
- Transitioned Office Staff to Work From Home and Field Staff to Work From Remote locations
- Managed Multiple Rate Changes, Time-Of-Use Optionality
- Administered COVID-19 Energy Assistance Programs for Residential and Small Business Customers

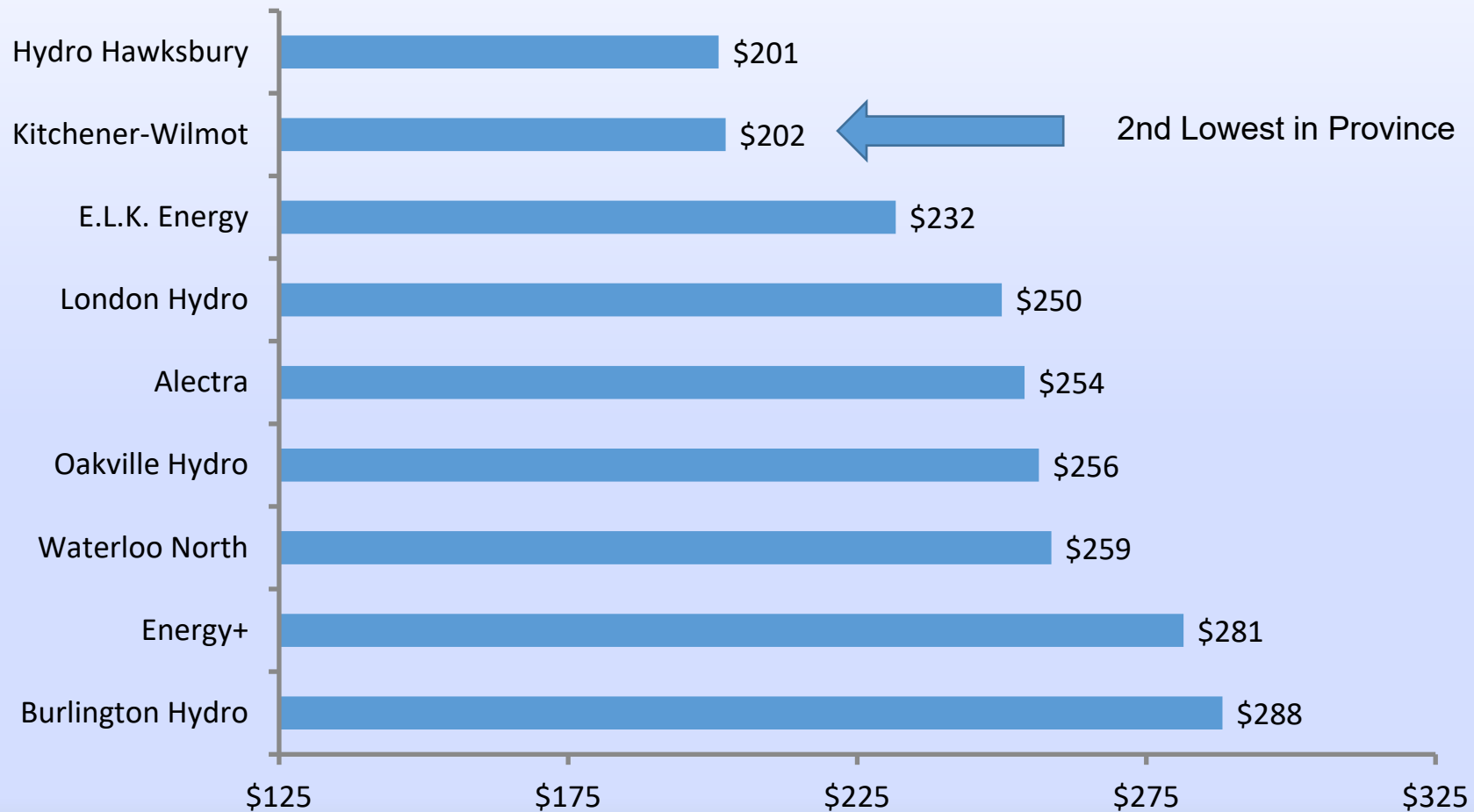
# Capital Investments



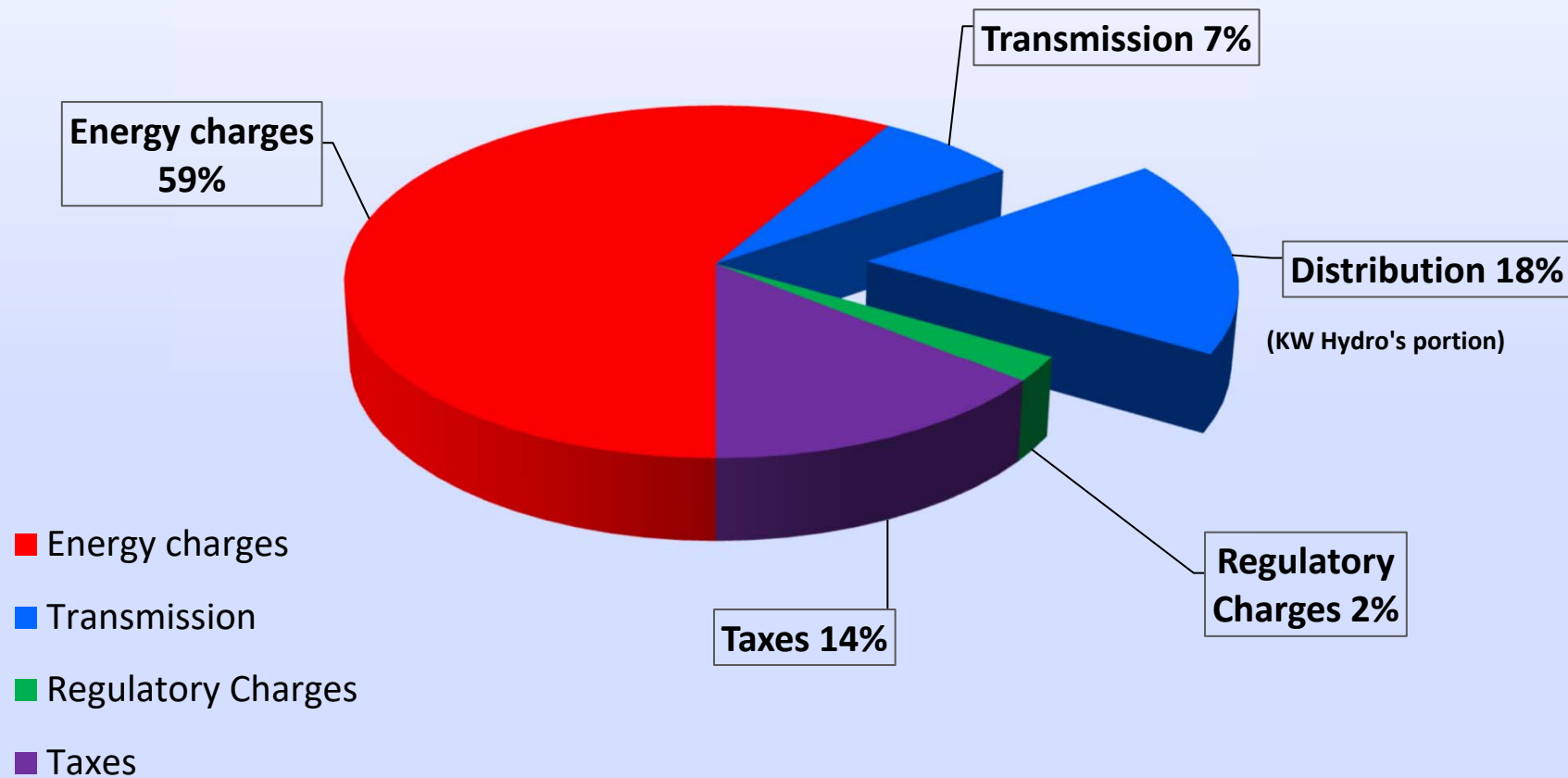
# Operating Expense (\$36.4M)



## 2019 Controllable Cost Per Customer Per Year (as published by OEB)



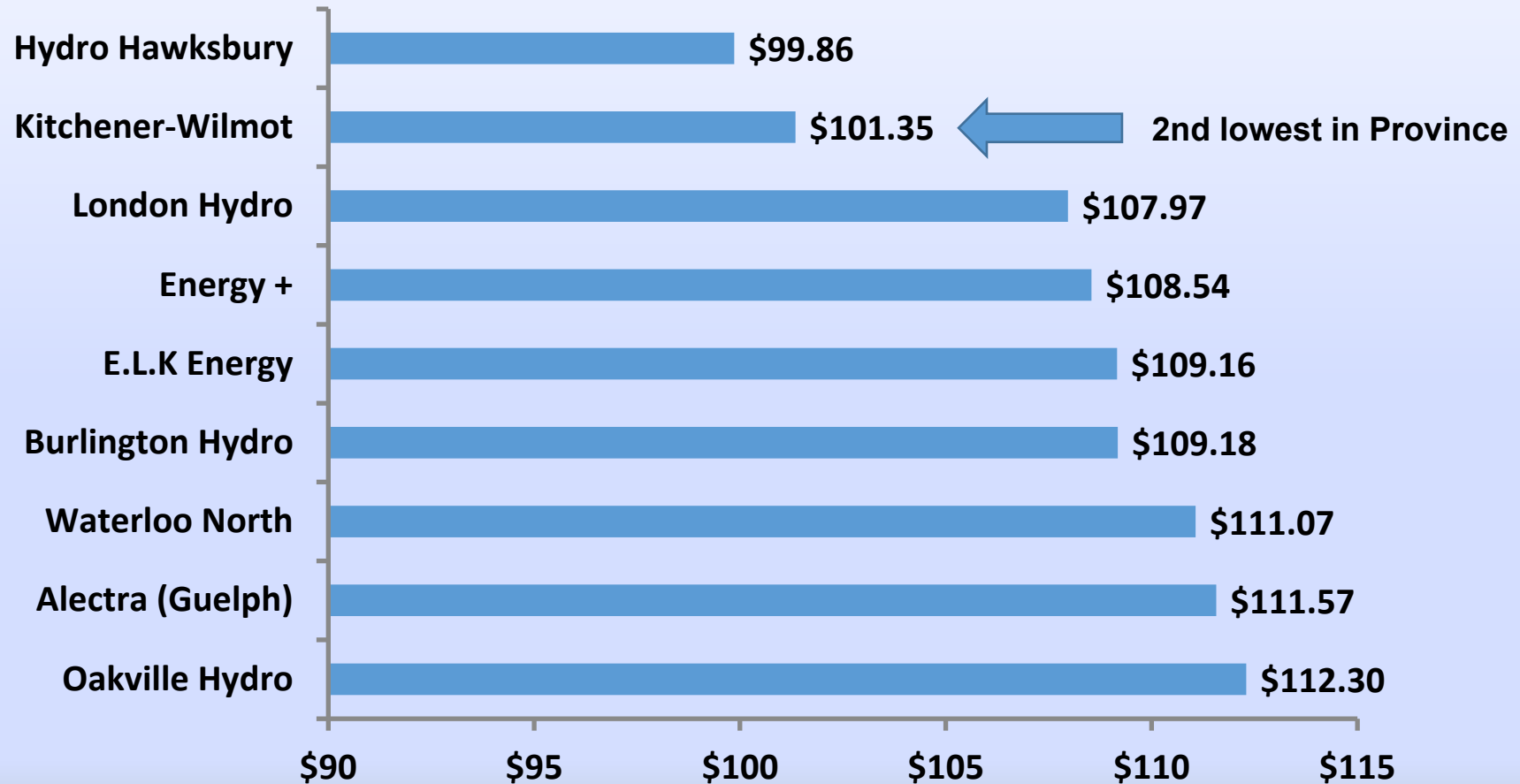
## Rates for 700 kWh Residential Customer Effective Jan. 1/21



**Total Bill \$101.35**

\*21.2% Ontario Electricity Rebate equals \$23.40 not included in the total bill

# Monthly Residential bill (700 kWh) as at Jan. 1, 2021



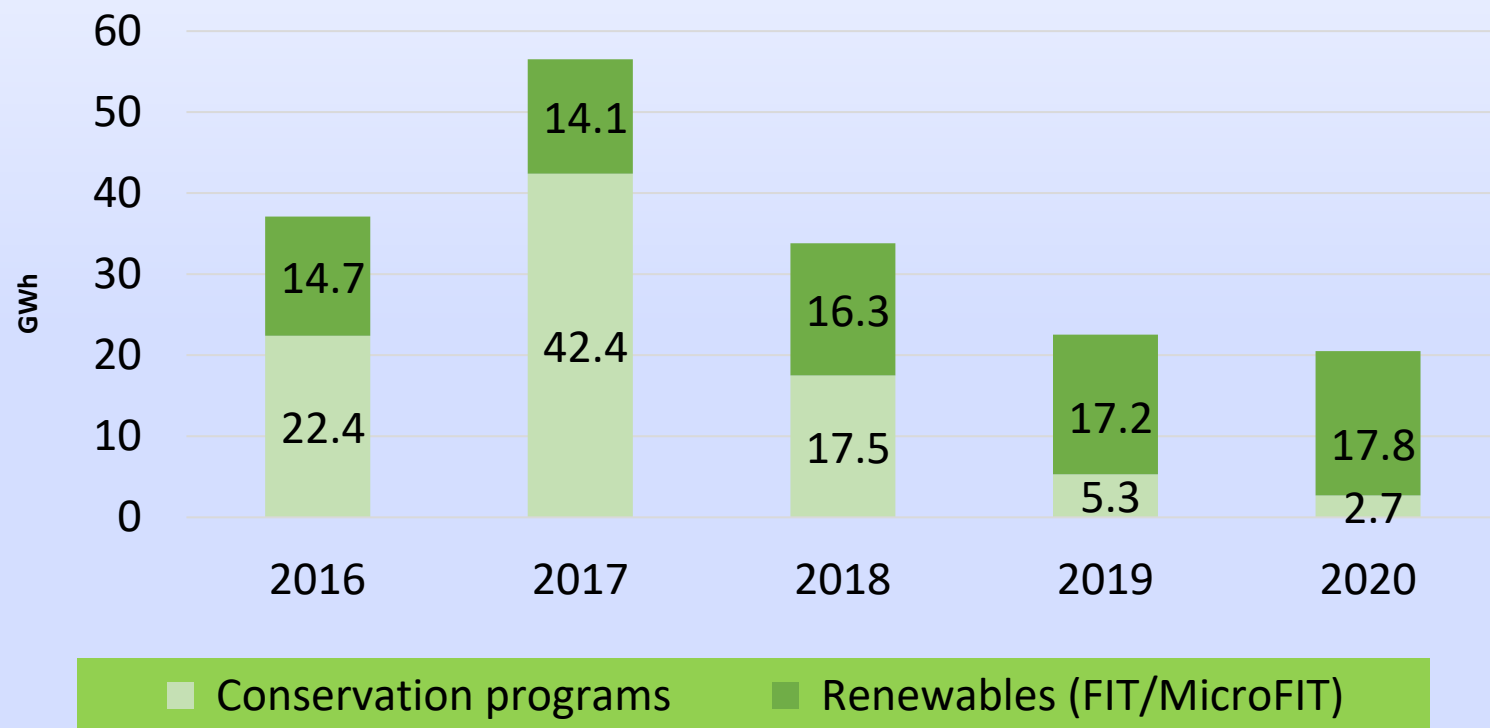
# Service Reliability Performance

Service Reliability Performance	Measurement	Provincial Average 2014 to 2019	2016	2017	2018	2019	2020
<b>SAIDI</b>	Average length of outage (minutes) for the system	<b>163.68</b>	<b>66.6</b>	<b>54.9</b>	<b>41.1</b>	<b>60.9</b>	<b>31.8</b>
<b>SAIFI</b>	Average number of interruptions per customer	<b>1.50</b>	<b>1.11</b>	<b>1.02</b>	<b>0.97</b>	<b>1.05</b>	<b>0.92</b>
<b>MAIFI</b>	Average number of momentary interruptions per customer	<b>N/A</b>	<b>2.40</b>	<b>3.22</b>	<b>2.70</b>	<b>2.35</b>	<b>1.90</b>

# Service Quality Performance

Customer Service Performance Indicator	Criteria	OEB	2018	2019	2020
		Min Std	%	%	%
Connection of new LV services	5 working days	90%	99%	99%	99%
Telephone accessibility	Within 30 secs	65%	92%	90%	88%
Appointment scheduling, including underground cable locates	5 working days	90%	91%	97%	95%
Emergency response - urban	Within 60 mins	80%	88%	91%	86%
Emergency response - rural	Within 120 mins	80%	100%	100%	100%

# Renewables & Energy Conservation



# GridSmartCity

## Collaboration is a key component of Kitchener-Wilmot Hydro's success

GridSmartCity is a cooperative of 15 medium size, municipally-owned, electricity distributors that share resources, insights and systems that help run smarter companies while advancing innovation, reliability and efficiency across Ontario's electricity grid.

GridSmartCity's electricity distributors manage approximately \$2.8 billion in assets, serving over 777,000 customers across more than 40 communities in Ontario stretching from Windsor to Niagara and Kingston.

Top 4 in Ontario by Customer Size



# Commitment to Safety

## Preparing for a Pandemic



New procedures issued and updated based on medical advice and ventilation improvements

14

Plexiglass Barriers at Customer Service Counters

4

Welding Curtains to Provide Barriers in Between Work Stations and Customers

54

Arc Flash Fire Resistant Washable Face Masks & Neck Tubes

1,100

KN95 Respirators

480

N95 Respirators

2,000

Surgical Masks

10,000

Washable Masks

1,450

Pairs of Latex Gloves

21,500

Surface Cleaner

120 L

Hand Sanitizer

700 L

- Office Staff – Work From Home
- Field Staff – Multiple Reporting Centers
- Ventilation Improvements
- Reallocate vehicles to travel alone to work sites

# Community Initiatives



- Kitchener-Wilmot Hydro was proud to support “Giving Tuesday” with donations to Food Bank, United Way and House of Friendship. In addition, our employees continued to support several other charities
- Provided sponsorship support to Centre-In-The-Square, Kitchener-Waterloo Symphony and two student awards at Conestoga College.
- Provided tree reforestation grants to the City of Kitchener and the Township of Wilmot (\$2.13M since 1990)

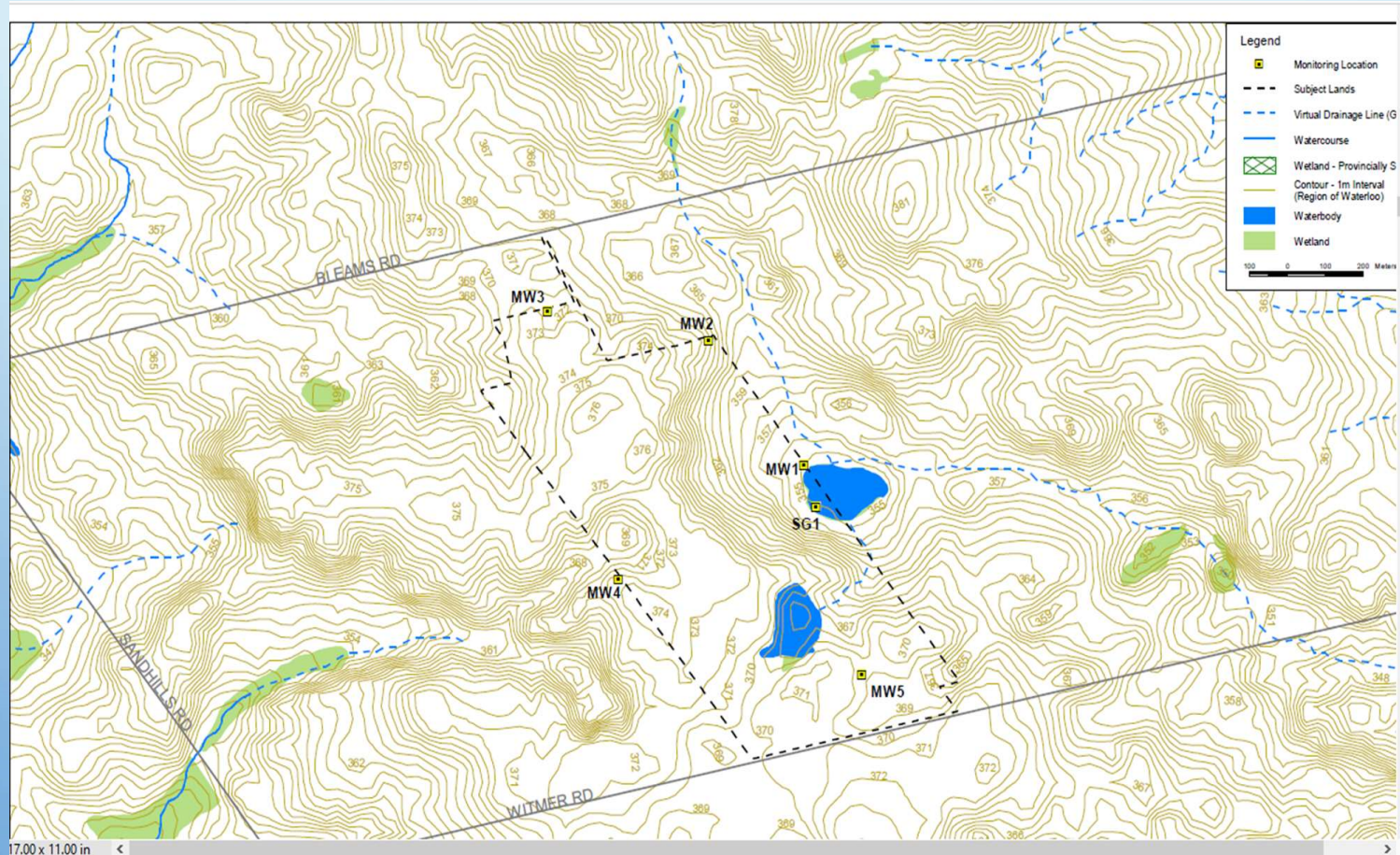
# Community Initiatives

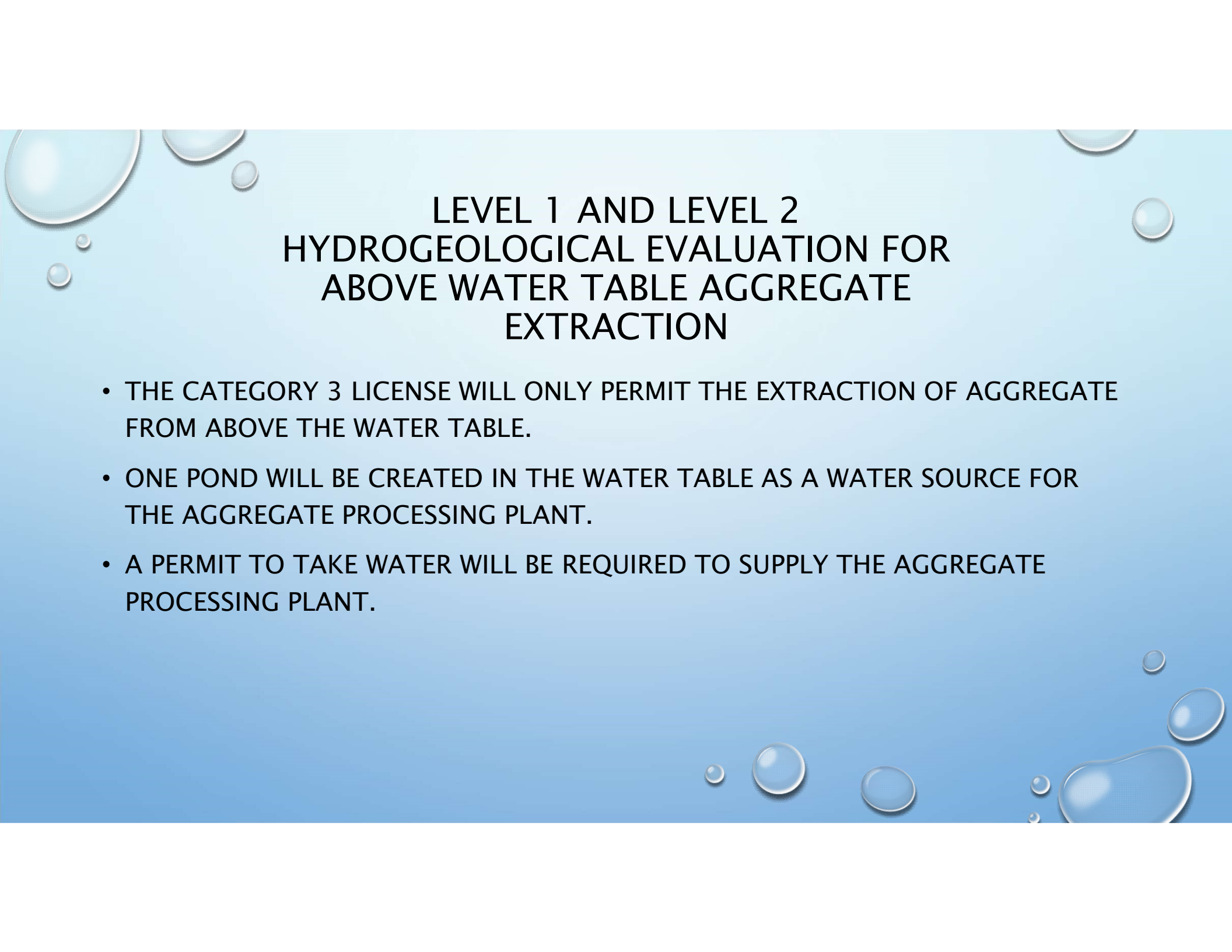


In April 2020, Kitchener-Wilmot Hydro proudly donated 1,000 N95 respirators to St. Mary's General Hospital in Kitchener.

# Thank You

# REVIEW OF HYDROGEOLOGICAL ASSESSMENT AND OPERATIONAL PLAN





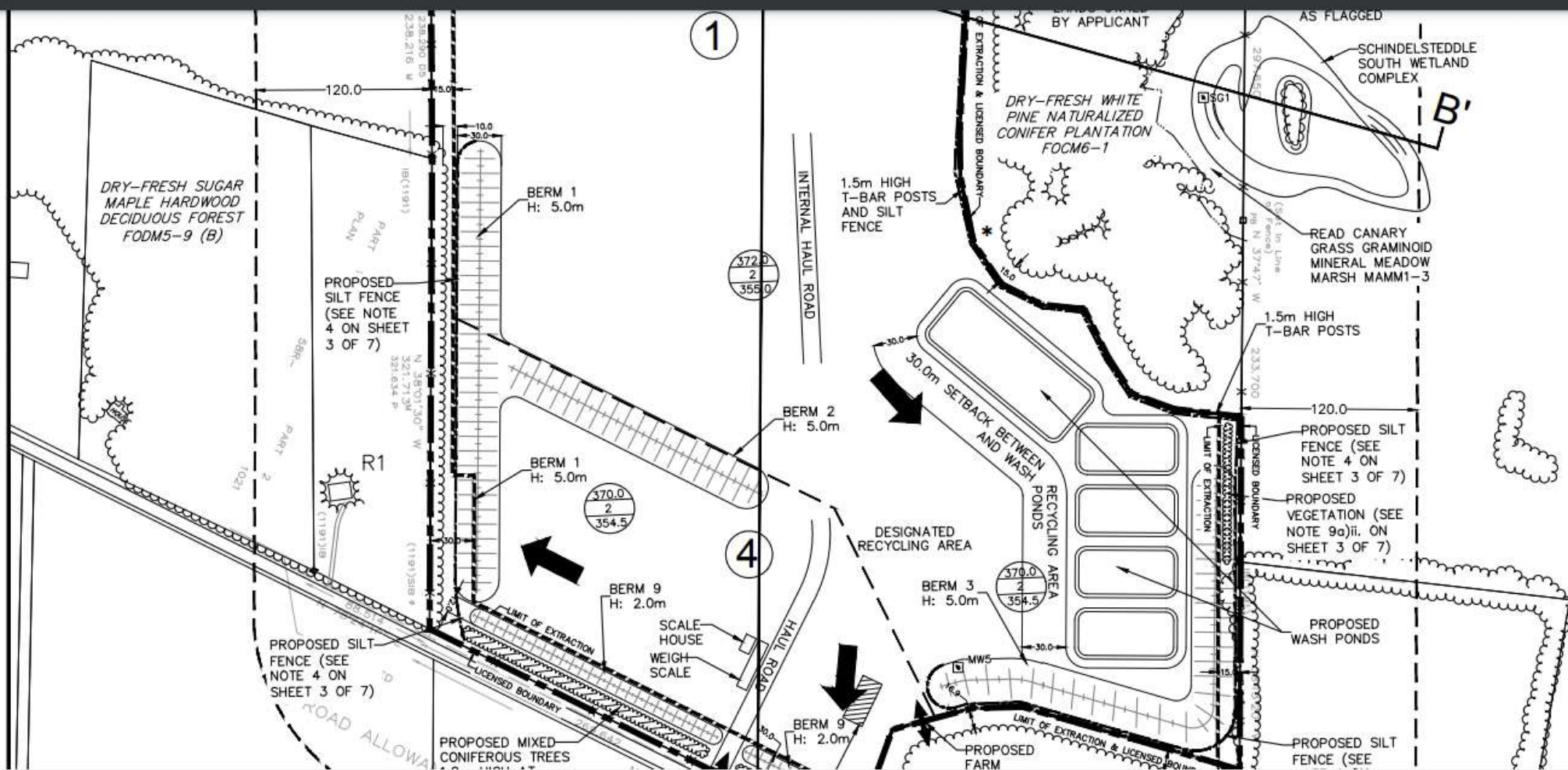
## LEVEL 1 AND LEVEL 2 HYDROGEOLOGICAL EVALUATION FOR ABOVE WATER TABLE AGGREGATE EXTRACTION

- THE CATEGORY 3 LICENSE WILL ONLY PERMIT THE EXTRACTION OF AGGREGATE FROM ABOVE THE WATER TABLE.
- ONE POND WILL BE CREATED IN THE WATER TABLE AS A WATER SOURCE FOR THE AGGREGATE PROCESSING PLANT.
- A PERMIT TO TAKE WATER WILL BE REQUIRED TO SUPPLY THE AGGREGATE PROCESSING PLANT.

# THE SITE PLAN SHEET 2, OPERATIONAL NOTES

- SECTION 18. AGGREGATE WASHING:

THE WASH PLANT WILL BE LOCATED WITHIN PHASE 1 WITH WATER DERIVED FROM THE WASH PONDS CONSTRUCTED INTO THE WATER TABLE; SUBJECT TO APPROVAL BY MECP, INCLUDING (IF NECESSARY) A PERMIT TO TAKE WATER.



**ENVIRONMENTAL SITE ASSESSMENT  
AND RECORD OF SITE CONDITION**  
(USED AS BACKGROUND INFORMATION IN THE HYDROLOGICAL STUDY)

- MAY 23 2017 PHASE ONE ENVIRONMENTAL SITE ASSESSMENT
- DONE FOR DUE DILIGENT FOR A REAL ESTATE TRANSACTION **AND NOT FOR A RECORD OF SITE CONDITION.**
- THE PHASE II ENVIRONMENTAL SITE ASSESSMENT PAGE 136; THE STATEMENT OF LIMITATIONS:

**IT SHOULD BE NOTED THAT THE OBSERVATIONS AND RECOMMENDATIONS PRESENTED IN THIS REPORT ARE LIMITED TO THE ACTUAL LOCATIONS EXPLORED.**

- THE SITE CONDITION RECORD FOR 1922 AND 1894 WITMER ROAD.
- TOTAL AREA OF RECORD OF SITE CONDITION PROPERTY (IN HECTARES) 66.15700
- CURRENT PROPERTY USE : **RESIDENTIAL**
- INTENDED PROPERTY USE: **INDUSTRIAL**

**LEGEND**

- Approximate Site Boundary
- APEC-1
- APEC-2



**CHUNG & VANDER DOELEN**  
ENGINEERING LTD.  
311 Victoria Street North  
Kitchener / Ontario / N2H 5E1  
519-742-8979

**SITE PLAN**

1894 &amp; 1922 WITMER ROAD

Date: MAY 2017

Scale: NTS

File No.: E17413

**LEGEND**

Test Pit Locations



Approximate Fill Area



**CHUNG & VANDER DOELEN**  
ENGINEERING LTD.  
311 Victoria Street North  
Kitchener / Ontario / N2H 5E1  
519-742-8979

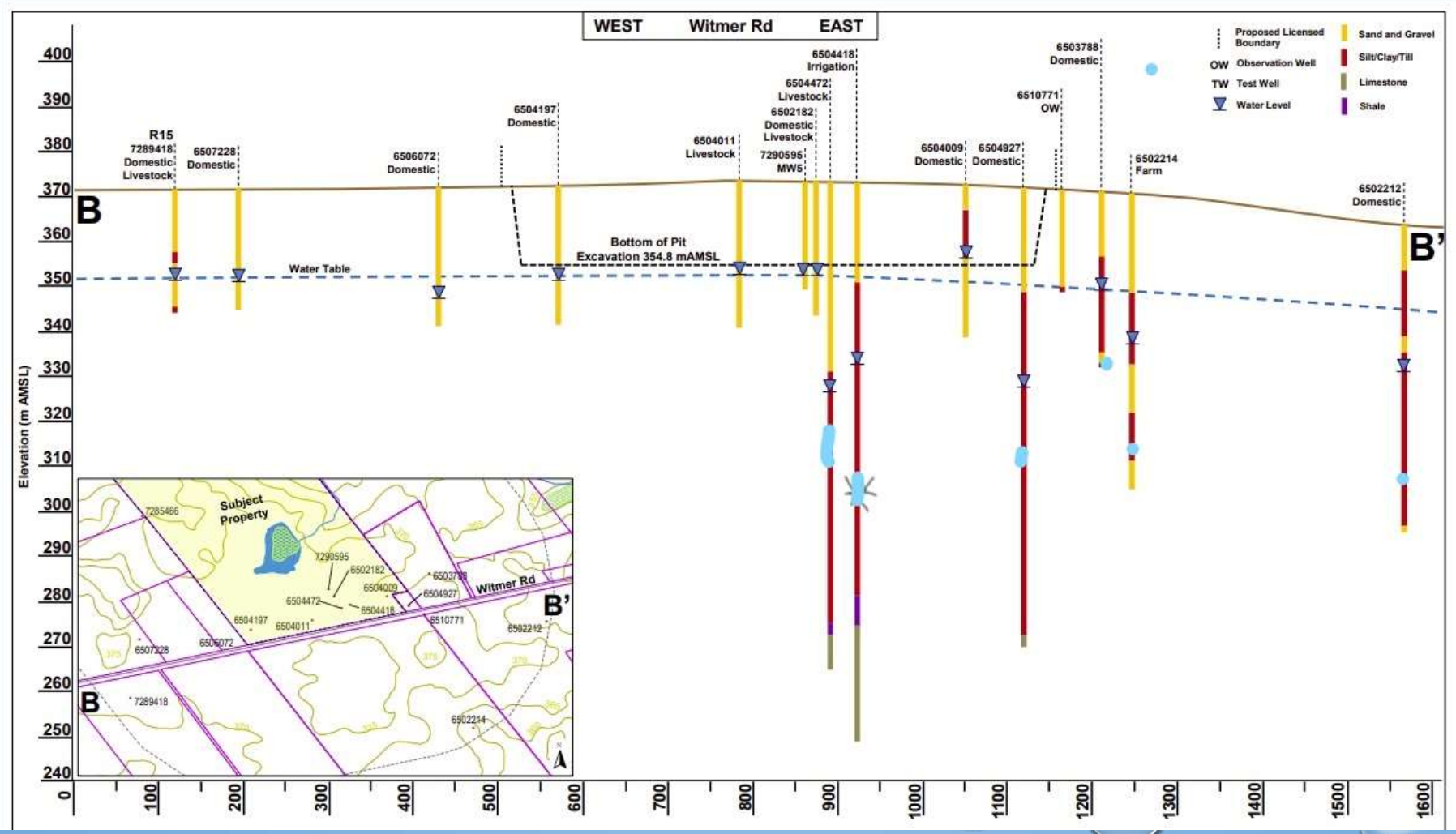
**SITE PLAN**1894 & 1922 WITMER ROAD  
PETERSBURG, ONTARIO

Date: MAY 2017

Scale: NTS

File No.: E17413





## WELLS DRILLED ON OR NEAR CATTLE YARD

6502182	<a href="#">PDF</a>   <a href="#">HTML</a>	N/A	N/A	3106	27.1	05/15/1963
---------	--	-----	-----	------	------	------------

Rated 18 GPM

6504011	<a href="#">PDF</a>   <a href="#">HTML</a>	N/A	N/A	3134	32.0	09/18/1973
---------	--	-----	-----	------	------	------------

Near biogas digester 30GPM

6504009	<a href="#">PDF</a>   <a href="#">HTML</a>	N/A	N/A	3134	32.3	10/03/1973
---------	--	-----	-----	------	------	------------

Domestic 8 GPM House 1843 in bush lot

6504197	<a href="#">PDF</a>   <a href="#">HTML</a>	N/A	N/A	3134	30.8	09/16/1974
---------	--	-----	-----	------	------	------------

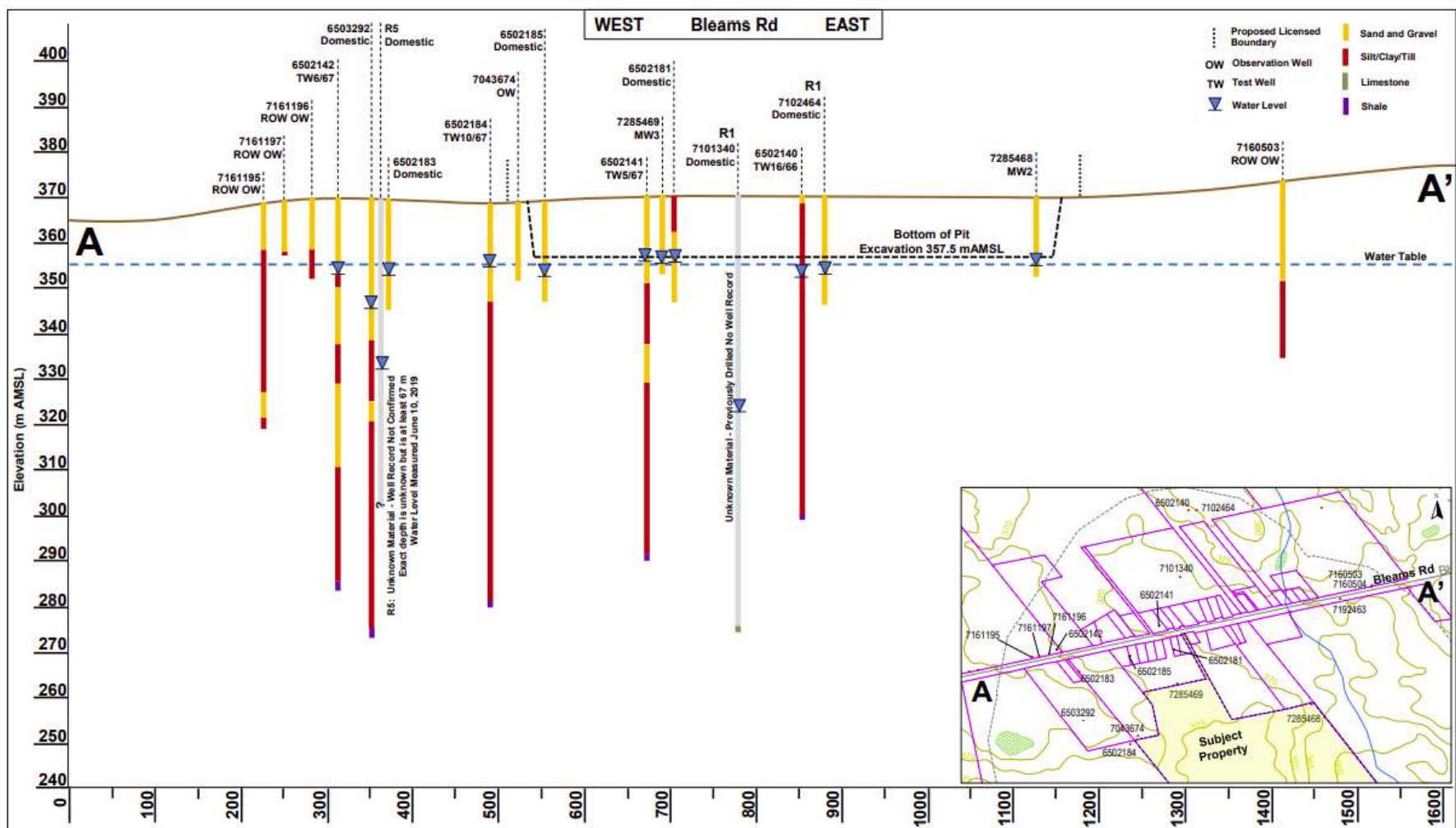
Center barns 8 GPM

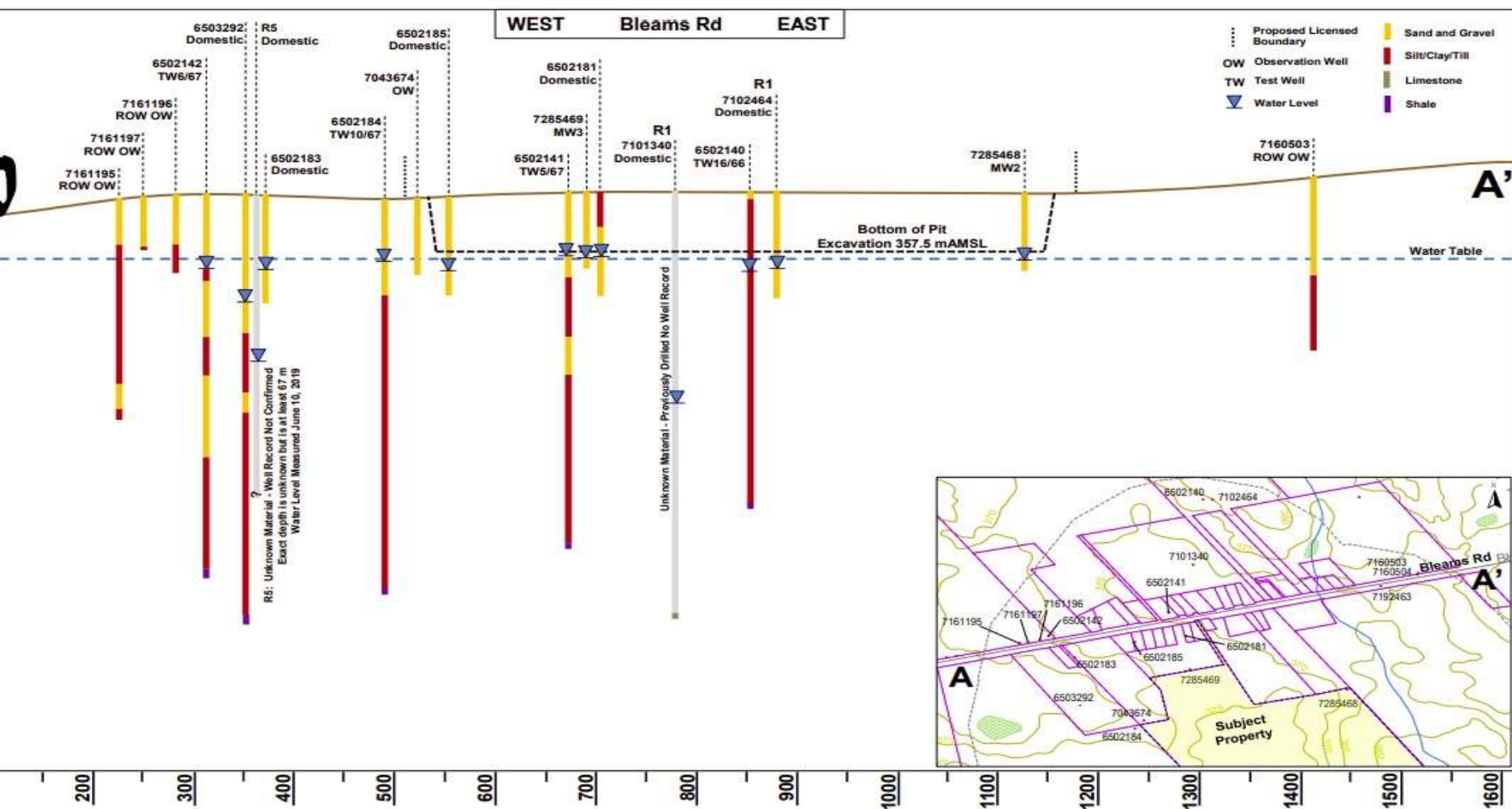
6504418	<a href="#">PDF</a>   <a href="#">HTML</a>	N/A	N/A	3134	121.9	02/21/1976
---------	--	-----	-----	------	-------	------------

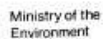
Irrigation well eastside of lane 600 GPM pump set at 70 m. Water quality: Mineral

6504472	<a href="#">PDF</a>   <a href="#">HTML</a>	N/A	N/A	3134	106.1	06/03/1976
---------	--	-----	-----	------	-------	------------

Water supply Livestock 60 GPM pump set at 60m







### The Ontario Water Resources Act

6504927

65004

1985

1442

1	
---	--



# 8

# WATER

## RWI

## ELL F

## RECC

RD

40 P/-



Ontario

A. PRINT ONLY IF SPACES PROVIDED  
B. CHECK ☒ CONNECT BOX WHERE APPLICABLE

COUNTY OR DISTRICT  
**Milton**

TOWNSHIP, BOROUGH, CITY, TOWN, VILLAGE  
**Milton**

CON. BLOCK TRACT, SUFFIX, ELEM.  
**South Of Bleams Road**

R. 2 Petersburg

DATE COMPLETED  
**18 July 79**

LOG OF OVERBURDEN AND BEDROCK MATERIALS (SEE INSTRUCTIONS)					
GENERAL COLOUR	MOST COMMON MATERIAL	OTHER MATERIALS	GENERAL DESCRIPTION	DEPTH FEET	
				FROM	TO
Brown	Sand		Loose	1	18
" "	Gravel	Clay	" "	18	78
" "	Clay	Stones	Hard	78	108
" "	Clay		" "	108	138
" "	Clay	Gravel	" "	138	166
Gray	Clay		" "	166	248
Brown	Clay	Stones	" "	248	330
" "	Limestone		" "	330	338

31	6666666666	6666666666	6666666666	6666666666	6666666666
32	6666666666	6666666666			

(41) WATER RECORD		(51) CASING & OPEN HOLE RECORD				SCREEN	
WATER FOUND AT FEET	KIND OF WATER	FRESH OR SALT	MATERIAL	WELL DEPTH FEET	DEPTH TO TOP OF SCREEN	MATERIAL AND TYPE	DEPTH TO TOP OF SCREEN
0336	<input checked="" type="checkbox"/> FRESH <input type="checkbox"/> SALT <input type="checkbox"/> SALT <input type="checkbox"/> MINERAL	05	<input checked="" type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE	244	I 0330		
10-30	<input type="checkbox"/> FRESH <input type="checkbox"/> SALT <input type="checkbox"/> SALT <input type="checkbox"/> MINERAL						
10-30	<input type="checkbox"/> FRESH <input type="checkbox"/> SALT <input type="checkbox"/> SALT <input type="checkbox"/> MINERAL		<input type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE				
10-30	<input type="checkbox"/> FRESH <input type="checkbox"/> SALT <input type="checkbox"/> SALT <input type="checkbox"/> MINERAL		<input type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE				
10-30	<input type="checkbox"/> FRESH <input type="checkbox"/> SALT <input type="checkbox"/> SALT <input type="checkbox"/> MINERAL		<input type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE				

(61) PLUGGING & SEALING RECORD			
DEPTH IN FEET	MATERIAL AND TYPE	DEPTH TO TOP OF SCREEN	DEPTH TO TOP OF SCREEN
10-30		10-30	
10-30		10-30	
10-30		10-30	

PUMPING TEST METHOD		PUMPING RATE		LOCATION OF PUMPING	
1 <input checked="" type="checkbox"/> PUMP	2 <input type="checkbox"/> BAUER	0012	CPW	05	00 15-18
STATIC LEVEL		WATER LEVEL DURING		COMPUTING	
15		3 <input type="checkbox"/> RECIPROCY		4	
148	152	152	152	152	152
PUMP INTAKE SET AT		WATER AT END OF TEST			
170		1		2	
RECOMMENDED PUMP TYPE		RECOMMENDED PUMP NO.		RECOMMENDED PUMP RATE	
170		0010			
LOCATION OF WELL		INDICATE NORTH BY ARROW			
Rams Road					

FINAL STATUS OF WELL	<input type="checkbox"/> OBSERVATION WELL	<input type="checkbox"/> ABANDONED - POOR QUALITY
	<input type="checkbox"/> TEST HOLE	<input type="checkbox"/> UNFINISHED
	<input type="checkbox"/> RECHARGE WELL	
WATER	<input checked="" type="checkbox"/> DOMESTIC	<input type="checkbox"/> COMMERCIAL
	<input type="checkbox"/> STOCK	<input type="checkbox"/> MUNICIPAL
	<input type="checkbox"/> IRRIGATION	<input type="checkbox"/> PUBLIC SUPPLY

**Table 1** Summary of the study design and participant characteristics



## The Ontario Water Resources Commission Act

16504472-1

MUNICIP.  
65004

BR S

[illegible][illegible]

WATER FOUND IN FEET	KIND OF WATER	INCHES OF CLAM INCHES	MATERIAL	WALL THICKNESS INCHES	DEPTH - FEET		SCORE	MATERIAL AND TYPE	DEPTH TO TOP OF SCREEN	A1-44
					FROM	TO				
323.4 348	1 FRESH 2 SALTY 3 SULPHUR 4 MINERAL	10-15	1 STEEL 2 GALVANIZED	12	244	I 0323				

15-18	<input type="checkbox"/> FRESH <input type="checkbox"/> SALTY	<input type="checkbox"/> SULPHUR <input type="checkbox"/> MINERAL	<input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE	20-23
20-23	<input type="checkbox"/> FRESH <input type="checkbox"/> SALTY	<input type="checkbox"/> SULPHUR <input type="checkbox"/> MINERAL	<input type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE	23-25
25-28	<input type="checkbox"/> FRESH <input type="checkbox"/> SALTY	<input type="checkbox"/> SULPHUR <input type="checkbox"/> MINERAL	<input type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE	27-30
30-33	<input type="checkbox"/> FRESH <input type="checkbox"/> SALTY	<input type="checkbox"/> SULPHUR <input type="checkbox"/> MINERAL	<input type="checkbox"/> STEEL <input type="checkbox"/> GALVANIZED <input type="checkbox"/> CONCRETE <input type="checkbox"/> OPEN HOLE	33-36

**61 PLUGGING & SEALING RECORD**

DEPTH SET AT - FEET		MATERIAL AND TYPE	CURRENT GROUT LEAK PAGER, ETC.
FROM	TO		
10-15	1417		
16-21	7226		
20-29	30-33	60	

[illegible]

FINAL STATUS OF WELL	1	WATER SUPPLY	5	ABANDONED, INSUFFICIENT SUPPLY
	2	OBSTRUCTION WELL	6	ABANDONED, POOR QUALITY
WATER USE	3	TEST HOLE	7	UNDESIRABLE
	4	RECHARGE WELL		
METHOD OF DRILLING	1	DOMESTIC	5	COMMERCIAL
	2	MINING	6	MUNICIPAL
	3	IRRIGATION	7	PUBLIC SUPPLY
	4	INDUSTRIAL	8	COOLING OR AIR CONDITIONING
		OTHER	9	NOT USED
	1	CABLE TOOL	<input type="checkbox"/>	BORING
	2	ROTARY (CONVENTIONAL)	<input type="checkbox"/>	DIAMOND
	3	ROTARY (REVERSE)	<input type="checkbox"/>	JETTING
	4	ROTARY (AIR)	<input type="checkbox"/>	DRIVING
	5	AIR PERCUSSION		

9 miles  
1 inch

DRILLER'S REMARKS

CONTRACTOR	NAME (OF WRIT) CONTRACTOR		LICENSE NUMBER		OFFICE USE ONLY	DATA	SA CONTRACTOR	SA-42 DATE RECEIVED	04-28
	C. A. Kerr Well Drilling		3134			DATE	1	3134	200776
	ADDRESS					DATE OF INSPECTION	June 17/77	REVIEW	ES
	Box 281 Baden								
CONTRACTOR	NAME OF CHILD OR BENEF		LICENSE NUMBER		OFFICE USE ONLY				
	Charles A. Kerr		3134						
	CREATED		SUBMISSION DATE						
	DATE 7 June 76					CNS-88			
DWRG-CORV									

## Monitoring wells and bore holes Jackson Harvest Farm

7285467	HTML	A222270	Z253880	7238	6.1	04/06/2017
---------	------	---------	---------	------	-----	------------

MW 1 edge of pond

7285468	HTML	A222269	Z253881	7238	15.2	04/07/2017
---------	------	---------	---------	------	------	------------

MW 2 eastern fence line towards Shingtown

7285469	HTML	A222272	Z253882	7238	18.3	04/10/2016
---------	------	---------	---------	------	------	------------

MW 3 near Shingtown

7285466	HTML	A222271	Z253883	7238	22.9	04/10/2017
---------	------	---------	---------	------	------	------------

MW 4 eastern fence line, central

7290595	HTML	A225897	Z253991	7238	19.8	07/04/2017
---------	------	---------	---------	------	------	------------

MW 5 farm yard / lane

Bore holes / Well records with little info

7359729	HTML	A289807	Z336628	7675	N/A	04/01/2020
---------	------	---------	---------	------	-----	------------

7359731	HTML	A289086	Z336627	7675	N/A	04/02/2020
---------	------	---------	---------	------	-----	------------

7359732	HTML	A289805	Z336626	7675	N/A	04/07/2020
---------	------	---------	---------	------	-----	------------

BH6 26m

7359733	HTML	A289804	Z336625	7675	N/A	04/20/2020
---------	------	---------	---------	------	-----	------------

7359734	HTML	A289803	Z336624	7675	N/A	04/22/2020
---------	------	---------	---------	------	-----	------------

BH 7D – 47 m North west property corner, no records

7359728	HTML	A289808	Z336629	7675	N/A	04/02/2020
---------	------	---------	---------	------	-----	------------

BH barn area east south

7359730	HTML	A289809	Z336630	7675	N/A	04/03/2020
---------	------	---------	---------	------	-----	------------

# WELLS EAST AND WEST OF PROPERTY

6504927	<a href="#">PDF</a>   HTML	N/A	N/A	3134	103.0	07/18/1979
---------	----------------------------	-----	-----	------	-------	------------

Next door neighbor 1874 domestic well east of farm entrance 12 GPM used to supply 1843

6503788	<a href="#">PDF</a>   HTML	N/A	N/A	5469	36.9	04/04/1973
---------	----------------------------	-----	-----	------	------	------------

First property east on Witmer



6506072	<a href="#">PDF</a>   HTML	N/A	NA	3518	30.5	10/21/1986
---------	----------------------------	-----	----	------	------	------------

First neighbor to the west on Witmer Rd . Rated 10GPM **Water not meeting ODWS**

7298020	<a href="#">PDF</a>   HTML	N/A	Z250092	6231	N/A	09/25/2017
---------	----------------------------	-----	---------	------	-----	------------

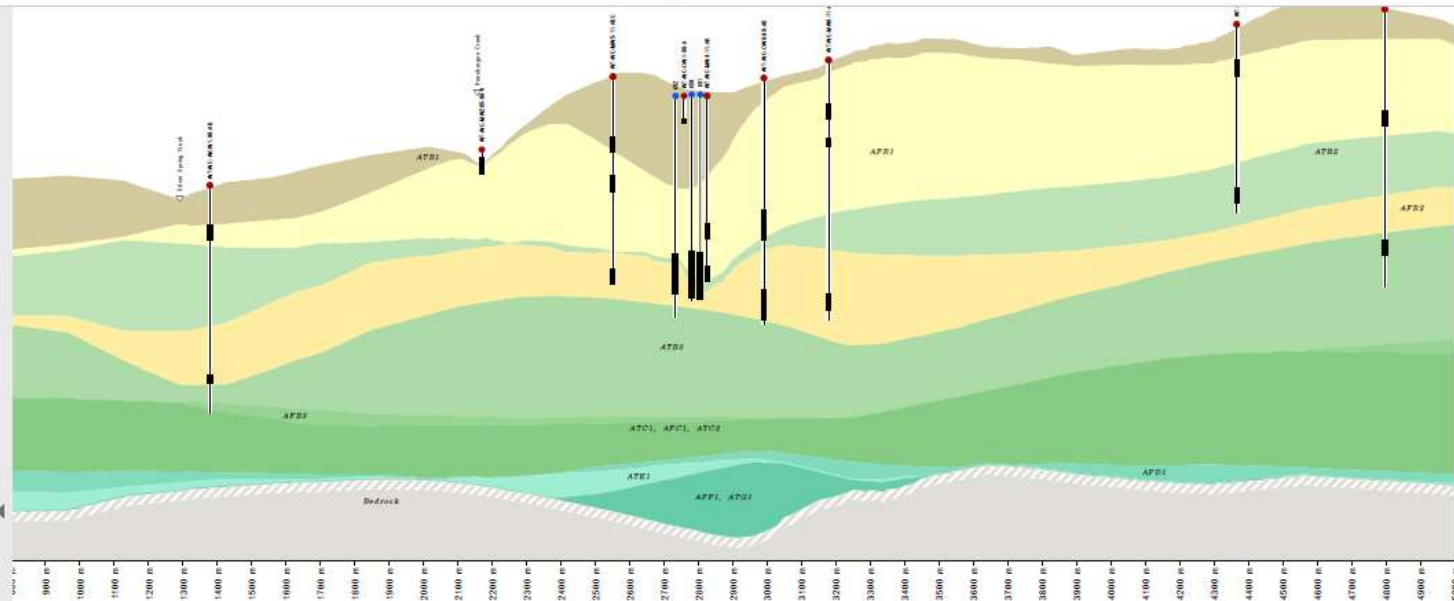
2215 Bleams closed

6502184	<a href="#">PDF</a>   HTML	N/A	N/A	2801	87.2	04/07/1967
---------	----------------------------	-----	-----	------	------	------------

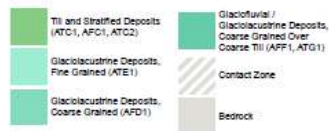
Regional monitoring well OW- 10 -67 (decommissioned in Dec 2018 )

**Table 8-6: Aquifers Applicable to Wellfields for ISI Mapping**

Wellfield	Production Wells	Screened Aquifer for ISI Mapping	Overlying Aquifer
<b>Waterloo Area Wellfields</b>			
Erb Street	W6A/W6C <sup>c</sup> , W6B, W7, W8	Middle Waterloo Moraine Sands (AFB2)	Upper Waterloo Moraine Sands (AFB1)
William Street	W1B, W1C, W2	Middle Waterloo Moraine Sands (AFB2)	Upper Waterloo Moraine Sands (AFB1)
Waterloo North	W5A, W25 (Laurel Tank)	Pre-Catfish Creek Aquifer (AFD1)	Lower Waterloo Moraine or Catfish Creek Till Outwash Aquifer (AFB3)
Waterloo North	W10 <sup>a</sup>	Upper Waterloo Moraine Sands (AFB1)	n/a
<b>Kitchener Area Wellfields</b>			
Strange Street	K10A, K11A, K13/K13A <sup>c</sup> , K18, K19	Middle Waterloo Moraine Sands (AFB2)	Upper Waterloo Moraine Sands (AFB1)
Mannheim ASR	ASR1, ASR2, ASR3, ASR4, RCW1, RCW2	Middle Waterloo Moraine Sands (AFB2)	Upper Waterloo Moraine Sands (AFB1)
Mannheim East	K21/K21A <sup>c</sup> , K25, K29	Middle Waterloo Moraine Sands (AFB2)	Upper Waterloo Moraine Sands (AFB1)
Mannheim West	K23, K24, K26	Upper Waterloo Moraine Sands (AFB1)	n/a
Mannheim Peaking	K91, K92, K93, K94	Middle Waterloo Moraine Sands (AFB2)	Upper Waterloo Moraine Sands (AFB1)
Greenbrook	K1A <sup>a</sup> , K2A <sup>a</sup> , K4B <sup>a</sup> /K4C <sup>a,c</sup> , K5A <sup>a</sup> , K8 <sup>a</sup>	Pre-Catfish Creek Aquifer (AFD1)	Lower Waterloo Moraine or Catfish Creek Till Outwash Aquifer (AFB3)
Parkway	K31, K32, K33	Pre-Catfish Creek Aquifer (AFD1)	Lower Waterloo Moraine or Catfish Creek Till Outwash Aquifer (AFB3)
Strasburg	K34, K36	Pre-Catfish Creek Aquifer (AFD1)	Lower Waterloo Moraine or Catfish Creek Till Outwash Aquifer (AFB3)
Pompeii	K72 <sup>b</sup> , K73 <sup>b</sup> , K74 <sup>b</sup> , K75 <sup>b</sup>	Pre-Catfish Creek Aquifer (AFD1)	n/a
Woolner	K80 <sup>a</sup> , K81 <sup>a</sup> , K82 <sup>a</sup>	Pre-Catfish Creek Aquifer (AFD1)	n/a
Wilmot Centre	K50, K51, K52	Upper Waterloo Moraine Sands (AFB1)	n/a
<b>Cambridge Area Wellfields</b>			
Fountain Street	P16, P18 (Maple Grove)	Pre-Catfish Creek Aquifer (AFD1)	Lower Waterloo Moraine or Catfish Creek Till Outwash Aquifer (AFB3)
Hespeler	H3, H3A, H4A, H5, H5A	Contact Zone	Middle Waterloo Moraine Sands (AFB2)



Monitoring Well

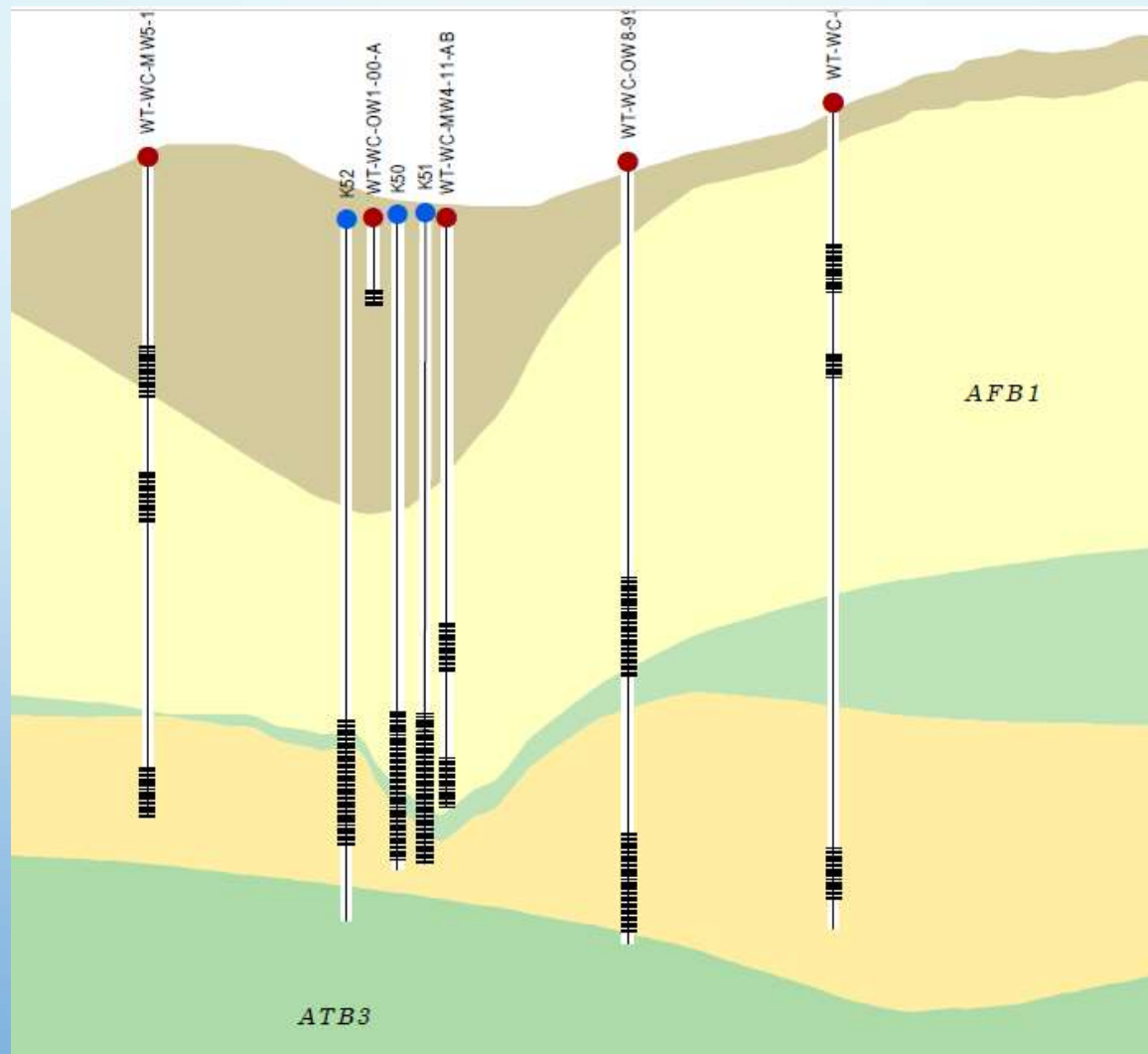


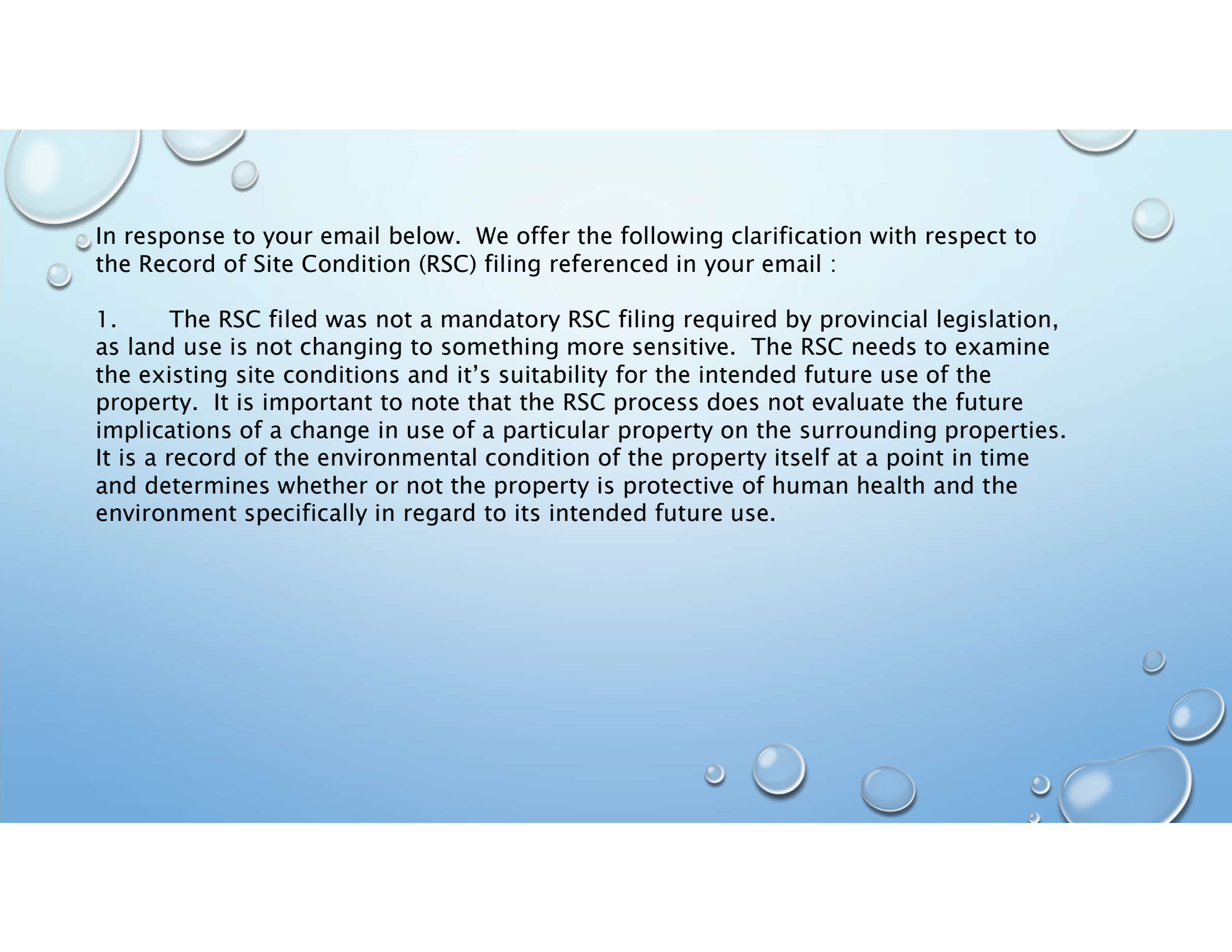
Client  
**REGION OF WATERLOO  
WILMOT CENTRE MONITORING  
PROGRAM**

Figure Title

**ANNUAL MONITORING REPORT  
CROSS SECTION A - A'**

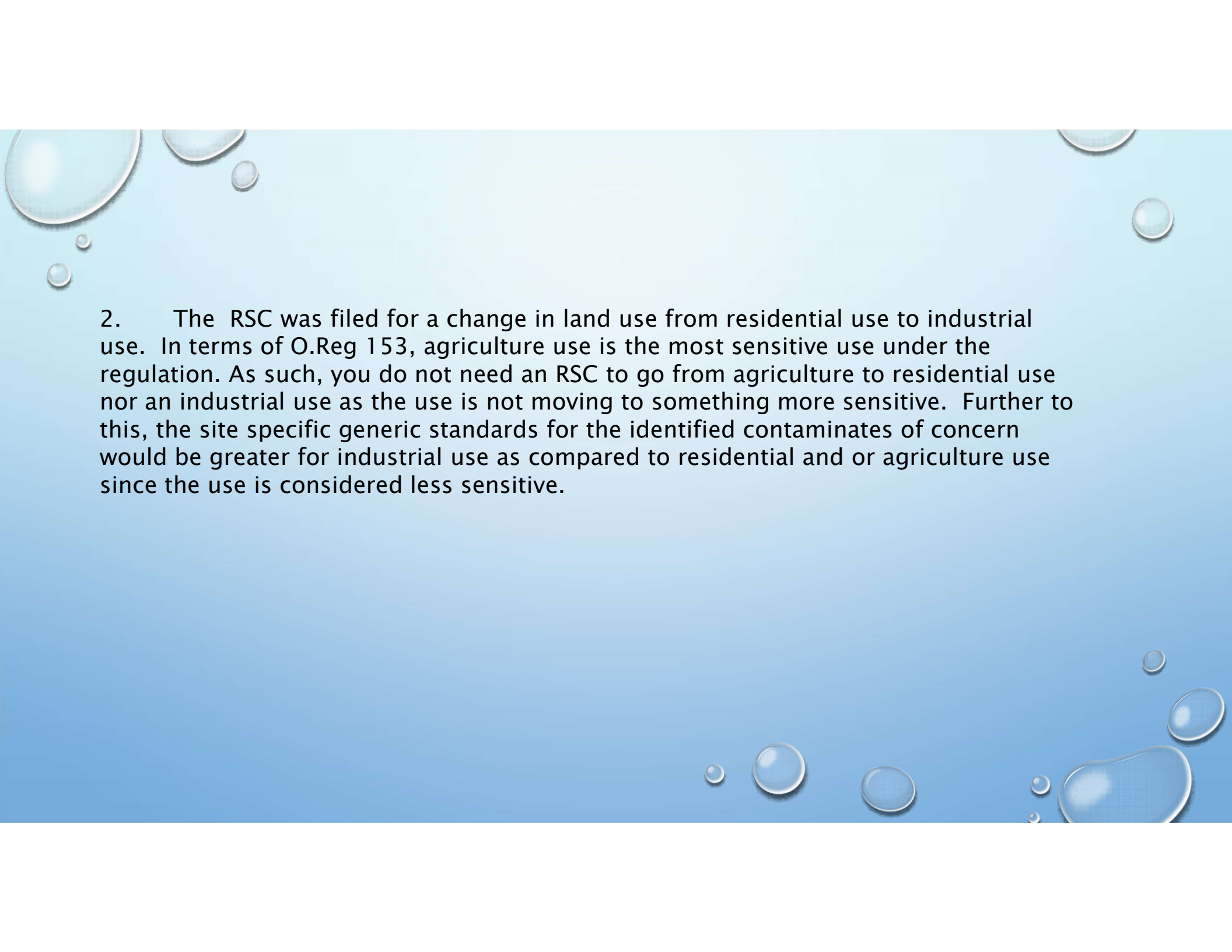
Drawn	Checked	Date	Figure No.
PS	DH	September 2020	6
Horizontal Scale 1:13,000		Project No.	
Vertical Ex.: 15x		HA046402	



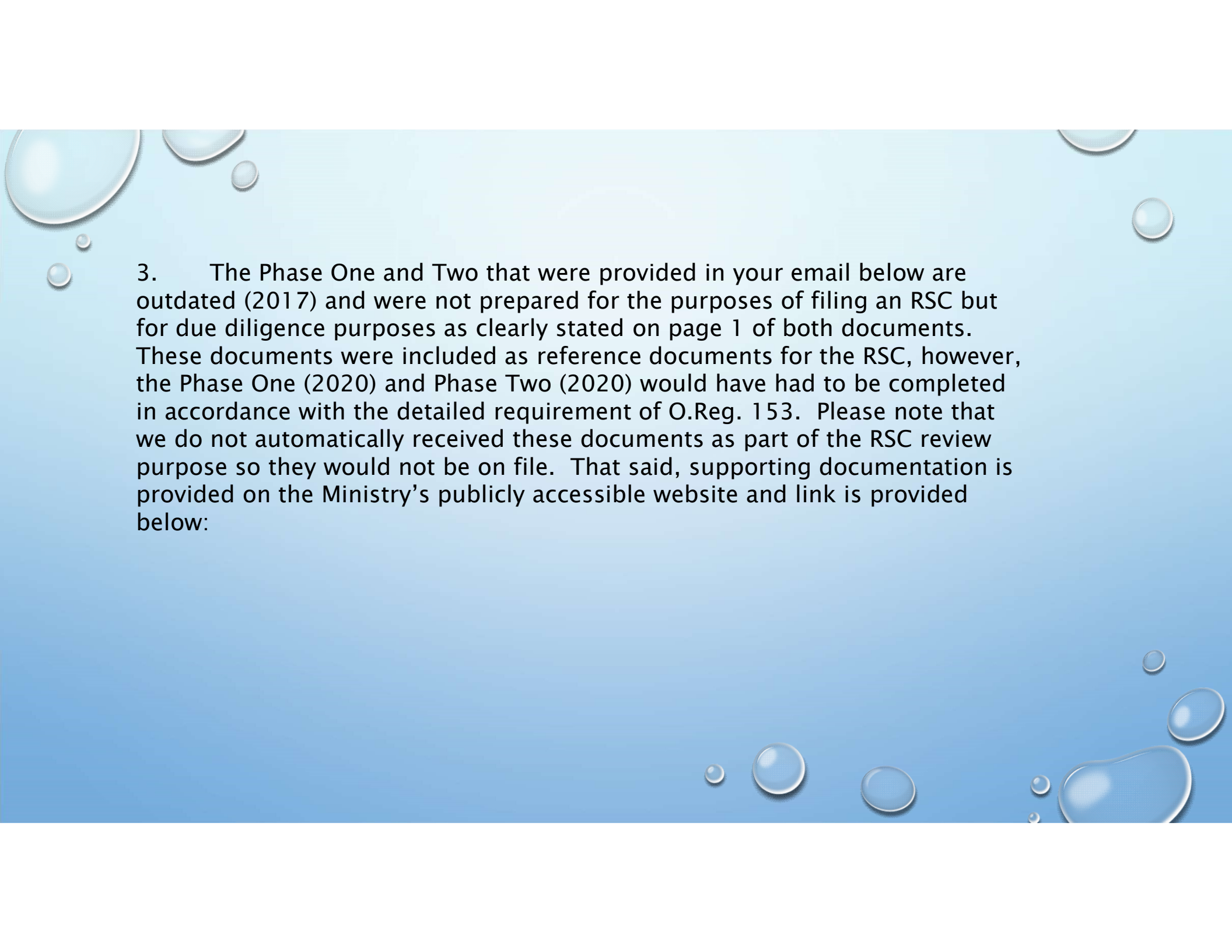


In response to your email below. We offer the following clarification with respect to the Record of Site Condition (RSC) filing referenced in your email :

1. The RSC filed was not a mandatory RSC filing required by provincial legislation, as land use is not changing to something more sensitive. The RSC needs to examine the existing site conditions and it's suitability for the intended future use of the property. It is important to note that the RSC process does not evaluate the future implications of a change in use of a particular property on the surrounding properties. It is a record of the environmental condition of the property itself at a point in time and determines whether or not the property is protective of human health and the environment specifically in regard to its intended future use.

The background of the slide is a light blue gradient. It is decorated with several realistic water droplets of various sizes, some with highlights and shadows, giving them a 3D appearance. The droplets are scattered across the slide, with a cluster in the top left, a few in the top right, and a larger group in the bottom right corner.

2. The RSC was filed for a change in land use from residential use to industrial use. In terms of O.Reg 153, agriculture use is the most sensitive use under the regulation. As such, you do not need an RSC to go from agriculture to residential use nor an industrial use as the use is not moving to something more sensitive. Further to this, the site specific generic standards for the identified contaminants of concern would be greater for industrial use as compared to residential and or agriculture use since the use is considered less sensitive.

The background of the slide is a light blue gradient, decorated with several realistic water droplets of varying sizes. Some droplets are in the top left corner, others are along the bottom edge, and a few are scattered on the right side. The droplets have highlights and shadows, giving them a three-dimensional appearance.

3. The Phase One and Two that were provided in your email below are outdated (2017) and were not prepared for the purposes of filing an RSC but for due diligence purposes as clearly stated on page 1 of both documents. These documents were included as reference documents for the RSC, however, the Phase One (2020) and Phase Two (2020) would have had to be completed in accordance with the detailed requirement of O.Reg. 153. Please note that we do not automatically received these documents as part of the RSC review purpose so they would not be on file. That said, supporting documentation is provided on the Ministry's publicly accessible website and link is provided below:

<https://www.lrcsde.lrc.gov.on.ca/BFISWebPublic/pub/viewDetail?submissionId=227095>

Of note:

- Past land uses (pre 1835) were considered as part of the Phase One and Phase Two up to it's most recent use (residential and farmland)
- All areas of potential environmental concern were investigated on the property as part of the Phase Two and as required by the regulation. These areas appear to be limited to the southern portion of the property as identified in the Phase Two Conceptual Site Model, which can be accessed using the link above.

I hope you find the information above clarifies the nature of the RSC filing.

Regards,

Dana Mohammed

Senior Environmental Officer

Ministry of the Environment, Conservation and Parks

Drinking Water and Environmental Compliance Division

Guelph District Office

Mobile Phone: 519.820.3083

Fax: 519.826.4286

### 2020 Nitrate Well K50

1/13/20	3.38 mg/L
4/08/20	3.00 mg/L
7/14/20	2.96 mg/L
10/13/20	2.87 mg/L

### 2020 Nitrate Well K51

1/13/20	<0.010 mg/L
4/08/20	<0.010 mg/L
7/14/20	<0.010 mg/L
10/13/20	<0.010 mg/L

## ANNUAL REPORT

Drinking-Water System Number: 260002707

Shingletown Water Supply System: Well K50

Drinking-Water System Owner: Region of Waterloo

Drinking-Water System Category: Large Municipal  
Residential

Period being reported: January 1 to December 31, 2020

### Shingletown Water Supply System: Well K51

Drinking-Water System Owner: Region of Waterloo

Drinking-Water System Category: Large Municipal  
Residential

Period being reported: January 1 to December 31, 2020

## **Presentation to Wilmot Council May 17, 2021**

Mayor Armstrong, Wilmot Councillors and staff, members of the public. My name is Dorothy Wilson and I am here this evening on behalf of the Nith Valley EcoBoosters, a local organization that is committed to achieving and supporting a long-term healthy environment in Wilmot and Wellesley Townships through education, action and collaboration. One action our group has decided to take is to support the Citizens for Safe Ground Water. We feel that the work that Citizens for Safe Ground Water is doing to oppose the proposed Hallman Pit directly aligns with the mandate of the Nith Valley EcoBoosters.

The focus of a number of presentations this evening is Water, Wetlands, Woodlots and Wildlife in relation to the proposed Hallman Pit. I would like to start off my presentation by talking about water. The Nith Valley EcoBoosters has a history of providing education to the public about how to protect and conserve water. In 2017 we developed a board game for this purpose, The Water Game. It has been used at the Living Well Festival and other community events, in schools, at presentations to community groups and to summer day camps run by the Wilmot Family Resource Centre. One key fact that players learn when playing the game is that most of our drinking water in Waterloo Region comes from ground water that is accessed by over 120 wells throughout the region. It makes sense to do everything possible to protect ground water. In fact, the Region of Waterloo has a Source Protection Plan that is intended to protect municipal wells from activities that could contaminate our drinking water. In addition, according to its website, the Township of Wilmot is committed to providing safe drinking water to its residents. Local citizens are encouraged to conserve water and adopt behaviours that protect water from contamination. It follows then, that our municipalities should not allow any activities that could jeopardize our water sources such as

permitting a gravel pit that is very close to municipal wells, as the proposed Hallman Pit would be.

Another fact that is introduced in our board game is that wetlands are important for a large number of reasons. Wetlands provide habitat for birds, fish and other wildlife; they filter pollutants from the water before it soaks into the ground; they store carbon which is important for mitigating climate change; and they help to control flooding. Many wetlands have been destroyed in order to have land for agricultural or development purposes. Things are rapidly changing though, as our planet is facing a far-reaching climate crisis. In some communities a new movement is growing where natural assets are given a monetary value. This results in town officials being responsible to maintain natural infrastructures just like they do with traditional brick and mortar assets. It also leads to nature-based solutions when considering how to deal with climate change. The International Union for the Conservation of Nature launched a set of global standards for nature-based solutions last year that could sequester a significant amount of carbon. Wilmot Council must join other communities in recognizing the value of natural areas in their jurisdictions. The Nith Valley EcoBoosters group urges Wilmot Council to take into consideration not only the health, but also the value of the wetlands that would possibly be adversely affected by proposed the Hallman Pit.

In 2020 the Nith Valley EcoBoosters began a collaboration with the Wilmot Horticultural Society and Rotary Wilmot, called Let's Tree Wilmot. Its mission is to increase the tree canopy cover in rural and urban areas of Wilmot. Trees do matter. They provide oxygen; absorb carbon; cool the environment; capture, store and filter rain water; provide habitat for insects, birds and other wildlife, among other things. Trees are very valuable and need to be protected. More trees need to be planted. Trees are vital for the long-term environmental health of our community, the country and, indeed, the entire planet. If

the proposed Hallman Pit is allowed to proceed, the trees in the woodlot, on the property in question, would be threatened. For the reasons stated above, those trees need protecting.

I have mentioned how wetlands and trees provide habitat for wildlife. Why should we care about the wildlife? For many of us with birdfeeders, we know how much pleasure we can derive from watching different birds visit our backyards. But more importantly, according to the Canadian Wildlife Federation, wildlife plays a vital role in the ecological and biological processes that are essential to life. The health of the environment is dependent on interactions among plants, animals and microorganisms. Some of the biological processes in which wildlife play a key role are pollinization, seed dispersal, soil generation, habitat maintenance and pest control. If you want to see a great example of the beneficial effects of wildlife, check out the video about the reintroduction of wolves into Yellowstone National Park. Also, I'm sure you are familiar with recent concern about declining bee populations that is linked to certain pesticides. Consider what I said earlier about the value of natural assets. Wildlife habitat is another important natural asset that needs protection for our health and the health of the planet. Wildlife habitat could certainly be compromised if the proposed Hallman Pit is approved.

In March of 2020, the Nith Valley EcoBoosters wrote a letter to the Township of Wilmot outlining our concerns about the proposed Hallman Pit. In that letter we stated that approving the development of the aggregate operation was in direct conflict with the Climate Emergency that had recently been declared by the township. Our opinion has not changed. All decisions that the township council make related to the management of Wilmot need to be guided by the fact that a Climate Emergency has been declared. Water, wetlands, woodlots and wildlife are all natural assets that must be protected. The Nith Valley EcoBoosters urges the Wilmot Council to prevent the

construction of the proposed Hallman Pit for the sake of a long-term healthy environment in our community.

Thank you for the opportunity to speak this evening.

## **Linda Laepple: Hydrogeological review May 17 2021 Presentation**

Title: Slide 1

Wilmot is a caring community. We care local and we care globally. A good number of Wilmot citizens have been over the years with volunteer organizations to Africa, to help drill wells so women don't have to walk for hours carrying water. We are aware how privileged we are to turn the tap and clean safe water comes out, any time of the day. We are also aware of the struggles of local provincial and federal government departments in Canada to put an end to water boil advisory's and to clean up after corporations contaminated the ground water and left. We don't want to be added one day to this list. Elmira is enough.

Offices face paper, reports prepared by stakeholders. But we the community, incl staff and council, we will face reality for many years to come.

The Ministry approving the application is going by the checkpoints marked off in the application. Now, if there are only half of the facts presented in the Hallman pit application, that need to be considered in this unique case, it's not the Ministry's role to research if paper actually matches reality.

A good example the second wetland shown on most maps of the subject lands, that came and went. It wasn't shown in areal maps prior 1950 and since 3 years it is part of the row crop field again. Yet it served for many years as a manure lagoon, settling pond and extreme high levels of potassium in one of the soil tests of that area should have been red flags to the experts.

### **Slide 2**

#### **The Hydrological study reads:**

- The Category 3 license will only permit the extraction of aggregate from above the water table.
- One pond will be created in the water table as a water source for the aggregate processing plant.
- A permit to take water will be required to supply the aggregate processing plant.

### **Slide 3**

#### **Operational plan notes read:**

The Site plan sheet 2, operational notes read:

Section 18. Aggregate Washing: The wash plant (which is a machine by the way) will be located within Phase 1 with water derived from the wash ponds constructed into the water table; subject to approval by MECP, including (if necessary) a Permit to Take Water.

While all papers promises to keep a minimum of 1,5 meters above the water table one study talks about 1 pond into the water table as a water source and a water permit needed. Another planning paper clearly describes the intention to start operating wash ponds, no mention how many, into the water table right from the start or seek a permit to go into the water table once general approval is given.

#### Slide 4

Map of Operational plan

19. Aggregate Recycling: The Licensee **is permitted** to import concrete and asphalt for recycling and resale and/or blending purposes.

Recycling shall occur within the 'Recycling Area' as noted on Sheet 2 of 7.

To support the impression everything was done to remove any hazards from the site, an environmental assessment was done and a record of site condition filed.

#### Slide 5

##### Environmental site assessment and Record of site condition

May 23 2017 Phase one environmental site assessment

The assessment done for due diligent for a real estate transaction and not for a Record of Site condition.

The Phase II Environmental site assessment Page 136 of the Statement of limitations:

**It should be noted that the observations and recommendations presented in this report are limited to the actual locations explored.**

#### Slide 6

##### Areas of environmental concerns investigated

The environmental assessment used as back ground information for all studies is in reality valid only for these exact locations. The blue green and yellow where oil and air condition fluid stained soil and in ground fuel tanks were found and removed. These locations where used by the previous owner for private vehicle maintenance, the covered area by the silo where oil drums and stained concrete was removed for sure was not a farm equipment most likely not by the farming operation farm equipment maintenance.

The location chosen by the trees was to meet a requirement of investigating 30 meters from a waterbody. But there isn't any, yet.

#### Slide 7

##### Operational plan with irrigation well location

The red dots by the trees mark the test pits where construction waste were found and other litter. And now we see the waterbody. The planned wash pond in the water table, to supply the wash plant.

Waterloo Region Report / Burnside report describes the Shingltown / Witzels pond as the exposed Aquifer 1.

The blue dot marks the irrigation well, the location and condition or plans for future use **not mentioned in any reports same as another half dozen well on the property.** The well is so

deep it affects aquifer one and 2 passing thru an aquitard the consultants had calculated a 500 year travel time.

Since this well is located right under the proposed asphalt recycling area and we know storm water from our roads is contaminated, this opening could affect 2 aquifers.

On the other hand this well was used to mix manure and if the water is untested and used for aggregate washing, potentially contaminated water could be brought up from a lower aquifer and released into the upper aquifer many people depend on.

### **Slide 8**

#### **Witmer road well cross section**

These are the wells found on and near the cattle yard including said irrigation well. Listed in the report but not investigated.

The blue area the recommended pump setting at the time of drilling.

### **Slide 9**

#### **Well records on cattle Yard**

Note the dates and depths as they kept running out of water.

### **Slide 10**

#### **Bleams Rd Wells**

These are Regional test wells and private wells along Bleams Road . Left out are the Regional production wells.

### **Slide 11 Bleams Rd**

#### **wells incl K50 -51**

This is the screen setting of the Wells K50 and 51. In reality intake screens start just 22 meters under the water table.

### **Slide12 Deep well records**

These deep well record for old deep wells were used to establish the theory of a 500 year travel zone aquitard along with the bore hole and test well drilling information.

### **Slide 13 Monitoring wells and bore holes 1 to 5**

These records are from the wells drilled prior to purchase and are fairly shallow

### **Slide 14 Bore holes no records**

The Region had asked for additional wells. They are also listed in the public well records website but no information in regards of depth or type of soils encountered.

### **Slide 15**

**Wells east and west on Witmer Road** referenced in the study.

### **Slide 16**

#### **Aquifers applicable to Wellfields**

This is from a recent Regional Report confirming were the wells draw the water from.

### **Slide 17**

#### **Same report Wellnest cross section**

### **Slide18**

Close up cross section. We, farming next to the Reginal wells have always had a close eye over the years on nitrate levels. Oddly enough the 2 wells only 10 or 15 meters apart, drawing water from the same depth measured very different nitrate levels. K50 up to 8 and K51a more constant 2. This tells us the water comes from 2 different directions to the wells.

The fact that pump tests at the wells influenced the water table as far as Hallman lake in the west and test wells on Sandhills near Witmer support the concept of an interconnected underground lake that needs to be protected from any spills or intentional deposited wash water.

Reality is the hydraulic system of one piece of heavy equipment holds 500 to 600l of oil. It takes a few liters to spill till its noticed and then the 15 liter buckets in the emergency kit at the scale house need to safe us.

( In case time is short)

Go to last slide.

But I have some good news to celebrate;

#### **Slide 20 Nitrate levels in K50 and 51 continually reduced over the past years.**

Farmers in the intake area near the Shingltown wellfield must have done something right over the last 10 or 15 years as for the very first time for all of 2020 the Nitrate in K 51 showed zero.

So please look at facts and reality and not just boxes ticked off in applications.

#### **Slide 19 to 21 Ministry's responds to the Record of Site condition that misleadingdescribes rezoning from residential to industrial, not agriculture to aggregate.**

In response to your email below. We offer the following clarification with respect to the Record of Site Condition (RSC) filing referenced in your email :

1. The RSC filed was not a mandatory RSC filing required by provincial legislation, as land use is not changing to something more sensitive. The RSC needs to examine the existing site conditions and its suitability for the intended future use of the property. It is important to note that the RSC process does not evaluate the future implications of a change in use of a particular property on the surrounding properties. It is a record of the environmental condition of the property itself at a point in time and determines whether or not the property is protective of human health and the environment specifically in regard to its intended future use.

The RSC was filed for a change in land use from residential use to industrial use. In terms of O.Reg 153, agriculture use is the most sensitive use under the regulation. As such, you do not need an RSC to go from agriculture to residential use nor an industrial use as the use is not moving to something more sensitive. Further to this, the site specific generic standards for the identified contaminants of concern would be greater for industrial use as compared to residential and or agriculture use since the use is considered less sensitive.

The Phase One and Two that were provided in your email below are outdated (2017) and were not prepared for the purposes of filing an RSC but for due diligence purposes as clearly stated on page 1 of both documents. These documents were included as reference documents for the RSC, however, the Phase One (2020) and Phase Two (2020) would have had to be completed in accordance with the detailed requirement of O.Reg. 153. Please note that we do not automatically receive these documents as part of the RSC review purpose so they would not be on file. That said, supporting documentation is provided on the Ministry's publicly accessible website and link is provided below:

<https://www.lrcsde.lrc.gov.on.ca/BFISWebPublic/pub/viewDetail?submissionId=227095>

Of note:

- Past land uses (pre 1835) were considered as part of the Phase One and Phase Two up to its most recent use (residential and farmland)
- All areas of potential environmental concern were investigated on the property as part of the Phase Two and as required by the regulation. These areas appear to be limited to the southern portion of the property as identified in the Phase Two Conceptual Site Model, which can be accessed using the link above.

I hope you find the information above clarifies the nature of the RSC filing.

Regards,

Dana Mohammed

Senior Environmental Officer

Ministry of the Environment, Conservation and Parks

Drinking Water and Environmental Compliance Division

Guelph District Office

Mobile Phone: 519.820.3083

Fax: 519.826.4286

## May 17 Wilmot Township Delegation: Preservation and Recreation

Thank you for giving me time to speak tonight. My name is Christina Harnack and I live in Shingletown on Bleams Road.

As we heard tonight, Wilmot Council reads a Land Acknowledgement statement at the beginning of each meeting.

In a video post by Lindsay Brant, from the Centre for Teaching at Queen's University, she speaks to the importance of authentic and [Meaningful Land Acknowledgements](#). The first time I heard Wilmot's Land Acknowledgment is when hundreds of concerned citizens gathered in person at Wilmot council to present our concerns about the proposed Jackson Harvest Farm Gravel Pit.

I was struck by several parallels the land acknowledgement has with the concerns we are presenting in regards to our health, safety, community and environment. I want to re-read this for you tonight. Here is the **Land Acknowledgement** from your website:

*We have gathered in Wilmot Township on the traditional territory of the Neutral, Anishnaabeg (u-nish-a-nah-bey) Haudenosaunee (ho-din-a-son-ni) and Mississauga peoples.*

*We also want to acknowledge the importance of The Dish with One Spoon Covenant - a peace agreement made between Indigenous nations before the Europeans arrived. It characterizes our collective responsibility to each other and Mother Earth - **we should take only what we need, leave enough for others and keep the dish clean.***

*By acknowledging this covenant and the First Nations, Métis and Inuit peoples, we are reminded of our important connection to this land where we live, learn and work together as a community.*

As a non Indigenous person, I have a lot of work to do to better understand the importance of Land Acknowledgements and issues facing Indigenous members of our communities and harm done in the past. It is not my intention to use this Land Acknowledgment for my benefit, but I do want to genuinely ask, how do you, as members of Council and as Mayor, let this land acknowledgement guide and direct your decision making? What impact does this Land Acknowledgement have on your responsibility to each other and each member of the community? How does the statement, **“we should take only what we need, leave enough for others and keep the dish clean ”** inform your decisions in matters of land and re-zoning in Wilmot region? What stakeholders do you consult? Whose interests are you promoting and protecting? As Lindsay Brant references, land acknowledgments are not a check-box nor should they be lip service at the beginning of meetings.

Something that has been clearly presented by several delegations and Citizens for Safe Ground Water is that the need for aggregate is not something that a proposed gravel pit is required to demonstrate to the Ministry. You have the ability to still have some control in this process and in protecting this land and community by not granting this zone change application.

In the case of the proposed Hallman Pit, I want to respectfully ask, in making this zone changing decision, are the values of our community being represented here or are the values and hopes of the developer being prioritised? We all have a role to play in protecting our environment and our community. As councillors and Mayor, you have been elected and entrusted by us to make decisions and provide directions based on the needs and voices of the community. Over the last few years, you have heard clear opposition to the Hallman Pit from hundreds of people who live in the area through formal delegations, letters, e-mails, signed petitions, and conversations in regards to environmental concerns, protections of water, wildlife and wetlands but also for safety and well-being, from both a mental health and physical health perspective.

In speaking with a neighbour the other night, they reminded me that people in this neighbourhood have varied experiences and history with this area, some going back generations as far as their parents and grandparents. Some have enjoyed the area with their children visiting the natural habitat, and wooded area on the proposed property. Some still visit regularly and have seen coyotes, nesting ducks, muskrat dens, owls, deer, and currently fox. In presentations, those representing Jackson Harvest Farms and Mr. Esbaugh have said that the wetlands, in itself, will be untouched and preserved. That may be true. But it would be naive to not acknowledge that in reality, when the surrounding area is disturbed to the proposed extent – the safe habitat for wildlife provided by the pond, wooded area and wetlands WILL be destroyed. This is very upsetting, and quite a crime that an already overdeveloped and locally available commodity, takes precedence over protecting this natural habitat.

We and our neighbours continue to be concerned regarding the watershed issues. There are still different opinions and conflicting reports about what the risk is to destroying the water source and it would be a disaster if water had to be piped back to Shingletown from Kitchener and the strain this places on Kitchener's groundwater. Not to be forgotten is the reality that whatever the promises made and regulations in place there is literally no enforcement by the province. As a council, by allowing this rezoning, are you really comfortable with this risk? Does this project seek to take only what is needed and leave safe drinking water for all?

It is clear that Wilmot Council values the physical health and well-being of our community. My family and I have truly enjoyed the new additions of trails and the efforts of the Wilmot Trails Advisory Committee. In the recent Wilmot Employment Lands Press Release, connecting communities through new recreational trails is one of the features highlighted to entice new Wilmot residents. Through these 58 kilometers of existing trails you have connected communities, provided a well needed and critical way for people to connect with each other and with nature, especially during the time of this pandemic. With mental health crises on the rise and numerous studies, including reports from the World Health Organisation and Sick Kids, indicating that depression and anxiety are on the rise, especially in the midst of a pandemic, getting outside is more important than ever.

One does not need to look far for research that supports getting outside in nature as a significant way for people to improve their mental health; nature is healing and restorative. With the beautiful spring weather, people are taking advantage of the trails and the green spaces in our communities. Living on Bleams Road, the cyclists are also taking full advantage and a very used cycling route includes Witmer road and surrounding concessions. The WHO provides detailed resources about how to manage stress as well as mental health resources for the public. There are countless documents they provide about the benefits of being active in one's community, both through physical activity and by being connected to other people in improving mental health. In one of their documents #healthyathome, they state that:

“Regular physical activity can help give our days a routine and be a way to stay in contact with family and friends. It’s also good for our mental health - reducing the risk of depression, cognitive decline and delay the onset of dementia - and improve overall feelings”. -WHO <https://www.who.int/news-room/campaigns/connecting-the-world-to-combat-coronavirus/healthyathome/healthyathome--physical-activity>

In our community in Shingletown, getting out and being active in our community includes being able to walk out of our homes along our property lines, being able to walk safely down to the Laepple Organic Farm, walking dogs, running or cycling along the road, and walking to crown land. Many have benefitted from the generosity of neighbours who share their laneways to walk or wetlands to explore. Being able to do this safely without driving to another community to do so is vital to our mental & physical health and well-being. Increased noise, dust, and most importantly volume of gravel truck traffic will negatively affect our ability to be active in our community.

Finally, please consider the cultural heritage surrounding the community in Shingletown. When we first moved here it was interesting to learn that the name derived from parcels of land divided and seemingly looking like roofing shingles overlapping, different from long linear property divisions. People's land was not always necessarily connected as they owned different "shingles" of land. Generations of farmers and people have lived and formed the community of Shingletown and the surrounding rolling hills, wildlife, woodlots, and wetlands are a part of that. The Hallman Pit would change all of that.

It is of note that The Region of Waterloo, in collaboration with the Heritage Resources Centre of the University of Waterloo and the Township of Wilmot, is undertaking a study of Cultural Heritage Landscapes in the townships of Wilmot and North Dumfries. Identifying and conserving cultural heritage resources, including landscapes or larger areas that retain cultural heritage value, is an important part of planning for and managing change in our communities. I am glad this study is taking place as making changes to zoning, community development, and environment has an impact not only on our future communities but on the heritage of our communities as well.

Please be courageous when you make a decision for this re-zoning proposal. Please remember the many people who have voiced their concerns and please make this decision with the values of our community at heart and not for the goals and projects of an individual developer.

Thank you for your time this evening.

Christina Harnack  
Shingletown, Wilmot



## CORPORATE SERVICES

### *Staff Report*

---

REPORT NO: COR 2021-021

TO: Council

SUBMITTED BY: Patrick Kelly CPA, CMA, Director of Corporate Services / Treasurer

PREPARED BY: Patrick Kelly CPA, CMA, Director of Corporate Services / Treasurer

REVIEWED BY: Sandy Jackson, Interim CAO

DATE: May 31, 2021

SUBJECT: Development Charges Update Study

---

#### RECOMMENDATION:

THAT Report COR 2021-021, as prepared by the Director of Corporate Services / Treasurer, regarding the Development Charges Background Study Update, be received for information purposes.

#### SUMMARY:

Pursuant to section 12 of the Development Charges Act, 1997, as amended, a public meeting is being held to present and obtain public input on the municipality's proposed development charges (D.C.) by-law update and underlying background study.

This meeting is a mandatory requirement under the Development Charges Act, 1997, as amended (D.C.A.)

#### BACKGROUND:

As approved by Council, the current Development Charges By-Law (No. 2019-42), came into effect on August 31, 2019.

Since that time, significant growth-related studies have been updated. The Strategic Plan, Fire Master Plan, and Ice Needs Study, as well as in-depth analysis of underground infrastructure

needs necessitated an update to the existing DC Background Study and By-Law, to capture new growth-related infrastructure costs.

In addition, recent amendments to the D.C.A. made through the More Homes, More Choice Act, and the COVID-19 Economic Recovery Act, have changed the D.C. recoverable costs, with the removal of the 10% Statutory Deduction.

### REPORT:

Over the past several months, Watson and Associates Ltd. has worked, in collaboration with staff, to complete the requisite update of the DC background study. Through these meetings, the anticipated capital needs to service growth projections were adjusted, and calculations were completed by Watson to establish D.C. rates required to meet funding obligations.

In addition to the economic forecasting and rates analysis, Watson also worked with Corporate Service and Development Services to review various policy components of the proposed D.C. By-Law. The majority of policies from By-Law 2019-42 remain unchanged; however, some notable changes have been made as a result of the legislative changes noted earlier.

- Rental housing and institutional developments will pay D.C.s in 6 equal annual payments, commencing from the date of occupancy.
- Non-profit housing will pay D.C.s in 21 equal annual payments, commencing from the date of occupancy.
- D.C. for developments proceeding through Site Plan or Zoning By-law Amendment will be determined based on the charges in effect on the day the application is made

Council previously endorsed the Governance Policy on D.C. Deferral payments and Interest Rates, under Report COR 2020-034, whereby D.C. Interest will be based on the current Bank of Canada Prime Rate plus two (2) percent. This interest rate is to be fixed throughout the duration of the installment payments, and no interest will apply for applications received for non-profit housing developments.

The next stage in this legislated process is the hosting of a public meeting, whereby all interested parties were invited to attend this Public Meeting of Council, and any person who attends the meeting may make representations relating to the proposed D.C. by-law and background study.

In order that sufficient information was made available to the public, the background study was published online at the municipality's website as of April 30, 2021. As of the completion of this report, zero submissions were submitted regarding this Background Study.

Andrew Grunda of Watson will be present at the public meeting to provide an overview of the 2021 D.C. Background Study, and respond to inquiries from Council on this study, the proposed by-law and impacts of the recent legislation.

**ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

This report is aligned with the goal of Economic Prosperity, through the action of Smart Growth. The specific underlying strategies included:

- Seek opportunities to optimize existing infrastructure, including opportunities to improve, consolidate or enhance through growth;
- Ensure sustainable and protected infrastructure through growth periods; and
- Ensure that infrastructure growth needs are supported and coordinated through general operations and capital planning.

**FINANCIAL CONSIDERATIONS:**

Funding for this study was provided through the 2020 capital budget, with the development charges study reserve fund covering the majority of the consulting fees, and the balance funded from general levy.

The total D.C. Eligible Costs encompassed within this study total approximately \$42.8M, with remaining capital infrastructure costs funded through grant funding and other internal municipal resources (i.e. Capital Levy, Reserve Funds). The total development charge for a single-family dwelling would be adjusted to \$23,146 upon formal approval of the updated by-law.

**ATTACHMENTS:**

APPENDIX 1 – Development Charges Update Study – Public Meeting Presentation



# Township of Wilmot 2021 Development Charges Update Study

---

Public Meeting  
May 31, 2021



# Introduction

## Public Meeting Purpose

- This meeting is a mandatory requirement under the *Development Charges Act, 1997*, as amended (D.C.A.)
- Prior to Council's consideration of a by-law, a background study must be prepared and available to the public a minimum of 2 weeks prior to a public meeting and provided on the municipality's website 60 days prior to by-law passage
- Purpose of the public meeting is to provide an overview of the proposed amendment and to receive public input on the matter

# D.C. Update Study and By-law Amendment



- Development Charges (D.C.) Update Study prepared to amend the Township's 2019 D.C. Background Study and By-law 2019-42
- Purpose of the proposed D.C. by-law amendment is to:
  - Reflect recent amendments to the D.C.A. made through the *More Homes, More Choice Act*, and *COVID-19 Economic Recovery Act*, including:
    - Changes to the D.C. recoverable costs (i.e. removal of the 10% statutory deduction and reallocation of service specific growth-related studies)
    - Changes to the timing of calculation and collection of D.C.s and statutory exemptions
  - Provide for updates to the increase in needs for services and capital cost estimates included in the Township's 2019 D.C. Background Study
- All other components of the 2019 D.C. Background Study and D.C. By-law 2019-42 remain unchanged

# Changes to D.C. Eligible Costs



- Changes to the D.C. recoverable costs include:
  - Removal of the 10% statutory deduction from the calculation of the charge for Library Services, Parks and Recreation Services, and Growth-Related Studies
  - Updates to increase in needs service and capital costs estimates for Roads and Related Services, Fire Protection Services, Parks and Recreation Services, Library Services, Water Services, Wastewater Services, and Growth-Related Studies
  - Reallocation of service-specific studies and inclusions of D.C. amendment costs

# Summary of Changes to D.C. Eligible Costs 2019\$



Service/Class	D.C. Eligible Costs (\$):  2019 D.C. Background Study	D.C. Eligible Costs (\$):  2021 Update Study	Change (\$)
<b>Municipal-Wide</b>			
Roads and Related	4,193,188	14,600,220	10,407,032
Fire Protection Services	797,941	4,477,684	3,679,742
Parks and Recreation	7,515,231	9,421,872	1,906,641
Library Services	311,216	345,630	34,415
Administration/Growth-Related Studies	970,007	274,609	(695,397)
<b>Area-Specific/Urban Area</b>			
Water Services	1,338,096	1,965,216	627,120
Wastewater Services	6,659,167	11,731,917	5,072,750
<b>Total</b>	<b>21,784,845</b>	<b>42,817,148</b>	<b>21,032,303</b>

# 2021 D.C. Amendment Proposed Schedule of Charges (indexed)



Service	Residential: Single and Semi-Detached Dwelling	Residential: Apartments - 2 Bedrooms+	Residential: Apartments - Bachelor and 1 Bedroom	Residential: Townhouse Dwelling	Residential: Lodging Units	Non-Residential: Industrial (per sq.ft. of G.F.A.)	Non-Residential: Commercial/Institutional (per sq.ft. of G.F.A.)
<b>Municipal-wide Services:</b>							
Roads and Related	\$7,667	\$5,219	\$3,228	\$5,839	\$2,720	\$2.06	\$4.31
Fire Protection Services	\$2,144	\$1,460	\$903	\$1,633	\$761	\$2.07	\$1.26
Parks and Recreation	\$5,896	\$4,013	\$2,483	\$4,491	\$2,093	\$0.51	\$0.51
Library Services	\$218	\$149	\$92	\$166	\$77	\$0.02	\$0.02
<b>Total Municipal-wide Services</b>	<b>\$15,926</b>	<b>\$10,840</b>	<b>\$6,705</b>	<b>\$12,129</b>	<b>\$5,651</b>	<b>\$4.66</b>	<b>\$6.10</b>
<b>Urban Services</b>							
Wastewater Services	\$6,186	\$4,211	\$2,604	\$4,712	\$2,195	\$1.66	\$3.47
Water Services	\$1,035	\$704	\$435	\$787	\$367	\$0.28	\$0.58
<b>Total Urban Services</b>	<b>\$7,220</b>	<b>\$4,914</b>	<b>\$3,040</b>	<b>\$5,499</b>	<b>\$2,562</b>	<b>\$1.94</b>	<b>\$4.05</b>
<b>Grand Total Rural Area</b>	<b>\$15,926</b>	<b>\$10,840</b>	<b>\$6,705</b>	<b>\$12,129</b>	<b>\$5,651</b>	<b>\$4.66</b>	<b>\$6.10</b>
<b>Grand Total Urban Area</b>	<b>\$23,146</b>	<b>\$15,755</b>	<b>\$9,744</b>	<b>\$17,628</b>	<b>\$8,213</b>	<b>\$6.60</b>	<b>\$10.15</b>

# Comparison of Residential D.C.s (indexed)



Service	Current	Calculated
<b>Municipal Wide Services:</b>		
Roads and Related	\$2,188	\$7,667
Fire Protection Services	\$362	\$2,144
Parks and Recreation	\$4,679	\$5,896
Library Services	\$195	\$218
Administration Studies*	\$506	n/a
<b>Total Municipal Wide Services</b>	<b>\$7,930</b>	<b>\$15,926</b>
<b>Area Specific Services:</b>		
Wastewater Services	\$3,487	\$6,186
Water Services	\$700	\$1,035
<b>Total Area Specific Services</b>	<b>\$4,187</b>	<b>\$7,220</b>
<b>Grand Total - Rural Area</b>	<b>\$7,930</b>	<b>\$15,926</b>
<b>Grand Total - Urban Area</b>	<b>\$12,117</b>	<b>\$23,146</b>

\*not applicable

# Comparison of Non-Residential D.C.s (indexed)



Industrial (per sq.ft.) Comparison

Service	Current	Calculated
<b>Municipal-wide Services:</b>		
Roads and Related	\$0.59	\$2.06
Fire Protection Services	\$0.35	\$2.07
Parks and Recreation	\$0.40	\$0.51
Library Services	\$0.02	\$0.02
Administration Studies*	\$0.13	n/a
<b>Total Municipal-wide Services</b>	<b>\$1.49</b>	<b>\$4.66</b>
<b>Area-Specific Services:</b>		
Wastewater Services	\$0.93	\$1.66
Water Services	\$0.19	\$0.28
<b>Total Area-Specific Services</b>	<b>\$1.12</b>	<b>\$1.94</b>
<b>Grand Total - Rural Area</b>	<b>\$1.49</b>	<b>\$4.66</b>
<b>Grand Total - Urban Area</b>	<b>\$2.61</b>	<b>\$6.60</b>

\*not applicable

Commercial/Institutional (per sq.ft.) Comparison

Service	Current	Calculated
<b>Municipal-wide Services:</b>		
Roads and Related	\$1.24	\$4.31
Fire Protection Services	\$0.21	\$1.26
Parks and Recreation	\$0.40	\$0.51
Library Services	\$0.02	\$0.02
Administration Studies*	\$0.29	n/a
<b>Total Municipal-wide Services</b>	<b>\$2.16</b>	<b>\$6.10</b>
<b>Area-Specific Services:</b>		
Wastewater Services	\$1.95	\$3.47
Water Services	\$0.39	\$0.58
<b>Total Area-Specific Services</b>	<b>\$2.34</b>	<b>\$4.05</b>
<b>Grand Total - Rural Area</b>	<b>\$2.16</b>	<b>\$6.10</b>
<b>Grand Total - Urban Area</b>	<b>\$4.50</b>	<b>\$10.15</b>



## D.C. By-law Policies

---



# D.C. By-law Policies - Calculation and Collection of D.C.s

- **Except for the following, policies within By-law 2019-42 remain unchanged**
- Rental housing and institutional developments will pay D.C.s in 6 equal annual payments, commencing from the date of occupancy
- Non-profit housing will pay D.C.s in 21 equal annual payments, commencing from the date of occupancy
- D.C. for developments proceeding through Site Plan or Zoning By-law Amendment will be determined based on the charges in effect on the day the application is made
  - Charges to be frozen for a maximum period of 2 years after planning application approval

# D.C. By-law Policies - Interest Policy



- Interest on installment payments and charges calculated at Site Plan or Zoning By-Law Amendment application will be imposed as identified in the Township's Council approved Development Charges Deferral Payment and Interest Rate Policy:
  - D.C. Interest will be based on the current Bank of Canada Prime Rate plus two (2) percent
  - This interest rate is to be fixed throughout the duration of the installment payments
  - Interest will start accruing at the earlier of when the D.C. are calculated or when the first payment is due
  - No interest will apply for applications received for non-profit housing developments

# D.C. By-law Policies – Statutory Exemptions



- Residential intensification (within existing residential buildings or structures ancillary to new residential buildings):
  - May add up to two apartments for a single detached home
  - Add one additional unit in semi-detached, medium-density and high-density buildings
  - The creation of a second dwelling unit in prescribed classes of new residential buildings, including structures ancillary to dwellings
- The proposed new principal dwelling and one ancillary dwelling unit must be located on parcel of land on which no other detached dwelling, semi-detached dwelling, or row dwelling would be located



# D.C. By-law Policies – Non-Statutory Exemptions

- The exemption for a Temporary Use under section 39 of the *Planning Act* is proposed to be removed in acknowledgment of the additional statutory exemptions required for residential intensification
- No other changes to the existing non-statutory exemptions are proposed



## Next Steps

---

# Next Steps



- Council will receive input from the public and consider any amendments to the D.C Update Study and draft amending By-Law
- Council to approve D.C Update Study and consider adoption of amending D.C. By-Law – July 12, 2021
- By-law effective date – upon passage of the amending D.C. By-Law



## DEVELOPMENT SERVICES *Staff Report*

---

REPORT NO: DS 2021-020

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP  
Director of Development Services

Tracy Loch  
Director / Curator Castle Kilbride

PREPARED BY: Harold O'Krafka, MCIP RPP  
Director of Development Services

REVIEWED BY: Sandy Jackson, Interim CAO

DATE: May 31, 2021

SUBJECT: Cultural Heritage Landscape (CHL)  
Township of Wilmot / Region of Waterloo  
University of Waterloo Heritage

---

### RECOMMENDATION:

THAT Council receives report DS 2021-020 for information.

### SUMMARY:

The Township of Wilmot in partnership with the Region of Waterloo and the University of Waterloo Heritage Resources Centre have initiated a Cultural Heritage Landscape (CHL) study of Wilmot Township.

Cultural Heritage Landscapes are defined geographic areas of heritage significance, which have been created or modified through human activity and are valued by the community. It involves a

grouping of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts.

The Township of Wilmot Official Plan (2019) states in Policy 9.4.2 that the Township, in consultation with Heritage Wilmot, will identify, document, and designate Cultural Heritage Landscapes and establish associated policies to conserve these areas in accordance with the policies in the Regional Official Plan and the Regional Implementation Guideline for Cultural Heritage Landscape Conservation

The first step in the process is to identify and document the Cultural Heritage Landscapes in Wilmot Township. The second step will be to then designate and establish appropriate associated policies to conserve these valued areas.

### **BACKGROUND:**

Identifying and conserving cultural heritage resources that are significant to a community is an important part of planning for and managing change. It necessitates and highlights the important integration of Policy and Development Planning with Heritage and Culture programs and activities.

In addition to individual buildings and structures, cultural heritage resources can include groupings or concentrations of resources and features within broader landscapes such as: settlement areas, neighbourhoods, former industrial complexes, cemeteries, parks, natural areas and farmsteads. These groupings of resources are called Cultural Heritage Landscapes (CHLs) and contain structures and landscape features that together have a greater value than the sum of their individual parts.

This Cultural Heritage Landscape Study is a collaborative endeavour between the University of Waterloo's Heritage Resource Centre, the Region of Waterloo, and the Township of Wilmot. Within the Township of Wilmot, the Curator / Director of Castle Kilbride and the Director of Development Services are representing the Township on the project team.

The study objective is to identify and evaluate the significance of CHLs found within Wilmot Township and this research is underway.

Windshield surveys, web archives and online mapping analysis is taking place. During this time of Covid restrictions, researchers will rely heavily on the personal knowledge of residents of Wilmot until in-person archival research can take place again. This will be accomplished through eliciting and weighing community values and participation via methods such as: on-line engagement forums (like the EngageWR portal); public submissions (both written and images); virtual public meetings and open houses; and one-on-one interviews both virtually, and if circumstances change, in-person.

As part of the engagement the project team will also engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

A presentation to Heritage Wilmot was completed to engage and draw on their considerable knowledge and passion for the preservation, conservation and protection of the heritage of Wilmot Township.

Heritage Wilmot member Yvonne Zyma has already penned an article on the study for the May 19<sup>th</sup> edition of the Wilmot Post. In addition, Township communications staff have also been engaged and will be working to ensure that the CHL study and its progress are communicated to Wilmot residents.

#### Key Dates for the CHL Study

Project Launch	Summer 2020
EngageWR Page Launched	March 2021
Virtual Public Open House	Summer 2021
Draft Final Report	Winter 2021 / Spring 2022

The outcome of the CHL Study will be a final report which will identify candidate CHLs of significance and which will provide recommendations to inform and guide future heritage planning initiatives.

It will include a summary of contributions collected as well as recommendations for future action. Residents will have a chance to review the document and provide additional feedback prior to its presentation to Regional and Township Councils.

#### ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Identifying and conserving Cultural Heritage Landscapes in Wilmot enhances and protects our quality of life.

Through the planned intentional engagement of the public we promote and ensure an engaged community.

#### FINANCIAL CONSIDERATIONS:

The Cultural Heritage Landscape (CHL) study was approved as part of the 2020 Development Services Capital Budget. Wilmot's negotiated contribution to the completion of the study is \$10,000.

#### ATTACHMENTS:

No attachments.

# Cultural Heritage Landscape Study

---

Presentation to Wilmot Council

May 31, 2021

# Cultural Heritage Landscape

---

## **Provincial Policy Statement 2020**

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved

6.0 Definition: a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

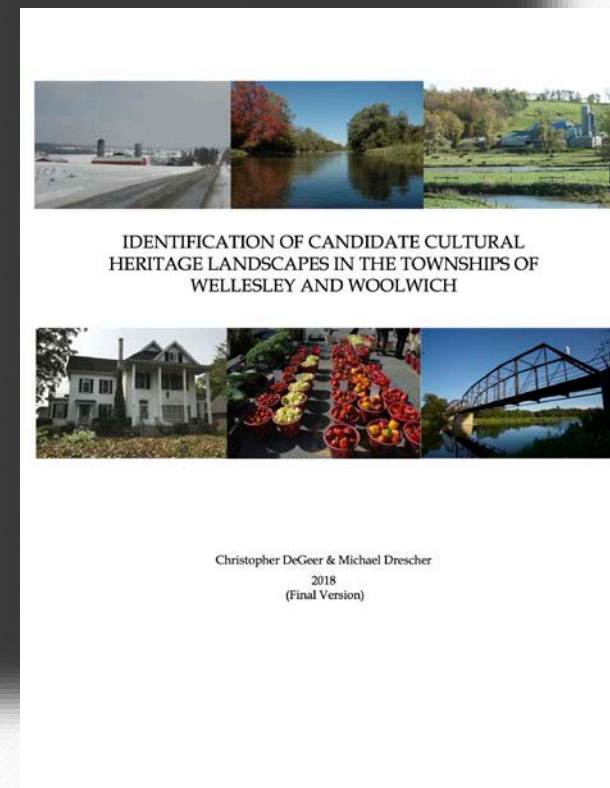
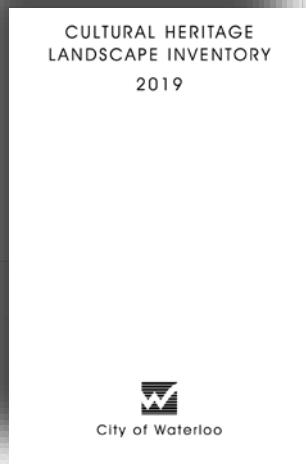
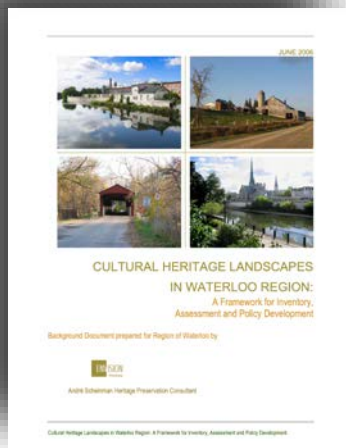
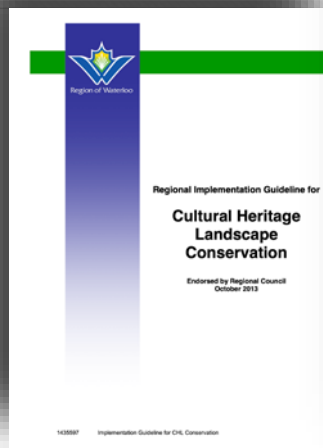
# Why Cultural Heritage Landscapes?

---

- Maintain a sense of place, community, and individual identity;
- Safeguard continuity with the past, which promotes creativity and cultural diversity, and;
- Enhance the quality of life of the community, support social development, and promote economic prosperity.

Regional Official Plan

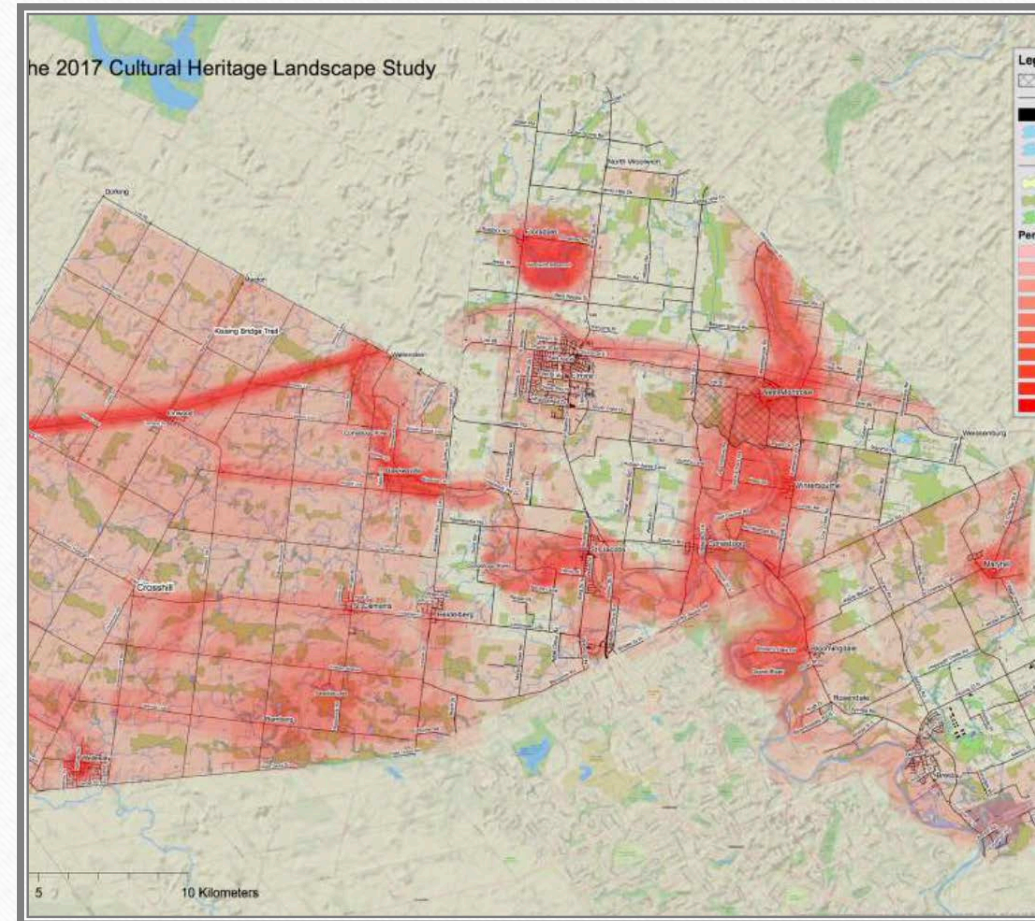
# Guiding policies and previous work in ROW



# Methods

- Community-centered research
  - Web-based survey on Engage WR
  - One-on-one interviews (online)
  - Mailout community workshop
- Windshield Surveys
- Historical Research
- [https://www.engagewr.ca/cultural-heritage-landscape-study-in-wilmot-and-north-dumfries-townships?tool=survey\\_tool#tool\\_tab](https://www.engagewr.ca/cultural-heritage-landscape-study-in-wilmot-and-north-dumfries-townships?tool=survey_tool#tool_tab)

Link to [CHL Study](https://www.engagewr.ca/cultural-heritage-landscape-study-in-wilmot-and-north-dumfries-townships?tool=survey_tool#tool_tab) on Engage WR



# Timeline

---

- Spring 2021 until the winter of 2021/2022
- Final report and recommendations will be shared on the Engage Region of Waterloo page, as well as provided to the Townships of Wilmot and North Dumfries for their information and future heritage planning initiatives

# Contacts

---

- **Bridget Coady MCIP, RPP**  
Principal Planner, Cultural Heritage  
Region of Waterloo  
Planning, Development and Legislative  
Services  
150 Frederick Street 8th Fl.  
Kitchener, ON N2G 4J3  
t. (519) 575-4500 x. 3112  
f. (519) 575-4449  
[bcoady@regionofwaterloo.ca](mailto:bcoady@regionofwaterloo.ca)

**Christopher DeGeer BAH, MES**  
Heritage Resource Centre, Consultant  
Researcher.  
University of Waterloo  
(289) 251-2582  
[cdegeer@uwaterloo.ca](mailto:cdegeer@uwaterloo.ca)

Thank you

---

Questions?



# TOWNSHIP OF WILMOT

## INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

---

**REPORT NO:** ILS 2021-22

**TO:** Council

**SUBMITTED BY:** Dawn Mittelholtz, Director Information and Legislative Services  
/ Municipal Clerk

**PREPARED BY:** Dawn Mittelholtz, Director Information and Legislative Services  
/ Municipal Clerk

**REVIEWED BY:** Sandy Jackson, Interim CAO

**DATE:** May 31, 2021

**SUBJECT:** Notice of Procedural By-law Amendments

---

### **RECOMMENDATION:**

THAT the Draft Procedural By-law be received for information; and,

THAT the Director of Information and Legislative Services proceed with a Public Meeting at the Regular Council Meeting on June 14, 2021.

### **SUMMARY:**

This report is asking Council to receive a draft By-law for discussion at a later meeting and to set June 14, 2021 as the date a Public Meeting will be held that will give members of the public an opportunity to address Council on the By-law and the draft amendments.

### **BACKGROUND:**

The Municipal Act, 2001, requires all municipalities in the Province of Ontario to pass a Procedural By-law to govern the calling, place and proceedings of meetings of the municipality and its local boards. The current Township of Wilmot Procedural By-law was approved by Council on May 13, 2019 with updates occurring in 2020 to accommodate electronic participation.

## **REPORT:**

On February 24, 2020, a public meeting was held with regards to an update of the Township's Procedural By-law. This update was suspended due to shifting priorities as a result of the 2019 Novel Coronavirus. Since that time, staff have been noting potential improvements to the by-law and Council approved amendments to the by-law to accommodate electronic participation in Council and Committee meetings.

The reports to provide notice of the original intended amendments in 2020 were on February 10 and 24, 2020. No members of the public attended the Public Meeting held on February 24, 2020. Comments provided by Council were included in the minutes for the meeting and have been reflected in the draft attached as Appendix A.

Further amendments have been included to reflect best practices in neighbouring, comparable, and leading municipalities that are compatible with the values, goals, strategies, and feedback from the Council, staff, and the public.

Township staff originally brought forward proposed amendments for discussion in Report No. ILS2021-15 at the April 26, 2021 Public Meeting. The notice for that meeting was provided on April 12, 2021 in Report No. ILS2021-11. Council deferred Report No. ILS 2021-15 for additional review of the By-law following the change in administrative leadership and to seek advice from the Township solicitor on various procedural matters.

The by-law has been highlighted in colour to denote approved and proposed amendments since May 2019.

*Amendments proposed as part of report ILS 2020-06.*

*Amendments proposed based on feedback on February 24, 2020.*

*Previously approved amendments for electronic participation.*

*New proposed amendments.*

The Amendments from report ILS 2020-06 will not be reiterated in this report but any questions on can be addressed at the Public Meeting. Feedback from Council from February 24, 2020 have largely been incorporated, any that have not been incorporate were discussed in Report No. ILS ILS2021-11. Amendments to the Procedural By-law relative to electronic participation have been adopted by Council and are now consolidated into the by-law.

New proposed amendments will be more thoroughly discussed in the forthcoming June 14, 2021 report. In general terms, these amendments are being made to help streamline operations of staff where the capacity of staff has been stretched to the point where operational changes are needed but cannot occur until the Procedural By-law is amended. Other amendments have been made to reflect the following:

- consistency with other Procedural By-laws within Waterloo Region;
- ensure delegations appearing for matters on the Agenda are allowed to speak reasonably close to the start of the meeting;
- to provide elected and appointed officers of the Township and the public with clear expectations and responsibilities to ensure a smooth flowing meeting that is consistent with principles of parliamentary law while efficiently disposing of Township business; and,
- reflect the advice of the Township solicitor.

If approved by Council, feedback will be sought on the draft by-law presented as Appendix A to this report at the public meeting on June 14, 2021. Feedback from Council and the public is encouraged to be received in writing at [clerks@wilmot.ca](mailto:clerks@wilmot.ca) but may occur during the June 14<sup>th</sup> Public Meeting. Information and Legislative Services staff welcome any person to discuss their questions or suggestions with us before or after the June 14<sup>th</sup> meeting. The deadline for feedback that will be considered for the final proposed Procedural By-law is end of the business day, 4:30 pm, on June 21<sup>st</sup>. All feedback received will be considered and may be addressed in the final report. The Township solicitor will review the final proposed draft of the Procedural By-law that includes the feedback from the Public Meeting and written submissions received to ensure it follows the Municipal Act and reflects best practices.

#### **ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:**

The holding of a Public Meeting for the draft Procedural By-law conforms with the Strategic Plan goals for community engagement and responsible government.

#### **FINANCIAL CONSIDERATIONS:**

Costs associated with the publication of the notice for the proposed amendments to the Procedural By-law and seeking legal counsel are included in the Council approved 2021 Operational Budget.

#### **ATTACHMENTS:**

Appendix A: Draft Procedural By-law

*Amendments proposed as part of report ILS 2020-06.*

*Amendments proposed based on feedback on February 24, 2020.*

*Previously approved amendments for electronic participation.*

*New proposed amendments.*

THE CORPORATION OF THE TOWNSHIP OF WILMOT  
BY-LAW NO. 2021-XX  
BEING A BY-LAW TO PROVIDE FOR  
THE RULES OF ORDER AND PROCEDURE  
FOR THE MUNICIPAL COUNCIL OF  
THE CORPORATION OF THE TOWNSHIP OF WILMOT  
AND TO REPEAL BY-LAW NO. 2019-25

WHEREAS Section 238.(2) of the revised Municipal Act, S.O. 2001, c.25 requires that every Council and local board shall adopt a procedural by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS the Township of Wilmot Accountability and Transparency Policy states that accountability, transparency and openness are standards of good governance that enhance public trust and are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders;

AND WHEREAS the general principles of parliamentary law should be upheld in the rules of any meeting:

- The majority must be allowed to rule;
- The minority have rights that must be respected;
- Members have a right to information to help make decisions;
- Courtesy and respect for others are required;
- All members have equal rights, privileges, and obligations; and
- Members have a right to an efficient meeting;

AND WHEREAS it is deemed expedient to adopt by by-law, rules governing the order and procedure of the Council of the Corporation of the Township of Wilmot.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

PART 1                    DEFINITIONS

- 1.1     “**Abstain**” means a member who refuses to vote (abstain) will be recorded as voting in the negative;
- 1.2     “**Acting Mayor**” means the member of Council appointed by by-law to act from time to time in the place and stead of the Mayor, pursuant to Part 4 of this by-law.
- 1.3     “**ad hoc Committee**” means a Committee composed of Members of Council and established to review a specific matter and report its findings and recommendations to Council;
- 1.4     “**Advisory Committee**” means a Committee established by Council under a specified Terms of Reference to advise on matters which Council has deemed appropriate for the Committee to consider;

- 1.5 "Agenda"** means the order of proceedings for a meeting setting out the business to be considered at the meeting;
- 1.6 "Amendment"** means a change in the form of a Motion. An amendment is designed to alter or vary the term of the main motion without materially changing its meaning. It may propose that certain words be left out, that certain words be omitted and replaced by others, or that certain words be inserted or added. Every amendment must be strictly relevant to the question being considered.
- 1.7 "Business Day"** means days of the week the Administrative Complex for the Township of Wilmot is open for Township business, typically Monday to Friday, excluding holidays. The day in which a meeting is to occur shall not be included in the calculation of "business days."
- 1.8 "Calendar Day"** means any day of the week. The day in which a meeting is to occur shall not be included in the calculation of "calendar days."
- 1.9 "Chair"** means the person presiding over a meeting and who is charged with the responsibility to decide questions and points of order or practice, preserve order and maintain decorum in the proceeding. The Chair, except where disqualified, may vote on all questions;
- 1.10 "Chief Administrative Officer"** means the person appointed by by-law as the Chief Administrative Officer (CAO) of the Corporation of the Township of Wilmot and whose duties are therein prescribed and to include Section 229 of the Municipal Act;
- 1.11 "Chief Executive Officer"** shall mean the Mayor in accordance with Sections 226.1 of the Municipal Act;
- 1.12 "Clerk"** means the person appointed by by-law as the Clerk of the Corporation of the Township of Wilmot and whose duties are therein prescribed in Section 228 of the Municipal Act;
- 1.13 "Closed Session"** means a closed session of a committee or Council meeting which is closed to the public in accordance with the requirements of the *Municipal Act*;
- 1.14 "Consent Agenda"** means a board meeting practice that groups routine business and reports into one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately
- 1.15 "Council"** is the term to refer collectively to the Mayor and 5 Councillors;
- 1.16 "Council Meeting"** is a collective term meaning any meeting of Council including: Regular Meetings (Section 4.8), Special Meetings (Section 4.13), Emergency Meetings (Section 4.17) and Closed Sessions (Section 5.1), as established by Resolution under Section 4.8 of the Procedural By-law or at the call of the Mayor.
- 1.17 "Councillor"** is the term consistent with the *Municipal Act*, and is the title assigned to a Member of Council, except the Mayor, elected to represent the electors of the Township of Wilmot;
- 1.18 "Declared Emergency"** means, any period where an emergency has been declared to exist in all or part of the Township of Wilmot under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E. 9, as amended.
- 1.19 "Delegation"** means any person, group of persons, firm or organization, who is neither a Member of Council, Township staff or an appointed official of the Township and who has requested and are permitted to address Council, or an ad hoc, Advisory Committee, or Special Purpose Committee;

- 1.20 “Division of Question”** means a request by a Member of Council to have a motion containing separate questions, recommendations or amendments, voted on in sections or parts;
- 1.21 “Emergency Meeting”** means a meeting of Council held to consider any business of the Council which is deemed by the Chair to be of an emergency situation;
- 1.22 “Ex Officio”** means by virtue of office or position and carries with it the right to participate fully in the committee meeting and to vote unless prohibited by law;
- 1.23 “Friendly Amendment”** means an amendment made to the motion under debate with the consent of the mover and seconder, and without the requirement for an amending motion to be made.
- 1.24 “Head of Council”** means the Mayor or his/her designate;
- 1.25 “Improper Conduct”** means conduct which offers any obstruction to the deliberations of proper action of Council;
- 1.26 “Inaugural Meeting”** means the first meeting of Council held after a municipal election in a regular election year;
- 1.20 “Majority Vote”** means more than half of the votes cast by members entitled to vote at a meeting;
- 1.21 “Management Team”** means the Chief Administrative Officer and Department Heads of the Township of Wilmot;
- 1.22 “Mayor”** is the Head of Council who is elected by general vote to represent electors in The Township of Wilmot;
- 1.23 “Meeting”** means any regular or special meeting of Council, or any meeting of a Committee or Advisory Committee as defined in the Municipal Act, 2001;
- 1.24 “Member of Council”** means a person duly elected to serve on the Council of The Corporation of the Township of Wilmot;
- 1.25 “Motion”** means a question to be considered by the Council or Committee which is moved, seconded, presented, read by the Chair and is subject to debate. When a motion is adopted, it becomes a resolution;
- 1.26 “Municipal Act”** means the Municipal Act, 2001 S.O. 2001, chapter 25, as amended from time to time and any successor legislation thereto;
- 1.27 “Notice of Motion”** means an advance notice to Members of Council of a matter on which Council will be asked to take a position.
- 1.28 “Participate Electronically”** means that Members of Council are present at the Council Meeting through an online or telecommunications medium that allows for audio and/or video interactions for the purposes of participating in a Council Meeting and such participation includes voting.
- 1.29 “Pecuniary Interest”** means a direct or indirect pecuniary interest of a member as defined within the meaning of the *Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50*, as amended and any successor legislation thereto;
- 1.30 “Point of Information”** is a request directed to the Mayor or through the Chair to another Member or to staff, for information relevant to the business at hand but not related to a Point of Procedure;

- 1.31 "Point of Order"** means a statement made by a Member during a meeting, drawing the attention of the Mayor or his/her designate to a breach of the Rules of Procedure;
- 1.32 "Point of Privilege"** means the raising of a question which concerns a member of Council, Council as a whole, staff or the public, when a Member believes that their (Personal Privilege) rights, immunities or integrity or the rights, immunities or integrity of Council as a whole, staff, or the public have been impugned;
- 1.33 "Point of Procedure"** means a question directed to the Mayor or Chair to obtain information on a matter of parliamentary law or the rules of Council bearing on the business at hand, in order to assist a Member to make an appropriate motion, raise a point of order, understand the parliamentary situation or the effect of the motion;
- 1.34 "Presentation"** means
- i) presentations made by Council to recognize the contributions or achievements of individuals or organizations;
  - ii) presentations made to Council by individuals or organizations at the invitation of Council;
  - iii) presentations made to Council by an advisory or other Committee
- 1.35 "Presiding Officer"** means the Mayor or in his absence, the Acting Mayor, to act in his/her absence while presiding at meetings;
- 1.36 "Public Hearing"** means a meeting of Council or that portion of a meeting of Council or any Committee of Council which has been given authority by by-law or statute to conduct a hearing in matters pursuant to any legislation which requires Council to hear interested parties or to afford them an opportunity to be heard before taking action, passing a by-law or making a decision;
- 1.36 "Question"** means a motion that has been placed before the Council or Committee by the statement of the Chair. Only once duly stated by the Chair and "on the floor" can a motion be debated and put to a question of the members for proper resolution (Question On the Floor).
- 1.37 "Quorum"** means the majority of the whole number of the members of Council who are present in person;
- 1.38 "Recorded Vote"** means the recording in the minutes, the names of each Member of Council present and the manner of their vote on a matter or question before Council. Recorded Votes shall be taken upon request by any Member of Council. In the case of a Member who has a declared conflict or pecuniary interest in the matter or question, the minutes shall reflect the Member abstained from taking part in the discussion and the vote;
- 1.39 "Regular Meeting"** means a scheduled meeting of Council held in accordance with the approved schedule of meetings;
- 1.40 "Resolution"** means a formal determination made by Council or a Committee on the basis of a motion duly placed before a regularly constituted meeting of Council or a Committee for debate and decision, and duly passed;
- 1.41 "Rules of Procedure"** means the rules and regulations provided in this by-law;
- 1.42 "Special Meeting"** means a meeting of Council not scheduled in accordance with the approved calendar of meetings;

**1.43 "Special Purpose Committee"** means a Committee comprised of such members of Council and other persons as appointed by Council to address matters which Council has deemed necessary within the jurisdiction of Council;

**1.44 "Tie Vote"** means an equality of votes and the question being voted on is deemed lost.

**1.45 "Treasurer"** means the Treasurer of the Corporation of the Township of Wilmot.

## **2. GENERAL PROVISIONS**

### **2.1 Rules and Procedures**

The rules and procedures contained in this by-law shall be observed in all proceedings of Council as defined in the Municipal Act, and shall be the rules and procedures for the order and dispatch of business of the Council and its Committees thereof;

### **2.2 Parliamentary Procedure**

Points of order or procedure not specifically governed by this By-law shall be decided by the Chair in accordance with, as far as reasonably practical, the most current edition of Robert's Rules of Order.

### **2.3 Meeting Decorum – All Persons Present**

At no time shall any Member of Council, staff, delegations or member of public or media;

- (a) speak disrespectfully of or to any person;
- (b) use offensive words or unparliamentary language;
- (c) speak on any subject other than the subject for which he or she has received approval to address Council;
- (d) disobey the rules of procedure or a decision of the Mayor or Council;  
or
- (e) interrupt, speak-over, or continue to speak when advised by the Mayor not to, or otherwise disrupt the proceedings of the meeting or the ability of Council or staff to conduct business.

### **2.3 Mayor - Ex Officio Member – All Committees**

The Mayor shall be an ex officio member of all Committees established or appointed by Council. Where a committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor, such number is automatically increased by one, except where prohibited by law, being the Mayor, as provided under this Section. The Mayor may vote and otherwise participate, unless prohibited by law, in the business of the committee or other body on the same basis as any other committee member.

### **2.4 Meetings Open to Public**

Subject to Section 5 of this by-law, all meetings of Council and its Committees shall be open for attendance by the public, and no person shall be excluded therefrom, except for improper conduct.

## **3. ROLES AND DUTIES**

### 3.1 General

It is the role and duty of all elected representatives, appointed committee members, and all staff to serve the residents of the Township of Wilmot. Business of the corporation of the Township of Wilmot shall be conducted in the best interest of the residents as a whole and not to serve the interests of any one individual or group of individuals above the common good with transparency and openness, conducting business that considers open and accessible communication to **members of the public every stakeholder**.

**All meetings and ceremonies of Council and Committees shall be devoid of all religious or spiritual text, reference, prayer, or invocation so as to ensure a neutral space.**

### 3.2 Role of the Mayor

It is the role of the Mayor:

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1) of the Municipal Act;
- d) to represent the municipality at official functions;
- e) to act as council's representative when dealing with other levels of government, their agencies and the private sector;
- f) to act as the Township's representative on council for the Regional Municipality of Waterloo;
- f) to carry out the duties of the head of council under the *Municipal Act* or any other Act;
- g) as chief executive officer of the municipality, the Mayor shall:
  - i) uphold and promote the purposes of the municipality;
  - ii) promote public involvement in the municipality's activities;
  - iii) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
  - iv) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents

### 3.3 Role of Council

It is the role of Council:

- a) to represent the public and to consider the well being and interests of the municipality;
- b) to develop and evaluate policies and programs of the municipality;
- c) subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the community;

- d) to determine which services the municipality provides in accordance with applicable legislation;
- e) to ensure that administrative policies, practices and procedures are in place and controllership policies, practices and procedures are in place to implement the decisions of Council;
- f) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- g) to maintain the financial integrity of the municipality; and
- h) to carry out the duties of Council under the *Municipal Act* or any other Act.

### **3.4 Duty of the Mayor**

It is the duty of the Mayor to preside over all meetings of Council and:

- a) to open meetings of Council by taking the Chair and calling the meeting to order;
- b) to receive and submit, in the proper manner, all motions;
- c) to put to a vote all motions and to announce the result;
- d) to serve as an ex-officio member of all committees and be entitled to vote at such meetings;
- e) to decline to put motions to a vote which infringe upon the rules of procedure;
- f) to inform the members of the proper procedure to be followed and to enforce the rules of procedure;
- g) to enforce on all occasions, the observance of order and decorum among the members;
- h) to call by name any member persisting in a breach of the rules of procedure and to order the member to vacate the Council Chambers;
- i) to permit questions to be asked through the Mayor, of any officer of the Township for information, to assist in any debate when the Mayor deems it proper;
- j) to provide information to members on any matter relating to the business of the Township;
- k) to authenticate by signature all by-laws and minutes of Council;
- l) to rule on any points of order raised by the members;
- m) to maintain order. Where it is not possible to maintain order, the Mayor may, without any resolution being put, adjourn the meeting to a time to be named by the Mayor;
- n) to adjourn the meeting when the business is concluded;
- o) to carry out the duties of the head of Council under the *Municipal Act*, or any other Act;
- p) to act in accordance with his/her Oath of Elected Office.

### **3.5 Duty of a Councillor**

It is the duty of Councillors to attend all meetings of Council and:

- a) to prepare for meetings, including reviewing the agenda and background information prior to the meeting;
- i. to speak only to the subject under debate;
- ii. to vote on all motions before the Council unless prohibited from voting by law;
- iii. to observe proper procedure and decorum at all meetings;
- iv. to state questions to be asked through the Mayor;
- v. to attend committee meetings to which the Councillor has been appointed by Council;
- vi. to carry out the duties of Council under the Municipal Act, or any other Act;
- vii. to act in accordance with their Oath of Elected Office;

### **3.6 Duty of the Chief Administrative Officer**

It is the duty of the Chief Administrative Officer:

- a) to exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality;
- b) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- c) to undertake or direct the undertaking of research and provide advice to Council on the policies and programs of the municipality;
- d) perform such other duties required under this or any Act and other duties as assigned by the municipality; and,
- e) provide leadership and direction to staff as the most senior member of staff.

### **3.7 Duty of the Clerk**

It is the duty of the Clerk to attend all Council meetings and:

- a) to prepare and distribute agendas for all meetings of Council in accordance with this by-law;
- b) to record, without note or comment, all resolutions, decisions, minutes and other proceedings of the Council;
- c) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- d) to keep the originals or copies of all by-laws and of all minutes of proceedings of the Council;
- e) to make such minor clerical, typographical or grammatical corrections in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council;
- f) to perform the other duties required under the Municipal Act or any other Act;
- g) to advise Council on parliamentary procedure;
- h) to perform such other duties as are assigned by the municipality.

- i) the Clerk may delegate in writing to any person, other than a member of council, any of the Clerk's powers and duties under the Municipal Act and any other Act
- j) the Clerk may continue to exercise the delegated powers and duties, despite the delegation

### **3.8 Duty of the Treasurer**

It is the duty of the Treasurer:

- i) to collect money payable to the municipality and issue receipts for those payments;
- ii) to deposit all money received on behalf of the municipality in a financial institution designated by the municipality;
- iii) to pay all debts of the municipality on behalf of the municipality and other expenditures authorized by the municipality;
- iv) to maintain accurate records and accounts of the financial affairs of the municipality;
- v) to provide Council with such information with respect to the financial affairs of the municipality as it requires or requests;
- vi) to ensure investments of the municipality are made in compliance with the regulations made under Section 418 of the Municipal Act;
- vii) to perform such other duties as are assigned by the municipality.

### **3.9 Municipal Administration**

It is the role of the officers and employees of the municipality:

- (a) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- (b) to undertake research and provide advice to Council on the policies and programs of the municipality; and
- (c) to carry out other duties required under this or any Act and other duties assigned by the municipality.

## **4. COUNCIL MEETINGS**

### **4.1 Place**

The regular meetings of the Council of the Township of Wilmot shall be held in the Council Chambers pursuant to Section 236 of the Municipal Act. In the case of an emergency, or other circumstances, Council may hold its meetings at any convenient location within or outside the municipality, as approved by resolution of Council;

### **4.2 Participating Electronically**

4.2.1 Notwithstanding any other provision of this By-law, a Member of Council may Participate Electronically in any Council Meeting, which is either open or closed to the public, and may be counted in determining whether or not a quorum of members is present at any point in time, subject to Sections 4A.1.2 and 4A.1.3 of this By-law.

4.2.2 The Chair of a Meeting of Council shall not be permitted to Participate Electronically in a Meeting of Council, except during a Declared Emergency.

4.2.3 In the absence of a Declared Emergency, where a Council Member wishes to Participate Electronically at any Council Meeting, such Council Member shall provide the Clerk with notice, in writing, at their earliest opportunity.

#### **4.3 Seating Arrangement of Council**

Councillors shall be seated to the right of the Mayor in Council Chambers in Ward order. For wards with more than one Councillor, those Members shall be seated in alphabetical order by last name.

#### **4.4 Councillor – addressed**

Members of council are to be addressed as: “Councillor (surname inserted)”.

#### **4.5 Mayor - addressed**

The Mayor shall be addressed as “Mayor” (surname inserted)” or as “Your Worship.”

#### **4.6 Staff and Members of the Public – addressed**

Staff and members of the public are to be addressed as “Dr.,” “Mr.,” “Mrs.,” “Ms.,” “Miss.,” “Mx.,” or “Ind.” (surname inserted) as preferred. Members of staff may also be addressed by title within the corporate structure.

#### **4.7 Inaugural Meeting**

The Inaugural meeting of the Council of the Corporation of the Township of Wilmot following a regular municipal election shall be held in accordance with the Municipal Act, 2001 at 7:00 p.m., in the Council Chambers;

The Agenda for the Inaugural meeting shall be established by the incoming Members of Council and the Clerk and will reflect the values of the community with respect for diversity and inclusion of all members of the community.

No business shall be conducted at the Inaugural Meeting of Council until the Declarations of Elected Office have been made by the members of the Council.

The order of proceedings at the first meeting of Council after the regular election shall be as follows: Processional, National Anthem, Land Acknowledgment, Moment of Silence, Declarations of office, (i) Mayor, (ii) Members of Council in order of wards, Inaugural Address by the Mayor, and passing of confirming By-Law.

#### **4.8 Rotational Schedule – Acting Mayor**

Each term, as soon after the commencement of its term as reasonably possible, Council shall appoint by by-law, in alphabetical order, each member of Council to serve for one calendar month as Acting Mayor for that time in the place and stead of the Mayor when the Mayor is absent from the Township area, absent through illness, or refuses to act, and the Acting Mayor shall have and may exercise all rights, powers and authority of the Mayor in his/her absence.

#### **4.9 Regular Meetings**

Following the Inaugural meeting, Regular meetings shall be held in the Council Chambers, at 7:00 p.m., local time, twice per month on Mondays as per the schedule approved by Council Resolution.

#### **Regular Meetings – July, August and December**

During the months of July, August and December in each year, there shall be one regular meeting of Council per month to be held at a time designated by Council to accommodate the ad hoc Budget Committee Meeting schedule and the summer holiday season.

Council may, by resolution or by-law, alter the time, day or place of any Council or Committee meeting.

#### **4.10 Quorum**

A majority of members of Council shall be necessary to constitute a quorum;

If no quorum is present one half hour after the time appointed for a meeting of Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting;

If during the course of a meeting a quorum is lost, subject to the provisions of the Municipal Conflict of Interest Act, then the meeting will stand adjourned, not ended, to reconvene at the same time of commencement on the next following day, or at such other time and place as the Mayor or his/her Designate will then announce;

If in the Mayor or his/her Designate's opinion it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, the Mayor or his/her Designate will announce that the unfinished business of Council will be taken up at the next regularly scheduled meeting.

Where the number of Members of Council who, by reason of provisions of the Municipal Conflict of Interest Act, are disabled from participating in a meeting is such that at that meeting the remaining Members of Council are not of sufficient number to constitute a quorum, then, the remaining number of Members of Council shall be deemed to constitute a quorum, provided such number is not less than 2 (two).

#### **4.11 Absence – Head of Council**

If the Head or Acting Head of Council, pursuant to the rotation list established by By-law, does not attend within fifteen (15) minutes after the time appointed for a meeting of Council, the Clerk shall call the members to order and an Acting Head of Council shall be appointed from among the members present and he/she shall preside until the arrival of the Head of Council or his/her designate and while so presiding, the Acting Head of Council shall have all the powers of the Head of Council and will be so entitled to vote as a member.

In the absence of the Head of Council, or if the office is vacant, Council may, from among its members, appoint a Head of Council, who, during such absence or vacancy or refusal to act, has all the powers of the Head of Council.

#### **4.12 Notice of Regular Meetings (Agenda) – Delivered in Advance to Council, CAO, Management Team**

The Agendas shall be considered as notice of regular meetings.

The Clerk shall cause to be delivered to each member of Council, an agenda for each regular meeting of Council, electronically and/or hard copy to the address provided by the Member of Council to the Clerk for delivery of such

agendas. The agenda shall be provided not later than three (3) business days before the holding of such meeting. At the same time the Clerk shall make available a copy of the agenda to the Chief Administrative Officer and to the members of the Management Team in electronic and/or hard copy format.

#### **4.13 Agendas – Available to the Public/Media**

Agendas for Open Session meetings of Council shall be made available to the public and media on the Township website within twenty-four (24) hours of delivery to the Members of Council.

#### **4.14 Reports Under Separate Cover**

Where the completion of the Agenda is delayed due to an overdue staff report, bylaw, or Presentation that is expected to be included on the Agenda and is time sensitive or deemed necessary to be included on the Agenda for political reasons, the Clerk will complete the Agenda within the timeframe provided in this By-law and provide notation on the Agenda that the overdue report or presentation will be provided under separate cover.

When the report, bylaw or Presentation is completed, the Report Under Separate Cover will be sent electronically to Members of Council, the CAO and the Management Team, if hardcopies have been requested by Members of Council or staff, they will be made available for pick-up.

The Report Under Separate Cover will be integrated into the online version of the Agenda for the public and media. Staff will notify the public and media of the Agenda being update through the website and Township social media channels.

A Report Under Separate Cover shall not include any Public Meeting held or other report, bylaw, or Presentation being proposed for adoption in accordance with any Act.

#### **4.15 Special Meetings**

In addition to regular meetings, special meetings of Council shall be held upon written direction signed by the Mayor and delivered to the Clerk stating the date, time and purpose of such meeting.

The Mayor may, at any time, summon a Special Meeting of Council on twenty-four (24) hours notice to the members and upon receipt of the petition of the majority of the members of Council, the Clerk shall summon a Special Meeting for the purpose at the time, date and place mentioned in the petition.

If time is of the essence, notice may be given to Council by telephone call.

No other business other than that stated in the notice shall be considered at a Special Meeting.

#### **4.16 Agendas – Special Meetings – Delivered in Advance to Council, CAO, Management Team**

Notice or an agenda to Council of a Special Meeting called in accordance with this by-law shall be delivered to the Members, CAO and Management Team by means of personal delivery, telephone, facsimile transmission or electronic mail. The Notice/Agenda to Council of the Special Meeting shall be provided not less than 24 hours before the hour set for such meeting.

#### **4.17 Agendas – Special Meetings – Available to the Public/Media**

Agendas for Special Meetings shall be made available to the public and media as soon as possible after they have been delivered to Members of Council.

If time is of the essence, notice or an agenda may be given to the press/media by telephone call.

**4.18 Special meetings – agenda – provided at the meeting**

The Clerk may provide the agenda of the Special meeting at the meeting where time constraints do not allow the Agenda to be delivered to the members of Council or the press at least 24 hours before the hour appointed for the holding of the Special meeting.

**4.19 Emergency Meetings**

Notwithstanding any other provision of this by-law, an emergency meeting may be held without notice, to deal with an emergency or extraordinary situation provided that an attempt has been made by the Clerk to notify members about the meeting as soon as possible and in the most expedient manner available.

**4.20 Emergency – business specified – transacted**

No business except business dealing with the emergency or extraordinary situation shall be transacted at the emergency meeting.

**4.21 Lack of receipt of notice or an Agenda by the members of Council shall not affect the validity of the meeting or any action lawfully taken thereat.**

**4.22 Rescheduling or Cancellation of Regular Council Meetings**

When it is deemed to be advisable, the Mayor is authorized to change the date and/or time of or cancel the regular Council meeting next following and the agreement of the majority of the members of Council, having been polled by the Clerk, shall be required to effect the change, provided a minimum of seven (7) days' notice is given of the change of date of the meeting. The Township website shall be updated.

**5. CLOSED MEETINGS/SESSIONS**

**5.1** Closed meetings or sessions may be held as deemed necessary by the Head of Council in consultation with the Clerk. Such meetings or sessions may be closed to the public in accordance with the requirements of the Municipal Act, 2001. All reasonable efforts on the part of Council and staff will be made to keep meetings open to the public unless closure is specifically authorized under the Municipal Act and it is deemed necessary.

**5.2 Matters that may be considered – closed**

The only matters that may be considered in a closed session are as follows:

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- (j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

### **5.3 Matters to be considered – Closed – mandatory**

A meeting shall be closed to the public if the subject matter relates to:

- a) the consideration of a request under the Municipal Freedom of Information and Protection to Privacy Act, when the council, board, commission or other body is acting as head of the institution for the purposes of the Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by municipality in accordance with subsection 223.13 (1) of the Municipal Act, or the Closed Meeting Investigator referred to in subsection 239.2 (1) of the Municipal Act.

### **5.4 Procedure – convening into closed session**

Before holding a meeting or part of a meeting that is to be closed to the public, a council or committee of council or local board shall state by resolution:

- (a) the fact of the holding of the closed meeting;
- (b) the general nature of the matter to be considered at the closed meeting.

### **5.5 Procedure – modifications**

The rules governing the procedure of the Council and its Committees and the conduct of its members shall be observed in Closed meetings or sessions, with the necessary modifications, except that:

- a) a member shall not speak more than once to a motion until every member who desires to speak has spoken once;
- b) the number of times of speaking on any question shall not be limited;
- c) recorded votes are not permitted at closed sessions

**5.6 Meeting not closed – during vote**

Subject to Section 5.3, a meeting shall not be closed to the public during the taking of a vote.

**5.7 Meeting closed during vote – exception**

A meeting or part of a meeting may be closed to the public during a vote, if:

- (a) section 5.3. applies and
- (b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality or local board or persons retained by or under contract with the municipality or local board.

**5.8 Minutes of Closed Meeting/Sessions**

Minutes of all or part of a Council meeting that is closed shall be recorded by the Clerk and will be retained in confidence by the Clerk and such minutes will not be open to inspection by any member of the public.

The Clerk, in making the minutes shall not record any personal information as defined in the Municipal Freedom of Information and Protection to Privacy Act.

**5.9 Agenda of Closed Meeting/Session**

Agendas for Closed Meetings/Sessions will be circulated to Members of Council not later than 3 (three) business days before the holding of such meeting. Closed Meeting Agendas and reports shall only be circulated by hardcopy and will be collected by the Clerk at the close of Closed Meeting/Session for destruction. The Clerk shall identify the most amount of detail possible to allow for Council to consult with the Integrity Commissioner in regard to potential pecuniary interest.

**6. PUBLIC NOTICE OF MEETINGS OF COUNCIL & COMMITTEES**

**6.1 Public Notice of Regularly Scheduled Meetings**

Public Notice of regularly scheduled meetings of Council or a Committee for The Township of Wilmot shall be given by posting the schedule of Council meetings as approved by Council resolution on the Township's official website, and the meeting schedule of Committees as approved by the Committee members, on the Township's official website at the beginning of each calendar year or upon scheduling. The meeting schedule shall include the date, time and location of meetings.

**6.2 Public Notice of Special Meetings**

Public Notice of a Special Meeting of Council or a Committee shall be given by posting to the schedule of meetings on The Township of Wilmot's official website not less than one day in advance of the date of the meeting.

**6.3 Public Notice of Emergency Meetings – Not Required**

An emergency meeting of Council or a Committee may be held without public notice being given, to deal with an emergency or extraordinary situation.

**6.4 Public Notice – Closed Meetings For the Purpose of Education and Training of Members**

Public notice of a meeting of Council or a Committee that is closed to the public and is held for the purpose of educating or training the members of

Council or a Committee, as the case may be, shall be given by the passing of a resolution by Council or the Committee at a meeting open to the public stating;

- a) the fact of the holding of the closed meeting;
- b) the general nature of its subject matter; and
- c) the legislative provision allowing for the holding of the closed meeting

#### **6.5 Public Notice – Other Closed Meetings**

Public notice of a meeting of Council or a Committee that is closed to the public, except a meeting held for the purpose of educating or training the members of Council or a Committee, as the case may be, shall be given by the passing of a resolution by Council or the Committee at a meeting open to the public stating:

- a) the fact of the holding of the closed meeting, and
- b) the general nature of the matter to be considered at the closed meeting

#### **6.6 Agendas – Open Session Meetings**

Prior to the meeting, where possible and pending the distribution to the Members, the agenda for Council and Committee meetings shall be posted on the Township's official website within twenty-four (24) hours of delivery to the Members Council or the Committee. Notice of the posting of the Agenda shall be made public through the Township's social media account(s) and/or email list(s). This provision does not apply to agendas of meetings that are Closed Sessions.

#### **6.7 Posting of Agendas – Failure to Post**

Notwithstanding section 6.6 above, failure to post the agenda to the Township's official website, social media or email list shall not affect the validity of the meeting or any action lawfully taken thereat.

#### **6.8 Emergency Meeting – Notice Not Required**

Notwithstanding any other provision of this by-law, an emergency meeting may be held without public notice being given, to deal with an emergency or extraordinary situation.

#### **6.9 Public Notice – Agenda – Not Received – Validity**

Lack of receipt of Public Notice or an Agenda shall not affect the validity of the meeting or any action lawfully taken thereat.

### **7 ORDER OF BUSINESS - COUNCIL**

#### **7.1 General Provisions**

The Clerk shall have prepared and printed a list of the items in the order of topics set out as the routine of business for the use of each Member at a regular meeting;

- 7.1.1 Any Member of Council may file in writing not later than 5 (five) business days before the holding of such meeting with the Clerk an item for inclusion on the Council Agenda to allow for a staff response if necessary.

#### **7.2 Order of Business**

- 7.2.1 As soon after the hour fixed for the holding of the meeting of Council as a quorum is present, the Head of Council shall take the Chair and call the meeting to order;
- 7.2.2 Immediately after the Head of Council or presiding officer has called the meeting to order the following order or procedure shall be observed for a regular Council meeting:

**Call to Order**  
**Closed Session**  
**Reconvene Into Open Session**  
**Moment of Silent Reflection**  
**Land Acknowledgement**  
**Additions to the Agenda**  
**Disclosure of Pecuniary Interest Under the Municipal Conflict of Interest Act**  
**Minutes of Previous Meeting**  
**Public Meetings**  
**Presentations**  
**Consent Agenda**  
**Reports**  
**Correspondence**  
**By-laws**  
**Notice of Motions**  
**Announcements**  
**Business Arising from Closed Session**  
**Confirmatory By-law**  
**Adjournment**

### 7.3 Minutes

7.3.1 The Clerk shall be the secretary of all Council Meetings. It shall be the duty of the Clerk to record the proceedings of Council in the form of minutes that shall contain the following:

- (i) The place, date, and beginning and ending time of Meetings.
- (ii) The names of Members present.
- (iii) The time Members arrive and leave the Meeting.
- (iv) Any declaration of Pecuniary Interest.
- (v) A record of the decision of each item for consideration.
- (vi) Recommendations to Council on each item.
- (vii) The names of Delegations appearing before Committee.

~~The Minutes shall record:~~

- ~~(i) the place, date and time of the meeting;~~
- ~~(ii) the names of the presiding officer, and the record of the members in attendance.~~
- ~~(iii) any disclosure made under the Municipal Conflict of Interest Act;~~
- ~~(iv) the reading, if requested, correction and adoption of the minutes of prior meetings;~~

~~(v) —other proceedings of the meeting without note or comment.~~

7.3.2 Such Minutes as referred to in Section 7.3.1 may be adopted by Council without having been read at the meeting considering the question of their adoption.

7.3.3 The Minutes shall be posted to the Township website within 48 (forty-eight) hours of the Minutes' adoption.

7.3.4 Video recordings of the meeting shall be retained in accordance with the Retention By-law.

#### **7.4 Land Acknowledgement**

7.4.1 The Land Acknowledgement, as approved by Resolution of Council, shall be read at the beginning of every Council Meeting and Committee of Council Meeting. ~~The Chair or presiding officer shall ask if any person present of Indigenous decent wishes to read the Land Acknowledgement. In absence of any person declaring their desire to read the Land Acknowledgement,~~ The Members of Council or the Committee, as the case may be, shall read the Land Acknowledgement on a rotating basis starting with the Mayor. Any Member can decline to read the Land Acknowledgement and may do so without explanation.

7.4.2 The Land Acknowledgement may be read at official functions of the Township or other community events at the discretion of the organizer.

#### **7.5 Additions to the Agenda**

Additions to the Agenda may be submitted by members of staff to the Clerk in writing for emergency items of a time sensitive nature. The Addition to the Agenda must be submitted not later than 4 (four) hours in advance of the Council Meeting and must be distributed to Council electronically and posted on the Township Website immediately upon receipt.

#### **7.6 Disclosure of Pecuniary Interest**

7.6.1 It shall be the responsibility of each individual member to determine if a conflict exists and disclose any pecuniary interest and the nature thereof in accordance with the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50, as amended, in any regular or Special Council or Committee meeting.

7.6.2 Any member required to make a disclosure of pecuniary interest shall disclose any direct or indirect pecuniary interest and state the general nature of such interest in accordance with the provisions of the Municipal Conflict of Interest Act, as amended, and it shall be recorded by the clerk in accordance with the provisions of the Act or any amendments thereto;

7.6.3 Where a member of Council, either on his/her own behalf or while acting, by, with or through another, has a pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall:

- (i) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (ii) not take part in the discussion;

- (iii) not vote on any question in respect of the matter;
- (iv) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

- 7.6.4 Where a meeting is not open to the public, in addition to complying to the requirements of this by-law, the member shall immediately leave the meeting for the part of the meeting during which the matter is under consideration;
- 7.6.5 Where the interest of a member of Council has not been disclosed for reason of absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting attended by the member after that particular meeting;
- 7.6.6 The failure of one or more members to comply with this section of the by-law shall not affect the validity of the meeting in regard to said matter.

## **7.7 Presentations**

- 7.7.1 Any person making a presentation to Council, including staff members, consultants engaged by the Township, or individuals representing any other corporation, organization or local board of the Township, shall be permitted to address Council and shall be limited in speaking to not more than ten (10) minutes without a time limit.
- 7.7.2 All audio and visual materials presented to Council by a presenter must be reviewed by the Clerk and CAO relative to inappropriate language, graphic images or other messaging that does not reflect the decorum of Council Chambers. Such materials may include, but are not limited to, audio recordings, slide presentations, photos, videos and handouts but does not include the presenters speaking notes.
- Presenters must provide materials not less than five (5) business days before the commencement of the meeting of Council.

## **7.8 Consent Agenda**

- 7.8.1 In preparing the agenda for Council and Committee meetings, the Clerk may identify items which are considered to be routine and non-controversial under the heading "Consent Agenda," which matters may be considered by Council as a summary matter in one motion rather than as separate items, unless a member of Council otherwise requests.
- 7.8.2 Any member of Council, before the consent motion is voted on, may add or remove any number of items of business from the consent motion. Members of staff may request, before the consent motion is voted on, to remove any number of items of business from the consent motion. Any report removed from the Consent Agenda will be disposed of immediately following the Consent Agenda.
- 7.8.3 In the event that a member declares a conflict of interest on an item that is included in the consent motion, that item shall be removed from the consent motion and dealt with separately.
- 7.8.4 Members of Council may ask clarifying questions only with regards to matters on the Consent Agenda. Questions of a more substantive nature require the report to be removed from the Consent Agenda. The Chair may interrupt the questions and declare that the report will be removed from the Consent Agenda.

~~7.9.4 Items removed from the consent motion at the request of a member of Council or staff will be considered under the “Reports” section.~~

7.8.4 The Consent Agenda may include, but is not limited to the following items:

- a) Staff appointments.
- b) Committee appointments .
- c) Reports provided for information only.
- d) Tenders.

## 7.9 Delegations for Matters on the Agenda

7.9.1 No person except members of Council and Township Officials shall be allowed to come within the bar during the sitting of Council without the permission of the Head of Council.

7.9.2 Persons desiring to verbally present information on matters of fact, or make a request of Council, relative to matters on the Agenda, shall give notice to the Clerk in writing, not later than four (4) hours before the commencement of the meeting of Council and may be heard on leave of the Mayor or other presiding officer of Council, but shall be limited in speaking to not more than five (5) minutes. Where a delegation consists of five or more persons, it may be permitted to have two spokespersons address Council, in which event each of such spokespersons shall be limited to speaking for not more than five (5) minutes. Delegations shall be permitted to speak only once on an Agenda item.

7.9.3 All audio and visual materials presented to Council by a delegation must be reviewed by the Clerk and CAO relative to profanity, graphic images or other messaging that does not reflect the decorum of Council Chambers. Such materials may include, but are not limited to, audio recordings, slide presentations, photos, videos and handouts but does not include the delegations speaking notes.

Delegations appearing relative to subsection 7.9.2 are required to provide materials not less than five (5) business days before the commencement of the meeting of Council so they may be included in the Council Agenda Package for Council’s information.  
Delegations appearing relative to subsection 7.9.2 must provide materials not less than 24 (twenty-four) hours in advance of the scheduled meeting.

7.9.4 Requests for Delegations for Matters not on the Agenda will be directed to speak with staff on the matter or may submit their comments or questions as correspondence for inclusion as Correspondence as noted in section 7.10. Members of the public may also direct their comments or questions to a member of Council for a response from staff or for proposed direction by way of a Notice of Motion.

## 7.10 Communications and Petitions

7.10.1 Every communication, including petitions and correspondence, designed to be presented to Council shall be legibly written or printed and shall not contain any impertinent or improper matter or language and shall be signed by at least one person and filed with the Clerk. It is recommended the petitions conform the Township’s petition template, which can be obtained on the Township’s official website or by contacting the Clerk or Deputy Clerk.

7.10.2 Any person who files a petition must leave their name and contact information with the Clerk.

7.10.3 Any person who signs a petition must be made aware by the person filing the petition that their names, signatures, and contact information, as included on the petition, may be included in the Council Agenda and made available to the public including publication on the Township website.

7.10.4 Every petition or correspondence shall be delivered to the Clerk not less than five (5) business days before the commencement of the meeting of Council and if in the opinion of the Chief Administrative Officer, it contains any impertinent or improper matter or language, the Chief Administrative Officer shall decide whether it should be included in the agenda for a Council meeting. Correspondence or petitions containing negative allegations towards members of the public or profanity shall be redacted to remove the inappropriate allegations or language. Correspondence or petitions containing hate speech will be rejected. Correspondence or petitions containing criticisms of a personal nature against Members of Council or staff shall be redacted.

7.10.5 Every petition received shall be circulated to the Department Head responsible for the general service area the petition pertains to, or their designate. The Department Head, their designate, or the Chief Administrative Officer may contact the person who filed the petition to discuss the matter contained within the petition before the petition is added to the Agenda. After discussions with the Department Head, their designate or the Chief Administrative Officer have concluded, the person who filed the petition may contact the Clerk to withdraw the petition.

7.10.6 Correspondence or petitions addressed to Council shall be listed by the Clerk on the agenda and the Clerk shall briefly indicate therein the content of each such petition or communication.

7.10.7 Resolutions from other municipalities and addressed to Council shall be listed by the Clerk on the agenda for the next regular meeting, and shall be listed under Correspondence.

## **7.11 By-laws**

7.11.1 All by-laws shall be considered by Council and shall be introduced and receive first, second and third reading by a motion;

7.11.2 Copies of all by-laws to be considered by Council shall be provided to each member of Council with the Agenda Package;

7.11.3 All by-laws when introduced shall be in type-written form, shall contain no blanks except such as may be required to conform to accepted procedure or to comply with provisions of any Act, and shall be complete with the exception of the date;

7.11.4 By-laws which received first and second reading at a previous meeting and have now been cleared for final reading shall be read a final time and approved in open Council;

7.11.5 Every by-law shall have three readings previous to it being passed;

7.11.6 The Clerk shall record on all by-laws enacted by Council, the date of the first, second and third readings;

7.11.7 Every by-law which has been enacted by the Council shall be numbered and dated and shall be sealed with the seal of the

Corporation and signed by the Mayor and the Clerk and shall be securely kept by the Clerk in compliance with the Act and the Township's Retention By-law.

#### 7.11.8 Errors, Corrections, and Other Changes

- i. The Clerk may make the following changes to By-laws or resolutions to:
  - a. Correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.
  - b. Alter the style or presentation of text or graphics to improve electronic or print presentation.
  - c. Correct an erroneous description of a date or time with the actual date or time.
  - d. When the title, location or address of a body, office, place or thing has been altered, change any reference to the title, location or address to reflect any alteration in title, location or address.
  - e. Correct errors in the numbering of provisions or other portions of a By-law and make any changes in cross-references that are required as a result.
  - f. Make a correction, if it is patent both that an error has been made and what the correction should be.
- ii. The Clerk:
  - a) may provide notice of the changes made under subsections 7.11.8(i)(a) to 7.11.8(i)(c) inclusive in the manner that they consider appropriate.
  - b) shall provide notice of the changes made under subsections 7.11.8(i)(d) to 7.11.8(i)(f) inclusive in the manner that they consider appropriate.
  - c) in determining whether to provide notice under subsection 7.11.8(ii)(a), shall consider:
    - 1) the nature of the change; and
    - 2) the extent to which notice, and the information provided in it, would provide assistance in understanding the relevant legislative history.
  - d) in providing notice under subsection 7.11.8(ii)(a) or 7.11.8(ii)(b), shall state the change or the nature of the change.
- (iii) No legal significance shall be inferred from the timing of the exercise of a power under this section.
- (iv) Regardless of when a change is made to a By-law under this section, the change may be read into the By-law as of the date it was enacted if it is appropriate to do so.

### 7.12 Notice of Motion

7.12.1 A Notice of Motion shall:

- i) be in writing;
- ii) shall be directed by the Clerk to the next regular Council meeting and shall be printed in full on the agenda.

7.12.2 Notice of all new motions except motions listed in Sections 11.8 and 11.9 shall be given in writing and delivered to the Clerk at least six (6) business days preceding the date of the meeting at which a motion is to be introduced and the motion shall be printed in full and unaltered on the agenda for that meeting of Council, as a means of introduction, and each succeeding meeting until the motion is considered or otherwise disposed of. The motion shall be submitted to the Clerk in writing which may include by email.

7.12.3 The right to move a notice of motion shall be deemed to be that of the Councillor who introduced the Notice.

7.12.4 Any amendments, except those of a typographical nature, to a Notice of Motion shall be deemed to have created a new Notice of Motion and shall be treated as such in accordance with this by-law. Amendments of a substantive manner cannot be made during a meeting without being re-introduced as though it is a new Notice of Motion.

7.12.5 When a Member's notice of motion has been called from the Chair in two successive meetings and not proceeded on, it shall be dropped from the agenda unless Council otherwise decides.

7.12.6 If Council determines that the notice of motion shall appear on the agenda at a third meeting, such notice of motion is called from the Chair and not proceeded with, it shall be deemed to have been withdrawn.

7.12.7 Any motion may be introduced without notice if Council, without debate, dispenses with notice on the affirmative vote of at least two-thirds of the members present and voting.

7.12.8 Members of Council are expected to prepare their Notice of Motion in accordance with traditional parliamentary formatting and use traditional parliamentary language. Assistance with formatting or language may be sought from the Clerk or Deputy Clerk.

7.12.9 Members of Council considering the submission of a Notice of Motion are encouraged to speak with the appropriate Department Head or CAO to ensure a Notice of Motion is the most efficient means of dealing with a matter.

7.12.10 Assistance with the substance of a Notice of Motion may be sought from the Department Head relative to the subject matter or the CAO.

7.12.11 Review of the Notice of Motion by staff shall not constitute support from staff on the content of the Motion.

### **7.13 Announcements**

7.13.1 Members of Council may make any special event announcements or report on community activities.

### **7.14 Adjournment**

7.14.1 A motion may be made at any time by a member who has the floor, requires no seconder and need not be in writing provided that no motion to adjourn may be made during the taking of a vote on any question.

7.14.2 Where a motion to adjourn is duly moved and carried and any item of business or any by-law then before Council is left undisposed of, such item of business or by-law may be considered at the appropriate place in the order of procedure at any subsequent regular meeting of Council.

7.14.3 Where a motion to adjourn is lost no second motion to the same effect may be made until after some intermediate proceeding shall have been had.

7.14.4 On a motion to Adjourn, no Member shall leave their seat until the Chair has declared the meeting adjourned.

7.14.5 A regular or special meeting of Council or Committee shall adjourn at the hour of 11:00 pm if in session at that time and shall reconvene at such other day and time as the Members may direct by resolution.

## **8. RULES OF DEBATE**

- 8.1 Any member desiring to speak shall so indicate by raising his/her hand and, upon being recognized by the Mayor or other presiding officer, shall address the Chair by stating “through you, Mayor (surname)...” or “through you, Your Worship...”
- 8.2 When two or more members raise their hands to speak the Mayor or presiding officer shall recognize the member who raised his/her hand first.
- 8.3 The Mayor or other presiding officer may state his/her position on any matter before Council without leaving the Chair, but it shall not be permissible to debate the question without first leaving the Chair after appointing a member to preside during such remarks.
- 8.4 The Mayor or presiding officer shall resume the Chair for the taking of the vote.
- 8.5 The Mayor or presiding officer may, without leaving the Chair, address Council between proceedings on any matter pertinent to the business of the municipality.
- 8.6 When a member is speaking no member shall pass between him/her and the Chair or interrupt him except to raise a point of order.
- 8.7 Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
- 8.8 No member, without leave of Council, shall speak to the same question, or in reply, for longer than ten minutes.
- 8.9 A member may ask a question only for the purpose of obtaining information relating to the matter under discussion and such question must be stated concisely and asked only of the Chair.
- 8.10 Notwithstanding Section 8.9, when a member has been recognized as the next speaker, then immediately before speaking such member may ask a question of the Mayor or presiding officer on the matter under discussion only for the purpose of obtaining information, following which the member shall speak again.
- 8.11 The following matters and motions with respect thereto may be introduced orally without written notice and without leave, except as otherwise provided by this By-law:
  - i) a point of order or personal privilege;
  - ii) presentations of petitions;
  - iii) to move the question be put;
  - iv) to adjourn.
  - v) to refer;
  - vi) to table or to postpone, defer to a day certain;
  - vii) to amend;

- viii) to suspend the Procedural By-law
- ix) any other procedural motion.

#### 8.12 Speaking Order and Limit

- (i) The Chair shall determine and administer the speaking order for Members of Council;
- (ii) Each Member may only speak for a maximum of 5 minutes at a time during debate, however, they may speak as often as they wish. This time restriction does not apply to Members when they are asking questions and seeking clarification from Delegations and staff.
- (iii) If requested, the mover or seconder of a Motion, has the right to be the last Member to speak on a Motion; and,
- (iv) When a Member is speaking to a Motion, they shall confine their remarks to the Motion.

### 9. POINTS OF INFORMATION, ORDER, PRIVILEGE OR PROCEDURE

- 9.1 The Mayor or presiding officer shall preserve order and decide on points of information, order, privilege, or procedure.
- 9.2 When a point of information, order, privilege, or procedure is raised or when a person present is called to order by the Mayor or presiding officer, the person speaking shall immediately cease until the Mayor or presiding officer has decided on the point of information, order, privilege or procedure and may further address Council only for the purpose of appealing to the Council from such decision.
- 9.3 The Mayor or presiding officer, in giving his/her decision, should cite the rule or law governing the case. The Mayor may ask for the assistance of the Clerk or Council in deciding the matter but the Mayor's decision shall be final if there is no appeal.
- 9.4 If the decision of the Mayor or presiding officer is appealed to Council, the Mayor shall restate the point in issue and ruling thereon and, without further debate, shall put the question "shall the ruling of the Chair be sustained". The Mayor or presiding officer may vote on this question and in the event of an equality of votes the Chair shall be deemed to be sustained.
- 9.5 When a member considers that his/her integrity or the integrity of Council as a whole, staff, or the public has been impugned, he/she may as a matter of personal privilege, at any time, with the consent of the Mayor or presiding officer, draw the matter to Council's attention.

### 10. CONDUCT OF MEMBERS IN COUNCIL

- 10.1 No Member shall:
  - i) speak disrespectfully of the Reigning Sovereign, the Governor General, the Lieutenant Governor of any province, or any person administering the Government of Canada or this Province;
  - ii) use offensive words or unparliamentary language in or against the Council or against any Member or against any staff;
  - iii) speak on any subject other than the subject in debate;

- iv) criticize any decision of Council except for the purpose of moving in accordance with the provisions of Section 12 that the question be reconsidered.
  - v) disobey the rules of Council, or a decision of the Mayor or presiding officer, or of Council on questions of order or practice, and upon the interpretation of the rules of Council, and in the case where a member persists in any such disobedience after having been called to order by the Mayor or presiding officer, the Mayor or presiding officer may forthwith put the question, no amendment, adjournment or debate being allowed, "that such member be ordered to leave his/her seat for the duration of the meeting of Council", but if the member apologizes he/she may, by vote of Council, be permitted to retake his/her seat.
- 10.2 No charge shall be made which involves the character, conduct or language of a member of Council unless such member is present to reply or unless due notice has been given to such member to be present to offer a defence.
- 10.3 A question put to a member may not contain imputations, epithets, ironical expressions or hypothetical cases, nor may a question refer to debates or answers to questions in the same meeting. A question may not be put which publishes the names of persons, or contains statements not strictly necessary to render the question intelligible, or contains charges which the member who asks the question is not prepared to substantiate. The solution of an abstract legal case may not be sought by a question. A question cannot be made a pretext for a debate, and when a question has been fully answered it cannot be renewed.
- 10.4 When a member has been called to order by the Mayor or presiding officer for breach of parliamentary decorum, it is the member's duty to defer at once to the decision of the Mayor or presiding officer and to make apology by explaining that there was no intent to infringe on any rule of debate, or by immediately withdrawing the offensive or unparliamentary language which may have been used. However, if a member persists in unparliamentary conduct, the Mayor or presiding officer shall be compelled to name such member and submit such conduct to the decision of Council. In such a case, the member whose conduct is in question should explain and withdraw and it shall be for Council to decide what action to take.

## **11. MOTIONS**

- 11.1 A motion must be formally seconded before the Mayor or presiding officer can put the question or the motion can be recorded in the minutes.
- 11.2 When a motion is presented in Council in writing, it shall be read or if it is a motion which may be presented orally, it shall be stated by the Mayor or presiding officer before debate.
- 11.3 A motion in respect of a matter which is ultra vires the jurisdiction of Council shall not be in order.
- 11.4 After a motion is read or stated by the Mayor or presiding officer, it shall be deemed to be in possession of Council but may, with the permission of Council, be withdrawn at any time before decision or amendment.

- 11.5 A motion properly before Council for decision must receive disposition before any other motion can be received except motions in respect of matters listed in Sections 11.8 and 11.9.
- 11.6 A motion called in the order in which it stands on the agenda of the routine of business of a meeting and which is not decided by Council, shall be allowed to stand retaining its precedence on the agenda of the routine of business of the next ordinary meeting of Council.
- 11.7 A motion to refer a matter under discussion by Council to Township staff or a Committee shall preclude all amendments of the main question until it is decided.
- 11.8 If the amendment is not considered a “Friendly Amendment”, then the motion to amend:
- i) shall be presented in writing;
  - ii) shall receive disposition of Council before a previous amendment of the question;
  - iii) shall be relevant to the question to be received;
  - iv) shall not be received proposing a direct negative to the question;
  - v) may propose a separate and distinct disposition of a question;
  - vi) shall be put in the reverse order to that in which it was moved.
  - vii) shall contain only one motion to amend an amendment to the question and any further amendment must be to the main question;
- 11.9 A motion for the previous question:
- i) cannot be amended;
  - ii) cannot be proposed when there is an amendment under consideration;
  - iii) shall preclude all amendments of the main question;
  - iv) when resolved in the affirmative, shall to be put forward without debate or amendment;
  - v) can only be moved in the following words "that the question be now put"; and,
  - vi) may be voted against by the mover and seconder.
- 11.10 A motion on a matter of privilege shall receive disposition of Council forthwith upon receipt and when settled, the question so interrupted shall be removed to the point where it was suspended.
- 11.11 A motion for reference to a Committee or staff until it is decided, will preclude all amendments of the main question and any motion to postpone or defer, or to lay on the table.
- i) a motion to refer is debatable.
- 11.12 When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member, a

vote upon each recommendation or proposition will be taken separately.

## **12. RECONSIDERATION**

- 12.1 After any question, except one of indefinite postponement, has been decided, any member may, at the same session or at a subsequent session, move for a reconsideration thereof. Such motion must be made in writing, but no discussion of the main question shall be allowed unless the motion for reconsideration is passed by a two-thirds majority of all the members of Council, nor shall any question be reconsidered more than once.
- 12.2 A motion to reconsider an amendment may not be submitted until after the original motion to which the amendment was proposed has been considered and disposed of.
- 12.3 If a motion to reconsider is decided in the affirmative, such reconsideration shall become the next order of business, unless the motion calls for a future definite date, and debate on the question to be reconsidered may proceed as though it had never previously been voted on.
- 12.4 Debate on a motion for reconsideration must be confined to the reasons for or against reconsideration.
- 12.5 When a by-law has been defeated at any stage of the order of procedure, it shall be subject to a motion to reconsider and the foregoing rules shall apply thereto, except that, when a motion to reconsider a by-law is carried by the required majority, a motion that leave be given to introduce the said by-law shall become the next order of business and, if this motion is carried, the by-law shall be dealt with in accordance with the usual order of procedure as if it had been first introduced at the meeting during which the motion to reconsider was voted on.

## **13. VOTING ON MOTIONS**

- 13.1 Immediately preceding the taking of the vote, the Mayor or presiding officer may state the question in the form introduced and shall do so if required by a member except when a motion for the previous question has been resolved in the affirmative. He/she shall state the question in the precise form in which it will be recorded in the minutes.
- 13.2 After a question is finally put by the Mayor or presiding officer, no member shall speak to the question or shall any other motion be made until after the vote is taken and the result has been declared.
- 13.3 Every member present at a meeting of Council when a question is put shall vote thereon unless prohibited by statute, by reason of conflict of interest or for any reason.
- 13.4 No vote will be taken in Council or Committee by ballot or by any other method of secret voting.
- 13.5 Upon the request of a member, immediately after a vote is taken, the Clerk shall record the negative vote of such member on any question.
- 13.6 If any member present at a meeting of Council when a question is put does not vote, he/she shall be deemed as voting in the negative except where he/she is prohibited from voting by law.
- 13.7 If a member disagrees with the announcement of the Mayor that a question is carried or lost he/she may, but only immediately after the declaration by the Mayor, object to the Mayor's declaration and require a recorded vote to be taken.

- 13.8 When the Mayor calls for the vote on a question each member shall remain in his/her seat until the result of the vote has been declared by the Mayor, and during such time no member shall walk across the room or speak to any other member or make any noise or disturbance.
- 13.9 When the matter under consideration contains distinct recommendations or propositions, upon the request of any Member, a vote upon each recommendation or proposition will be taken separately.
- 13.10 A member not present before the result of the division on a question is declared, shall not be entitled to vote on that question.
- 13.11 The manner of determining the decision of Council on a motion shall be at the discretion of the Mayor or presiding officer and may be by voice, show of hands or otherwise.
- 13.12 Upon the taking of any vote if all the members present when the vote is taken vote unanimously, the Mayor or presiding officer may direct the Clerk to record the vote accordingly.
- 13.13 Any question on which there is an equality of votes shall be deemed to be in the negative.

#### **14. RECORDED VOTE**

- 14.1 When a recorded vote is requested by a member, or is otherwise required, the Clerk shall record the name and vote of every member by ward, on any matter or question.
- 14.2 Where a vote is taken for any purpose and a member requests immediately prior to or immediately subsequent to the taking of the vote, that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his/her vote openly, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote accordingly.
- 14.3 When a recorded vote is requested by any member the Clerk will call of the vote, announce the division and will record them in the minutes of the meeting.

#### **15. RECESS**

- 15.1 A majority vote of Members present is required to recess a meeting, and the time of return shall be announced by the Mayor or Presiding Officer.

#### **16. COMMITTEES (ad hoc/Advisory/Special Purpose)**

- 16.1 Ad hoc, Advisory or Special Purpose Committees may be established by Council at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Council, pursuant to Section 11 of the Municipal Act or as required by any Act or Statute of the Province of Ontario.

##### **16.2 Establishment/Appointment**

The names of the persons to be appointed to any ad hoc, Special Purpose or Advisory Committee to which Council is required or empowered to appoint persons, shall be determined by Council by resolution or by-law or as required by any Act or statute of the Province of Ontario at the first regular meeting of a new Council, or as soon thereafter as is reasonable.

##### **16.3 General Role of Committees**

The role of Committees shall generally be to:

- i) make recommendations to Council on matters which are in their jurisdictions;
- ii) guide and request staff through the Chief Administrative Officer, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required; and
- iii) receive public Delegations and establish mechanism to receive further public input within their jurisdiction.

#### **16.4 General Role of Committee Members**

The role of a committee member shall generally be to:

- i) attend committee meetings being prepared to discuss items on the Agenda;
- ii) discuss items on the Agenda in a respectful manner, and, when called, vote on the matter with the public interest in mind; and
- iii) to uphold the decision and actions of the Committee.

#### **16.5 Election of Committee Chair**

The Clerk, or their designate, shall preside at the first meeting of each Committee at the start of its term for the purpose of electing a Chair of the Committee.

#### **16.6 Terms of Reference – Advisory Committees**

Subject to the provision of any general or special Act, the Council, in establishing any Advisory Committee, will set forth Terms of Reference of the Committee, and such other provisions as the Council deems proper.

#### **16.7 Procedures – Committees**

The procedures of the Committees shall be the same as those set out for Council insofar as they are applicable, with the following exceptions:

- i) In Committees the vote on any particular item shall not be recorded however a member on request may be recorded as being opposed;
- ii) At the request of any member of the Committee present, any item on the agenda may be re-opened by a majority vote of the members present;
- iii) A quorum in any Committee is the majority of the Members of the Committee as appointed by Council, and the Mayor, if present, is a member to be included in determining the quorum;
- iv) If any Committee neglects to attend to its duties, the Council may intervene and order it to meet and report;
- v) The Chair of a Committee may vote on any question before the Committee;
- vi) Any question on which there is an equality of votes shall be deemed to be in the negative;
- vii) In Committee, members may speak more than once on the same question;

- viii) Should any member of a Committee refuse or neglect to attend the regular or special meetings thereof, the Chair may report such neglect or refusal to the Council who may remove such member from the Committee and appoint another member;
- viii) Advisory Committees shall prepare minutes and submit them to Council.

#### **16.8 Committee Reports to Council**

All Committees are required to provide bi-annual informational reports to Council to update on their activities.

### **17. REVIEW AND AMENDMENT TO THIS BY-LAW**

- 17.1 Within six (6) months of the new term of Council, the Clerk shall review this by-law. If amendments are required, the Clerk shall follow the requirements of subsection 17.3. If no amendments are deemed necessary, the Clerk shall report same to Council.
- 17.2 If deemed necessary by Council, the CAO or the Clerk, the Clerk may review this by-law and propose amendments in accordance with section with subsection 17.3.
- 17.3 No amendment or rescinding of this by-law or any part of thereof shall be considered at any meeting of Council unless notice of the proposed amendment or rescinding has been given at a previous regular meeting of Council and the waiving of this notice by Council is prohibited.

17.4 Amendments to and subsequent Procedural By-laws shall be reviewed by the Township solicitor prior to being considered by Council.

### **18. SUSPENSION OF THE RULES**

- 18.1 Any rules or procedures established by this by-law, other than a quorum requirement, may be suspended at or for a particular meeting, by resolution, provided two-thirds of members present vote in favour thereof, unless prohibited by law;

### **18. SEVERABILITY**

- 18.1 Should any section, sub-section, clause or paragraph or provision of this by-law be declared by a court or competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the provisions so declared to be invalid.

### **19. REMARKS**

- 19.1 In this by-law, words of the singular include the plural, words in the plural include the singular and words importing the masculine gender include the feminine gender where the context so requires.

### **20. ROBERT'S RULES**

- 20.1 In all unprovided for cases in the proceedings of Council or Committee, resort shall be had to Robert's Rules of Order as a rule for guidance on the question, and in such cases the decision of the Mayor or other presiding officer shall be final and acquiesced in without debate.

### **21. SHORT TITLE**

- 21.1 This by-law may be referred to as either the "Procedural By-law" or the "Rules of Procedure".

22. EFFECTIVE DATE

- 22.1 By-law No. 2019-25 and any other by-laws inconsistent with the provisions of this by-law are hereby rescinded.
- 22.2 This by-law shall come into force and effect on the date of passage.

**READ** a first and second time on the \_\_ day of \_\_\_\_\_, 2021.

**READ** a third time and passed in open Council on the \_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

DRAFT



## **PARKS, FACILITIES AND RECREATION SERVICES**

### ***Staff Report***

---

REPORT NO: PFRS 2021-011

TO: Council

SUBMITTED BY: Sandy Jackson, Director of Parks, Facilities & Recreation Services

PREPARED BY: Sandy Jackson, Director of Parks, Facilities & Recreation Services

REVIEWED BY: Patrick Kelly, Director Corporate Services / Treasurer

DATE: May 31, 2021

SUBJECT: RFT Award Administration Building/Castle Kilbride HVAC & Boiler Equipment Replacement

---

#### **RECOMMENDATION:**

That RFT 2021-22 be awarded to Keith's Plumbing & Heating Inc. for the supply and installation of new HVAC & Boiler equipment, as per their submission dated May 18, 2021, in the amount of \$930,313 including HST.

#### **SUMMARY:**

Upon approval of funding support under the COVID Resilience Infrastructure Stream, an RFT was issued for the removal of existing equipment and supply and installation of new HVAC and boiler equipment for the Administration Complex and Castle Kilbride. Three (3) bids were received when the RFT closed. This report recommends the contract be awarded to Keith's Plumbing & Heating Inc. from Hamilton ON.

#### **BACKGROUND:**

The COVID-19 pandemic resulted in a review of air quality and HVAC equipment at the Administration Complex and Castle Kilbride to ensure equipment was functioning at peak

performance for fresh air intake and filtration for the health and safety of Township staff and visitors. A consultant was engaged to review these functions with the existing equipment and provided a recommended list of required equipment replacements. These studies revealed that all equipment was near, or at, end of life and new equipment was urgently required to address the low levels of fresh air intake in the building.

The Investing in Canadian Infrastructure Program (ICIP) COVID-19 Resilience Stream provided \$224,000 towards retrofits, repairs, or upgrades to municipal buildings. In December 2020, Corporate Services presented Report COR 2020-045, through which Council endorsed the funding application for the design, and replacement of HVAC equipment at the Wilmot Township Administration Complex.

To initiate the design of the replacement equipment, staff issued an RFP in March 2021, and report PFRS 2021-003 was approved by Council to award a contract to BMI Engineering Inc. for design and construction oversight.

#### REPORT:

BMI completed the design of the HVAC and boiler equipment and an RFT was issued in mid-April which closed on May 18, 2021.

There were a total of twenty plan takers; however, several contractors were unable to submit a bid for these works due to an existing backlog in contracts already in place. At the time of closing a total of three (3) bids were received as outlined below:

Bidder	Location	Full Replacement Cost
Keith's Plumbing and Heating Inc.	Hamilton, ON	\$930,313.18*
Superior Boiler Works & Welding Ltd.	Stoney Creek, ON	\$1,183,898.40
Confra Global Solutions	Woodbridge, ON	\$1,283,404.80

\*Pricing was adjusted based on bid analysis by third party consultant

This pricing is significantly higher than original cost projections provided at the time of budgeting, which were based upon initial equipment review by a third-party consultant. Discussions with the Council approved Engineering and Design consultant indicated that original pricing estimates and scope of work were relatively low. In addition, the lack of local bidders on this contract may have resulted in less-than-optimal pricing. Keith's Plumbing and Heating Inc. suggested that the increased costs are reflective of higher pricing trends for mechanical and electronic components during the pandemic, as well as high demand for this type of equipment as building owners attempt to improve air quality. This is also reflected in delivery times which have doubled for some equipment.

As a result of the increased costs, staff are proposing sourcing additional funds from the Canada Community-Building Fund (formerly Federal Gas Tax) to complete this important project in 2021. Delaying aspects of this project is something Council can consider, therefore avoiding the full cost of this project in 2021; however, this is not advised by the design consultant as many

aspects of the project are interconnected, and if pricing continues to climb the costs in 2022 may be even higher. By completing the full project, the correct fresh air exchanges for the building will be achieved.

#### ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The supply and installation of new HVAC and boiler system equipment is aligned with our Strategic Plan goals by enhancing Quality of Life, maintaining infrastructure, and ensuring peoples safety.

#### FINANCIAL CONSIDERATIONS:

The full cost of the Tender including all HVAC and boiler component replacements is \$837,776 (net of HST Rebate). With the previously approved engineering and design services of \$25,440.00 (net of HST Rebate) the total estimated cost of this project would be \$863,216.

The approved Capital budget, with a smaller scope of work, included \$313,000 for this project as outlined below. The additional funding required from the Canada Community-Building Fund would be \$550,216, bringing total project funding in-line with projected costs. This would leave approximately \$76,000 in un-allocated funds from the Canada Community-Building Fund.

<b>Funding Source</b>	<b>Amount</b>
ICIP COVID-19 Resilience Stream	\$ 224,000
Infrastructure Reserve Fund (Facilities)	54,000
Capital Levy (2019)	35,000
Canada Community-Building Fund	550,216
<b>Total Funding</b>	<b>\$ 863,216</b>

Staff have reviewed the bids submitted for completeness and based on available budget, funding sources and priority need, staff are recommending awarding the replacement of the HVAC and boiler room equipment be awarded to Keith's Plumbing and Heating Inc.

---