



Council Meeting Minutes

Monday, September 13, 2021

Closed Council Meeting

4:00 P.M.

Regular Council Meeting

Virtual

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 / Municipal Clerk D. Mittelholtz, Director of Public Works and Engineering J. Molenhuis, Director of Development Services H. O'Krafka, Director of Corporate Services / Treasurer P. Kelly, Fire Chief R. Leeson, 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. 2021-181

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Gerber

THAT a Closed Meeting of Council be held on Monday, September 13, 2021 at 4:00 p.m. in accordance with Section 239 (2), for the purpose of:

- b) personal matters about an identifiable individual, including municipal or local board employees;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

CARRIED.

2. MOTION TO RECONVENE IN OPEN SESSION

Resolution No. 2021-182

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Gerber

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

CARRIED.

3. MOMENT OF SILENCE

4. LAND ACKNOWLEDGEMENT

4.1 Councillor J. Pfenning read the Land Acknowledgement.

5. ADDITIONS TO THE AGENDA

6. ADOPTION OF THE AGENDA

Resolution No. 2021-183

Moved by: Councillor J. Pfenning

Seconded by: Councillor B. Fisher

THAT the Agenda, as presented, for September 13, 2021 be adopted.

CARRIED.

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

7.1 None Disclosed.

8. MINUTES OF PREVIOUS MEETINGS

8.1 Council Meetings Minutes Monday August 23, 2021

Resolution No. 2021-184

Moved by: Councillor J. Pfenning

Seconded by: Councillor C. Gordijk

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

Regular Council Meeting September 13, 2021.

CARRIED.

9. PUBLIC MEETINGS

10. PRESENTATIONS

11. CONSENT AGENDA

11.1 REPORT NO. PFRS 2021-014

Wilmot Seniors Woodworking & Craft Centre License Agreement

Resolution No. 2021-185

Moved by: Councillor J. Pfenning

Seconded by: Councillor C. Gordijk

THAT Report No. PFRS 2021-014 be approved.

CARRIED.

The Director of Parks, Facilities, and Recreation Services confirmed that the insurance limit has been cleared with the Insurance Pool to their satisfaction.

12. REPORTS

12.1 OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

12.1.1 REPORT NO. CAO 2021-003

2021 Mid-Term Work Program Report

Resolution No. 2021-186

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Pfenning

THAT the 2021 Mid-Term Work Program Report CAO 2021-003, dated September 13, 2021, submitted by the Interim Chief Administrative Officer, be endorsed.

CARRIED.

The Interim Chief Administrative Officer outlined the report.

The Manager of Information and Legislative Services advised that an update on the status of the Flag and Proclamation Governance Policy and the Code of Conduct update will be provided upon return of the Director of Information and Legislative Services.

The Manager of Information and Legislative Services advised that the Thank You Neighbor Program was completed in the spring; however, staff are open to launching another social media campaign in the fall. It was also confirmed that the Crime Prevention Committee will be meeting this fall.

The Director of Corporate Services clarified that several grant applications noted within the Work Program are in process with the Corporate Leadership Team considering eligible projects for the various streams. The Director of Corporate Services noted that when an application is not successful, generally no rationale is provided.

The Director of Parks, Facilities and Recreation Services advised that staff could look into the use of QR codes for trail information, noting that existing resources present challenges and that the Trails Committee will be engaged.

12.2 CORPORATE SERVICES

12.2.2 REPORT NO. COR 2021-29

Indigenous Reconciliation Action Plan – Update and Actions

Resolution No. 2021-187

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

WHEREAS the Truth and Reconciliation Commission (TRC) released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;

AND WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;

AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;

AND WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;

AND WHEREAS the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;

THEREFORE, BE IT RESOLVED THAT the Council of the Township of Wilmot does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities; and further

THAT rental-related fees associated with the use of municipal parks and facilities, for recognized Indigenous organizations to lead cultural and ceremonial events, be suspended for September 30, 2021; and further,

THAT staff be directed to develop a Corporate Guideline to support access and use of public spaces by Indigenous peoples to carry out cultural and ceremonial practices.

CARRIED.

The Director of Corporate Services outlined the report, and noted that early consultation with the Indigenous community has had some requests for use of park space for ceremonial purposes; however, mostly in the cities. It was clarified that the Township does have the ability to host events in many park spaces, that fit the needs of the Indigenous community.

The Director of Corporate Services confirmed that staff will undertake further consultation to establish a program for other dates of importance to the Indigenous community for ceremonial events, and that a full list of available spaces has been provided.

12.3 DEVELOPMENT SERVICES

12.3.1 REPORT NO. DS 2021-023

Aggregate Zoning Status Review

Resolution No. 2021-188**Moved by: Councillor B. Fisher****Seconded by: Councillor J. Pfenning**

THAT Report DS 2021-023 be received for information.

The Manager of Planning / EDO outlined the report.

The Manager of Planning / EDO confirmed that applications and their studies determine the appropriate setback for each location and that Council ultimately approves or refuses those site-specific setbacks. It was noted that the basis for setbacks is set by the Aggregate Resources Act (ARA).

In response to a question the Manager of Planning / EDO advised that the report was circulated to the Stone, Sand and Gravel Association and no comments were received and noted that this was the first time they have reached out for comment.

In response to a question the Director of Development Services advised that Council has the ability to make comment to the Province, whereas, staff are limited due to legislative requirements.

In response to a request the Manager of Planning / EDO confirmed they will reach out to neighbouring municipalities to ask why they chose to impose setbacks of 120 meters.

Samantha Lernout and Allan Ramsey appeared as delegations. The presentation is attached at Appendix A.

Allan Ramsey provided his opinion on the Township's current by-law and his perspective on elected officials advocating to the Province for set back standards. Allan Ramsey also provided clarification that he is not requesting the Township have a standard that is hard to meet, rather a standard that is appropriate for the Township.

The Director of Development Services emphasized that the application process and set back distances are based on multiple studies of each site on a site-specific basis. Each site is unique and a uniform standard beyond the base standard of the ARA would be somewhat meaningless.

Allan Ramsey noted that to his knowledge there is no buffer standard in the ARA Policy and that buffers have 3 components that need to be taken into consideration, and noted that there are variations on buffers but typically they are 6 to 9 meters wide.

In response to a question the Manager of Planning / EDO clarified the difference between a buffer and a berm.

The Director of Development Services noted that the Region of Waterloo has expert team to protect the groundwater and they review applications for each site.

Allan Ramsey advised that he is of the opinion that the standards set out are appropriate and many are above standards in the ARA.

Rory Farnan appeared as a delegation, expressing concerns for the Township potentially abandoning agricultural roots for aggregate. Rory Farnan provided public expressions of the effects of gravel pits on the landscape in North Dumfries and concerns that Wilmot Township will end up the same.

12.4 PARKS, FACILITIES AND RECREATION SERVICES

12.4.1 REPORT NO. PFRS 2021-016

Emergency Repairs to Township Facilities

Resolution No. 2021-189

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Gerber

THAT report PRFS 2021-016, regrading Emergency Repairs to Township Facilities, be received for information purposes.

CARRIED.

The Director of Parks, Facilities and Recreation Services outlined the report and clarified that staff are undertaking condition assessments on HVAC equipment across all facilities to identify any deficiencies.

12.5 FIRE SERVICES

12.5.1 REPORT NO. FR 2021-10

Open Air By-law Update

Resolution No. 2021-190

Moved by: Councillor J. Pfenning

Seconded by: Councillor B. Fisher

That Council approves the by-law to regulate the setting of Open-Air Fires including establishing the times during which Open Air Fires may be set and to repeal By-law No. 2004-42 being a Bylaw to regulate the setting of fires and precautions to be observed.

CARRIED.

The Fire Chief outlined the report.

The Fire Chief clarified the charge out rate is aligned with the MTO rate and the rate per fire fighter, and that is how they determine costs for open air fire calls.

The Fire Chief noted that the yearly permit fee also allows for education and compliance on a yearly basis and is common across several municipalities across Ontario. The fee is based upon administrative costs. The Fire Chief provided a high level overview of the permitting process.

The Fire Chief noted that the records for legacy permits are incomplete and any estimate on how many there are would likely not be accurate.

The Fire Chief noted that staff are planning a media release and advertising between now and January 1st. He confirmed there is a manual process in place for residents that are unable to apply online.

It was noted that any propane fire tables fall under the jurisdiction of the TSSA and if there is a complaint, staff will determine what the manufacture's requirements are to ensure compliance.

The Fire Chief advised that the website process will be the next step in the process once the By-law has been approved, it was noted that there are only 2 providers available to choose from and the more commonly used provider was chosen for the permit application. It was also noted that fees for permits typically do not have pushback from residents.

12.5.2REPORT NO. FR 2021-11

Fire Route Bylaw Update

Resolution No. 2021-191

Moved by: Councillor C. Gordijk

Seconded by: Councillor A. Hallman

That Council approves Bylaw 2021-41 to designate private roadways as emergency Fire routes along which no parking of vehicles shall be permitted and to Repeal Bylaw No. 85-5 being a Bylaw to designate private roadways as emergency fire routes and requirements to be observed.

CARRIED.

The Fire Chief outlined the report and clarified that the by-law is applied to particular streets depending on the design of the street, and the ability for the fire trucks to navigate. It was also noted that there are corners that have been identified throughout the Township for setback clearance and advised that that process is completed in consultation with Public Works and Engineering, not through this by-law.

13. CORRESPONDENCE

13.1 Integrity Commissioner Report No. 2021-04

Resolution No. 2021-192

Moved by: Councillor C. Gordijk

Seconded by: Councillor A. Hallman

THAT Correspondence Item 13.1 be received for information.

CARRIED.

14. BY-LAWS

14.1 By-law No. 2021-41

By-law to regulate the setting of open air fires

14.2 By-law No. 2021-42

Fire Route By-law

Resolution No. 2021-193

Moved by: Councillor C. Gordijk

Seconded by: Councillor B. Fisher

THAT By-law Nos. 2021-41 and 2021-42 be introduced, read a first, second and third time and finally passed in Open Council.

CARRIED.

15. NOTICE OF MOTIONS**16. ANNOUNCEMENTS**

- 16.1** Councillor C. Gordijk noted that there was a concert for Terry Fox last Friday that collected \$900 for cancer research and thanked Councillor A. Hallman for her efforts in organizing the event.
- 16.2** Councillor C. Gordijk advised that the ice cream truck parked at Sobey's is holding a weeklong fundraiser and proceeds from orders will be collected.
- 16.3** Councillor C. Gordijk encouraged everyone to register and participate in the virtual Terry Fox Run on Sunday September 19, 2021.
- 16.4** Councillor C. Gordijk advised that the New Hamburg Board of Trade is hosting a candidate debate for the Kitchener-Conestoga Riding on Wednesday September 15 at 7:00 pm.
- 16.4** Councillor A. Hallman reminded everyone to get out and vote on Monday September 20, 2021 and thanked all the volunteers and Township staff working for the election.

17. BUSINESS ARISING FROM CLOSED SESSION**18. CONFIRMATORY BY-LAW****18.1 By-law No. 2021-42****Resolution No. 2021-194****Moved by: Councillor C. Gordijk****Seconded by: Councillor J. Pfenning**

THAT By-law No. 2021-42 to Confirm the Proceedings of Council at its Meeting held on September 13, 2021 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

19. ADJOURNMENT (9:57 PM)**Resolution No. 2021-195****Moved by: Councillor C. Gordijk****Seconded by: Councillor B. Fisher**

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

CARRIED.

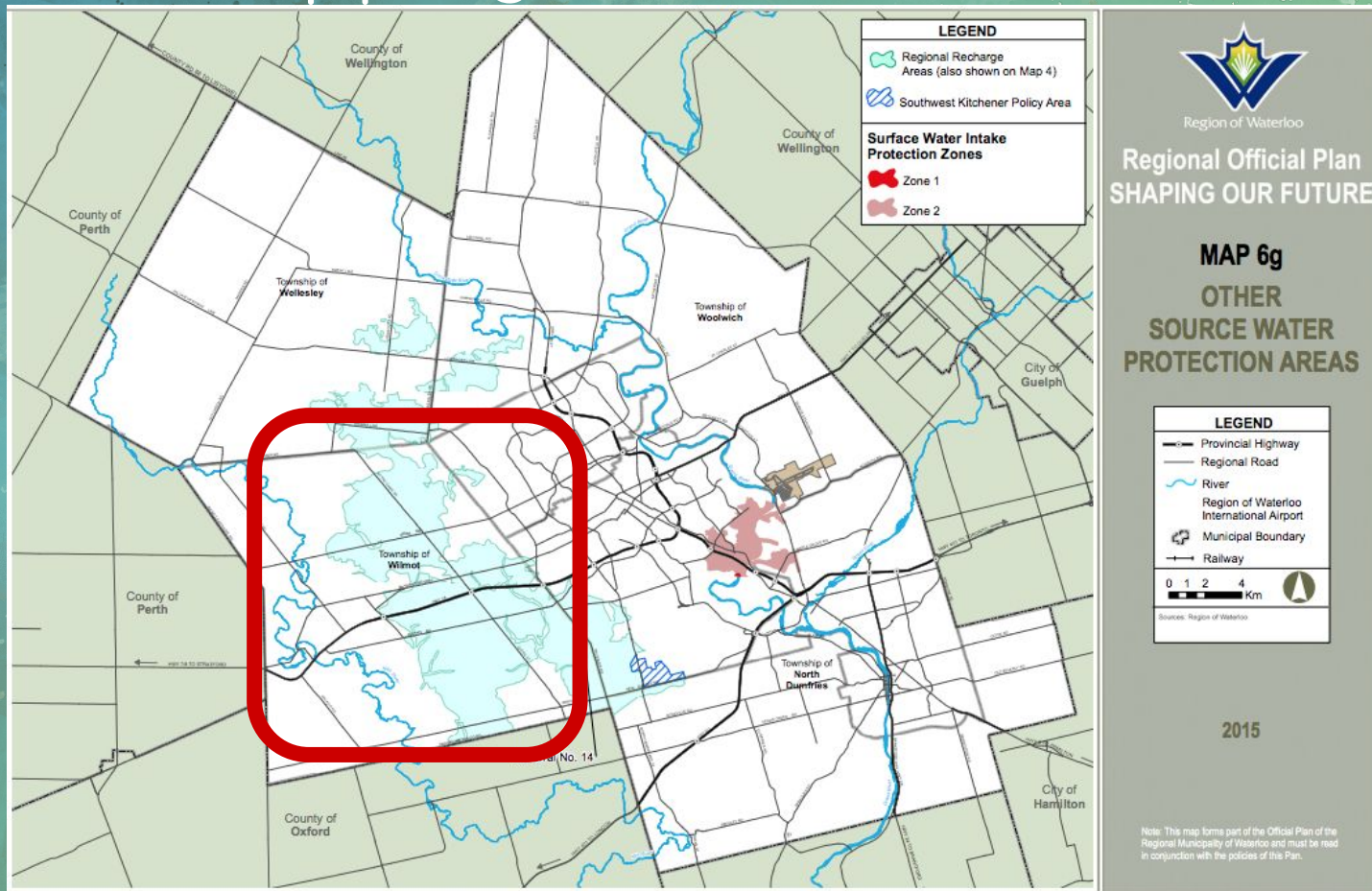
Wilmot Bylaw Revisions

September 13th, 2021 7:00 pm

Township of Wilmot Council Meeting



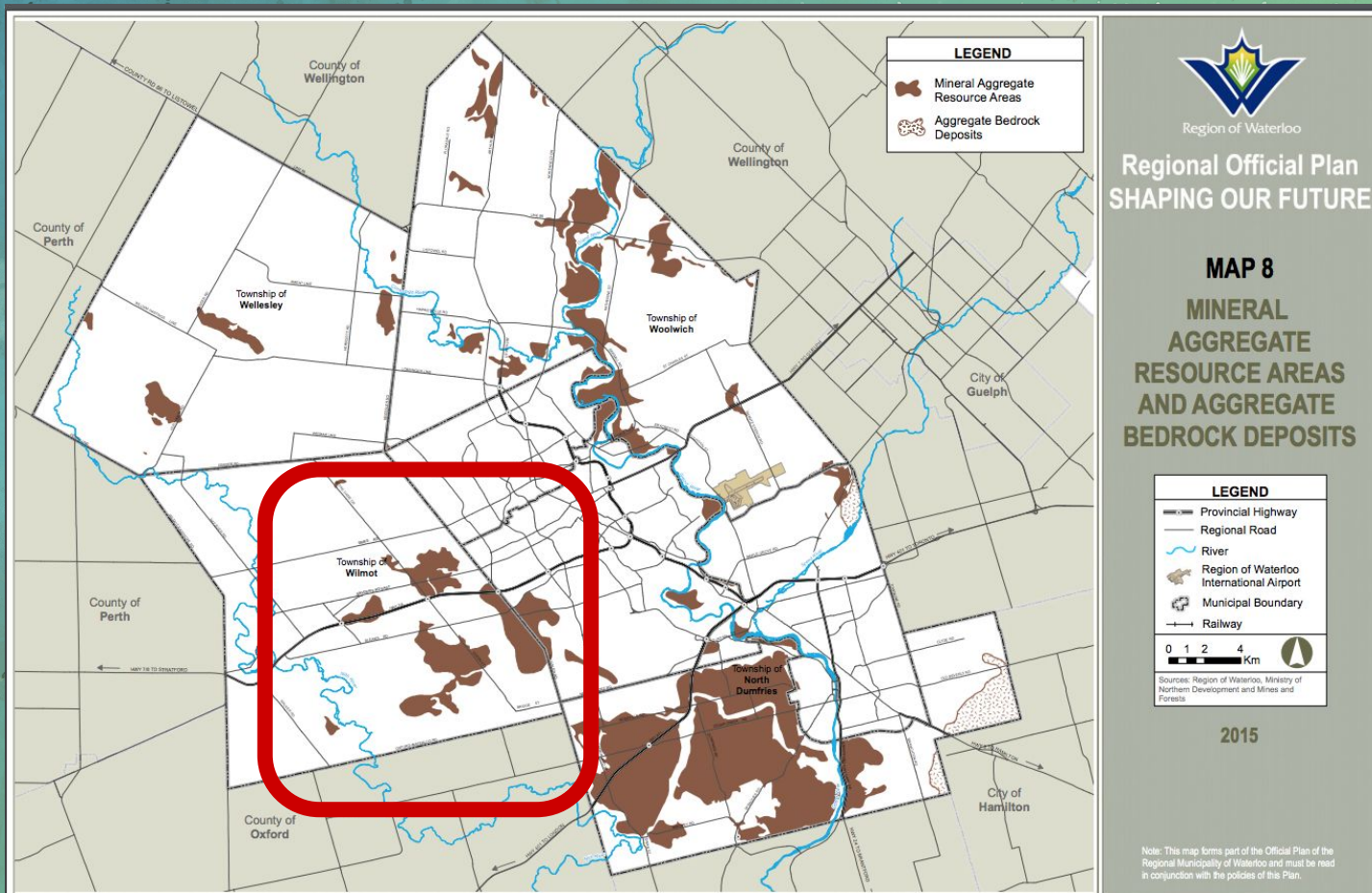
Overlapping Resources: Water



Water sources can overlap with deposits of sand, gravel, and other mineral aggregate



Overlapping Resources: Aggregate



“potential to impact the quantity and quality of water”
Region of Waterloo



Note: This map forms part of the Official Plan of the Regional Municipality of Waterloo and must be read in conjunction with the policies of this Plan.



Wilmot a Community Worth Protecting

Maclean's
Top 20 List of
best places
to live in
Canada

Terry Chabot
PHOTOGRAPHY



What are Bylaws?

- *implements the objectives and policies of the official plan*
- *i.e. lot sizes, setbacks, buffers, vehicular access, environmentally sensitive areas, wellhead and source water protection, and suitability of the land for the proposed use*

Bylaws set the local standard, making it clear for all parties what is considered safe and acceptable practice in our Township for the betterment of all.



Revising Wilmot's Bylaws

CSGW, with support from professional planner, Allan Ramsay, recommend:

1. Strengthen Current Bylaws
2. Adopt Best Practices



Allan Ramsay, BES, MASc, MCIP, RPP

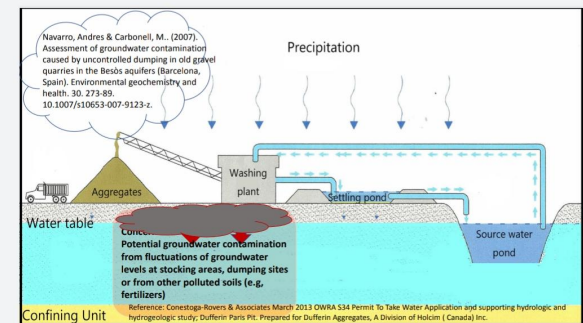
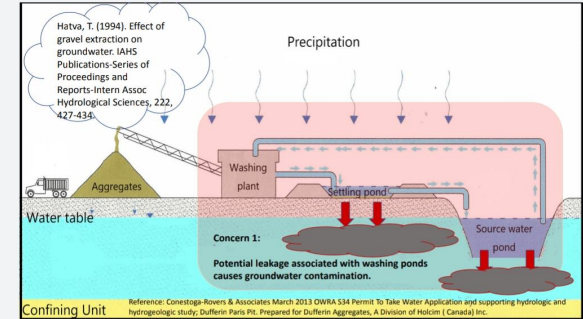
- » University of Waterloo Graduate
- » 30 Years in Planning Sector, Including Consulting Work with Local Municipalities
- » Provides Expert Testimony at the Provincial Level
- » Held Senior Positions with Town of Oakville, City of Burlington Planning Departments

Recommendations

Permitted Uses

1.) Regulation 20.1.3 be revised as follows:

The processing of extracted materials from the site including crushing, screening, sorting and storage of materials, but not include asphalt plants and **wash ponds** (in mapped Sensitive Recharge Areas)



Recommendations



Setbacks from a Residential Zone

2.) Regulation 20.2.7 be revised as follows:

No extraction of material from a pit or quarry shall occur within **120 metres** of an abutting property that is within a Residential Zone



Recommendations



Berm Height

3.) Standard **berm height** and location be set in order to protect our community health, quality of life and decrease visual impacts to our Township as a whole (*referenced in site specific exceptions*)



Recommendations

Buffer Area

- 4.) A buffer area to protect communities from aggregate processing (crushing, screening, washing, stockpiling etc.)





Wilmot Strategic Plan Goals Reflect:

- Engaged community;
- Prosperous economy;
- Protect our natural environment;
- Enjoy our quality of life





Thank You

**SAFE WATER +
HEALTHY COMMUNITY=
OUR WILMOT**

Re: Wilmot Bylaw Best Practices
Recommendations

September 1st, 2021

We (CSGW) would like to show our support for the existing standards regarding aggregate that have been set within the township and urge that these standards be upheld.

We have reviewed the proposed zoning by-law changes and have undertaken a *Best Practices* review of zoning by-law regulations in other jurisdictions.

Cambridge, Brantford, Hamilton and West Perth are examples of municipalities with detailed zoning regulations for quarries. Some include sizable setbacks of the extraction area from lands zoned residential, buffering requirements, etc.

Section 20 (beginning on pg. 81 regarding mineral aggregate zone 14) sets a strong foundation toward protecting Wilmot's health and safety. However, we request the following revisions and additions that would have the effect of further protecting the wellbeing of our communities and protection of our groundwater. These regulations are essential in order to set strong municipal standards.

We recommend the following:

- 1.) Permitted Uses:
Regulation 20.1.3 be revised to include wash ponds as a prohibited feature. The revised section would read as follows:

“The processing of extracted materials from the site including crushing, screening, *(remove washing)* sorting and storage of materials, but not including any temporary or permanent asphalt hot mix plant or ready mix concrete plant or wash ponds (in regional recharge areas according to the Source Protection Plan).

Open Storage and storage of aggregate, top soil or overburden shall not be permitted within:	<ul style="list-style-type: none"> i) 90 m of a Residential Zone; ii) 90 m of a lot occupied by an existing residential use; iii) 30 m of any other lot line or Zone line, iv) Notwithstanding the above, earth berms required to buffer the permitted use shall be permitted within the areas. Such berms shall not be permitted within three metres of a lot line or Zone boundary.
Extraction Area:	<ul style="list-style-type: none"> i) No extraction of material from a pit or quarry shall occur within 120 metres of an abutting property that is within a Residential Zone; ii) No extraction of material from a pit or quarry shall occur within 90 metres of any boundary on which the extraction is occurring.
Yard Requirements for Processing of Material:	<ul style="list-style-type: none"> i) no processing of extracted material shall occur within 90 metres of any boundary on which the extraction is occurring, ii) no processing of extracted material shall occur within 120 metres of an abutting property that is within a Residential Zone.
Planting Areas:	All buildings, structures, parking areas, and pit areas, except for a wayside pit, shall be screened from a street, unopened road allowance and from any land zoned Residential by a continuous row of trees <i>at the foot of the berm</i> consisting of coniferous species which will attain a minimum height of 6 metres.

<p>Parking Area and Driveways:</p>	<ul style="list-style-type: none"> i) No parking area and no internal road other than one access road on each lot shall be located within 45 metres of any street or any lot occupied by a dwelling. ii) Vehicular access from a street shall be provided at not more than one location on each lot and shall not be located within 75 metres of a dwelling or a street intersection or within 45 metres of a curve in a street and shall be located so that there are no obstructions to sight within the triangular area contained by the street line and lines joining a point on the access road 9 metres perpendicularly distant from the street line to the points on the street line 9 metres from the entrance of the access road.
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Thank you for your time and consideration.

Samantha Lernout Ritch Stevenson
Citizens for Safe GroundWater Inc.

[Rory Farnan](#)