

## **Council Meeting Agenda**

### **Regular Council Meeting**

**Monday, January 17, 2022**

**7:00 p.m.**

**Virtual Location**

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.

	<b>Pages</b>
1. MOTION TO CONVENE INTO CLOSED MEETING (IF NECESSARY)	
2. MOTION TO RECONVENE IN OPEN MEETING (IF NECESSARY)	
3. MOMENT OF SILENCE	
4. TERRITORIAL ACKNOWLEDGEMENT Councillor J. Pfenning	
5. ADDITIONS TO THE AGENDA	
6. ADOPTION OF THE AGENDA RECOMMENDATION That the Agenda as presented for January 17, 2022 be adopted.	
7. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT	
8. MINUTES OF PREVIOUS MEETINGS RECOMMENDATION THAT the minutes of the following meetings be adopted as presented:  Regular Council Meeting December 6, 2021  Special Council Meeting January 4, 2022  Special Council Meeting January 10, 2022	5
9. PUBLIC MEETINGS	
10. PRESENTATIONS	
10.1. Cultural Heritage Landscape Bridget Coady, Region of Waterloo	123

- 10.1.1. REPORT NO. DS 2022-002  
Cultural Heritage Landscape Study Update

136

### **RECOMMENDATION**

THAT Report DS 2022-002 be received for information.

## **11. CONSENT AGENDA**

### **RECOMMENDATION**

THAT Report Nos. PW 2022-01 and PW 2022-03 be approved.

#### **11.1. REPORT NO. PW 2022-01**

152

Award of Contract for Public Works Operations Centre  
Space Needs Study and Concept Design

#### **11.2. REPORT NO. PW 2022-03**

157

Christner Road Emergency Culvert Replacement

## **12. REPORTS**

### **12.1. INFORMATION AND LEGISLATIVE SERVICES**

#### **12.1.1. REPORT NO. ILS 2022-01**

160

Closure of Road Allowance - Arnold Street New Hamburg

### **RECOMMENDATION**

THAT Report No. ILS 2022-01 be received for information; and  
further,

THAT Council adopts By-law No. 2022-01.

### **12.2. PUBLIC WORKS AND ENGINEERING**

#### **12.2.1. REPORT NO. PW 2022-02**

162

Bridge Street Bridge- Structure No. 34/B-T9  
Schedule "B" Class Environmental Assessment  
and Preliminary Design – Project File Report



## **RECOMMENDATION**

THAT the Township of Wilmot take the following actions with respect to the Class Environmental Assessment for the Bridge Street Bridge - Structure No. 34/B-T9:

- i) endorse the preliminary design for construction of the preferred alternative – Multi Span Slab-On-Girder Bridge as detailed in Report PW 2022-02, dated January 17, 2022; and,
- ii) direct staff to file the Notice of Study Completion for this Municipal Class Environmental Assessment Schedule “B” Study by means of posting the Notice in the local newspapers, the Township’s social media, direct mailings, and place the Project File Report on the public record for a period of 45 days; and further

THAT following the 45-calendar day review period, the Township proceed to the detailed design phase, contract document preparation, tendering, and construction of preferred alternative for replacement of the Bridge Street Bridge - Structure No. 34/B-T9, awarding K. Smart & Associates this scope of work based on their proposal for Provisional Scope included in the RFP 2020-18 as submitted on May 26, 2020, at a cost of \$126,419.70, plus HST; and further,

THAT staff be directed to further investigate the relocation of the existing structure within the Township, and prior to calling the tender for construction, report back to Council with a recommendation.

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

- 12.3.1. REPORT NO. PFRS 2022-01  
Cemetery By-law Repeal and Replace

171

## **RECOMMENDATION**

THAT Report PFRS 2022-001, as prepared by the Manager of Community Services, regarding the proposed Cemetery Bylaw update, be received for information purposes; and further

THAT the draft Cemetery By-Law be endorsed in principle, for submission to the Bereavement Authority of Ontario (BAO).

12.3.2. REPORT NO. PFRS 2022-002  
Community Players

190

**RECOMMENDATION**

THAT the request for exclusive use of St. Agatha Community Centre from April 1 to 22, 2022 and the Arena Floor from April 23 to May 18, 2022, and the New Hamburg Community Centre from October 2 to November 20, 2022, by The Community Players (TCP) for planned rehearsals and productions in 2022 be approved; and further;

THAT staff be directed to work with TCP to develop an anchor tenancy agreement for the New Hamburg Community Centre for all future exclusive use requests.

**13. CORRESPONDENCE**

**RECOMMENDATION**

THAT Correspondence items 13.1 , 13.2, 13.3 and 13.4 be received for information.

- |       |  |     |
|-------|--|-----|
| 13.1. | <b>Proposed Changes to the Aggregate Resources Act</b>             | 213 |
| 13.2. | <b>City of Sarnia re: Catch and Release Justice</b>                | 214 |
| 13.3. | <b>Coalition of Muslim Women - Motion Against Quebec's Bill 21</b> | 215 |
| 13.4. | <b>Township of North Dumfries - Ontario Truck Traffic Study</b>    | 217 |

**14. BY-LAWS**

**RECOMMENDATION**

THAT By-law No. 2022-03 be read a first, second and third time and finally passed in Open Council.

- |       |  |     |
|-------|--|-----|
| 14.1. | <b>Drainage Provisional By-law</b>   | 220 |
|       | THAT By-law 2020-32 be read a third time and finally passed in Open Council. |     |

**15. NOTICE OF MOTIONS**

**16. ANNOUNCEMENTS**

**17. BUSINESS ARISING FROM CLOSED SESSION**

**18. CONFIRMATORY BY-LAW**

**RECOMMENDATION**

THAT By-law No. 2022-04 to Confirm the Proceedings of Council at it Meeting held on January 17, 2022, 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.

## **Regular Council Meeting**

### **Minutes**

December 6, 2021, 7:00 P.M.

Virtual Location

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

Staff Present: Chief Administrative Officer S. Chambers  
Director of Information and Legislative Services/Municipal Clerk  
D. Mittelholtz  
Manager of Information and Legislative Services/Deputy Clerk T.  
Murray  
Director of Public Works and Engineering J. Molenhuis  
Fire Chief R. Leeson  
Director of Corporate Services/Treasurer P. Kelly  
Director of Development Services H. O'Krafka  
Director/Curator Castle Kilbride T. Loch  
Manager of Planning and Economic Development A. Martin

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

**Moved by:**

**Seconded by:**

THAT a Closed Meeting of Council be held on Monday, December 6, 2021, at 4:45 P.M. in accordance with Section 239(2), for the purposes of:

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

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried.**

**2. MOTION TO RECONVENE IN OPEN MEETING**

**Moved by:** Councillor A. Hallman

**Seconded by:** Councillor C. Gordijk

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

**Carried.**

**3. MOMENT OF SILENCE**

**4. TERRITORIAL ACKNOWLEDGEMENT**

**5. ADDITIONS TO THE AGENDA**

**6. ADOPTION OF THE AGENDA**

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor C. Gordijk

That the Agenda as presented for December 6, 2021 be adopted.

**Carried.**

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

None Disclosed.

**8. MINUTES OF PREVIOUS MEETINGS**

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor C. Gordijk

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

Regular Council Meeting November 22, 2021

**Carried.**

**9. PUBLIC MEETINGS**

**9.1 REPORT NO. DS 2021-032**

The Manager of Planning outlined the report and advised traffic studies would include looking at the entire scope of the traffic flows and those details will be provided in a subsequent report.

Kevin Muir, GSP Group and Zac Zehr, Zehr Group, appeared as delegations and provided an overview of the development, noting that the plan is a mixed townhouse condominium development and outlined the specific designs of the development. Mr. Muir noted there is a variety of housing options in this development. Mr. Muir noted this is a work in progress and is always being refined based on market conditions and feedback from the public and Council.

In response to a question, Mr. Muir advised that they are not in the detailed design stage; however, they are committed to considering accessible units and net zero ready units within the property.

Mr. Zehr advised that Skyline is looking to relocate the photovoltaic that are currently on the property.

Mr. Muir noted that traffic mitigation is being considered throughout the design.

Mr. Muir advised that preliminary elevations have been designed and Mr. Zehr advised that they are looking to have development that fits the neighbourhood while also being impressively designed, including such things as ability for people to work from home, creating bright open spaces.

Mr. Mike Lucas appeared as a delegation, he advised of an email that was sent with his concerns for his privacy in his backyard. He noted that he would like consideration of a 2-storey development to better reflect the neighbourhood. Mr. Lucas noted that doing a traffic study during the current working from home conditions due to COVID could not provide an accurate reflection of the traffic volume.

**Moved by:** Councillor B. Fisher

**Seconded by:** Councillor J. Pfenning

THAT Report DS 2021-032 be received for information.

**Carried.**

## **10. PRESENTATIONS**

## 10.1 Project Grand River

The Director of Corporate Services outlined the report and introduced Jerry Van Ooteghem and Jim Phillips.

Mr. Jim Phillips and Mr. Jerry Van Ooteghem outlined the proposed merger. The presentation is attached as Appendix A.

Mr. Van Ooteghem advised that the comments received were in relation to the difference in rates, which was expected, noting that the proposed merger includes harmonized rates for a 20 year period which would see separate rates for Kitchener-Wilmot Hydro residents and Waterloo North Hydro customers.

### 10.1.1 REPORT NO. COR 2021-041

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor J. Gerber

WHEREAS on October 4, 2021 Council of The Corporation of the Township of Wilmot approved the Memorandum of Understanding (MOU) between The Corporation of the Township of Wilmot, The Corporation of the City of Kitchener, The Corporation of the City of Waterloo, The Corporation of the Township of Woolwich, The Corporation of the Township of Wellesley, Kitchener Power Corp. (KPC), and Waterloo North Hydro Holding Corporation (WNH), regarding the proposed merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their subsidiaries Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc.;

AND WHEREAS The Corporation of the Township of Wilmot is the beneficial and registered owner of 7.75% of the issued and outstanding shares in the capital of KPC and The Corporation of the City of Kitchener is the beneficial and registered owner of 92.25% of the issued and outstanding shares in the capital of KPC;

AND WHEREAS the Corporation of the City of Waterloo is the beneficial and registered owner of 73.2% of the issued and outstanding shares in the capital of WNH, the Corporation of the Township of Woolwich is the beneficial and registered owner of 20.2% of the issued and outstanding shares in the capital of WNH,

and The Corporation of the Township of Wellesley is the beneficial and registered owner of 6.6% of the issued and outstanding shares in the capital of WNH;

AND WHEREAS KPC owns all of the issued and outstanding shares in the capital of Kitchener-Wilmot Hydro Inc. ("KWHI") (an OEB-regulated electricity distributor) and Kitchener Energy Services Inc. ("KESI"), and has minority interest in Grand River Energy Solutions Inc.;

AND WHEREAS WNH owns all of the issued and outstanding shares in the capital of Waterloo North Hydro Inc. ("WNHI") (an OEB-regulated electricity distributor) and Alliance Metering Solutions Inc. ("AMS"), and has a minority interest in Grand River Energy Solutions Inc. and Eyedro Green Solutions Inc.;

AND WHEREAS the conditions set out in the MOU have been satisfied and incorporated into a more detailed "Merger Participation Agreement" (MPA), to be signed by all parties;

AND WHEREAS KPC and WNH recently completed a public input process related to the proposed merger, referred to as "Connecting Local Power", with no major concerns being raised by members of the public that would prevent the parties from proceeding with the proposed transaction;

AND WHEREAS all parties agree that it is beneficial for KPC and WNH to proceed with a proposed merger to amalgamate KPC and WNH and related subsidiaries under a new municipally owned corporation (Amalco Holdco) with municipal ownership share as follows (rounded):

- City of Kitchener 53.4%
- City of Waterloo 30.8%
- Township of Woolwich 8.5%
- Township of Wilmot 4.5%
- Township of Wellesley 2.8%

AND WHEREAS a Unanimous Shareholders' Agreement (USA) has been prepared, to be signed by all parties after the merger has been approved by the Ontario Energy Board, that outlines governance and other corporate considerations for the newly formed entity;

NOW THEREFORE IT BE RESOLVED that the Council of The Corporation of the Township of Wilmot hereby grants its approval as Shareholder, to proceed with the proposed merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their subsidiaries Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc.; in accordance with the provisions of the MPA and USA Agreements; and further,

THAT the Mayor and Clerk be authorized to execute the MPA and USA agreements as well as any incidental documentation determined to be necessary, by their Legal Counsel in consultation with the Township's Director of Corporate Services / Treasurer, to complete this merger; said agreements /documentation to be to the satisfaction of the Township Solicitor; and further,

THAT an application (MAADs application) under the Ontario Energy Board Act 1998 be submitted jointly by KWHI and WNHI to seek approval of the merger and related relief from the Ontario Energy Board.

**Carried.**

#### 10.1.2 Appendix A

### 10.2 Shop Local Bingo

The Director of Development Services outlined the report and introduced Lillianne Dunstall and Stephanie Goertz. They provided a presentation attached as Appendix B.

#### 10.2.1 REPORT NO. DS 2021-037

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor A. Hallman



THAT Report DS 2021-037 be received for information.

**Carried.**

#### 10.2.2 Appendix B

### 11. CONSENT AGENDA

#### 11.1 REPORT NO. DS 2021-035

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor J. Gerber

THAT Report No. DS 2021-035 be approved.

**Carried.**

### 12. REPORTS

#### 12.1 DEVELOPMENT SERVICES

##### 12.1.1 REPORT NO. DS 2021-033

The Manager of Planning outlined the report.

The Manager of Planning confirmed that the building code requires that accessibility is incorporated in the design and the Director of Information and Legislative Services advised that Grand River Accessibility Advisory Committee only comments on municipal projects and not private development.

The Manager of Planning advised that .6 meters is the minimum for parking setbacks.

Andrea Sinclair, MHBC appeared as a delegation and outlined the proposed development. She noted that there will be accessible units, including accessible sidewalks. Ms. Sinclair also noted that the building will be designed for efficiency in heating and cooling to ensure sustainability. She noted that the parking lot will include fencing along the property lines for added privacy to neighbouring properties.

Jen Zielman appeared as a delegation and addressed her concerns in regards to the size of the building and the reduced setback of the parking. She expressed her desire that the 2 large trees on the property remain. The Manager of Planning noted that the final site

plan has not been completed and at this time the status of the large trees is unknown. Ms. Sinclair advised that all efforts will be made to retain the trees.

Leslie Fagan appeared as a delegation and raised concern over the density on the number of units and parking. Ms. Fagan expressed concerns for any potential additional ball diamond at Sir Adam Beck Park and the Director of Parks, Facilities and Recreation advised there are no future expansion plans.

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor C. Gordijk

THAT Council approve Zone Change Application 06/21 made by Concept Development Group Inc. / MHBC, affecting Part of Lot 14, Concession North of Snyder's Road being Parts 1 and 2, Plan 58R-1966, to:

1. permit multiple residential units without a commercial use on the main floor,
2. reduce the parking ratio for apartment units from 1.5 spaces per unit to 1.2 spaces per unit,
3. reduce the minimum rear yard setback for the building from 7.5m to 4.6m, and
4. reduce the exterior side yard setback for the building from 6.0m to 5.2m.

**Carried.**

#### 12.1.2 REPORT NO. DS 2021-034

The Manager of Planning outlined the report.

The Manager of Planning confirmed that current locations would not allow for additional beautification; however, allowing for this for future locations would provide benefits to landowners. He clarified that Township current standards are not the same as the surrounding cities but those standards can be revised.

The Director of Development Services confirmed that these are treated as a site plan and will add an internal process to include beautification considerations and to also ensure that the Ward Councillor is circulated on the process.

**Moved by:** Councillor J. Gerber

**Seconded by:** Councillor J. Pfenning

THAT Report DS 2021-034 be received for information.

**Carried.**

#### 12.1.3 REPORT NO. DS 2021-30

The Director of Development Services outlined the report.

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor C. Gordijk

THAT Report DS 2021-030 be received for information; and,

THAT staff be directed to initiate discussions with Metrolinx to discuss both short term and long term opportunities for the residents of the Township of Wilmot to conveniently access GO train service, ideally within the future development corridor between Baden and New Hamburg.

**Carried.**

### 12.2 PARKS, FACILITIES AND RECREATION SERVICES

#### 12.2.1 REPORT NO. PFRS 2021-18

The Director of Parks, Facilities and Recreation Services outlined the report and noted that the timing of the third rink would be dependent on the priorities and funding availability of Council.

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor J. Pfenning

THAT the Third Ice Pad Public Consultation Summary Report be received;

AND FURTHER THAT staff be directed to proceed with a conceptual design and order of magnitude costing for a third ice pad at the Wilmot Recreation Complex site as recommended by consultants Monteith Brown Planning Consultants Ltd. and supported by public consultation;

AND FURTHER THAT staff be directed to present the conceptual design and order of magnitude costing to Council in Q1 of 2022.

**Carried.**

### 12.3 FIRE SERVICES

#### 12.3.1 REPORT NO. FR 2021-06

The Fire Chief outlined the report.

**Moved by:** Councillor B. Fisher

**Seconded by:** Councillor J. Pfenning

THAT Council approve the updated Emergency Response By-law;  
AND FURTHER THAT Council adopts both the new IMS  
Emergency Response Plan and the Emergency Management  
Program Committee Terms of Reference attached.

**Carried.**

## 13. **CORRESPONDENCE**

### 13.1 Integrity Commissioner Report Nos. IC-2021-03 and IC-2021-07

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor B. Fisher

That Correspondence Item No. 13.1 be received for information.

**Carried.**

## 14. **BY-LAWS**

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor C. Gordijk

THAT By-law Nos. 2021-57 and 2021-58 be read a first, second and third time  
and finally passed in Open Council.

**Carried.**

### 14.1 By-law No. 2021-57

### 14.2 By-law No. 2021-58

## 15. **NOTICE OF MOTIONS**

## 16. ANNOUNCEMENTS

16.1 - Councillor C. Gordijk - Advised that Saturday December 11, 2021 the Wilmot Terry Fox will be doing an online reading of a Christmas Carole. Asking viewers to give a donation to the Terry Fox Foundation - [facebook.com/wilmotterryfoxfrun](https://facebook.com/wilmotterryfoxfrun)

16.2 - Councillor C. Gordijk recognized the anniversary of the Montreal Macassar. She noted that this is the National Day of Remembrance and thanked the Women's Crisis Services of Waterloo Region for their support locally.

16.3 - Councillor A. Hallman also acknowledge the National Day of Remembrance and suggested that men reflect on their comments towards women and noted that women deserve the same fairness and equity as everyone else.

16.4 - Councillor A. Hallman thanked the community for coming out last Saturday for the Reverse Santa Claus Parade and thanked the New Dundee Optimist and the volunteers for the support

16.5 - Councillor A. Hallman advised of the dinner on Friday that is being hosted by the New Dundee Optimist Club.

16.6 - Councillor A. Hallman advised that the Township is in need of a Crossing Guard for New Dundee, interested parties are encouraged to apply.

16.7 - Councillor B. Fisher noted that the Baden Optimist Santa Claus parade was this past Saturday and thanked the community for their donations to the foodbank.

16.8 - Councillor B. Fisher thanked the Baden Chamber of Commerce for the light display in Baden.

16.9 - Councillor J. Pfenning thanked Councillor Gordijk for sharing the video and noted that violence against women happens in our community and that the community can speak up to stop the violence.

16.10 - Councillor J. Pfenning acknowledged that there are various seasonal celebrations throughout December and noted that no matter what celebrations people are having, there can be pressure and encouraged everyone to give people space if they need it or encourage them to participate.

16.9 - Mayor L. Armstrong hope that sooner than later that everyone gets involved to help put an end to violence.

16.10 - Mayor L. Armstrong advised that the Elf on the Shelf has received both of his shots and is double vaccinated making it safe to be in your house.

## 17. BUSINESS ARISING FROM CLOSED SESSION

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor J. Gerber

THAT Report DS2021-031 be received for information; and further,

THAT Council acknowledges the offer of a generous donation of approximately 14.1 acres of land from Mike Ulmer facilitated by Louis Veenstra; and further,

THAT Council only accepts the donation providing the following conditions are met:

1. the configuration of the transfer ensures that a width of 3.0m, or greater, if necessary, is included within the transfer in the area between the lands to be retained and the property to the south; and further,
2. the Township be provided with a structural analysis of the dam structure on the property, and agrees to the structural repair plans or removal of the structure being facilitated by Louis; and further,
3. the Township receive a final inspection report from a Professional Engineer that the dam has been restored (or removed) to provide for long term safe public access; and further,

THAT, should the Township accept the donation of land, a tax receipt be provided for the land donation in an amount determined by an independent certified appraisal; and a tax receipt in the amount, verified by receipts, for the cost of any engineering review and reporting along with permit fees and construction costs, related to restoration of the dam.

**Carried.**

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor J. Pfenning

THAT Confidential Report DS 2021-036 be received for information;

THAT Council accept the generous donation of lands from Tri-County Mennonite Homes (TCMH) with the costs of surveying, preparing and registering being borne by the proponents;

THAT if requested, the Township provide a tax receipt in the amount determined by an independent certified appraisal of the value of the lands donated by Tri-County Mennonite Homes (TCMH). The cost of the independent certified appraisal, and any review by the Township solicitor, would be borne by the Township of Wilmot;

THAT, Tri-County Mennonite Homes (TCMH) acknowledge in writing that they understand that this donation of lands does not constitute satisfying the parkland dedication/cash-in-lieu of parkland dedication requirements to be imposed as a condition of Site Plan Approval for the future apartment site fronting Nevills Street created by this donation; and,

THAT Tri-County Mennonite Homes (TCMH) acknowledge in writing that they understand that this donation of lands does not constitute satisfying the Township requirements for acceptable maintenance access, infrastructure access and right of drainage to the southerly storm water management pond from the intersection of Victoria Street / Boullee Street which was identified as part of the conveyance of the former Victoria Street Road allowance, and which is to be addressed as part of the

Section 41 Site Plan Approval process prior to the development of those lands.

**Carried.**

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

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor B. Fisher

THAT By-law No. 2021-59 be introduced, read a first, second, and third time and finally passed in Open Council.

**Carried.**

#### **19. ADJOURNMENT**

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor C. Gordijk

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

**Carried.**



**Proposed Merger  
between  
Kitchener Power Corp  
and  
Waterloo North Hydro Holding  
Corporation**

**Presentation to  
Township of Wilmot Council**

**December 6, 2021**

Jim Phillips, Chair  
Jerry Van Ooteghem, President & CEO





# Background Summary



- Kitchener Power Corporation (KPC) and Waterloo North Hydro Holding Corporation (WNH) jointly retained an independent advisor to evaluate a potential merger between the two entities.
- The entities are the holding companies for Kitchener-Wilmot Hydro Inc. (KWHI), and Waterloo North Hydro Inc. (WNHI).
- The senior management of both entities worked together with the independent advisor to evaluate the business case benefits of merging the two utilities.
- The business case, and legal and financial issues have been carefully evaluated.
- Independent legal advisors, representing each of the organizations, completed legal due diligence.
- Peer reviews of both the legal, financial and technical aspects have also been conducted.

# Shareholder Direction



On October 4, 2021, Council gave direction to staff and the Board of Directors of Kitchener Power Corp. (KPC) to:

- Proceed with negotiating and finalizing the Merger Participation Agreement (MPA) and the Unanimous Shareholders' Agreement (USA), and,
- To move forward with the recommended public engagement process and report back to Council prior to December 31, 2021, for Council's consideration and final merger approval.

The MPA and USA are in the final form ready for consideration and approval by Municipal Councils.

National PR worked with WNH HoldCo and Kitchener Power Corp. (KPC) to complete the community engagement.

# Public Announcement



- On October 1, 2021, Kitchener Power Corp and Waterloo North Hydro Holding Corporation made a public announcement of the proposed merger of Kitchener-Wilmot Hydro and Waterloo North Hydro.
- The announcement launched the public engagement phase of the proposed merger on October 6 after the Memorandum of Understanding (MOU) was approved by all Councils on October 4 and October 5.
- The objectives of the communications strategy and public engagement plan were to:
  - Inform and engage customers, residents and employees
  - Raise awareness and understanding of the rationale, details and benefits of the merger
- A communications campaign – Connecting Local Power - was launched, including the website, with the primary objective being to keep residents and key stakeholders informed while seeking public input.
- A SharePoint site was also set up for staff to view all of the latest information and media news articles.

# Public Information Session



- A virtual public information session was held on October 19 at 7:00 pm.
- Residents who attended received an overview of the proposed merger and had their questions answered by panelists from Kitchener-Wilmot Hydro and Waterloo North Hydro
- There were 23 people who registered for the public information session including 17 residents and 6 others.
- A steady flow of questions were asked during the one (1) hour session. Questions focused on rates, service impacts, investments in innovation and climate change and electric vehicle rebates.

## Website/Social Media



- As of November 11, there were a total of 3,806 visitors to the website – Connecting Local Power. The highest number of users were from the following municipalities: Kitchener (407), Toronto (159), City of Waterloo (127) and Cambridge (111).
- As of November 23, the website received a total of 16 inquiries from residents with comments and questions.
- Content and graphics were created for social media posts related to the proposed merger
- All five (5) municipalities as well as Kitchener-Wilmot Hydro and Waterloo North Hydro shared these posts on their Twitter and Facebook pages. The social media posts were also included in a communications package that was shared with municipal Councillors.
- The proposed merger received mostly positive feedback from residents who asked questions and from news media reports.

# Next Steps



Subject to approval of the MPA by all five councils, there is significant work to be done before closing the transaction to start the proposed merged LDC.

The Merger Participation Agreement (MPA) with attached schedules including the Unanimous Shareholders' Agreement (USA) will need to be executed by all parties.

Subject to approval from Councils, the proposed merger will be submitted to the Ontario Energy Board (OEB) and the Competition Bureau in early 2022 for approval.

While awaiting Ontario Energy Board (OEB) approval (likely 6 months), the parties will work on the selection of the new Board, Board Chair, and CEO, as well as preparing to start the new company. A new name will be identified for approval. We expect NewCo may start in Q3, 2022.

The Unanimous Shareholders Agreement (USA) would be signed and executed after OEB approval and just prior to closing the transaction.

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# Conclusions

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Significant effort and discussions have occurred amongst the parties to develop and negotiate the final versions of the MPA and USA.

The MPA and USA meet the terms set out in the Memorandum of Understanding (MOU) and represent a fair and reasonable approach to the merger.

The community engagement website is ongoing until March 31, 2022. The proposed merger has received relatively positive feedback and very few negative comments from the community. We will continue to monitor traditional and social media and respond to resident inquiries.

We have met all the conditions precedent from the Councils to proceed with the merger.

## Recommendation to Council



Having reviewed and thoroughly discussed:

- a) the Merger Participation Agreement for the merger of Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their two electricity distribution companies, Kitchener-Wilmot Hydro and Waterloo North Hydro, and,
- b) the Unanimous Shareholders' Agreement, and
- c) the Public Engagement report

the Board of Kitchener Power Corp. unanimously recommends to each of the Councils:

- i. that Council authorize each of Kitchener Power Corp. (KPC), Kitchener-Wilmot Hydro Inc. (KWH) and Kitchener Energy Services Inc. (KESI) to enter into the Merger Participation Agreement, and
- ii. that each Municipality enter into the Merger Participation Agreement





# Questions?





## Shop Local Wilmot

Love where you live



Baden  
Outlook



TOWNSHIP OF  
**Wilmot**



Dressed to Deliver  
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# SHOP LOCAL WILMOT BINGO

## OBJECTIVES

- 1.) Encourage Wilmot Residents to shop locally over the holidays**
- 2.) Incentivize Wilmot Residents to visit businesses they normally wouldn't**
- 3.) Make it a family event, take your kids or go shopping with friends, but bundle up and go enjoy the community**



# BENEFITS

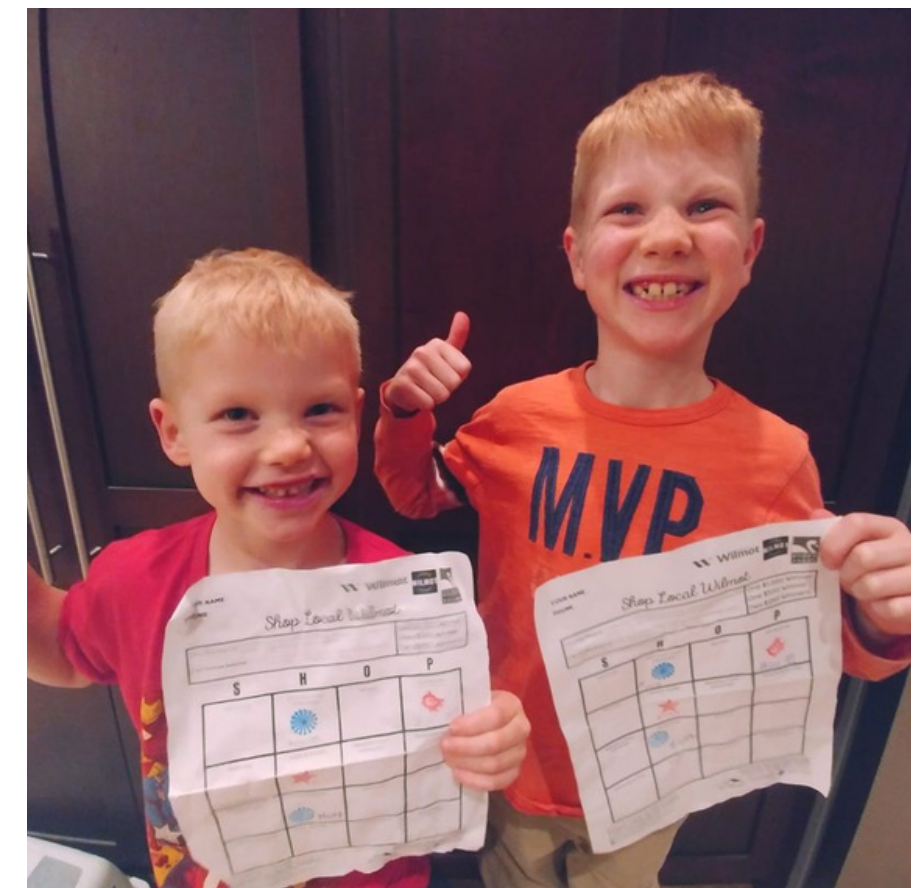
## BUSINESSES

- Drive new customers through shop doors
- Local businesses building networks
- Fun way to build relationships with local residents



## RESIDENTS

- Family Fun!
- Discover new local businesses
- Get out and socialize!!



# HOW IT WORKS

S	H	O	P
Farm Fresh	Restaurant, Food & Beverage	Services	Any Business
Pharmacy	Home & Garden	Restaurant, Food & Beverage	Handmade & Crafts
Restaurant, Food & Beverage	Any Business	Pharmacy	Services
Handmade & Crafts	Services	Home & Garden	Restaurant, Food & Beverage

## TWO WAYS TO ENTER!

**PURCHASE:** Complete rows of 4 (any direction) by receiving a stamp and store # when you purchase

1 line = 1 entry

2 lines = 3 entries

Full card = 5 entries

**NO PURCHASE:** Visit stores and receive stamps from 16 different businesses.

Full card = 1 entry

Entries to be submitted at local Libraries





# PRIZING MONEY

TO BE SPENT AT PARTICIPATING BUSINESSES

\$1,000

\$500

\$250

\$250

*Thank  
you!*



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**Wilmot** TOWNSHIP OF





# KEY DATES

**November 25: Launch**

**December 6: Present to Council**

**Weekend Dec 13: Mid-Promo Event**

**December 25: Promotion Ends**

**December 30: Public Draw**



# FEEDBACK

***"I found a service I had been looking for and it's local."***

***"My husband and I are having fun with it"***

***"I printed off one for each of my kids and we are doing it together...."***

***"What a fun way to get out in the community"***

***"My very first customer of the day had a bingo card"***

***"I've already had 5 people in with cards"***

***"I didn't know there was a charcuterie service here and found one on the list in Baden. Turns out she uses some of my products in her boards. I told her to give me a call"***



# HOW IT'S GOING

**# of Business = 72 businesses**

**3,600 views, Nov 24 - Nov 30  
(2,300 on Nov 24)**

**Eventbrite - 90 registered to receive emails**

**Facebook - 80 interested**



# OUR ASK OF COUNCIL

***Anything you can do in your wards would be an assist***

**Social Media Pages**

**Mention in monthly mailers**

**Mention in any holiday gatherings**





# THANK YOU FOR YOUR SUPPORT!

- Lillianne Dunstall:  
lilliannedunstall@gmail.com
- Stephanie Goertz  
stephanie.s.goertz@gmail.com



*" The backbone of any healthy community is the health and vibrancy of it's businesses."*

## **Special Council Meeting**

### **Minutes**

January 4, 2022, 5:00 P.M.

Virtual Location

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

Staff Present: Chief Administrative Officer S. Chambers  
Director of Information and Legislative Services/Municipal Clerk  
D. Mittelholtz  
Manager of Information and Legislative Services/Deputy Clerk T.  
Murray  
Director of Corporate Services P. Kelly  
Fire Chief R. Leeson  
Director of Development Services H. O'Krafka  
Manager of Planning and Economic Development A. Martin

---

**1. MOMENT OF SILENCE**

**2. TERRITORIAL ACKNOWLEDGEMENT**

Councillor B. Fisher read the Territorial Acknowledgement

**3. ADOPTION OF THE AGENDA**

**Moved by:** Councillor J. Gerber

**Seconded by:** Councillor B. Fisher

THAT the Agenda, as amended, for the January 4, 2022, Special Meeting of Council, be adopted.

**Carried / Defeated / Defeated / Carried Unanimously / Defeated  
Unanimously**

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

Councillor J. Pfenning advised of a Pecuniary Interest under the Municipal Conflict of Interest Act and noted that she would not be participating during Report No. DS 2022-001 and her camera would be shut off.

**5. PUBLIC MEETINGS**

**5.1 REPORT NO. DS 2022-001**

The CAO outlined the report.

Mr. David Falletta, Mr. Michael DeBiasio and Mr. Ramsey Shaheen, Cachet Developments Inc. provided an overview of the proposed MZO. Their presentation is attached as Appendix A.

Barbara Schumacher appeared as a delegation on behalf of 50by30 Waterloo Region, her written submission is attached as Appendix B.

Doug Jones and Stephanie Goertz appeared as delegations on behalf of Food Systems Round Table, their written submission is attached as Appendix C.

Stephanie Goertz appeared as a delegation on behalf of the Nith Valley Ecoboosters. She focused on the alignment with the vision of the Township; suggesting that this development does not align with the vision. She noted that a new vision and community engagement for the Township. She noted that the proposed development is proposing a 15 minute community and that this development does not fit this model. She raised concerns of the proposed transit hub and questioned if there were discussions with local Indigenous communities to ensure there are no concerns with the land.

Kevin Thomason appeared as a delegation, his presentation is attached as Appendix D.

Clarification was provided that members of Council and staff did not request the MZO; it is a process that is driven by the developer and that Council is subject to the timelines set out as such.

Kevin Eby appeared as a delegation, his presentation is attached as Appendix E. In response to a question, Mr. Eby noted that the original intent of an MZO were to make planning decisions in municipalities without a planning process in place, he noted that they have been used for large scale developments such as moving forward with a hospital development to respond to community needs and noted that in this application it is a benefit to the developer. Mr. Eby responded to another question from Council regarding threat of no growth without the approval of an MZO, noting that there are other opportunities.

Sean Campbell appeared as a delegation on behalf of Hold the Line WR. Mr. Campbell noted there are positive elements of the proposal for smart intensification, noting that building up is good for communities; however, noted there are concerns such as the abandonment of the planning process. He suggested including all voices and engaging the community that have the expertise. He expressed his concerns for the application and the lack of full information provided in the application in particular with the responsibility for managing the affordable housing.

Mark Reuseer appeared as a delegation on behalf of Waterloo Federation of Agriculture, his written statement is attached as Appendix F.

Rory Farnan appeared as a delegation, his written statement is attached as Appendix G.

Linda Laepple appeared as a delegation on behalf of the National Farmers Union, her presentation is attached as Appendix H.

Andrew Wilson appeared as a delegation, his presentation is attached as Appendix I.

Barry Wolfe appeared as a delegation, his presentation is attached as Appendix J.

Kae Elgie appeared as a delegation, her presentation is attached as Appendix K.

Greg Michalenko appeared as a delegation, noting that he has concerns similar in nature to the previous delegations. He advised that an MZO would prevent other bodies for comment and set a precedent. He noted

that with the climate crisis building communities will have to take new measures.

The applicant and representatives, Ramsey Shaheen, David Falletta and Michael DeBiasio to provide the following clarifications:

- the plan to develop the property has been in the planning stages since late 2020, with no intention to apply for an MZO, that was initially contemplated in November 2021. The need for housing in an affordable manner is challenging and this will help accommodate growth in the Region.
- public engagement and input is important to coming up with the best solution
- these lands were left out of the last MZR
- the process for draft plan of subdivision process will take time as the review required by appropriate agencies and Regional levels
- clarified that the urgency for this application is the developer has no recourse on the MZR process with the Region and the housing crisis is driving the need
- the developer advised that consultations with the Indigenous Community would occur before the approval of the MZO and a stage one archeological study is being done prior to those consultations
- clarified that the buildings would be 6 storey's high that would create a main street feel, as well as to achieve the greenfield development density requirements
- the development site is surrounding by two main roads, main amenities and there has been trail donations to the Township
- transit, mixed use community is an important aspect to maintain a sustainable development
- the fertilizer plant is a constant which is why residential lands uses are proposed north of the trail and will be implemented through the development approval process
- the intention is to hear feedback from the community on the proposed masterplan
- they are willing to pay a fee if it is required

- the objective is to offer a choice to the market with balance in housing options and the MZO approach was taken to provide the variety of housing markets

Mr. Shaheen noted that until these lands are brought into the urban boundary, they are unable to bring the lands forward by filing a traditional zoning application, he noted the MZO will allow for the subject lands to be brought into the urban boundary.

The CAO advised that process questions from Council can be brought forward to the Township Solicitor.

The Director of Development Services outlined the report.

Discussion surrounding amending the recommendation. An amended recommendation was drafted and approved.

**Moved by:** Councillor A. Hallman

**Seconded by:** Councillor C. Gordijk

THAT Report DS 2022-001 be received for information;

THAT Council set a date of January 10, 2022, for an education session with the Township Solicitor respecting Minister's Zoning Order's (MZO);

THAT Council hold an information gathering Special Council Meeting on February 14, 2022; and further,

THAT Council set February 28, 2022, to make a decision on the final recommendation on the MZO request.

**Carried / Defeated / Defeated / Carried Unanimously / Defeated  
Unanimously**

5.1.1 Appendix B

5.1.2 Appendix C

5.1.3 Appendix D

5.1.4 Appendix E

5.1.5 Appendix F

5.1.6 Appendix G

5.1.7 Appendix H



5.1.8 Appendix I

5.1.9 Appendix J

5.1.10 Appendix K

## 6. REPORTS

### 6.1 FIRE SERVICES

#### 6.1.1 REPORT NO. FD 2022-01

The Fire Chief outlined the report and provided an overview of the type of apparatus and the purpose of such, he noted that no additional equipment will be required.

**Moved by:** Councillor J. Pfenning

**Seconded by:** Councillor B. Fisher

THAT the contract for supply and delivery of two (2) Rescue Apparatus, be awarded to Commercial Emergency Equipment Company (Pierce) as per their proposal, at a total cost of \$1,279,980, plus HST, and further

THAT staff be provided pre-budget approval to incorporate additional funding of \$136,250 within the 2022 Capital Program for the replacement of Rescue Apparatus at Station 1 (Baden); and further

THAT staff be provided pre-budget approval to incorporate \$651,250 into the 2023 Capital Program for the replacement of Rescue Apparatus at Station 3 (New Hamburg).

**Carried / Defeated / Defeated / Carried Unanimously / Defeated Unanimously**

## 7. CONFIRMATORY BY-LAW

**Moved by:** Councillor B. Fisher

**Seconded by:** Councillor C. Gordijk

THAT By-law No. 2022-01 to Confirm the Proceedings of Council at its Special Meeting held on January 4, 2022, be introduced, read a first, second, and third and finally passed in Open Council.

**Carried / Defeated / Defeated / Carried Unanimously / Defeated  
Unanimously**

**8. ADJOURNMENT**

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor A. Hallman

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

**Carried / Defeated / Defeated / Carried Unanimously / Defeated  
Unanimously**



# Wilmot Village

1265 and 1299 Waterloo Street

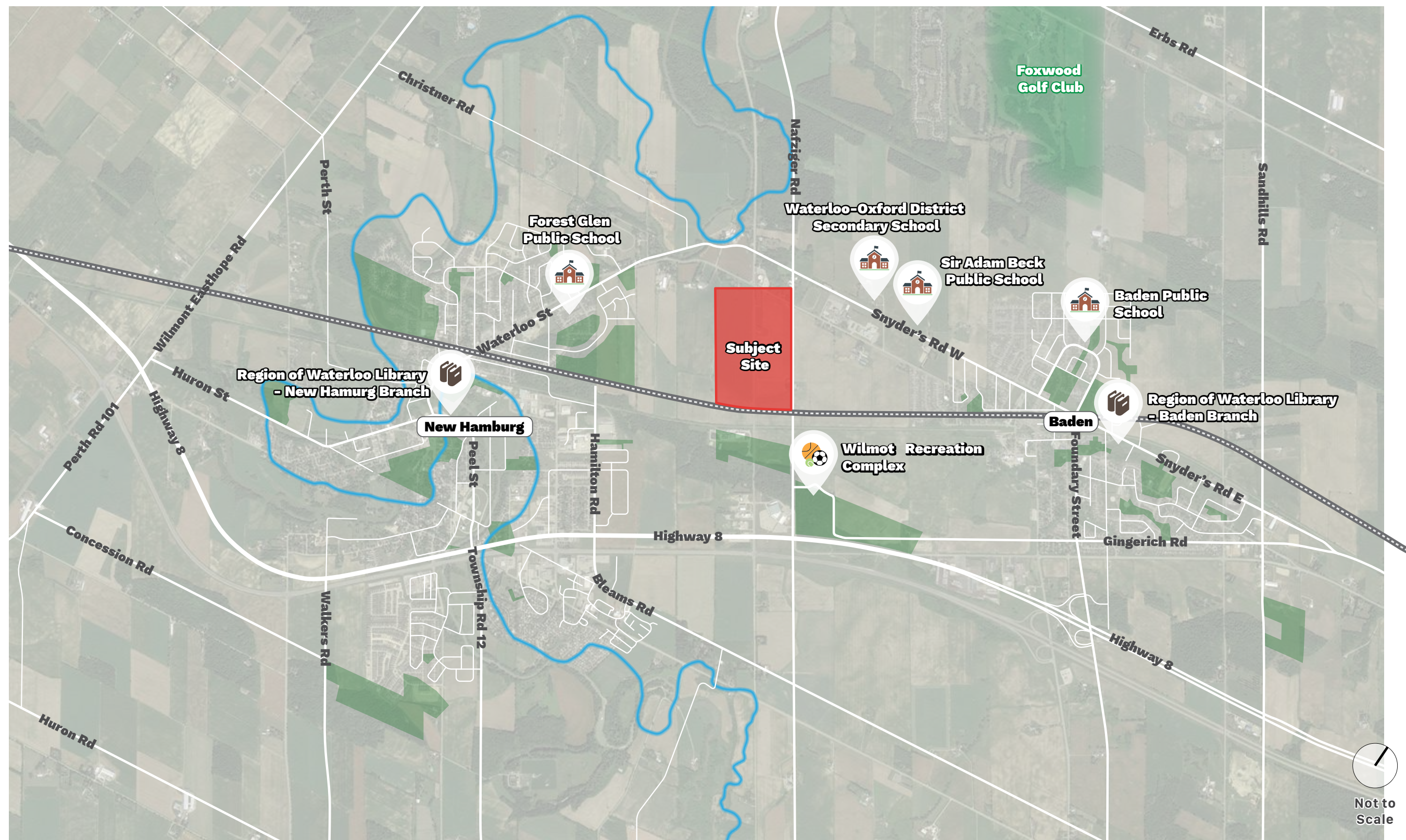
Wilmot Township

January 4, 2022





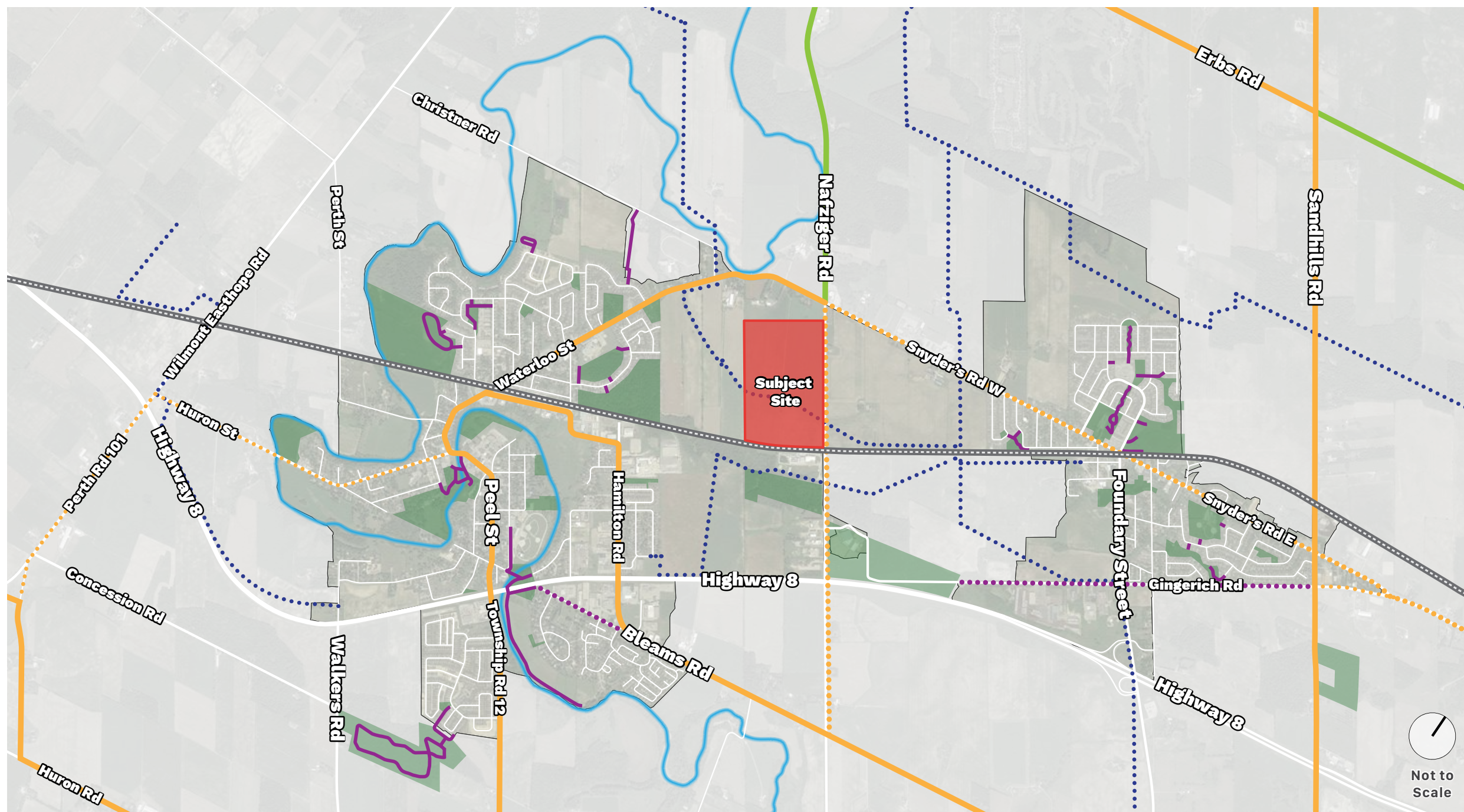
# Site & Surroundings





# Existing Urban Structure

## Cycling Network, Trial Network, Parks and Open Spaces



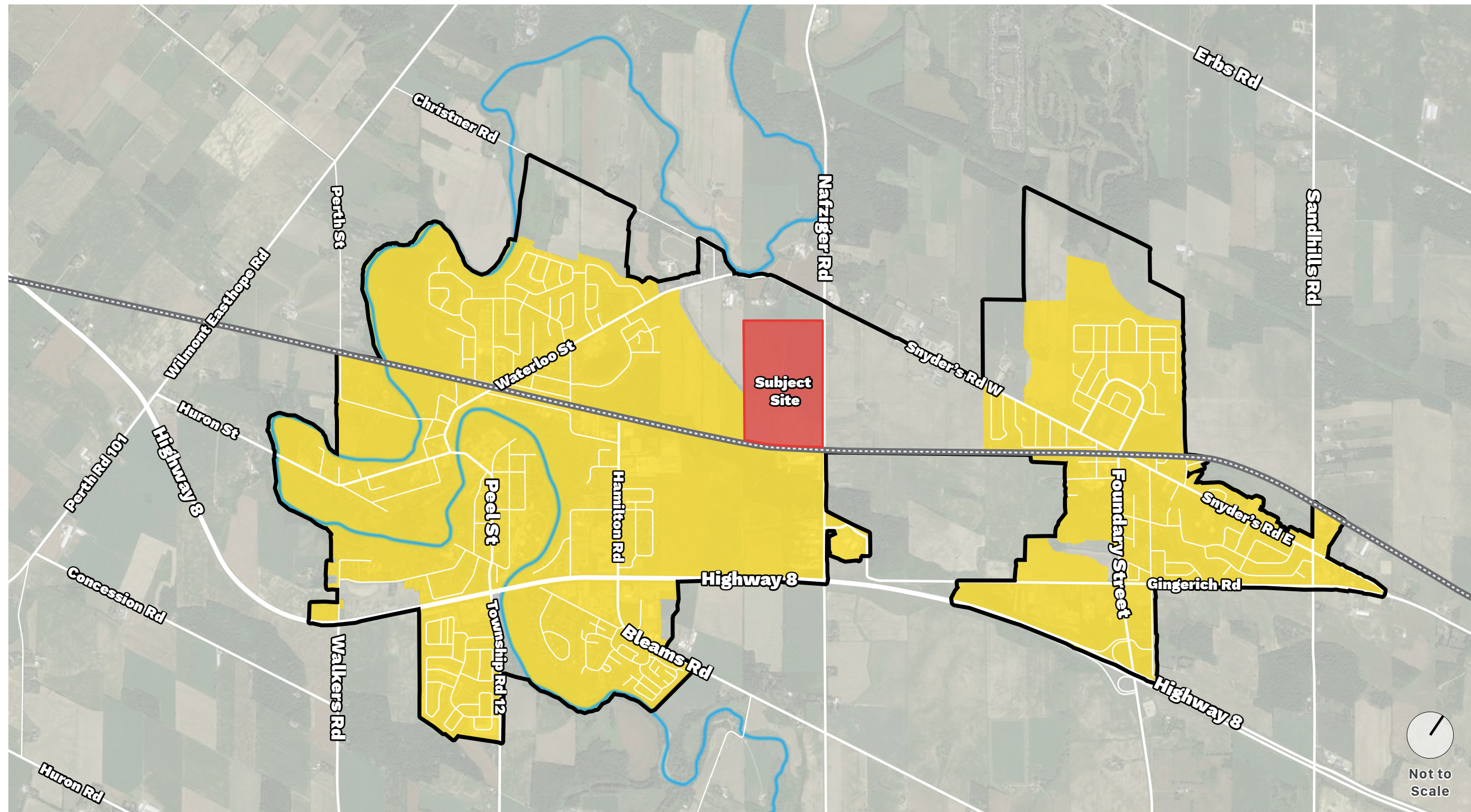
### Legend

- |  |   |   |  |  |
|--|---|---|--|--|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> Subject Site | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> SWM, Open Space and Parkland      | <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> Planned Cycling Route    | <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> Future On Road Cycling Opportunities          | <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> Existing Cycling Route |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> Trail     | <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> Future Boulevard Multi-Use Trail | <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> Existing Snowmobile Trails | <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> All day Metrolinx Go Service (London - Toronto) |  |



# Existing Urban Structure

## Surrounding Urban Areas



**Legend**

Subject Site

Urban Area

Countryside Line



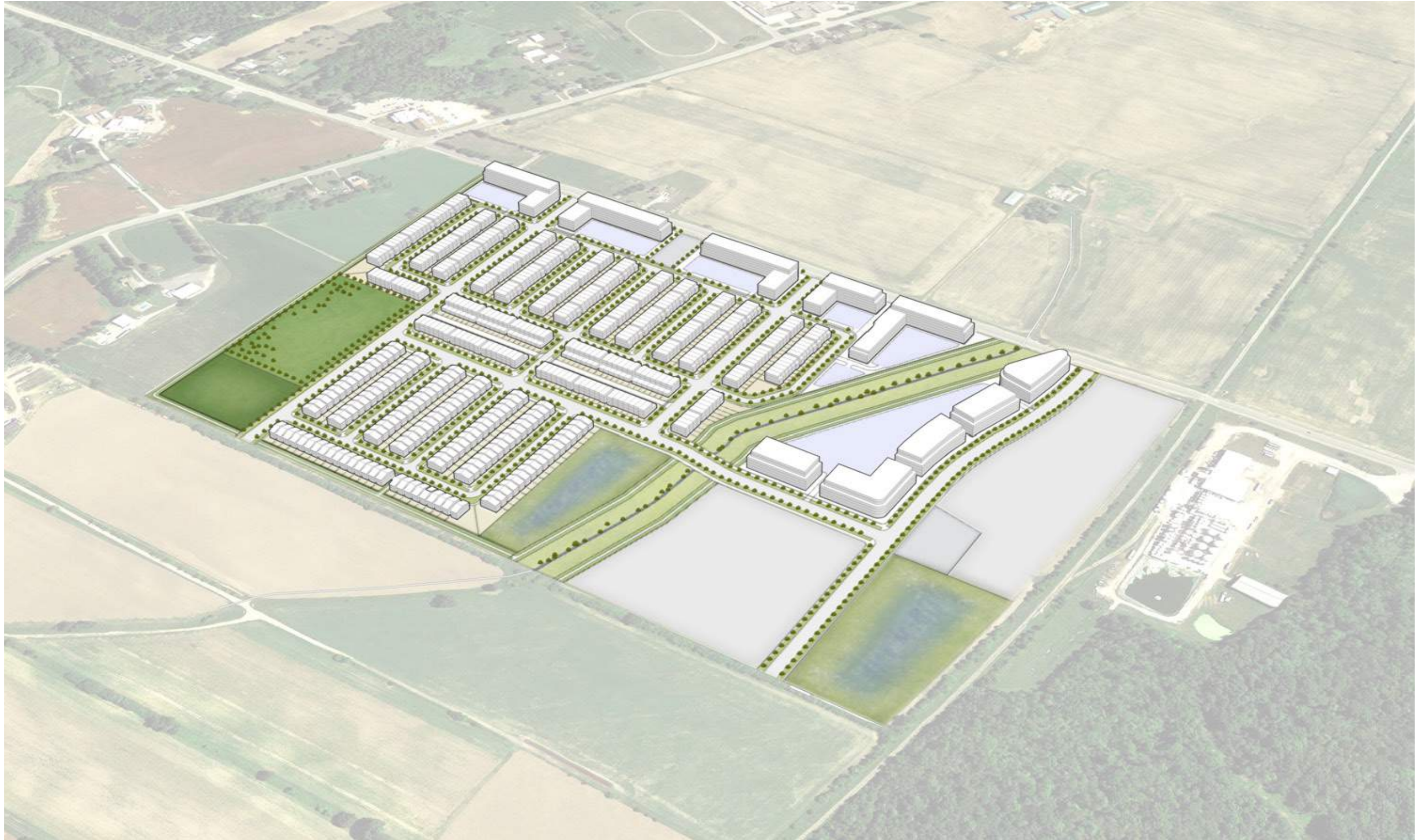
# The Masterplan





# The Masterplan

## Axonometric View Looking North





Delegation – Barbara Schumacher

Thank you, Mayor and Councillors, for the opportunity to speak to you and the citizens of Wilmot. I am representing 50by30WR. I will recommend that Wilmot Council pass a motion similar to the motion regarding MZO's unanimously approved on May 11, 2021 by the City of Cambridge.

To begin I will remind you of the report by Ontario's Auditor General Bonnie Lysyk. The December 1, 2021 News Release entitled *Ministers' Zoning Orders Disrupt Land Use Plans That Took Years to Create*: reads in part:

Ministers' Zoning Orders (MZO's) are being used to fast-track development, overriding provincial and municipal plans which have taken years of technical studies and public consultation... In the two-year period from March 2019 to March 2021, 44 MZO's were issued. Prior to this, MZO's were issued about once a year...

"The willingness of the province to make decisions that do not align with municipal plans has upended the certainty that both the municipal and development communities need," said Lysyk. "Municipal land-use plans and the infrastructure required to support these decisions can take years to design, fund and consult with the community..." End quote.

The numerous changes to the Province's Growth Plan and the province's intervention through MZO's have undermined the Plan's long-term vision, environmental protections and the principles needed to rein in urban sprawl in the Greater Golden Horseshoe.

Further reading from the news release: Land-use planning guides decisions about where and what type of development can occur—where to build homes, factories, hospitals, schools, roads and other infrastructure—and where development should not occur. Effective land-use planning can meet the needs of communities and the people who live in them, while safeguarding agricultural lands, wetlands, forests, and distinctive natural features and landscapes. The report found that "enhanced" MZO's can now override a requirement for municipalities to examine the design and technical aspects of a proposed development to ensure it is compatible with the surrounding area, a process known as site plan control. The lack of transparency in issuing MZO's opens the process to criticisms of conflict of interest and unfairness. There is no formal process that interested parties are required to follow to request an MZO, and there are no established criteria against which the Minister assesses requests for MZO's...End quote.

I will not go on to discuss the details of the twelve recommendations made in the Auditor's report. My purpose is to remind you of problems with MZO's identified by the Auditor General.

Now I will present 50by30's recommendation:

Whereas, Council's discussion about this MZO has been Scheduled after the deficiencies of the MZO process have been brought to the public's attention by the Auditor General of Ontario. As noted by Environmental Defence the "Auditor General Lysyk confirmed that

Minister Clark has been pushing forward with inflated suburban growth targets and sprawl MZOs, with full knowledge they would undermine the long-term vision of the Growth Plan, lead to widespread loss of farmland and natural areas, put stress on water resources and increase car-dependency that fuels climate change."

Whereas, The Jan. 4th 2022 meeting was announced just before Christmas with short notice of the meeting agenda, when the focus of citizens is on family celebrations, could be perceived as a strategy to avoid public involvement let alone debate.

Whereas, An MZO undertaken by Wilmot now could be interpreted as an attempt to bypass first tier government oversight especially given that the Regional Official Plan Review is currently underway with a deadline in July 2022.

Whereas, **The Wilmot-Tavistock Gazette Reporting On Wed, Apr 7th, 2021 By Nigel Gordijk**  
*Quotes* Andrew Martin, the Township's Manager of Planning. "We have (planning) policies that are there to protect agriculture, to prevent urban sprawl, and the Countryside Line policies that frame the city of Waterloo to prevent it from growing." Further the reporter writes: ... Martin said he's not a fan of (MZOs) because they remove the public from the process. "You may not always like what you hear, you may not always get the type of feedback you're looking for, but you're almost always going to get feedback negatively if you remove the ability for people to comment."

Therefore, 50by30WR recommends Wilmot Council ask staff to develop policies that allow for public consultation, heritage impact assessments, environmental impact assessments (particularly relating to the Township of Wilmot's and the Region's commitment to reduce GHG emissions by 50% by 2030) and consultation with agencies before an MZO comes to council for support.

Thank you for your attention and consideration.  
 Barbara Schumacher  
 50by30WR research lead.

Presentation to Wilmot Township Jan 4, 2022

Doug saying

Steph saying

FSRT WR Delegation Jan 8

Hi my name is Doug Jones, I am not only an advisor with the Food System Roundtable but also am the Chair of the Waterloo Region Community Garden Network.

Today I am representing the Food System Roundtable along with a Board member, Stephanie Goertz.

Thank you for having us tonight

Farmland provides us with food, fuel, fibre and more, and practically every Ontarian and Canadian relies on it in some way or another.

Various Organizations, Post Secondary Education Departments, and Not for profits are studying how our policies such as land use planning impact our local food system, as well as the national food system. We are lucky in Waterloo Region to have an abundance of farmland.

When looking to the future we need to better understand how our decisions impact the Province, the Country and the world around us. This needs to be built into our vision of Wilmot. We are not an isolated entity.

Yes, this development only uses up approximately 43 hectares of land. In the grand scheme of how much land that is... it isn't that big... but you need to consider how much 43 hectares of prime farmland is when compared to how much prime farmland actually exists and how much we are losing bit by bit. in Ontario we lose over a thousand acres of farmland every week to non-agricultural development like urban sprawl and aggregate extraction.

This rate of loss is unsustainable and will impact future generations. Is this the Future we see for Wilmot? One that undervalues our land, and the generous soil at our fingertips?

This 1,000 acres of farmland a day only accounts for what is lost by non-agricultural development; this doesn't take into account land lost to soil degradation due to harmful farming practices as well as Climate Change effects such as drought and flooding. Other factors across

Climate Change is changing the face of the planet and creating havoc around the world, leaving areas once fertile into barren ground. Forest fires, massive flooding, draught, and insect infestation.

People and organizations around the world are reacting to the lose of their farmland by circumstances they have no control over and trying to find more land. This of course leads to ecosystems all over the world being torn up and destroyed, such as the bulldozing of the Amazon rainforest

Meanwhile, here in Waterloo Region, where we are so lucky not to be ravaged by many of these devastating climate events, we in turn choose to destroy our farmland in order to create more urban sprawl, when there are alternatives.

Not only does farmland produce food but it also produces fibres and fuels and is an integral part in filtering and storing water, mitigating the effects of floods, sequestering carbon, and even provide habitat for wildlife. Some species at risk, like the Bobolink, actually depend on farmlands for habitat, and can often be found nesting and foraging in pastures and hayfields. I did not read anything in the report about the impact this development would have on the migration or habitat of animals or how this would change the local ecosystem.

Water Levels: Flooding in New Hamburg.

As just mentioned farmland is important in reducing flooding.

When reviewing the council agenda I did not see any mention by the development company or staff about how the paving of this area would affect flooding in New Hamburg.

When you look at the Grand River Conservation Authority Maps it shows that the area planned for this development actually has the highest amount of run-off that can occur, over 400 mm/yr.

There is also a watershed that runs through this area near the train tracks. I did not see any information completed by staff to indicate what impact this development would have on this.

Reports and interactive maps created by other research organizations are showing that flooding will not be decreasing but instead will increase as weather impacts and other climate related factors get worse.

Will this be addressed if the MZO is accepted?

Agri-Food Hub

A feature that has been highlighted numerous times in not only the developers report but our staff report is what is being termed an Agri-Hub. When reading the

report I was curious to learn more. The words thrown together, agri-hub, sounded like something that could benefit the community.

Until I found in the report that this Agri-hub is just a green space where people could plant gardens and where a farmers market could go. Does this mean that this will just be a grass field as shown in their drawing?

I find it frustrating that they chose to use a buzz word such as agri-hub to describe a field. It is a great way to get media attention. Also, a great way to get people, who don't actually read the report, to think that the developers are creating unique features for our community. Creating a grass covered area does not mean anything will be done in this area. Someone else, another business, or a not for profit would need to create the farmers market or the garden beds.

Organizations around the world are scrambling to raise funds and to protect farmland, there are a number of Ontario organizations doing this as well. The reason they are doing this is because they know there will be food shortages and they are trying to reduce the number of people that will go hungry and who then turn to food banks and other services..

They are doing this because municipalities keep approving developments paving over farmland.

How can council realistically say that this development meets the vision of Wilmot? I hope the vision of Wilmot isn't one where we only think of ourselves, one that ignores and rejects the impacts of climate change, one that jumps at flashy words without doing its research, one that is stuck in the past and unwilling to adjust to changing times.

I hope the future of Wilmot is one where the community and Township work together to envision a new future, a future that not only prioritizes our farmland but is proactive in protecting it.

Presentation to the Township of Wilmot  
January 4, 2022  
MZO Request for 1265 and 1299 Waterloo Street,  
New Hamburg  
Special Council Meeting

Honourable Mayor, Councillors, and Guests,

My name is Kevin Thomason. I am Wilmot resident and I was shocked to find a notice posted to the Wilmot Township website late on Christmas Eve about this Special Council Meeting for an MZO request. The announcement was only one sentence with few details.

While MZO's have become so ubiquitous and despised elsewhere in Ontario, we have largely avoided them around here – with the exception of the Blair Amazon warehouse fiasco still unfolding in Cambridge, to the dismay of their Mayor and Council, and the Glass Plant MZO disaster in Stratford.

The timing of this Wilmot MZO is incredibly concerning –announced at Christmas, with the Special Council Meeting being held right at dinner-time on the first day back, with little ability to reach Staff or Councillors over holidays to get answers, and no opportunity for local media to

inform the public - all during the most serious COVID-19 outbreak of the pandemic.

For the first week concerned citizens could learn almost nothing – not even Councillors that we finally reached had any knowledge other than the MZO was likely for some sort of development leapfrogging the Pfenning Organic Farm.

When Township Staff briefly returned between Christmas and New Year's, we finally started to get some information and at 6:30pm on December 29<sup>th</sup> a Staff Report was finally released that was a staggering 158 pages in length including consultant's reports, maps, and studies – certainly someone had been working on this for a long time.

Even more astonishing is the scope and scale – this is homes for thousands of people, in an entirely new village with apartment buildings, senior's homes, employment lands, stores, a transit hub, and even an Agri-hub – whatever that is.

Unfortunately, while it initially appears that this MZO is just about two beautiful farms, it could have far-reaching consequences for the entire province. It appears that the sole purpose of this MZO is to bypass the Regional Official Plan Review that is currently underway, and destroy the proper regional growth and infrastructure planning process, by having the Minister randomly order the approval of these developments, in isolation, with little regard to all the integrated

planning, environmental assessments, and public engagement usually required.

This absurd use of this Christmas Eve MZO by Wilmot and developers to get growth at any cost could be considered Planning Terrorism.

Should this MZO bomb be approved by Wilmot, it will likely set off a chain reaction of competing MZO's from previously co-operative neighbours such as North Dumfries and Wellesley Townships. Tremendous animosity will likely ensue as area developers and municipalities all race for their own MZO's to get their desired growth too, and 40+ years of shared success here in Waterloo Region will be at jeopardy.

Wilmot will have pulled the trigger and launched an unprecedented attack on our Regional Government and neighbours – purposely seeking to cut them out and bypass our upper-tier with this MZO – destroying the ability for the Region of Waterloo to guide growth, intensify our core areas, co-ordinate plans, protect our countryside, and continue our incredible success.

Almost everything that we take for granted today is a result of good planning, collaborative governments, and communities working together, that will no longer exist when it is a free-for-all of developer greed, and municipalities bypassing local and regional planning



processes, for an avalanche of MZO's from the Minister and Premier, who we know are so eager for development at any cost.

So much of our success in Waterloo Region has come from doing this integrated, progressive planning better than most others – creating the smart growth, balance and results that most other communities only dream of. However, people too often underestimate how long it takes to create good things, and how quickly it can all be destroyed.

There are numerous other concerns. While these proposed developments have all the current jargon, shiny objects, and hot buttons, it actually appears to be more of a design for a Prison Camp of Commuters with row after row of square boxes crammed as closely together as possible, with little greenspace or creativity.

The only parks are located in the furthest corners and as distant from the senior's home as possible. Lots are so narrow that entire front lawns will be almost all driveway and so close together there will be little ability for on-street parking or even grass. This is not progressive or award-winning. We need a more compelling and desirable community – not the cheapest possible.

There are also concerns about the Alpine Fertilizer Plant, pressures on the Countryside Line, the need to intensify existing communities, better utilize our existing infrastructure, and ensure that we are living within

the carrying capacity of the our already overwhelmed Nith River watershed – particularly as we face an uncertain climate future.

There are so many troubling questions about the rush, the MZO, the holiday announcement, and if this sort of destruction of prime farmland even appropriate anymore?

According to the provincial government there are only two reasons for using Minister's Orders – protecting provincial interest, or overcoming potential barriers and delays to critical projects. These proposed developments meet neither of these criteria, nor is there any evidence of this presented in any of these planning documents, or even any justification for the use of an MZO.

As well, the Minister has stated publicly that he expects before a City Council requests an MZO they;

- Consult in their community and ensuring public awareness,
- engage with the Conservation Authority, and
- engage with indigenous communities,

Little of which appears to have happened before tonight for this MZO request.

The Regional Official Plan Review is still underway. The Land Needs Analysis and population allocations still haven't even been started yet - let alone any decisions finalized. There is plenty of opportunity to have

these developments considered– particularly if they are as compelling as the applicant states.

If things don't work out in the Regional Official Plan, there is still the ability to do an MZO at that point.

And, if a MZO is refused by either Wilmot, or even the Minister, there is still a one-time 40 hectare Urban Boundary Expansion available under the Planning Act that could be also utilized for these developments.

### **In Conclusion,**

There are no shortage of options.

It's shameful to see developers trying to use an MZO to force this development here, and the outrage in our community is already significant. We don't want to see such important decisions shaping the future of our community for decades being undertaken in such a manner. This is not who we are or how we do things.

Please reject this unfortunate Christmas Eve MZO, and the attack on planning it invokes. It is not in the best public interest, nor the Township's best interest.

Please require the developers follow the proper planning processes, so that we can all continue to collaboratively build our world-class

communities, without the random interventions of Queen's Park, being beholden to the Minister, destroying decades of regional cooperation, and regretting the use of MZO's like so many other communities.

Thank you,

Kevin Thomason

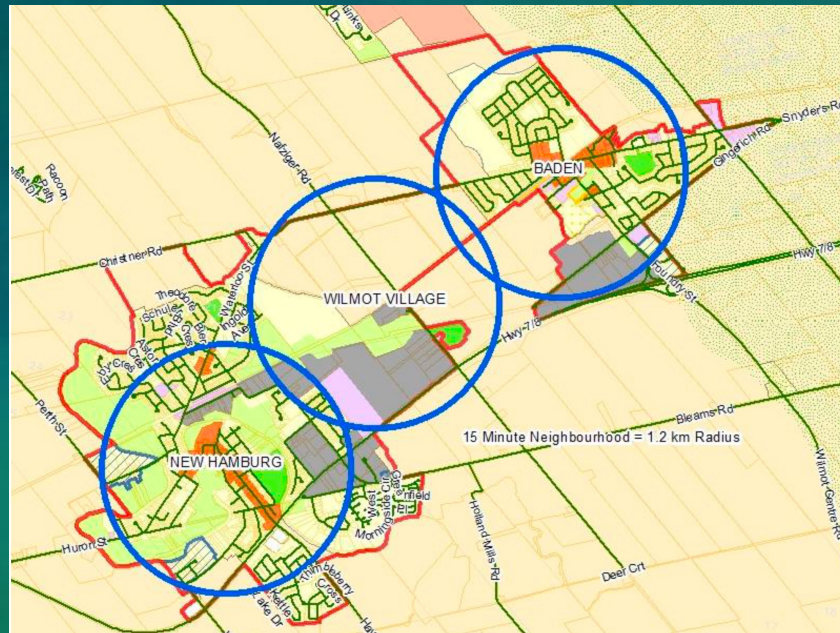
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# Wilmot Village – Proposed MZO



Presentation to Township of Wilmot Special Council Meeting  
(January 4, 2022)

Kevin Eby, RPP

“A rising tide lifts all boats”

John F. Kennedy

# RELATIONSHIPS MATTER

- No where in the Province have various levels of government worked together better than in this region
- The eight municipalities and the residents and businesses that live and operate here have all benefitted from our collective successes
- I sense there are concerns about the Township's on-going relationship with the Region that are showing through as part of this process
- If you have a problem, work to nurture the relationship, don't do something that will knowingly exacerbate it further



# IT CAN WORK

- Together we worked to stop the outward movement of Kitchener and Waterloo into Wilmot and out onto the Waterloo Moraine
- Together we worked to plan for and provide needed infrastructure, including the recent and future expansions of capacity in the New Hamburg/Baden WWTP
- Together we worked to develop the boundary rationalization policies that have helped maximize the growth potential in Wilmot's Urban Areas



Has it been perfect?

**Absolutely not.**

But whether we like it or not:

We are all in this together and  
will rise or fall with the tide we  
collectively create

# Regional Official Plan MCR Process

- Is mandated by the Growth Plan and has been on-going for over a year. It is to be completed by July 2022.
- \$100,000s have been spent on studies
- 100s if not 1,000s of people have been participating
- Key components (arguably THE key components) of the MCR are the determination of the need for urban expansions and distribution of forecast population and employment
- **THIS PROCESS IS ON-GOING WITH NO DETERMINATIONS HAVING YET BEEN MADE**

# LOTS OF PEOPLE WILL CARE

- The public will care. The consultation process is seriously flawed and this MZO will potentially trigger other municipalities/developers doing the same to protect themselves from this form of planning piracy
- Other municipalities will care. This potentially circumvents or restricts their ability to have consideration given to urban expansions in their municipalities
- The Region and ROP Review participants will care. This blows a hole in the MCR process
- People running for office in the next provincial and municipal elections should care ...

Doing something just because  
you can does not make it right.

Presentation to Wilmot Township Council  
December 4, 2022  
Preserving Farmland while Providing a Place to Live

Honourable Mayor, Members of Council, Staff and Guests,

My name is Mark Reusser and I farm on Huron Road near New Dundee. I am here today in my capacity as Vice-President of the Waterloo Federation of Agriculture. I am also Vice-President of the Ontario Federation of Agriculture which represents more than 38,000 farms and farm families in Ontario.

Thank you for the opportunity to comment on our township's decision to deliberate the potential endorsement of a Ministerial Zoning Order and also the opportunity to encourage you, both elected and staff, to plan well, to plan collaboratively with the Region of Waterloo, protect what is good and set an example for the rest of Ontario.

We live in a special place here in Waterloo. Our urban towns and cities are arguably the most innovative, dynamic, and prosperous municipalities in Ontario, if not all of Canada. At the same time, surrounding our urban footprints, is the most fertile, productive, and prosperous agricultural community in Canada. A culture of good planning, countryside lines, the Protected Countryside designation, Environmentally Sensitive Landscapes (ESL's), an innovative official plan, and densities that surpass provincial targets, all contribute to the Region's remarkable success.

The content of Waterloo's Regional Official Plan and that of the accompanying lower tier plans are responsible for our unique position as a leader in Ontario. Our plans are the template for good planning, farmland protection and prosperity in municipalities throughout Ontario.

The agricultural community is concerned that MZO's, that are neither consistent with the Provincial Policy Statement nor the Regional Official Plan, are short sighted, threaten farmland, and deny people a true housing choice. Furthermore, MZO's weaken the local planning process by providing developers with a "work around" that circumvents good planning and fosters an environment where we and future generations are saddled with the ongoing and permanent costs associated with decisions made in haste in the absence of proper adherence to a plan.

Good planning and official plans that intensify development save farmland, save the natural landscape and promote sustainability. If the towns and cities in Waterloo Region had not experienced 40 years of good planning and instead had the same urban densities as cities such as Atlanta, Dallas, Denver or Orlando, our urban footprint here in Waterloo Region would cover all of North Dumfries Township, all of Wilmot, all of Woolwich, all of Wellesley and an additional two townships. There would have been no land left in Waterloo Region for agriculture. That would have been a tragedy.

Only 5% of Ontario's landmass is suitable for agriculture. We are currently losing 175 acres per day to development or 64,000 acres annually. Is there not inherent value in preserving the very land that sustains and feeds us through good and careful planning?

Sprawl, especially sprawl that is done in the absence of proper planning, consultation and a clear long term vision for the future, results in, not only the loss of farmland but also denies families a true choice of where to live. The default location to live and purchase a home has long been in the suburbs, because it was cheaper. Cheaper only because development charges and assessment rarely if ever cover the true long term costs of servicing green field development. Recent studies in the city of Ottawa indicate that, over the long term, it may be up to 600% cheaper to service development within the urban footprint as opposed to that in the suburbs.

Real choice, in terms of where to live, requires that servicing costs be allocated fairly and that affordable intensification take place within the urban footprint.

If we as a community really want to preserve farmland and the rural natural landscape, we need to build complete and livable communities in the context of the Regional Official Plan,

- Enact policies that ensure density targets are met or exceeded.
- Promote policies that entice more people to live in higher density locations, thus making it unnecessary to expand urban boundaries.
- Remove and reduce red tape involved in intensifying development in the appropriate locations within the urban footprint.
- Support official plans that enable affordable, appropriate higher density home ownership options, with all of the amenities, within a complete urban community inside the urban footprint.

Minister Clark has stated clearly that if a municipality doesn't endorse an MZO, he will not approve it. So the power resides with you, council members.

In conclusion,  
 Thank you for the work that you do, continue to be an example for the rest of the Province.  
 Continue to improve and set the bar high.  
 Be courageous as you make tough and difficult choices.  
 Cultivate a culture of good planning.  
 Be bold, be visionary, don't be afraid to innovate.  
 Never stop speaking forcefully and eloquently to those with money and power.

And finally, remember that there is only one landscape and that people, the natural environment and agriculture all have to share it.

Please politely decline to endorse the MZO that we have before us.





## **Wilmot Township Council Meeting**

### ***Minister's Zoning Order (MZO) Request***

1265-1299 Waterloo Street, New Hamburg

**Rory Farnan**

Delegation - Resident - Wilmot Township

2022-01-04

## Minister's Zoning Orders (MZOs)

- **Weaken** local decision making
- **Override** local planning authority
- **Silence** public engagement
- **Eliminate** opportunity for appeal
- **Shortcut** environmental protections

“Proposals for MZOs under the Planning Act have the potential to have **significant** effect on the environment”

**Ontario Auditor General Bonnie Lysyk (November 2021)**

Source: <https://www.thestar.com/politics/provincial/2021/11/22/public-ignored-on-mzos-ontarios-auditor-general-says-in-new-report-on-the-environment.html>

# MZOs Facing Widespread Opposition



## Stratford mayor announces he won't seek re-election in 2022

Ultimately, that backlash surrounding the timing of the MZO ... out under Ontario's Municipal Act when council improperly convened in closed...

4 days ago



## Pickering votes to ask the province to revoke special order that fast-tracked development on wetlands

The ball is now in the province's court to amend the minister's zoning order, or MZO, that allowed for the destruction of the Duffins Creek...

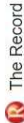
Mar 23, 2021



## Indigenous group launches legal action over Ford government's use of MZO to fast-track development

A MZO is a provincial planning tool that allows the housing minister to rezone a piece land to fast-track development, while bypassing public...

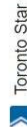
1 month ago



## Six Nations not consulted on MZO for controversial warehouse ...

Residents in the area, organized as Blair Engaged, continue to push Cambridge council to ask the province to revoke the zoning order because the...

Oct 19, 2021



## Ford government 'deliberately' avoided public consultations on environment, auditor concludes

In 2020, the government issued an MZO for a warehouse and other buildings at the ... Green Party Leader Mike Schreiner said "the lack of...

1 month ago



# MZO vs. Wilmot Strategic Pillars

*Community Engagement?*

**Economic Prosperity?**

*Environmental Protection?*

**Quality of Life?**

Does this process align with Wilmot's **commitment** to an inclusive Community?



60 Snyder's Road West, Baden, ON N3A 1A1

T: 519-634-8444  
F: 519-634-5044

## Minister's Zoning Order (MZO) Frequently Asked Questions

### What is a Minister's Zoning Order (MZO)?

Section 47(1) of the Planning Act permits the Minister to exercise any of the powers granted to Councils by sections 34 (zoning), 38 (interim control) or 39 (temporary use) without the requirement to carry out public consultation.

### Can an MZO be appealed?

No. An MZO is not subject to appeal to the Ontario Land Tribunal.

### Who Initiates an MZO?

MZO's are initiated by, or on behalf of, land owners, who also submit the request to the Ministry of Municipal Affairs and Housing (MMAH) as it is a Provincially led process. The municipality does not initiate an MZO, nor does it submit the request to the Minister.

### What is the role of the municipality in the MZO process?

A municipality, through its Council, is often asked to indicate whether they support or oppose the request to the Minister.

### Quick Facts on MZO's

No public consultation required.

No advance notice required.

No requirement to hold a hearing.

No ability to appeal.

No need to conform with PPS or Official Plans



## Case Study: Mississauga

Mississauga a ‘cautionary tale’ as cities sprawl out across Southern Ontario

***“Growth should pay for growth, but ultimately, growth doesn’t pay for growth”***

Mississauga Mayor Bonnie Crombie

### **“The Sprawl Ponzi Scheme”**

- Generate development fees by opening up Farmland.
  - Once new infrastructure built, it was the City's (financial) responsibility to maintain, repair.
  - Unsustainable rates of new development fees based on sprawl.
- 
- **Resulted in Special Levy, and a dramatic rise in Property Tax.**

**Source: The Globe and Mail - Oliver Moore - 2022-01-01**

<https://www.theglobeandmail.com/canada/article-mississauga-a-cautionary-tale-as-cities-sprawl-out-across-southern/>

## Conclusion

- Development requires thoughtful consultation, thorough, transparent environmental & economic assessments.
- Wilmot Council needs to maintain accountability of local zoning decision making.
- The public should have a seat at the table in shaping our future communities.
- MZO's are counterproductive to the Planning process, create animosity, mistrust.

**Council must vote against endorsing the proposed Applicants MZO request.**



This meeting was set for information sharing for the support of a MZO to remove 106 acres of rare farmland from our planet, forever.

The National Farmers Union stands for Strong Communities. Sound Policies. Sustainable farms. I am Linda Laepple, director of the NFU Local chapter Waterloo Wellington.

It takes one acre to feed a person and Waterloo Region has over 600 000 people and about 200 000 acre of farmland left (which includes Gravel pits in the statistics) If Municipalities within the Region are asked to continue rezoning land at the current rate, then in 7 generations there would be **not one acre** left to grow any food.

Farmers feed cities, was once a slogan. Life in the city is only possible because we farmers do. But today with input costs drastically rising, labor issues, climate uncertainties, aging farmers **and a shrinking land base**, for many farmers it's no longer worth the effort to feed the city.

This MZO like many others, is paving the **highway to hunger**.

There is a need to feed people, a need to house people and there are opportunities. For example; Report 44 of the Ontario Soil Survey reads on page 42:

*Gravel pits have no **agricultural** value. With proper rehabilitation procedures, they can be used as sites for industries, houses, shopping centers, parks, etc.( end of quote"*

Therefore we would like to ask the Region and Township to **pioneer and develop policies** that allows forward thinking housing developers **trade** agricultural fertile land they own, for already harvested gravel pits and other brown fields to develop vibrant, sustainable, communities.

Please, at all levels of Government, rethink and reject **Colonial style rape** on our best soils, our **life giving Mother Earth**, so future generations still stand a chance.

The idea of designing a village rather than a standard, subdivided bedroom community, is a good one. **But is this the right place?**

The next door chemical plant, just across the railroad tracks at the south end of the proposed site, is a major anchor enabling us a modern carefree life as it manufactures (to name a few);

- fertilize to grow massive amounts of cheap food,
- deicing liquids for roads and airplanes that lets us travel whenever we please,
  - liquid ammonia for waste water plants to get our waste out of site out of mind
  - components for fracking fluid, to reach hard to get natural gas resources so we can effortless heat our homes.

But how good is the idea of combining a foreign owned chemical plant, storing large amount of highly toxic material such as anhydrous ammonia and a brand new village?

Accidents can and have happened in fertilizer and chemical plants. We all have heard of instances where a blind eye and death ears have led to disasters.

Since this MZO doesn't allow for proper local planning it should not be named Wilmot Village. It should carry the name of him or her pushing and approving this application so we know who is liable if anything goes wrong.

It is interesting to note that **Fertilizer Canada**, an industry association representing Canadian manufacturers, wholesalers and retail distributors have developed codes of practice guidelines for the establishment of a new hydrous ammonia storage and handling facility. Their codes require a distance of **500 meters** to the nearest farm house and **1.5 km** to the nearest settlement for safety and liability reasons. <https://fertilizercanada.ca/wp-content/uploads/2015/07/Fertilizer-Canada-Anhydrous-Ammonia-Implementation-Guide-Final.compressed.pdf>

The Current Government's regulations on the other hand, The Railway Safety act [Anhydrous Ammonia Bulk Storage Regulations \(justice.gc.ca\)](http://www.justice.gc.ca/eng/rp-pr/t/rstntr/rr/rrsrr/rrsrr.html) apply to new installations and additions or changes to existing installations, as of February 1, 1965 and still measure everything in feet. These outdated regulations read as follows: *It is **recommended** that the distance of storage tanks with water capacities exceeding 2,000 Imperial gallons from schools, hospitals, theatres, residential areas or other similar places of public assembly be not less than **300 feet**.*

Which would be applied by the planners if approved, a current industry code of practice or some 60 year old recommendations? Don't think we needed seatbelts in 1965 either.

A New chemical plant such as the one operating at this location, would never be allowed to be built there today for safety concerns even without any nearby settlements. But the other way around everything and everyone is safe?

In Bad times and a higher population we see vandalism growing. In good times we see fireworks glowing and blowing. Even routine operation at the fertilizer and chemical plant release toxins for example when unloading railroad tankers and the hoses are emptied, bleated afterwards. A worker described it for me:

*Transfers are done with heavy-duty hoses. Rail cars hold about 72 tonnes in pressure rised tanks, (250psi compared to a car tire around 35psi psi) the trucks carry lesser amounts. Transferring ammonia has many risks that require painstaking oversight. Anhydrous ammonia is shipped as a liquid and wants to become a gas with tremendous expansion capacity. It can be immediately lethal if it gets out. Wind vanes at the site show us where to stand and which way to run. End of quote.*

My question: Where will you stand when the wind blows in the wrong direction?

Thank you for listening

Wilmot MZO Application – Delegation Notes – January 4, 2022.

Thank you, Council.

My name is Andrew Wilson. I live in New Hamburg.

Can you please display the slide I emailed to the township. Thank you.

We were very concerned to learn that this Special Council meeting was hastily arranged for today to discuss a MZO application for development on agricultural property in Wilmot. We have some thoughts regarding this application for Council to consider.

Question 1: Why now? What is the urgency?

- Why right in the holiday break?
- There has been insufficient time for Wilmot councillors and residents to digest the implications of this project. For example, is there sufficient infrastructure, such as sewage above and beyond currently committed development?
- In addition, is there not a risk that something critical will be missed?

Question 2: Why a Minister's Zoning ORDER?

- I understand that an MZO is for urgent development critical for a community, such as the rebuilding of a collapsed parking garage in Elliot Lake. The development of this farmland does not appear to be urgent. Why not follow the usual practices for making decisions about development proposals?
- Furthermore, the keyword is ORDER. I understand that once an MZO is issued, there is no ability to appeal, adjust or modify the application. Wilmot will have to provide infrastructure and services for this development and won't have any ability to ask for changes to correct problems. The staff report says "the draft plan of subdivision is also a public process which allows for public input". My understanding that with an MZO, this is not the case.

Question 3: Further to "a risk of something critical could be missed" - What about potential toxic fumes from the chemical fertilizer plant adjacent to the proposed development?

- The fumes could be from the manufacturing process or from a leak in a storage facility. What chemicals are stored there and what regulations

apply to how close this plant can be to a residential area? Perhaps the current location of the fertilizer plant is due to such regulations. For example, Fertilizer Canada documents state that anhydrous ammonia, a common component of fertilizer, needs to be stored 1.5 km from any town boundary or any building intended to be occupied by people. Recommended best practices is 3 km. Is there anhydrous ammonia storage at the fertilizer plant? This needs to be checked. If an MZO is issued, environmental protections are bypassed. There will not be any ability to make any changes to the development to address any such problems.

Question 4: How does this application fit within the upcoming Regional Official Plan Update?

- The Region is in the midst of updating its Official Plan. Will this development application fit within the guidelines of that plan? Would it be allowed under the lens of the new Official Plan? This MZO could risk destroying the collaborative relationship Wilmot has with the Region and the other municipalities.

Question 5: How does this development fit into Wilmot's commitment to action on climate change?

- The township recently agreed to taking action on climate change including reducing greenhouse gas emissions by 50% by 2030. This development will result in more vehicles on the roads and limit our ability to achieve reduced emission targets and to act on climate change. This is not an infill project, that enhances and uses existing amenities and infrastructure, where people can get to those facilities without having to get into a vehicle.

I ask that Council reject this request for an MZO. There appears to be lots of reasons this project should follow proper regular procedure. It is not urgent. The development application should fit within the new Regional Plan and meet all Wilmot planning guidelines and all environmental laws. I see no need for an MZO at this time.

Thank you for your time.

## Delegation to Wilmot Council re. Cachet Developments' MZO Application January 4, 2022

Thank you, for this opportunity to present to Council. I am Barry Wolfe. My wife and I live in Baden. Based on the superb quality of delegate presentations provided so far, Wilmot citizens can be very proud of the motivated citizens we already have living here.

I will be speaking quicker than my preferred rate to present as much as I can for consideration. A lot of my prepared package will not get presented in the 7 minutes allotted.

Thank you also to previous speakers for many informed comments – they made several points about accuracy and conflicting statements that I'm going to try skip as I go and hope I get it all in.

Here are the topics that I will be covering re. the MZO authorization application:

- everyone wants a place to live.
- density
- height
- ground-related perspective
- probability of completion on a timeline
- where's the archaeological assessment?
- who pays for what?
- **Public Consultation and a Traditional Zoning Application Process**
- An estoppel is a legally binding precedent
- low hanging fruit
- 4 recommended motions for consideration

### **Everyone wants a place to live.**

Additional living space is needed in Wilmot.

Potential development in Wilmot would be good, *depending on the details of what, where, how much, and **how** it is done.*

Developers play an essential role in communities' growth and assume some risks which they attempt to mitigate using their experience, connections and any possible method of getting approvals through quickly and cheaply.

Reasonable profit for business is good.

Fiscal due diligence and not using a MZO process by a municipality is best.

Cachet Developments, from Concord – GTA - has a vision of what it sees for Wilmot and **how** it wants to implement it. Their presentation makes a first

## Delegation to Wilmot Council re. Cachet Developments' MZO Application January 4, 2022

impression as it comes with multi-colour maps, overhead layout sketches and a lot of consultants' documentation and charts which are presented as rationale for their vision. Superficially there appears to be everything all 2,030.9 of the prospective inhabitants would want, on 43.21 hectares out in the country.

43



Figure 4 - Masterplan

### BE AWARE OF WHAT YOU'RE GETTING INTO

**Never step into water until you know how deep it is, where the stepping stones are, or what exactly is in the water!**

Cachet Developments has provided its evidence of what people want in Wilmot Township. On page 103, their urbanMetrics consultants' report



## Delegation to Wilmot Council re. Cachet Developments' MZO Application January 4, 2022

- “The Region of Waterloo has seen significant net in-migration from municipalities in the GTA, likely due, in part, to the limited supply of ground-related housing (single-detached, semi-detached and row units) in GTA municipalities and increasing house prices, which is impacting affordability. By comparison, the Region of Waterloo is losing residents to neighbouring communities in the south and west, as these individuals search for more affordable ground-related housing.”

notes that people are looking for “**ground-related**” housing. The 3 examples of desirable housing – single-detached, semi-detached and row units - are all close to the ground, 2-storeys max., maybe with a basement. People are pulled to Wilmot because they want ground. They want their own ground-based living space.

**Let’s check the sketch and ‘test the waters’.**

### **DENSITY**

Based on the sketch on page 43, which does not have a sizing scale, it describes 5 of the residential and mixed-use buildings, representing 800 of the 1200 units (67% of all units) as being 6-storeys tall. If one uses the “upper range” numbers on the page 44 chart, which would increase the density to 1500 units, then 950 of the 1500 units (64%) of all units are 6-storey tall.

Therefore, if there are 1200 units, then 2/3rds of potential residents, or 1,353.933 persons will be living in a 6-storey building.

If there are 1500 units, then proportionately the population rises to 2,538.6258 and 1,692.41667 of residents would be in a high-rise 6-storey building. (75 ½ fee high)

Who plans living space based on fractional portions of a person in a unit?

Cachet does not tell us whether they would do that by making each unit smaller, or adding more storeys to each building, or adding units somewhere that are not placed on the sketch? Does that 2<sup>nd</sup> option mean that the park has to be eliminated or gets smaller, that the medical building becomes residential, or the employment zone gets reduced or eliminated? With an MZO you’ll never know

Delegation to Wilmot Council re. Cachet Developments' MZO Application  
January 4, 2022

Each unit in four of the five buildings are presently designed to hold 1.276 people each. Each unit in the fifth building is presently designed to hold 2.369 people. **Only 100 of the 1200 units, single-family houses, are designed to accommodate 3 persons, and that 100 is designed for only 3 persons.** So much for the concept of two parents and 2 kids and a pet or two. **This is not a “family-oriented development and thus is not a “complete community”!** (page 42)

### **Density Targets Are Too Big**

Cachet's proposed plan, in its present form, is dependent on a fundamental requirement - a **minimum** density of 65 persons and jobs per hectare of surface space and a minimum of 1200 residential units, on a footprint of 43.21 hectares, to meet their desired profit goals.

The current Wilmot official plan sets 45 pj/ha as the minimum density, Waterloo Region sets 60 pj/ha as its long-term goal and the traditional provincial benchmark comparator is the Golden Horseshoe target of 50 pj/ha. It appears that this application requires the rural community of Wilmot to leapfrog beyond all long-term target minimums in the entire province – and they want approval now, with a ‘hurry-up and sign the NZO application right now’ push.

Not only would Wilmot have to amend its official plan to allow such a high-density **minimum**, it would also have to amend building height allowances, and potentially what construction materials are allowed for a 6-storey building (wood frame versus poured concrete?). There are probably others I'm not aware of but professional staff would identify through the traditional application process.

The present 65 pj/ha is their proposed absolute minimum – the starting point for Cachet development. It could evolve so that this space ends up with 70, 75 pj/ha, or 1500, 2000+ residential units crammed into the space, or whatever the developer pushes through. Because **there is no maximum**, Wilmot staff and Council would have no legal recourse to insist on how the space is developed with a lower density. Wilmot could negotiate, but we citizens would have no legal right of final denial or approval.

Delegation to Wilmot Council re. Cachet Developments' MZO Application  
January 4, 2022

## HEIGHT

A question might be, “**Does a 6-storey, 75 ½ feet, high-rise building meet the definition of ‘ground-based’ living which is factor pulling people toward Wilmot?**”

The only structures I’m aware of in Wilmot that might be 6-storeys are farm silos. The B&W mill building in New Hamburg is only 4-storeys plus a cupola. There are **ZERO** buildings in Wilmot, that are used for people to live their **complete** lives in, that are 6-storeys high. And that, I postulate, is why people are attracted to Wilmot. People who are **ground-related** want to live here. Just like the developer’s consultants told it and us.



## The Masterplan

Axonometric View Looking West



### A ground-related view of the proposal.

Cachet Developments has provided, on pages 83 & 84, 2 axonometric views (as from an airplane at an angle), but the buildings' heights are not drawn to relative scale and appear lower, squashed closer to the ground, than reality. They, noticeably, did not provide an artist's or architectural sketch, at **ground level**, of the view of the complex while driving along Nafziger Road.

What Cachet Developments and its Toronto-based consulting firm visualizes is a "complete community" (page 42). What I see, when looking from Nafziger Road, from my **ground-related** perspective, is a row of 6-storey buildings, each 2-storeys higher than the B&W grain mill in New Hamburg, extending from the rail tracks to the cemetery corner.

I see **Scarborough** plunked down in the middle of a farm field in Wilmot Township. If Scarborough was perceived as a complete community, the GTA

Delegation to Wilmot Council re. Cachet Developments' MZO Application  
January 4, 2022

wouldn't be coming to Wilmot. If you make Wilmot into Scarborough, you no longer have Wilmot.

**You no longer have Wilmot Township!**

One can conclude that Cachet's own documentation refutes its own espoused goals in this MZO application. 6-storeys, 5-storeys, 4-storeys are not the desired ground-related structures.

It must be recognized that the developer has hired some consultants who have done a huge amount of work. A lot of this is potentially useful background research. (which Wilmot got for free if you don't count the fact that Cachet didn't pay the \$5,000 fee because it was a MZO application, not the usual process), This background research could be used in considering a different approach to development that does not have such a high-density ratio and buildings that were not 6-storeys high

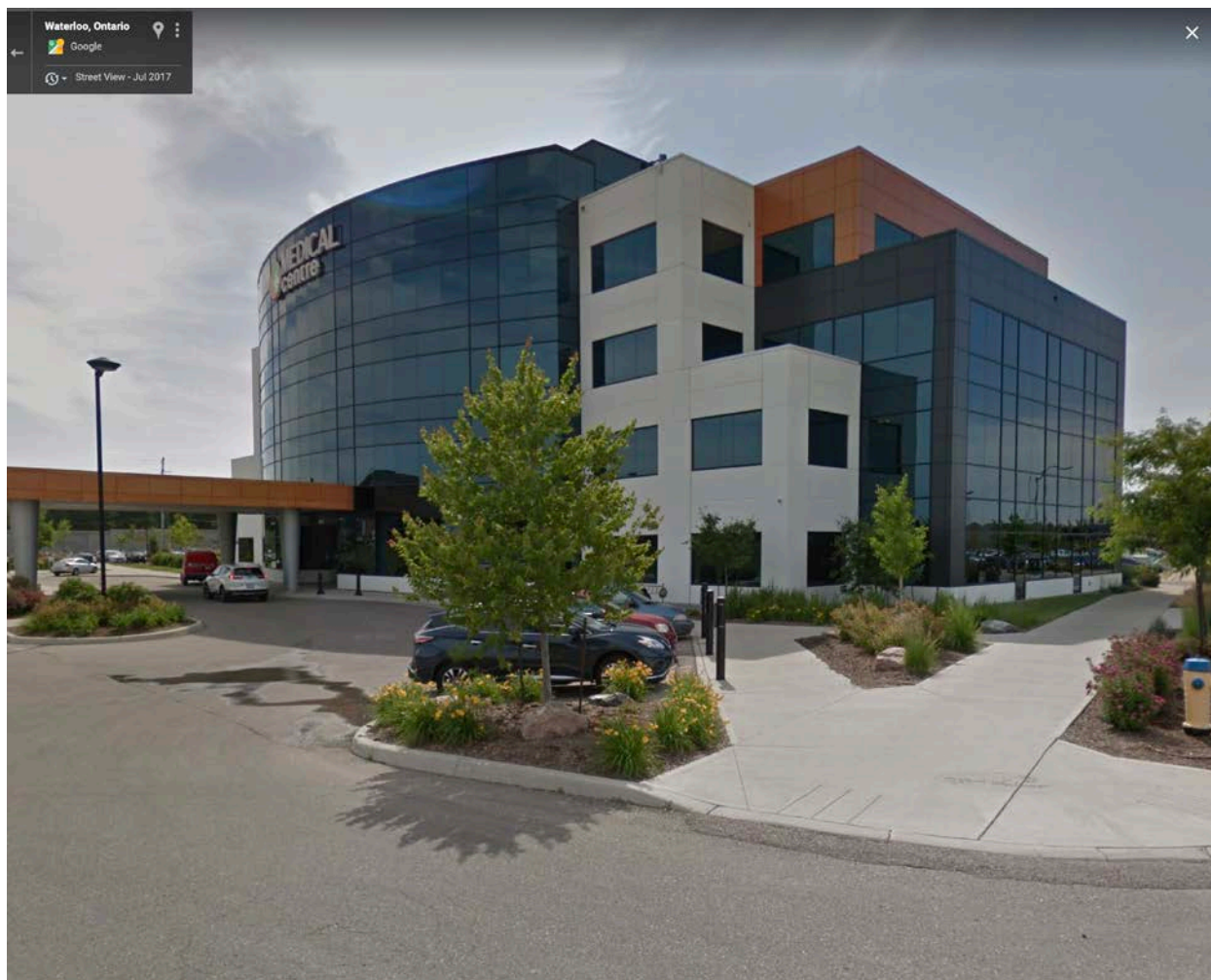
### **PROBABILITY OF COMPLETION ON A TIMELINE?**

The vision presented by Cachet, is not a time defined 'plan'. It implies that this request is a visionary sketch of what **might** be at some undefined time in the future.

a) **Medical Building:** There is provision for a 6-storey building described as "medical". When is this going to be built and by whom? Does the developer have a sub-contractor willing to **complete construction** on this 6-storey building simultaneously with the residential occupations? Where does the developer or its builder plan to get all the medical professionals to fill such a building? Council has publicly acknowledged that it cannot attract a developer to build a medical building anywhere in Baden itself. Does Council actually think that a developer from Concord, GTA, is going to be able to find a builder willing to take that risk for a location in the middle of greenfield, and only 2,030.9 potential inhabitants? **There is no demographic or business case to be made for a medical building that is described as being bigger (taller / 6-storeys and longer) than the medical building at Ira Needles 4-storeys!** Ira Needles draws on the entire population of Kitchener, Waterloo, and surrounding townships including Wilmot.



Delegation to Wilmot Council re. Cachet Developments' MZO Application  
January 4, 2022



EXISTING 4-STOREY MEDICAL BUILDING AT IRA NEEDLES

b) **Mixed-Use / Employment:** There is 3.41 ha set aside for future employment opportunities. The rationale in the cover documents is that people who live here will be able to work here, and thus it becomes “**complete community**”. It’s implied that the community will be complete because it will be self-supporting. If you buy in, move there, you will be able to walk to work there. The population projection is for 2,030.9 persons. Eliminate the seniors. Are they suggesting that 1,000 or more people are going to find work on site that will pay them enough to live there? Do the local Chambers’ of Commerce agree that this is a practical option in the short run (less than 5 years)? Council must ask them.

c) **4 Office Buildings:** The application indicates that there will be four 6-storey office buildings located here. If we guess at 50 people per storey, times 6-storeys, times 4 buildings, that’s 1200 people working



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there. Are they all going to work AND live there? Remember, that 800 of the living units are designed for one person. Are 2/3 of the office workers, assumed to be living there, going to be "singles"? In 4 buildings, with 6-storeys each, you are going to need somewhere between 24 – 72 different businesses attracted to Nafziger Road and set up there. How successful has the local Chamber been so far in attracting businesses? How long do you estimate it will take to fill 4 office towers? No builder is going to construct 4 6-storey office buildings without signed commitments from future tenants. It's about the money, remember! Do you really believe that a builder is going to complete construction of 4 office buildings and fill them in any less than 40 years? I lived on Good Street in New Hamburg between 1980 and 1990. I was waiting then for the available business land space to fill in. It still has openings. This vision of these all being completed in time for everyone to move into the residences is not just a pipe dream, it's a "wobbly-smoke" pipe dream.

c) **Transit-Hub**: This is a good concept! It provides a transit **option** for people there. However, if you have 4 office buildings each 6-storeys high, and a 6-storey medical building, there will be a huge number of people arriving and leaving at the same time periods each day, because the employees will **NOT** all be living there.

The transit portion of the consultant's report was vague and aspirational, it did not have any demographic or potential time-of-day scheduling projections anywhere. There are not enough buses and is not enough road width on Nafziger Road to accommodate this vision. This is a vision. It is **NOT** a realistic, practical plan. It is a request to bypass public input so that the developer can contract with builders to build single-family homes, rear-lane townhouses, traditional townhouses, mixed-use towers and then leave the rest for later. The return on investment comes from the residential portion. That's where the developer loses interest and dumps the rest on the vision to "future potential". By then it and the builders are gone and there's empty space for "later". Later will not come for 40 years or more.

**THIS IS NOT A COMPLETE COMMUNITY. THIS IS A 'PROJECT' THAT WILL BE INCOMPLETE FOR THE NEXT 20 YEARS.**

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### **ARCHAEOLOGICAL ASSESSMENT REPORT**

There is no archaeological assessment study reported in the documentation submitted. In the context of recent Wilmot history, this appears to be a significant omission?

### **AFFORDABILITY**

Affordability is another targeted concept in development applications, because there is a real identified need for segments of our communities.

Affordability, in the past has been a result of two strategies:

- 1) Subsidies provided by the Federal, Provincial and Municipal governments. These governments have taken monies generated from all the usual taxation sources, depending on the level of government (including, residential, commercial, industrial, agricultural assessments, sales taxes, income taxes, special levies, etc.) and then distributing it to subsidize identified targets. It is my understanding that those government subsidies / transfers of money, no longer exist. Therefore the developer must have another strategy of how it plans to provide for the viability of this 6-storey building on into the future.
- 2) Spreading costs within a project onto other portions of the development. Just as roads are paid for in the lot purchase price, so too are subsidies potentially paid. However, how to continue to subsidize an entire building from such a small development seems problematic.

### **WHO PAYS FOR WHAT**

#### **A useful life rule is "Follow the money"**

There is no indication of the development costs that the developer is willing to take responsibility for. Physical infrastructure costs are part of a developer's responsibility and **there is no indication for what the developer is willing to pay**

The proposed lands are situated in a relatively isolated spot. The MZO application deals with essential services (page 50) that must be in place before the Cachet's proposed development is able to have residents legally move in. **These essential services have costs.** At the Ira Needles Developments, for example, the essential support infrastructure costs were and are being carried by the developer(s). As the developer of this proposed Nafziger Road development, will Cachet Developments be paying for the required services costs for:

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- i) stormwater management ponds, (page 50)
  - ii) **on site pumping station**, sanitary and other wastewater sewers and connecting lines to treatment plants, I understand that there is NOT a sewage line along Nafziger at present so that is a huge potential cost. (page 50)
  - iii) storm water sewers, (page 50)
  - iv) potable watermains and connecting lines to sources, (page 50)
  - v) provision and installation of appropriate traffic control signage (traffic lights and / or roundabouts) at the central access and the southern access where the transit hub is located, (page 50)
  - vi) widening of Nafziger Road in anticipation of increased and potentially congested north-south traffic flow, (page 50)
  - vii) installation of at least 2 'storage lanes' to accommodate traffic congestion for those north-bound vehicles waiting to enter the proposed development area off Nafziger Road, and provide for traffic exiting the proposed development onto Nafziger Road both to north and south, (page 50)
  - viii) installing, safety security, and maintenance of the SWM Pond of 2.09 ha at the south end of the proposed development, (page 43)
  - ix) play equipment, benches, walkways at the park at the north end, (page 43)
  - x) provision and installation of fencing of the perimeter, and appropriate landscaping throughout the development (page 43)?
- If the answer to any or all of the above costs questions is, "No. Cachet Developments will not pay for these development costs.", then **who do they think will pay to provide these services** to allow Cachet to make a maximized profit on only building high density buildings which do not have even enough living space to accommodate families?

### **Public Consultation and a Traditional Zoning Application Process**

If this developer is honestly sincere in its stated goals, then it does not need a MZO. It can follow the proven path of detailed transparent public consultation and a traditional zoning application that includes accountability steps along the way.

I suggest that there is no *emergency* demand to build 1200 – 1500+ residential units in Wilmot Township. If the MZO application is denied and the traditional zoning application process is followed, no one is going die, or

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be seriously injured, or be denied oxygen, food and water. Cachet is still able to develop this valuable land, BUT has to do it differently.

### **A Red-Herring**

The statement that Waterloo Region has to put final approval on a subdivision plan anyway is, in reality, a red-herring. It's a distraction. Once a MZO is authorized by Wilmot, then transferred via Waterloo Region to a politician in Toronto, there is no real opportunity for going back. The broad parameters and permissions are determined.

OPINION: Based on observations of events over several years, it is my opinion that the present governing party has demonstrated a pattern of ignoring or undermining regulations regarding environmental protections and enhancement, and removing regulatory procedures that were designed to carefully monitor what and where various types of development were allowed to move forward. The provincial government has shown an apparent desire to see density intensification and thus would probably encourage and thus rubber-stamp applications such as the one before us now. It may already be applying pressures onto lower-tier bodies that the general public is unaware of?

Page 26 of the agenda package includes this declaration from the MZO authorization generously submitted by the developer for the township to approve in a by-law:

#### **"Deemed by-law**

**15. (1) This order is deemed for all purposes, except the purposes of the section 24 of the Act, to be and to always have been a by-law passed by the Council of the Township of Wilmot.**

#### **Commencement**

**16. This Regulation comes into force on the day it is filed."**

### **ESTOPPEL**

If a MZO is signed, all local control over this area of land by Wilmot citizens is gone forever. It would create a legal precedent, limiting Council forever into the future, as an estoppel. **Estoppel** is a legal principle which precludes a person or body (such as Wilmot Township), from asserting something contrary to what is implied by a previous action or statement (verbal or

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written) of that person or by a previous pertinent judicial determination. In other words, if 6 Wilmot councilors, up for election this year, authorize this MZO, Wilmot citizens are screwed forever. No going back. The Township's lawyers can confirm my observation?

*As the staff report clearly states on page 12, "The process of the Minister using an MZO does not support Community Engagement as it excludes public notice and rights of appeal. The exclusion of appeal rights within the MCR process is a similar troubling concern. While recent requirements that Municipal Councils indicate support or opposition to an MZO proposal appear on the surface to introduce some measure of community engagement, they fall short of the standards the public typically expects in local Council planning processes."*

The professional staff, upon whom Council is required to depend for their advice is clearly stating that the MZO process can be flawed and falls short of the standards of acceptable behaviour demanded by citizens / taxpayers of its elected representatives. The staff have been carefully neutral in the report.

### LOW HANGING FRUIT

**Anyone with bargaining experience might wonder:**

- a) Is this MZO application just an opening bid by the developer, and it is prepared to settle, later in the process for fewer storeys and lower densities? Is it prepared to settle for 5-storeys, or 4-storeys, or 3-storeys depending on how much resistance it gets at various stages?
- b) If the developer gets an authorizing by-law from Wilmot for this MZO application for 6-storeys, will it use its lawyers to argue vehemently all the way along to keep as many buildings as possible, with as many storeys as possible, and with as high a density as possible?
- c) Why would a developer submit a MZO application with a density level (65) which is widely known to be excessive to Wilmot's (45), Waterloo Region's (60), the Golden Horseshoe's (50) density levels, unless it was prepared to negotiate downward or it has some other goal?

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d) If Wilmot declined this application in its present form, and used the traditional approvals method, might Wilmot get what is best for Wilmot, lower levels and lower densities?

e) If Wilmot Councillors approving this MZO application now, and don't ensure that the developer has to negotiate with Wilmot first, will our citizens ever know?

f) What external forces exist on Wilmot Council from the Province and the Region that might pressure Council into a quick MZO authorization by-law that Wilmot tax payers will never hear about?

There is no one going to die, go hungry, be homeless as a result of using the traditional development process. There is no emergency or urgency for this development.

There are a lot of concepts that need revision:

- There is no archaeological assessment study reported in the documentation submitted;
- A minimum 65 pj/ha is excessive, **does not comply** with the provincial benchmark, **exceeds** the Waterloo Region long-term into the future goal, and is **incompatible** with Wilmot Township's own 45 pj/ha target.
- 6-storey buildings are too high;
- 67% of all living units only accommodate one person comfortably – not a family-oriented complete community;

The **deal-breaker** ideas:

- It depends on the use of a MZO;
- A MZO creates an unacceptable legal **estoppel** for Wilmot citizens;
- There is no financial presentation of how each item is to be paid for.

This proposal is contradictory in that it espouses certain values and visionary aspirations, but rebuts those aspirations with its own data:

- The project is NOT ground-related – it is mostly high-rise buildings;
- It does NOT create a “*complete community*” – none of the units will accommodate a family of 4 plus pets, and most are silos, boxes with doors where only one person can live comfortably;



## Delegation to Wilmot Council re. Cachet Developments' MZO Application January 4, 2022

This package is only visionary. Visions are useful when brain-storming without commitments. This presentation is like the bird's-eye picture, just a sketch of possible options. It is NOT A PLAN. It has more questions than answers. It does not define who is responsible for what, and there are a lot of known and as yet unknown "what's" to be implemented in this vision.

This vision does have potential, but in NOT IN THE FORM OF A MZO, and not with its present densities and building heights.

This MZO application does not meet even its own defined criteria. The density targets are unreasonable in their extreme over-reach (they're too high) and lack defined maximum densities.

In principle, development is good. Additional housing is needed in Wilmot.

There is, in my opinion, a lot of very useful data in the provided support documentation that must be selectively sieved through to get to the useful stuff. Some "**good**" ideas:

- A transit hub;
- A medical facility; (although too tall)
- Offices; (although too tall)
- Mixed-use / Employment area; (no height specified)
- Seniors; (too tall)
- Park;
- Agir Hub.

Council needs to 1) receive the submission, 2) table it definitely until after the next election or after scheduling another consultation meeting with the public, then 3) schedule another public meeting for Council discussion, deliberation and vote to defeat the application, and 4) in the mean-time direct staff to investigate with the developer an alternative model that uses the traditional method of full and transparent public consultation.

- 1) Wilmot Council should pass 4 separate motions, before moving on with its agenda tonight, in the following sequence:
  - i) Moved by, etc., that, Report DS 2022-001 be received for information.
  - ii) Moved by, etc. that Report DS 2022-001, and any potential subsequent actions regarding its implementation, be tabled definitely

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until at least 30 calendar days after the results are known of the next Municipal election, October 24, 2022, in Wilmot Township.

- iii) Moved by, etc., that Council, in consultation with Wilmot professional staff, set and widely advertise a series of dates for educational purposes of members of Council and interested citizens of the Municipality of Wilmot, respecting all implications of Minister's Zoning Orders (MZO).
- iv) Moved by, etc. that Wilmot professional staff be directed to consult as soon as practical with Cachet Developments, and report to Council, seeking alternate potential development strategies, that do not include a MZO, for the properties described as Cachet Developments (NH INC.) and Cachet Developments (NH WEST INC. 1265 and 1299 Waterloo Street.

### THANK YOU FOR YOUR TIME

See comparison photos below which show urban development with a mix of low-rise and high-rise buildings.

The first 2 show core Kitchener at the corner of Charles and Victoria Streets with access the GRT, rapid transit surface rail transit, and wide streets, typical of that area.

The next 1 shows the core area of New Hamburg, with the highest building, B&W Feed mill, and row buildings along the main arteries, with all buildings no higher than 3-storeys. The main street buildings have residential above the retail, commercial units at street level.

The last one shows what happens to high-density wooden buildings after a few years = a high level of retro-active or on-going maintenance is required.

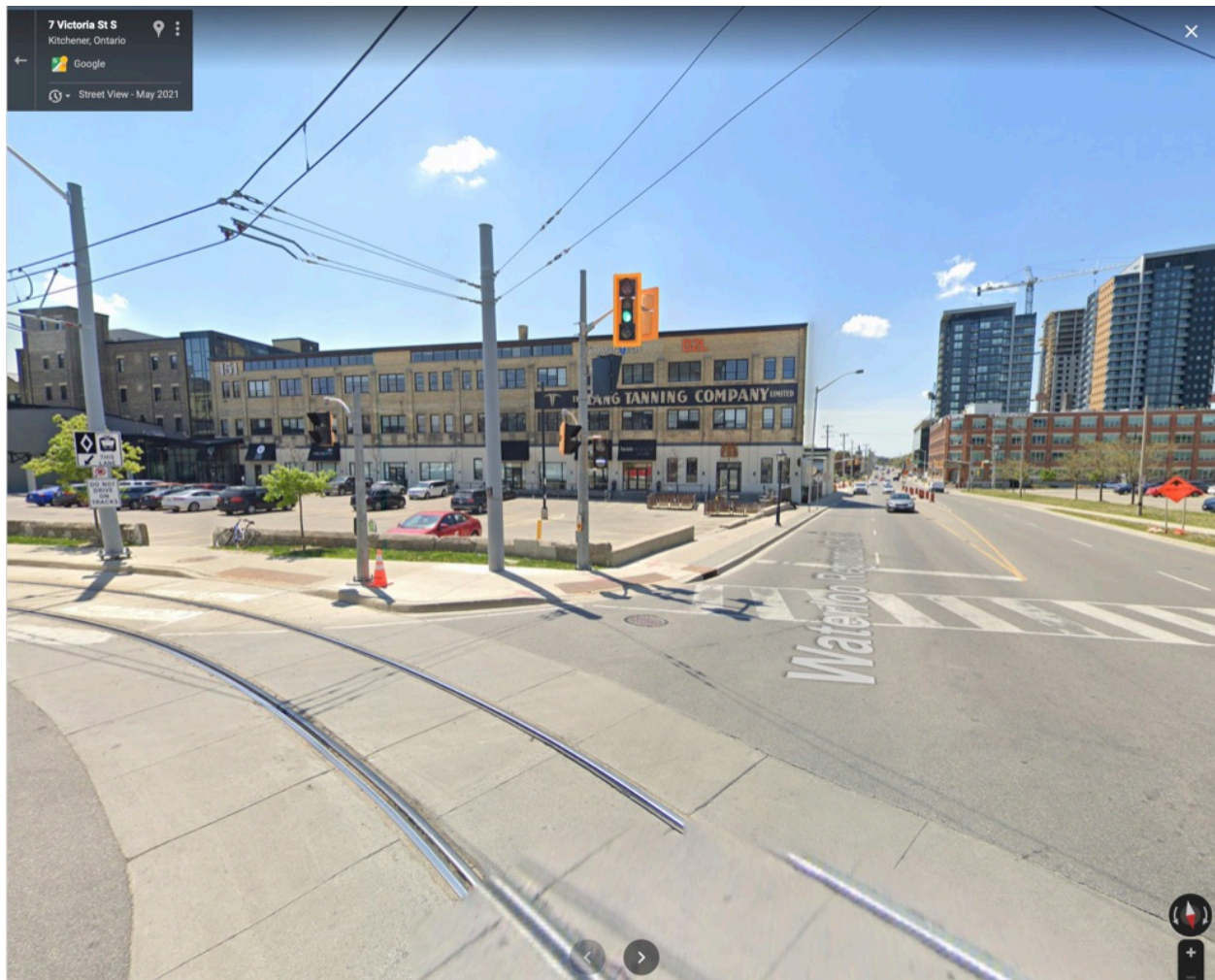
I have added an Appendix A, which was not intended for public discussion, but is my perspective on how development is financed. It is an FYI item, which is probably within the knowledge base of most, if not all, councillors.

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**VICTORIA @ CHARLES 8-STOREY BUILDING WITH SURFACE RAIL  
AND PARKING**

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**4-STOREY BUILDINGS WITH SURFACE RAIL AND PARKING**

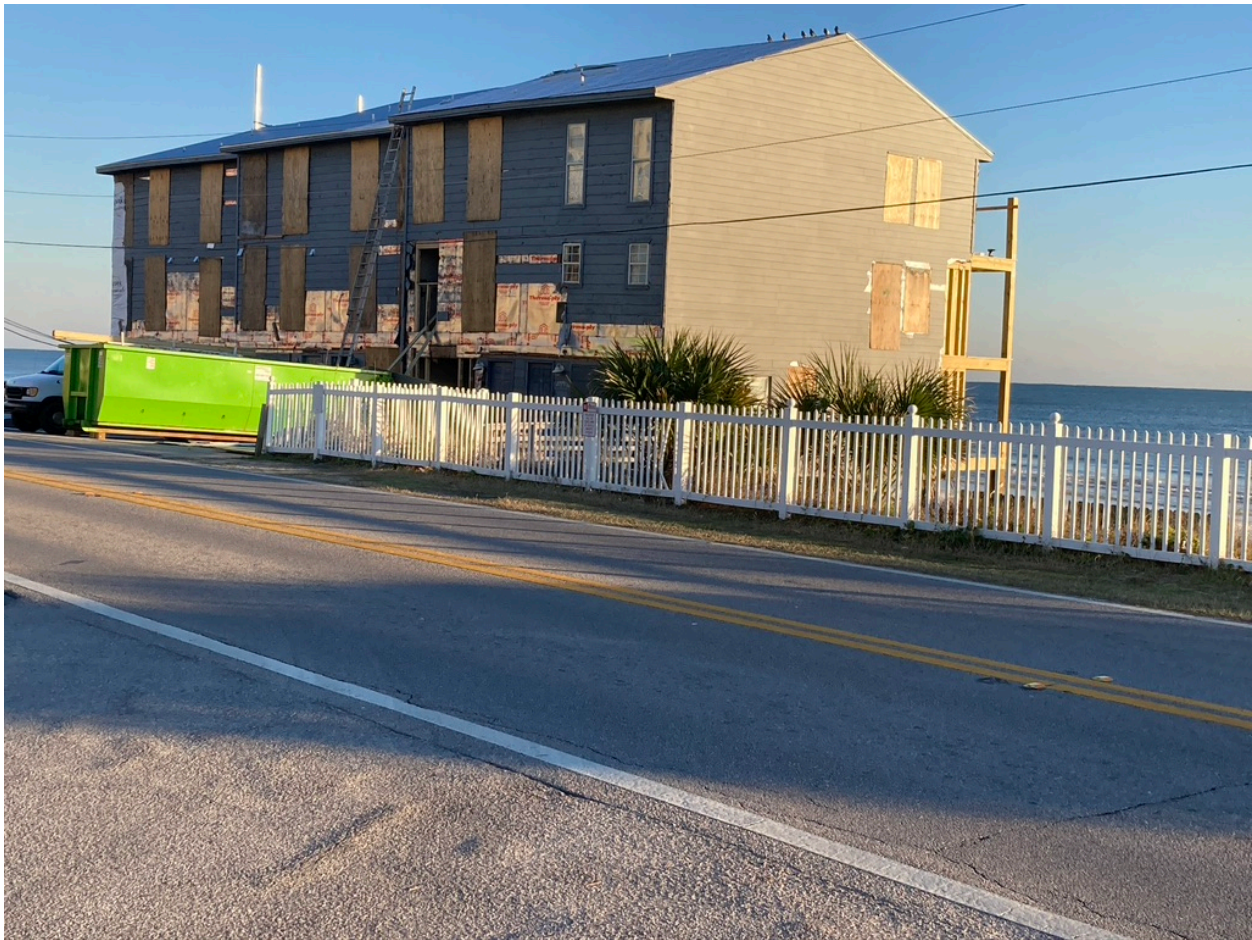


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**NEW HAMBURG 3-STOREY MAIN STREET; 3 -STOREY GRAIN WITH  
CUPOLA = 4-STOREYS**

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**THIS IS WHAT HAPPENS WHEN YOU BUILD WITH WOOD**



## **APPENDIX A**

### Development, Developers, Builders, Buyers, Taxpayers

The following reflects only the author's understandings. This is a 'generic' overview, and does not make any implications, accusations, allegations about any particular person, organization, developer, etc..

Developers are generally in the business of converting land surface from what exists at any point in time into something else. There may be areas of land that have something located on it, and the developer will remove or convert it into something else.

In inhabited areas there is usually an existing structure which is removed or converted into something else if it is deemed to be a profitable action. In 'open' areas the vacant space is built upon from its vacant state.

Often developers will look for 'open' land that does not have anything built on it and purchase it for future development. If a large project is envisioned by a developer, it will seek out and purchase large tracts such as farm land, greenfields, bush lots, wet areas that can be affordably filled by grading soil from nearby areas – preferably on the tract itself.

Developers are taking a risk that the land they purchase or make a legal agreement for future closure on, will appreciate in market value from the time of 'purchase' until it is sold. In the recent decades the risk of land depreciating has been non-existent and market values have increased exponentially. It is widely recognized by all with any connection to marketing real estate, that it is the developer that has the greatest likelihood of making the largest long-term profits in a development project.

Developers have investment expenses before they sell and determine profit:

- Land acquisition;
- Application fees to municipality;
- Zoning change fees;
- Building permits;
- Regional development fee;
- Provincial education fee?
- Archaeological study;

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- Consultants' fees.

It is extremely rare for a development company to use its own capital / cash instruments to purchase land for future development. The optimum business practice is to use other entities' monies. A developer will borrow money, often using other instruments as collateral, and the carrying costs are managed and reconciled between the developer and its accountants reporting to the Canadian Revenue Agency. In any case, a developer does assume a financial risk when undertaking a project.

An experienced or well-informed developer mitigates that risk by how it bundles the initial borrowing, how it 'plans' the development (what, how many, how tall, how big or small each portion / unit, how many units it can place within the land space), and how it manages the regulatory and supervisory processes in place.

There are regulatory pieces of legislation for the entire province, for specific types of geography, and different geo-political regions such as counties, regions, cities, townships.

Astute developers will acquire land in areas that are most likely to generate the most profit by:

- minimizing the cost of the land originally;
- find land that is vacant;
- find land that is available in suitably-sized parcels that can be combined if necessary;
- avoid municipalities that have large populations of aware and involved citizens, politicians and a large professional staff that have individual specialties and thus, that can make the approvals process detailed, lengthy and require a lot of overview time before the land units / lots in the 'plan' are approved, and sold to sub-contractors for building, and thus sale;
- implement an approvals process that is least likely to legally permit widespread involvement by the public citizens / taxpayers who have to live with the resulting environment and pay for fallout costs unforeseen by the Municipal staff or were overridden by the process itself;
- the traditional zoning and sub-division approval process takes more time and is riskier for a developer because it requires public notification PLUS ongoing ability to determine approvals;

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- the easiest, fastest process is a MZO, because once a municipality passes a by-law of support, it is on its slide through a regional government process, and off to a provincial politician. Once it leaves a municipality's control at the very start, it is really out of their hands – it can have some input, but can be overridden by a higher-tier government that has connections and influences with unknown inputs;
- if a developer approaches a municipality for a zoning change and subdivision approval, the fastest and cheapest route is a MZO. Using a MZO application a developer does not even have to cover the municipality's own legal costs and staff time (\$5,000 and higher) to review the request. In other words, the developer has tossed its normal business costs onto the local tax payers.
- (A recent president bragged to his citizens / tax payers, "Of course I don't pay taxes. A smart business man does not pay taxes. Taxes are for little people. Paying fees and taxes is stupid!", and a previous Prime Minister wrote, "What's in it for me?" in a book.)

After a developer has received approval to proceed the land units / lots are sold to sub-contractors who do the actual construction of buildings, facilities on the land. The sale of these land units is where a developer makes its profit. Because its actual 'input costs' are 'relatively' small even after buying the land, (remember the land was originally purchased for very much less than its present market value for sale) its 'mark-up' to the sub-contractor / builder can be very large. This is why the developer makes the proportionately largest profit in any community development.

The lot-buying 'builders' then make their profit by calculating their cost to purchase each space unit / lot, adding their real expenses for overhead, materials and labour, and adding whatever margin they can. The builder then markets each unit on a lot, selling each at whatever the market will bear. In the case of multi-unit buildings such as townhouses or multi-level apartment buildings for example, each individual apartment or townhouse is sold separately.

Thus, a builder will buy from the developer a lot size that is large enough (in the original municipal approval) to build as many saleable units within the given space as possible. An astute developer presents a 'plan' to the municipality that allows for defined minimums but no maximums for how many people can be placed into a unit of space. Thus, if a municipality has

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a defined minimum of 45 pj/ha (person jobs per hectare of land), it is to the advantage of the developer to request a larger number, a much greater degree of density, placing more people into a smaller space. If a developer can get approval from the municipality, for example of 65 pj/ha, then it can sell each unit of land to the builder at a much higher price, because it knows that the developer can cram more units into a smaller space, meaning there are more units to sell, meaning the builder makes more profit. It's almost like magic, with the approval of a by-law by a Council, the developer's nickel can be converted into a dime or quarter.

The larger the number of units the developer can get at the front end, the larger to profit for both the developer and builder at the back end. Of course, a builder can market its units at a desired price, but if the units are perceived by the public as not being attractive, then the units will not sell at all, or at another market's price.

In large units such as apartment buildings there are great economies of scale by using one foundation for all 50 or 100 units, fewer inputs for potable water, and outputs for sewage, fewer inputs for energy, etc. and simply connecting everything together as per building codes provincially and in the municipality. If a builder is 'permitted', because there is no maximum number of units that be put into a unit of space, a builder will make more, smaller units on each level / storey, and add as many storeys as possible. This *may*, but does not necessarily make the purchase price of each unit any less, it just means it sells more units for the same price.

The developer plays a role here by putting as many storeys as it thinks it can get away with from the municipality. Thus, 3-storeys is better than 2, and 6-storeys is better than 3. It does not matter what the surrounding environment looks like, if a developer can negotiate it, it will put a city into the countryside.

This is where the definition of "affordability" hits reality. It is not the municipality or the developer that sets the price of a unit built, it is the 'builder' determining what the market will carry, and more is obviously better than less. The developer, as stated, has set the stage for greater profit for itself and the builder by allowing for more units to be sold in the same piece of land. But it is the builder that sets the final sale price, unless the municipality has negotiated specific numbers at the very beginning that determine the outcome. It is a negligent developer that does not mention "*affordability*" in

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any proposal. An astute developer knows that Councils are receptive to the concept because developers know that it is only a conscientious council that actually directs its professional staff to do the detailed cost / benefit analysis of the project, and does not trust that the colour pictures and detailed charts from consultants will come true.

Hint: Verify first, conduct the complete approval process with ongoing public consultation, then trust! Trust comes after the development has been legally turned over to the municipality. Before that, "it's just business".

The development of any piece of land is a negotiation between a developer and the local government which represents the interests of its citizens.

On any issue of development, it is the responsibility of a Council to provide full opportunity for all citizens / tax payers, to whom it is accountable under law, to provide ongoing input. Sometimes, it is the case that a Council believes in their hearts that they know what is best for their citizens / tax payers in spite of what they may hear from the 1 – 10% of voices that talk out to them. Sometimes, hubris kicks in for Councils and they conclude that they have only heard from "the usual voices", and the other 99% would agree with whatever they decide. (Hubris: excessive pride or self-confidence or, in Greek, defiance of the gods. Hubris results in nemesis – downfall, injury, retributive justice)

Thus, a developer will try to eliminate any accountability to the citizens / tax payers by eliminating them from the process. This is obviously because it takes longer to complete a project, and there are usually changes that the citizens / tax payers require to make the project compatible with their community's environment. Thus, a developer will use the MZO process if it can get away with it. When the citizens provide nemesis, retributive justice, it is too late and is imposed upon the council members, and the developer still gets its profit.

**Re: REPORT NO. DS 2022-001**

Kae Elgie  
Waterloo Ontario



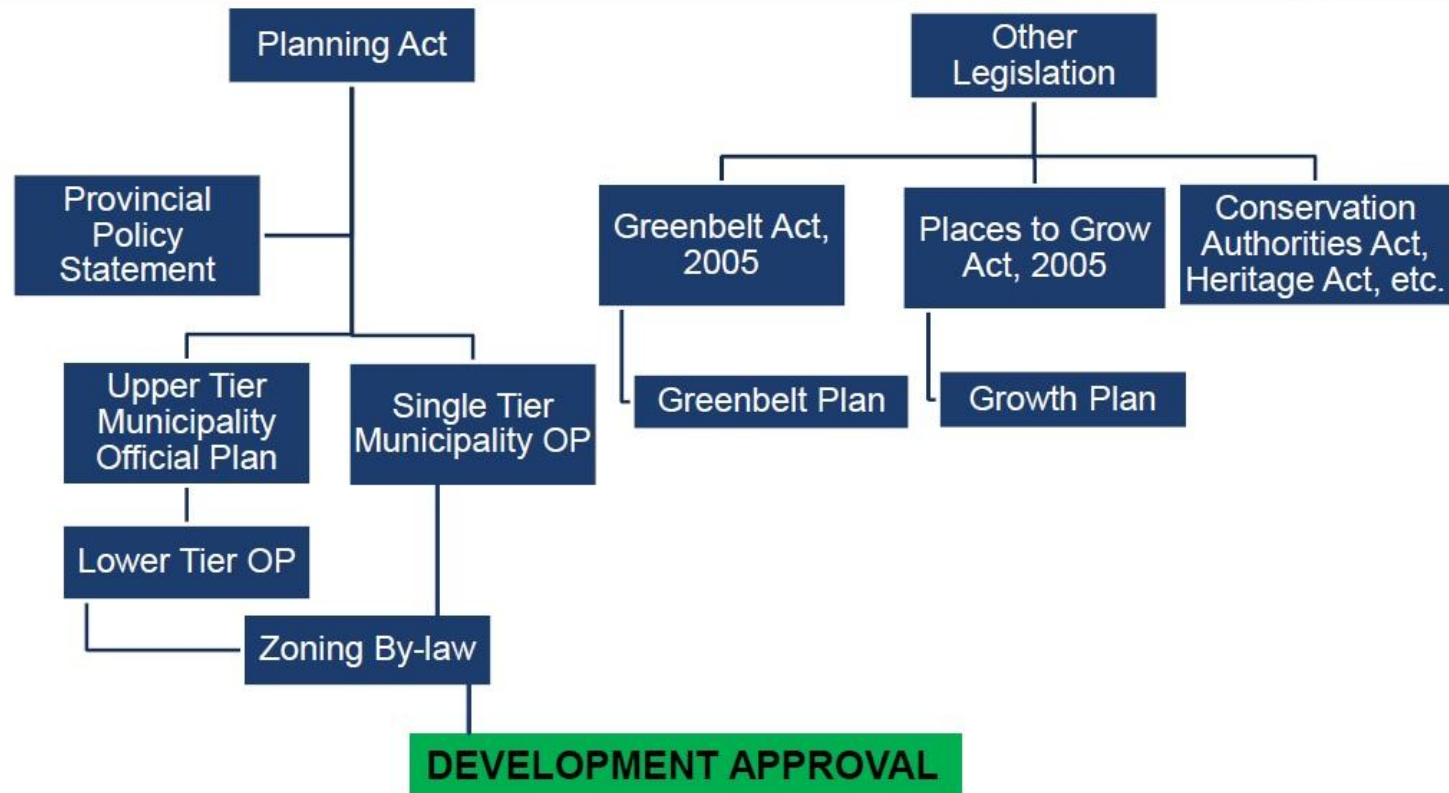
## Zoning bylaws

### Minister's zoning orders

- The *Planning Act* gives the Minister of Municipal Affairs and Housing the authority to control the use of any land in the province.
- Zoning orders can be used to protect a [provincial interest](#)
- or to help overcome potential barriers or delays to critical projects.

# Land Use Planning in Ontario

BLG



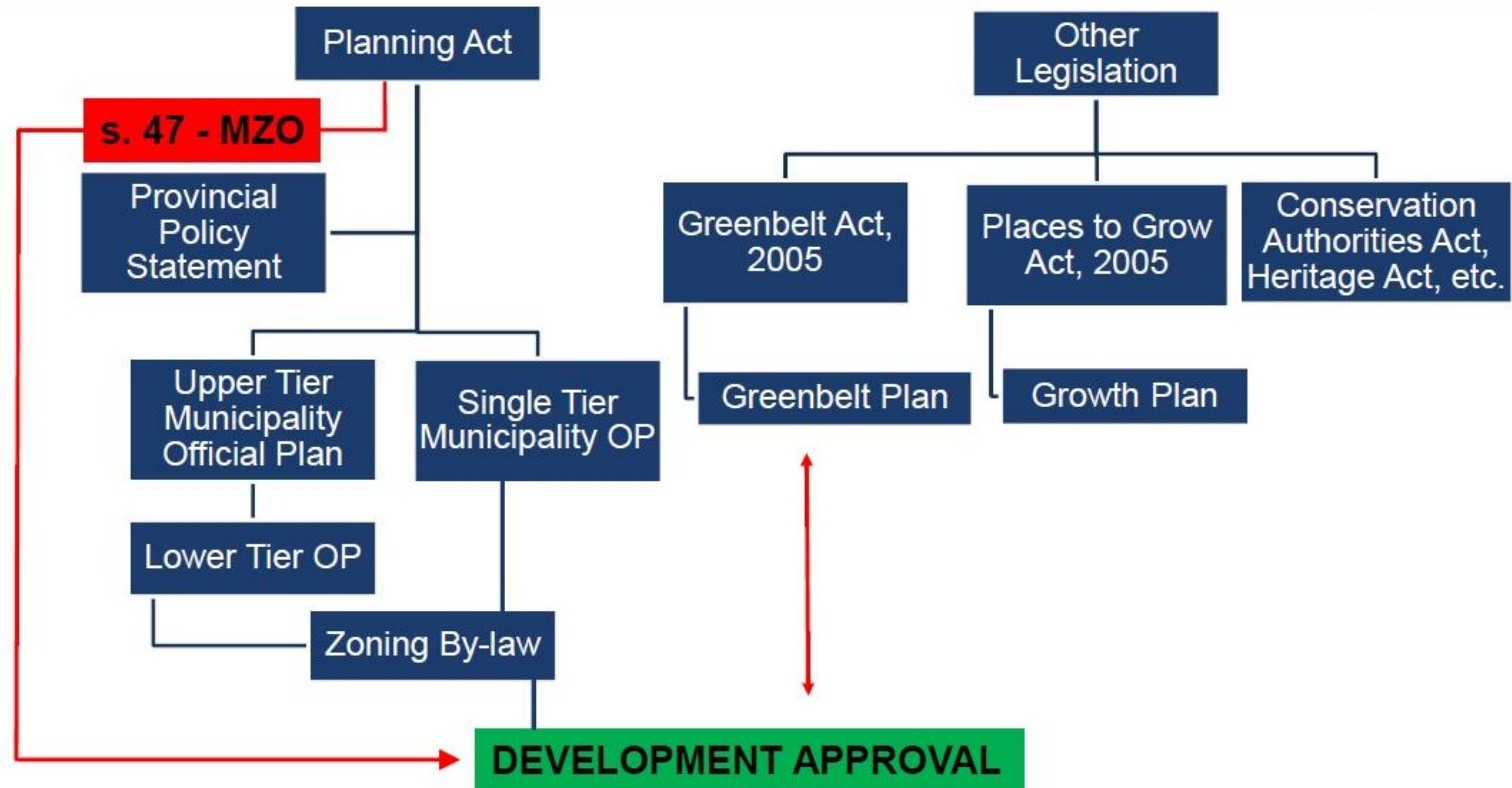
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This is an oversimplified diagram for illustrative purposes only

Source: April 2021 presentation to Association of Municipal Managers, Clerks and Treasurers of Ontario  
<https://www.amcto.com/getattachment/fd91eac4-c3ba-4e77-ad0d-256b6c2dd2dc/.aspx>

# Land Use Planning in Ontario

BLG



8

This is an oversimplified diagram for illustrative purposes only

Source: April 2021 presentation to Association of Municipal Managers, Clerks and Treasurers of Ontario  
<https://www.amcto.com/getattachment/fd91eac4-c3ba-4e77-ad0d-256b6c2dd2dc/.aspx>

# Weighing the benefits

- What are the advantages to citizens?
- Is it worth skipping the time to ask the detailed questions?
- What are the advantages to the developer?



**IF IT SEEMS  
TOO GOOD  
TO BE TRUE**

read the fine print to see what it will cost you!

# A cautionary tale from Waterloo





# RIM PARK (a)

- In 2000 Waterloo signed an agreement with MFP Financial Services to develop RIM Park.
- Total cost was thought to be \$113 million, financed at a rate of 4.7 per cent.
- A reporter for the *Record* spotted some bad math and revealed that the true interest rate was 9.2 per cent and the total cost to Waterloo taxpayers could reach \$227 million.

<https://www.macleans.ca/news/canada/kitchener-meets-its-waterloo/>

# RIM PARK (b)

- Waterloo's entire council, including the mayor, was tossed out in the 2003 civic election.

<https://www.macleans.ca/news/canada/kitchener-meets-its-waterloo/>

- Regional Coun. Sean Strickland is the only member of the council that approved the financing deal who remains in local politics.

Strickland said he learned from the experience to question information put before him as a politician.

- The financial fallout of RIM Park will continue to daunt Waterloo taxpayers until the end of September 2031.

<https://www.therecord.com/news/waterloo-region/2013/10/19/rim-park-inquiry-report-10-years-later.html>

# What's the rush?

- Please take the time to learn from Waterloo's rush to build a great community facility
- Take the time for more – and more – and more – public engagement, more questioning eyes
- Read the fine print, do the math, to see what it will cost you to support the **ongoing** infrastructure costs
- *Maybe the bad-math-spotting reporter is still around?*

**IF IT SEEMS  
TOO GOOD  
TO BE TRUE**

read the fine print to see what it will cost you!

## **Special Council Meeting**

### **Minutes**

January 10, 2022, 5:00 P.M.

Virtual Location

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

Staff Present: Chief Administrative Officer S. Chambers  
Director of Information and Legislative Services/Municipal Clerk  
D. Mittelholtz  
Manager of Information and Legislative Services/Deputy Clerk T.  
Murray  
Director of Corporate Services P. Kelly  
Director of Development Services H. O'Krafka  
Manager of Planning and Economic Development A. Martin

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#### **1. MOTION TO CONVENE INTO CLOSED MEETING (IF NECESSARY)**

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor B. Fisher

THAT a Closed Meeting of Council be held on Monday, January 10, 2022, at 5:00 P.M., in accordance with Section 239 (2) (f), and (3.1) for the purposes of:

(f) advice that is subject to solicitor-client privilege, and



(3.1) Educational or training session.

**Carried.**

**2. MOTION TO RECONVENE IN OPEN MEETING (IF NECESSARY)**

This is to advise that the Closed session provided

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor A. Hallman

THAT Council reconvenes in Open Session at the conclusion of the Closed Meeting.

**Carried.**

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

**4. CONFIRMATORY BY-LAW**

**Moved by:** Councillor B. Fisher

**Seconded by:** Councillor J. Gerber

THAT By-law No. 2022-02 to Confirm the Proceedings of Council at its Special Meeting held on January 10, 2022, be introduced, read a first, second, and third and finally passed in Open Council.

**Carried.**

**5. ADJOURNMENT**

**Moved by:** Councillor C. Gordijk

**Seconded by:** Councillor J. Gerber

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

**Carried.**

# Cultural Heritage Landscape Study

Winter 2022 Update



Region of Waterloo



Heritage Resources Centre  
Centre des ressources du patrimoine

# The Research So Far.....

- Over the spring and summer of 2021, researchers with the Heritage Resources Centre of the University of Waterloo have been collecting data from community members for the Cultural Heritage Landscape Study via:
  - Engage Region of Waterloo [Cultural Heritage Landscape Study Page](#)
  - Individual (virtual and telephone) interviews
  - Virtual meetings with Heritage Committees

# Limitations

- Meeting face to face with community members or focus groups was not possible
- Meaningful engagement has been a struggle
  - Screen time and/or survey burnout?
  - Geographic literacy?
  - Technology literacy?
- Cultural Heritage Landscapes are an abstract concept

# Candidate Cultural Heritage Landscapes

- The following slides represent the draft final list of potential Cultural Heritage Landscapes, as suggested by community members
- Researchers will evaluate each suggestion to determine if the landscape meets the criteria for identification as a Cultural Heritage Landscape



# Phillipsburg





# The Huron Road



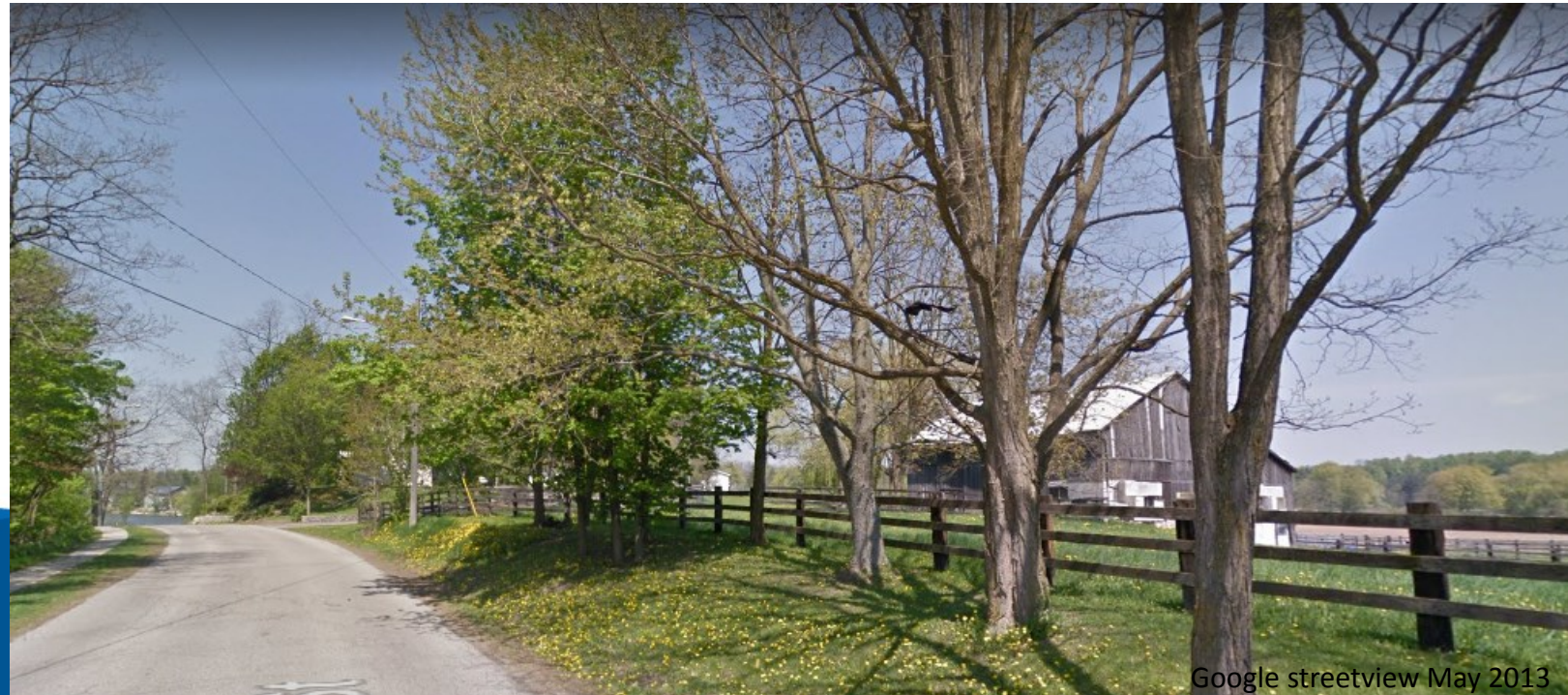
Google Streetview April 2021



C. Bevers, thekingshighway.ca



# New Dundee





# The Baden Hills





# St. Agatha





# Downtown New Hamburg





# Baden



# Next Steps

- Early draft to be reviewed by Wilmot and Regional Staff in late winter, early spring
- Final draft presented to Wilmot Council in late March early April
- Heritage Wilmot to review and comment
- Final Report presented to Wilmot Council in late Spring 2022

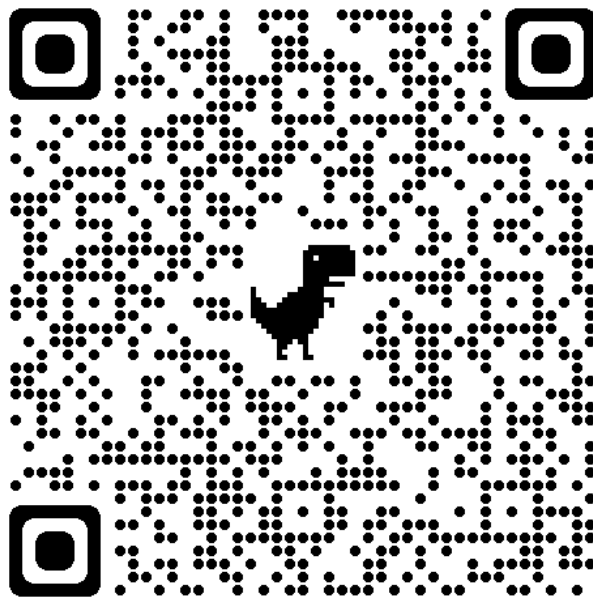


# Visit the Study Webpage:

[www.engagewr.ca/cultural-heritage-landscape-study-in-wilmot-and-north-dumfries-townships](http://www.engagewr.ca/cultural-heritage-landscape-study-in-wilmot-and-north-dumfries-townships)

**Bridget Coady** RPP MCIP  
Principal Planner Cultural Heritage  
Region of Waterloo

[bcoady@regionofwaterloo.ca](mailto:bcoady@regionofwaterloo.ca)



**Chris DeGeer**  
Consultant Researcher  
Heritage Resources Centre  
University of Waterloo

[cdegeer@waterloo.ca](mailto:cdegeer@waterloo.ca)



## DEVELOPMENT SERVICES

### *Staff Report*

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REPORT NO: DS 2022-002

TO: Council

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

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

Tracy Loch,  
Director / Curator Castle Kilbride

REVIEWED BY: Sharon Chambers, CAO

DATE: January 17, 2022

SUBJECT: Cultural Heritage Landscape Study Update

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#### RECOMMENDATION:

THAT Report DS 2022-002 be received for information.

#### BACKGROUND:

The Township of Wilmot partnered with the Region of Waterloo, the Heritage Resources Centre of the University of Waterloo and the Township of North Dumfries to complete a Cultural Heritage Landscape Study.

The project began in August of 2020 has been ongoing during the pandemic and is nearing completion.



## REPORT:

Identifying and conserving cultural heritage resources that are significant to a community is an important part of planning for and managing change.

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

Windshield surveys, web archives and online mapping analysis have been taking place. During this time of Covid restrictions, researchers have relied heavily on the personal knowledge of residents of Wilmot, along with support and feedback from Heritage Wilmot. This has been accomplished through eliciting and weighing community values and participation via methods such as on-line engagement forums such as the Township of Wilmot website and EngageWR portal. However, creating meaningful engagement has been a struggle.

As part of the process the report researchers have also initiated engagement with Indigenous communities to ensure that their interests are considered when identifying, protecting and managing cultural heritage and archaeological resources.

The next steps will be for researchers to consider the submissions from the public to determine if suggested landscapes meet the criteria for identification as a Cultural Heritage Landscape.

The outcome of the CHL Study will be a final report which will identify candidate CHLs of significance. The report will also provide recommendations to inform and guide future heritage planning initiatives to assist staff in the long-term conservation and protection of the identified CHL's in accordance Section 9.4 of the Township Official Plan and the Provincial Policy Statement (PPS).

## 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.

## ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 11 Sustainable Cities and Communities – Target 11.4 strengthen efforts to protect the world's cultural and natural heritage.

### 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:

Attachment 1: Cultural Heritage Landscape Study (Winter 2022 Update)

# Cultural Heritage Landscape Study

Winter 2022 Update



Region of Waterloo



Heritage Resources Centre  
Centre des ressources du patrimoine

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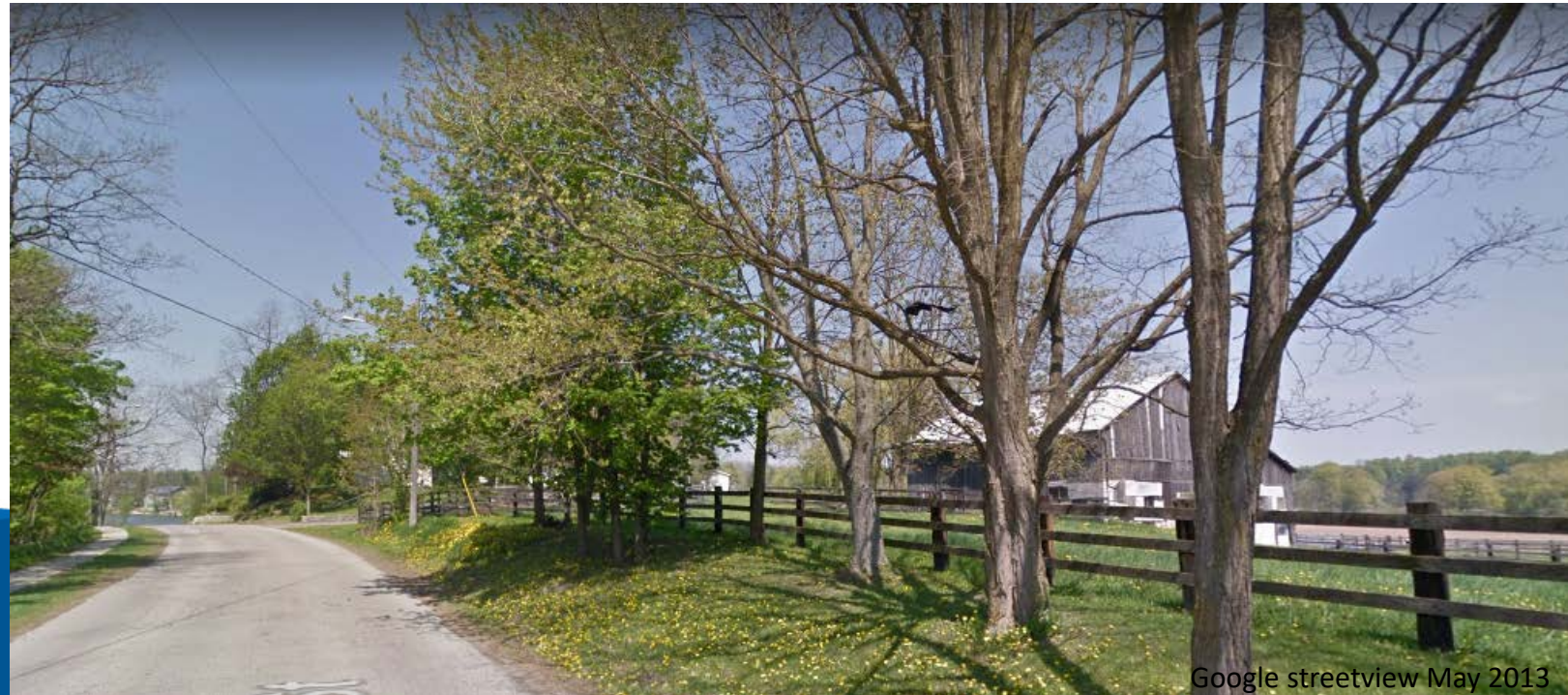
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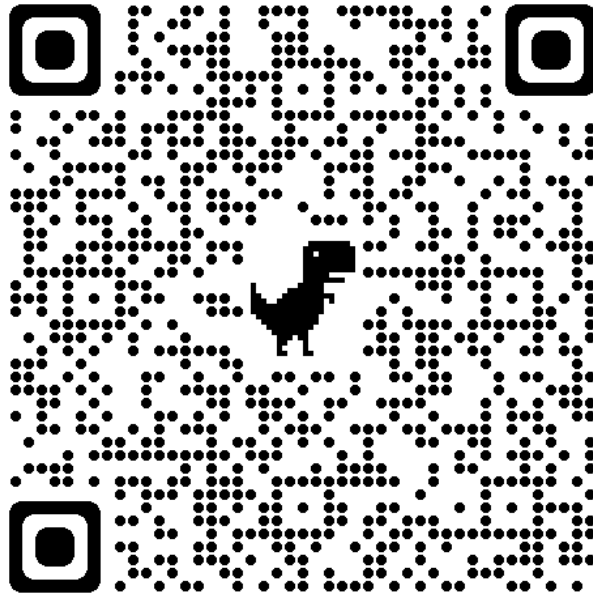


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**Chris DeGeer**  
Consultant Researcher  
Heritage Resources Centre  
University of Waterloo

[cdegeer@waterloo.ca](mailto:cdegeer@waterloo.ca)



## PUBLIC WORKS AND ENGINEERING *Staff Report*

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REPORT NO:                      PWE 2022-01

TO:                                Council

SUBMITTED BY:                Jeff Molenhuis, P.Eng., Director of Public Works & Engineering

PREPARED BY:                Mark Jeffery, C.E.T., Senior Engineering Technologist

REVIEWED BY:                Sharon Chambers, Chief Administrative Officer  
Patrick Kelly CPA, CMA Director of Corporate Services / Treasurer

DATE:                             January 17, 2022

SUBJECT:                        Award of Contract for Public Works Operations Centre  
Space Needs Study and Concept Design

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### RECOMMENDATION:

THAT RFP 2021-33 be awarded to Stirling Rothesay Consulting Inc. for the Public Works Operations Centre Space Needs Study and Concept Design as per their proposal submitted on December 1, 2021, in the amount of \$56,930 plus HST; and further

THAT pre-budget approval be provided for the inclusion of \$25,000 within the 2022 Capital Program to complete these works.

### SUMMARY:

This report outlines the proposal processes and recommends award of study to the successful bidder for the review and assessment of the Public Works Operations Centre.

### BACKGROUND:

This study is to review the Operations facility performance and functionality at the current location on Sandhills Road. The project will review the current setting on site, including meeting

efficient and effectiveness-based targets for health and safety measures, environmental site management, material and equipment management as well as vehicle and equipment operations. The project will also consider the current and future needs of Operations to effectively manage a growing community.

The Transportation Services and Environmental Services divisions of Public Works and Engineering will see substantial growth in services to operate and maintain owned infrastructure with the forthcoming community growth. The Sandhills Road facility location and layout is at maximum capacity, and needs to be reviewed to consider opportunities to improve efficiency and effectiveness of services provided, including the ability for this site to accommodate community and infrastructure growth, as the Township works toward achieving its growth goals under the Official Plan. This may require changes to the current site format to respond to growth, including equipment, material and supply storage, workplace accommodation and space, material management, and opportunities for site or process efficiencies. This space needs study will seek to undertake a scope of work with the end result being an outline of departmental operational needs, opportunities for improvement and a site and concept design to accommodate service delivery opportunities, growth and material management needs.

### REPORT:

On November 4, 2021, the request for proposal was made available through the Township's e-bidding site. There was a total of eight (8) plan takers, with two (2) bids received at time of close on December 1, 2021.

An internal selection committee consisting of staff from Public Works and Engineering reviewed and evaluated the proposals based on the following evaluation criteria:

Section	Criteria	Description	Points
1	Company Profile, Team Structure & Staff Qualifications	Description of the company / department service units	15
2	Understanding, Approach & Methodology	Knowledge of the project and deliverable process	25
3	Experience and References	Past experience on similar projects and references	15
4	Schedule / Work Plan	Timeline approach for deliverables and expectations	25
5	Price	Cost to successfully complete project scope	20

The proposals were independently evaluated and scored for adequacy to address the requested project scope. Following that, the fees were evaluated separately, and a final selection was made based on the comprehensive evaluation criteria.

As a result of the highest-ranking proposal, Stirling Rothesay Consulting Inc. is recommended to be authorized for award, at a cost of \$56,930.00, plus HST.

Stirling Rothesay Consulting Inc. has completed numerous space needs assessments for municipalities across the province and therefore possess the qualifications and experience necessary to successfully complete this project.

If Council proceeds with award of this proposal submission, the Township will authorize Stirling Rothesay Consulting Inc. to proceed with the Public Works Operations Centre Space Needs Study to identify operational and facility needs and opportunities and to provide a redesign of the Public Works Operations Centre that will satisfy the need for short-, medium- and long-term growth requirements.

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

This initiative supports the goals and strategies of enhancing:

- Responsible Governance through Fiscal Responsibility, and Infrastructure Investments.
- Quality of Life through Accessibility and Inclusivity, Active Transportation and Transit.

#### ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS:

Goal 9: Industry, Innovation, and Infrastructure  
Goal 11: Sustainable Cities and Communities

#### FINANCIAL CONSIDERATIONS:

The following funding sources are identified within various iterations of the 10-year Capital Forecast from 2019 through 2022 for the Public Works Operations Centre Space Needs Study and Conceptual Design.

Funding Source	Amount
2019 Development Charges (Studies)	\$ 13,500
2021 Development Charges (Studies)	18,000
2019 Capital Levy	1,500
2021 Capital Levy	2,000
2022 Development Charges (Studies)*	22,500
2022 Capital Levy*	2,500
Total Budget	\$ 60,000



Given the above, the Public Works Space Needs Study and Concept Design is anticipated to remain within the budget allocation for this year, at a total cost impact of \$57,932 (net of HST rebate).

ATTACHMENTS:

Figure 1 – Public Works Operations Centre

Figure 1

# Public Works Operations Center Layout 2719 Sandhills Rd

September 2021



1:1,500







## **PUBLIC WORKS AND ENGINEERING**

### ***Staff Report***

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REPORT NO:                   PWE 2022-03

TO:                             Council

SUBMITTED BY:             Jeff Molenhuis, P.Eng., Director of Public Works & Engineering

PREPARED BY:             Mark Jeffery, C.E.T., Senior Engineering Technologist

REVIEWED BY:             Sharon Chambers, Chief Administrative Officer  
Patrick Kelly CPA, CMA Director of Corporate Services / Treasurer

DATE:                        January 17, 2022

SUBJECT:                   Christner Road Emergency Culvert Replacement

---

#### **RECOMMENDATION:**

THAT Report No. PWE 2022-03 Christner Road Emergency Culvert Replacement be received for information purposes.

#### **SUMMARY:**

This report provides background information on a larger diameter culvert collapse on Christner Road, the measures taken by staff to undertake repair/replacement works, and the anticipated financial implications of the emergency replacement.

#### **BACKGROUND:**

The Christner Road culvert is located in the eastern portion of Christner Road on the downstream end of a tributary branch to the Nith River. The culvert was recently identified for repairs or replacement needs based on inventory and condition inspections conducted by staff in 2020. The structure was in the process of design, with anticipated replacement scheduled in 2022 as part of the budget process.

Bridge and culvert structures that span over 3.0m of roadway support require biennial inspections through the Ontario Structure Inspection Manual (OSIM) system and Ontario regulation 104/97. This particular culvert is not a large enough span to qualify for this inspection requirement, with a diameter of 2.25m and corrugated steel material.

In 2019, there were a number of small diameter culvert failures that required emergency repairs. This initiated effort in identifying these smaller structures, updating inventory information, and obtaining condition assessment data in 2020 and 2021 as part of the Township's on-going Asset Management capacity building. Based on this work, this culvert was identified for replacement needs and was planned for construction in 2022. Staff were working through the design process internally when the culvert collapsed on December 11<sup>th</sup>.

To facilitate the replacement in 2022, a topographic survey of the culvert and surrounding area was completed in the fall of 2021. Design drawings for the replacement of the culvert were being completed for submission to the GRCA and subsequent approval with construction anticipated during the summer of 2022, to align with the GRCA's in-water timing window of July 15<sup>th</sup> to September 30<sup>th</sup>.

The original engineering estimate for the replacement of this structure was identified in the forthcoming 10-year capital budget for 2022, with an estimated construction value of \$150,000 for culvert, road and guiderail works. This amount includes a provision for incorporating roadside safety measures adjacent to the Christner Road culvert with a slightly widened road platform and steel beam guiderail system.

### REPORT:

On Saturday December 11<sup>th</sup>, Christner Road was closed to all vehicular traffic due to a collapse of the north portion of Christner Road at the existing culvert structure. The roadway collapse was the result of a significantly deteriorated culvert in combination with a prolonged rainfall event.

The failure was further investigated by Public Works and Engineering staff to review the damage and to determine the best course of action going forward. At that time, it became apparent that due to the significant damage sustained to the culvert structure, salvaging and/or repairing the remaining culvert would not be a viable option and a full culvert replacement would be the only feasible solution.

Due to the emergency road closure, the vehicular detour routing for Christner Road to Wilmot Easthope Road and Waterloo Street was through Shade Street and Perth Street. As both roadways involve crossing of barriers by means of travelling across load restricted bridge structures and considering the nature of roadway users on Christner Road and Perth Street South, as well as the natural environment impacts of this blockage on the downstream reach of this Nith tributary, staff determined it was imperative that an expedited replacement of the culvert and the reopening Christner Road should be completed as soon as reasonably practical.

A local general contractor familiar with large culvert installations was contacted and availability was confirmed to begin the culvert replacement on December 15<sup>th</sup>. Locating a culvert structure of



this size diameter on short notice became an impediment to the project completion as the lead time for a galvanized, aluminized or poly coated corrugated steel culvert was three to four weeks delivery at minimum. The contractor was able to locate a concrete pipe suitable for this installation with availability for December 15<sup>th</sup>.

The necessary permits were applied for and received from the GRCA prior to commencing construction.

After the culvert material type and costs were estimated and sourced and contractor availability and timing was secured, staff obtained approval from the Director of Corporate Services / Treasurer and CAO to complete the necessary emergency repairs based upon Provision 65 of the Township's Procurement By-Law (2021-043).

The emergency culvert replacement commenced on Wednesday, December 15<sup>th</sup> with the culvert replacement completed and roadway reopened to traffic on the afternoon of Thursday, December 23<sup>rd</sup>. The platform width and the steel beam guiderail remain and are to be included in the Township's Guiderail Program with completion in 2022.

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

This initiative supports the goals and strategies of enhancing:

- Responsible Governance through Fiscal Responsibility, and Infrastructure Investments.
- Quality of Life through Accessibility and Inclusivity, Active Transportation and Transit.

#### ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS:

Goal 9: Industry, Innovation, and Infrastructure

Goal 11: Sustainable Cities and Communities

#### FINANCIAL CONSIDERATIONS:

All project costs have not been received from the contractor for the emergency culvert replacement, although it is anticipated final costs for this emergency work would most likely exceed preliminary estimates based on procurement through a competitive bid process.

The anticipated additional financial impact for emergency repairs with regards to the supply and delivery of the concrete culvert material as opposed to a steel culvert, is estimated to be an additional \$40,000 in project costs.

The final project costs of approximately \$200,000 be incorporated within the 2022 Capital Program, being presented to committee on January 24, 2022.

#### ATTACHMENTS:

None.



## INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

---

REPORT NO: ILS 2022-01

TO: Council

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

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

REVIEWED BY: Sharon Chambers, CAO

DATE: January 17, 2022

SUBJECT: Closure of Road Allowance – Arnold Street New Hamburg

---

### RECOMMENDATION:

THAT Report No. ILS 2022-01 be received for information; and further,

THAT Council adopts By-law No. 2022-01.

### SUMMARY:

The proposed road closure for Arnold Street is for a portion of the road that has never been in use and was sold as part of a former Township utilities site in 1999. By registering this by-law, the interest the Township has in this property will be removed, making for a clear Land Title for the current property owner.

### REPORT:

The property owner for 194 Arnold Street approached Township staff about an interest the Township has registered on their property. A search of Township records indicated that the

former Township Utilities Shed had been declared surplus on April 12, 1999, and subsequently sold. This property was defined within Registered Plan 58R-3908 in three parts. Part 3 is an unused road allowance for Arnold Street. Typically, a road allowance would be closed upon disposition if the Township deemed it had no future need to retain the interest in the land.

In staff report AD99-09 to the former Administration Committee, the Clerk noted that water and sewer services were under review by the Region of Waterloo and area municipalities. Staff believe that this was the reasoning for keeping this road allowance open. All departments were circulated on this proposed road closure, no infrastructure lays under or on the subject property or otherwise requires the Township to retain its interest or road allowance status.

Prior to the signing of the agreement, prepared by the Township solicitor, the access agreement will be reviewed by the Directors of Information and Legislative Services, and Public Works and Engineering and an engineering plan and survey for the subject portion of the road must be filed with the Clerk.

A Notice concerning the proposed closure of this road allowance was circulated in a local Newspaper for two weeks in advance of the week in compliance with the Township's Notice By-law.

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

While not identified as a specific action, the review and update of existing agreements and property matters is consistent with our corporate goal of Responsible Governance.

#### ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS:

This report is aligned with the following UN Sustainable Development Goals:

- Goal 16: Peace and Justice, Strong Institutions
- Goal 17: Partnerships for the Goals

#### FINANCIAL CONSIDERATIONS:

The total costs incurred for the legal review, posting of the road closure notice, and for registering the road closure, estimated at \$650, will be included within the 2022 operating budget for legal fees.



## PUBLIC WORKS AND ENGINEERING *Staff Report*

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REPORT NO: PW 2022-02

TO: Council

SUBMITTED BY: Jeff Molenhuis, P.Eng., Director of Public Works & Engineering

PREPARED BY: Mark Jeffery, C.E.T., Senior Engineering Technologist

REVIEWED BY: Sharon Chambers, Chief Administrative Officer  
Patrick Kelly CPA, CMA Director of Corporate Services / Treasurer

DATE: January 17, 2022

SUBJECT: Bridge Street Bridge- Structure No. 34/B-T9  
Schedule "B" Class Environmental Assessment  
and Preliminary Design – Project File Report

---

### RECOMMENDATION:

THAT the Township of Wilmot take the following actions with respect to the Class Environmental Assessment for the Bridge Street Bridge - Structure No. 34/B-T9:

- i) endorse the preliminary design for construction of the preferred alternative – Multi Span Slab-On-Girder Bridge as detailed in Report PW 2022-02, dated January 17, 2022; and,
- ii) direct staff to file the Notice of Study Completion for this Municipal Class Environmental Assessment Schedule "B" Study by means of posting the Notice in the local newspapers, the Township's social media, direct mailings, and place the Project File Report on the public record for a period of 45 days; and further

THAT following the 45-calendar day review period, the Township proceed to the detailed design phase, contract document preparation, tendering, and construction of preferred alternative for replacement of the Bridge Street Bridge - Structure No. 34/B-T9, awarding K. Smart & Associates this scope of work based on their proposal for Provisional Scope



included in the RFP 2020-18 as submitted on May 26, 2020, at a cost of \$126,419.70, plus HST; and further,

THAT staff be directed to further investigate the relocation of the existing structure within the Township, and prior to calling the tender for construction, report back to Council with a recommendation.

### SUMMARY:

This report outlines the Municipal Class Environmental Assessment (EA) processes that were followed to complete a preliminary design for the preferred alternative and outlines the next steps in the process to proceed to detailed design, tendering and construction of the Bridge Street Bridge - Structure 34/B-T9.

### BACKGROUND:

The Bridge Street Bridge – Structure No. 34/B-T9 is an older structure in the Township’s Bridge Inventory. In recent years, it has been subject to extended closures from vehicle strikes and flood damage. A long-term solution for this structure was identified in past Ontario Structure Inspections (OSIM), where the Township’s position has been to defer major capital costs until such time as higher levels of government would provide funding support.

As part of the Investing in Canada Infrastructure Program (ICIP), funding from the Provincial and Federal governments was confirmed in Q2 2020 for the EA, design, contract administration and construction to support the project, estimated at approximately \$3,537,500. Funding allows for an extended project window, with the project to be completed by October 2026.

On May 4<sup>th</sup>, 2020, the request for proposal for engineering services was made available online through the Township’s e-bidding site. In June 2020, Council awarded to K. Smart & Associates Limited the Municipal Class Environmental Assessment and preliminary engineering design for Bridge Street Structure (34/B-T9).

### REPORT:

#### *Class EA Study*

In August 2020, property owners, various agencies, First Nations and project partner groups were mailed a copy of the Notice of Study Commencement for the Municipal Class EA study associated with the Bridge Street Bridge. The Notice was placed in the New Hamburg Independent on August 12, 2020, and August 19, 2020.

The problem statement for this project consisted of the following:

*“Given that the existing structure is deficient in terms of loading capacity and structure width, the Township of Wilmot is to investigate possible options to eliminate all deficiencies as well as to provide improved levels of traffic service and overall safety.”*

In October 2021 a Virtual Public Information Centre (PIC) was presented for viewing on the Township's Website, where a total of five (5) alternatives were presented to address the deteriorating bridge structure. The alternatives presented were evaluated based on criteria in the following categories:

- 1) The Natural Environment
- 2) The Socio-Economic Environment
- 3) The Cultural Environment
- 4) Technical Considerations
- 5) Cost

The matrix is equally weighted so that each criterion takes the same priority among all options received, and that one criterion does not take more weight over another.

### *Preferred Alternative*

After evaluating the five alternatives based on the criteria identified above, a preferred alternative of replacement of the existing structure was presented to the public. Comments were received from the public at the PIC in relation to the preferred alternative and options presented. Responses from local residents, representatives of the various affected utilities, Regulatory Agencies, First Nations and project partner groups were received as a follow-up to this information session. The Preferred Alternative preliminary design was further refined after evaluation of the comments received and working directly with land owners in the project area.

Within in each area of evaluation, there are sub-sets of regulations that must be met through the final project process. Regulatory agencies and partner groups provided their comments in relation to the evaluation of the study reports completed to support the preferred alternative, which are addressed within the final report document.

As summarized in the attached report, a large portion of the public and partner comments received did not object to, or were in favour of, the preferred alternative, that being replacement of the current structure with a Multi Span Slab-On-Girder Bridge. Comments received from agencies included:

- 1) Mitigation of the hydraulic impacts from the preferred alternative to river flow.
- 2) Mitigation of construction impacts on the natural environment considerations with respect to Species at Risk.
- 3) Consideration to heritage impacts, with conservation/documentation of elements, where possible, of the existing structure.

Many of the detailed comments received from the circulated groups were addressed through correspondence over the course of the project, as well as within the final report document.

Based on the detailed studies undertaken for this Environmental Assessment, the problem statement, input received and results of the evaluation, replacement of the existing structure in

the current location was the most preferred alternative. As the report outlines, the Multi Span Slab-On-Girder Bridge option is recommended for the following reasons:

1. It has the lowest evaluation score, meaning this option has the lowest overall negative impact to the group of evaluation areas.
2. It addresses the problem statement with respect to safety, operational deficiencies and improved level of service with respect to traffic.
3. It is a cost-effective, long-term solution to address safety, operational deficiencies and improved level of service with respect to traffic.
4. It meets the technical considerations with respect to river hydraulics, traffic loading and deck width.
5. It mitigates the impacts to the natural environment with respect to Species at Risk, among other natural environment considerations.

### *Cultural Heritage Evaluation Report and Heritage Impact Assessment (CHER/HIA)*

The process of heritage evaluation for bridge structures in Ontario is well defined. This evaluation is integrated into the Environmental Assessment process. The process of evaluation is undertaken by a provincially licensed, qualified heritage professional, who evaluates the structure using the Municipal Engineers Association Checklist for determination if heritage value may be present, and thereby identifies the need for further Heritage Impact Assessment study. If the Heritage Impact Assessment is warranted, the professional heritage planner evaluates the structure within the Ontario Heritage Act Regulation 9/06 with respect to criteria for assessing heritage value.

Using the structural inspection reporting, the report concludes that repairing the bridge for the purpose of re-opening the road would require extensive repairs that would be limited in terms of useful life extension, requiring much of the original structure to be replaced. Further, the repair option would not resolve the loading deficiencies, width deficiencies and life-cycle costs for maintenance and would require future, more advanced cycles of continual rehabilitation. The integrity of the original structure would be compromised through this option, as would the project goals of rectifying operational deficiencies, safety deficiencies and routine maintenance deficiencies.

Under the Ontario Heritage Act Regulations, structures with heritage value must be considered for conservation or mitigation. The retention or restoration of the existing structure for the purpose of road operations is outlined as not reasonable within the CHER/HIA document. Therefore, the recommendation with respect to heritage considers the following options:

- 1) Removal and replacement of the structure with sympathetic design features.
- 2) Commemorating the existing bridge with a plaque on the new structure.
- 3) Undertaking of a full recording and documentation of the existing structure.
- 4) Relocating existing structure to a new location and re-purposing the bridge for pedestrian use.

The project team received comment from Heritage Wilmot (HW) for this project. This included comment with respect to the potential for relocating the existing structure for pedestrian or active transportation use within the Township. Project staff had a follow-up meeting with HW to discuss the potential for this option to be considered to meet the requirements of the CHER/HIA. The following items are of consideration:

- 1) The preliminary estimated cost to relocate the bridge structure intact for a pedestrian use would be approximately \$650,000. It is anticipated that a portion of the demolition and removal costs would be eligible under the funding program for the project.
- 2) Determining a suitable location for placement of the structure, viability of routing with potential oversized load conflicts that may preclude movement, permitting requirements and interim storage needs depending on availability of the site for placement.
- 3) Long-term operating and maintenance costs to keep the structure in the municipal inventory and ensure it's safe for active transportation use.

The preferred alternative and either acknowledgement of the structure or relocation meets the requirements of the regulations and generally satisfies the approval requirements of the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTMRI) with respect to heritage. Council will need to decide which route they deem suitable prior to tendering of the project in Q2 2022. It is recommended that staff investigate further and report back on this option early in 2022.

### *Next Steps*

The content of this report was shared with the Corporate Leadership Team for comment in December 2021, with no further comments received. Should Council endorse the Preferred Alternative within the attached Study, the Class EA Project File Report will then be advertised and "filed" for 45 days under the Schedule "B" Class EA guidelines. The advertisement will advise interested parties that they can review the project documentation. Should members of the public or an external agency feel that the study did not fully address all the issues and feel they cannot be resolved during this review period, they have an opportunity within the filing period to register an objection to the project with the Minister of the Environment, Conservation and Parks.

If no objections to the project are registered during the 45-day period, the project is considered approved under the Municipal Class Environmental Assessment Act, and detailed design, tendering and construction can proceed.

With respect to potential relocation, further investigative work will need to be considered and reported back to Council before contract, should Council wish to consider this option further.

Considering the current date, and to be able to proceed to construction with "in-water" bridge work during the permitted timing window between July and September in 2022, this report also recommends awarding the detailed design, contract document preparation, tendering, construction support, and project closeout to K. Smart & Associates to proceed immediately following the 45-day waiting period. At the time of RFP close in 2020, staff requested consultants provide provisional pricing for this aspect of the project.



K. Smart has confirmed their bid value of \$126,419.70, plus HST for this provisional scope of work, and acknowledges the project cost submitted for Contract Administration & Inspection may need to be adjusted once the construction schedule for the preferred alternative has been finalized by the successful contractor. The current costing for Contract Administration & Inspection is based upon a 15-week construction schedule.

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

This initiative supports the goals and strategies of enhancing:

- Responsible Governance through Fiscal Responsibility, and Infrastructure Investments.
- Quality of Life through Accessibility and Inclusivity, Active Transportation and Transit.

#### ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS:

Goal 9: Industry, Innovation, and Infrastructure  
Goal 11: Sustainable Cities and Communities

#### FINANCIAL CONSIDERATIONS:

The following funding sources were identified in the 2020 Capital Budget process for the environmental assessment, preliminary and detailed design, contract administration and construction.

Funding Source	Amount
Investing in Canadian Infrastructure Program	\$ 2,947,799
Development Charges – Public Works	\$ 589,701
Total Budget	\$ 3,537,500

Council's endorsement of the preferred alternative will allow the project to move forward to detailed design and tendering and ultimately the construction of the preferred alternative.

If Council supports the recommendation for K. Smart & Associates Limited to proceed with the detailed design, tendering and construction of the preferred alternative, as per their proposal submission on May 26, 2020, the cost for this service will be \$128,645 (net of HST rebate), with any slight adjustments required based on the construction schedule determined after detailed design and tendering are in place.

The anticipated costs for the environmental assessment, preliminary and detailed design, contract administration and construction of the Bridge Street Bridge - Structure 34/B-T9 is currently budgeted to be within the allocated project funding, although further refinement of budget figures may be required once construction details are complete and the tender closes.

The relocation of the bridge structure is estimated to cost upwards of \$600,000, and since the relocation of the bridge structure was not included in the Township's original estimate for this project, it is possible the additional cost to relocate the original structure will be over and above the Townships project estimate of \$3,537,500. Staff has recently reached out to ICIP to discuss the possibility of additional funding being allocated to the project to offset these unforeseen costs, however we were informed by ICIP that additional funding is not available. As a result, if the original project cost of \$3,537,500 is required to facilitate the construction and consulting services for the new bridge structure, any additional costs to relocate the bridge structure will be borne by the municipality.

#### ATTACHMENTS:

Appendix A - Bridge Street Bridge – Structure 34/B-T9, Municipal Class Environmental Assessment, Schedule “B”, Project File Report

Appendix B - Engineering Estimate – Relocation Memo (K. Smart)


**K. SMART ASSOCIATES LIMITED**

CONSULTING ENGINEERS AND PLANNERS

 85 McINTYRE DRIVE  
 KITCHENER, ONTARIO N2R 1H6  
[www.ksmart.ca](http://www.ksmart.ca)

 TELEPHONE (519) 748-1199  
 FAX (519) 748-6100

## MEMORANDUM

<b>To:</b>	Mark Jeffery, C.E.T.	<b>Company:</b>	Township of Wilmot
<b>From:</b>	Allan Garnham, P. Eng.	<b>Dept/Title:</b>	
<b>Date:</b>	November 24, 2021	<b>cc:</b>	
<b>File#:</b>	<b>20-145 Bridge Street Bridge</b>	<b>Subject:</b>	Repurposing of Existing Truss Bridge

Mark,

With respect to repurposing the existing Bridge Street Bridge truss structure, we feel salvaging the old bridge and moving it to another site is viable.

Whether this structure is to be salvaged or demolished, the removal procedure is relatively the same. The first task would be to remove the concrete deck. The next task would be to use a large crane to remove the bridge from its current supports and place the bridge on the roadway. Once the bridge is on the roadway, it could either be cut up for recycling or transported to a new site. If the existing bridge is salvaged, the relocation would need to be completed by a Sub-contractor with experience in moving oversize machinery/equipment.

It is understood that if the truss were to be repurposed, temporary storage at the Public Works yard is not an option. As such, a temporary storage location would need to be found. Pending the approval of the respective property owner, the bridge might be able to be stored on the adjacent property northwest of the site.

Based on the condition of this bridge, we recommend this bridge only be repurposed for an "at grade" crossing for pedestrians only (i.e. decorate only and not intended to span any sort of distance). This would most likely be on a local walking trail. We do not recommend repurposing this bridge for vehicular traffic. In addition, we do not recommend placing this bridge over any sort of watercourse.

The following cost estimates could be considered if the relocation option is selected:

Item	Cost
Relocate Bridge During Construction	\$ 125,000
Land Rental Cost (if a Township owned property cannot be located)	\$375 / month
Transportation of Bridge to New Site Once One is Chosen	\$ 190,000
Foundations to Support Bridge	\$ 125,000
New Timber Deck	\$ 65,000
Engineering	\$ 115,000
<b>TOTAL:</b>	<b>\$ 620,000 + \$375 / month storage</b>

These costs assume the Township will endorse vehicle overload permits and close the required roads while the bridge is being transported. These costs also assume that permanent utility relocations (such as overhead power lines or phone lines) do not require permanent relocation.

Thanks,

Allan Garnham, P. Eng.





## PARKS, FACILITIES AND RECREATION SERVICES

### *Staff Report*

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REPORT NO: PFRS 2022-001

TO: Council

SUBMITTED BY: Sandy Jackson, Director, Parks, Facilities and Recreation Services

PREPARED BY: Manuela O'Krafka, Manager of Community Services

REVIEWED BY: Sandy Jackson, Director, Parks, Facilities and Recreation Services  
Dawn Mittelholtz, Director of Information and Legislative Services / Clerk  
Patrick Kelly, Director of Corporate Services/ Treasurer

DATE: January 17, 2022

SUBJECT: Cemetery By-Law Repeal and Replace

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#### RECOMMENDATION:

THAT Report PFRS 2022-001, as prepared by the Manager of Community Services, regarding the proposed Cemetery Bylaw update, be received for information purposes; and further

THAT the draft Cemetery By-Law be endorsed in principle, for submission to the Bereavement Authority of Ontario (BAO).

#### SUMMARY:

The proposed Cemetery By-law, as attached, has been updated to reflect changes in legislation and will replace By-law No. 2004-28 and 2010-026 upon completion of the legislated review process. The proposed Bylaw has been prepared by the Township Solicitor in consultation with Parks, Facilities and Recreation Service staff and reviewed by the Director of Information and Legislative Services/Clerk and the Director of Corporate Services/Treasurer.

This report is seeking endorsement in principle of the draft by-law and outlines the updates that are recommended to meet legislative requirements under the authority of the Bereavement Authority of Ontario (BAO). If endorsed by Council, the proposed By-law will be submitted to the BAO for their review and approval.

### BACKGROUND:

As owner of Riverside Cemetery, the Township is required to have a Cemetery By-law that reflects current legislation and best practices. The current By-laws 2004-28 and 2010-26 no longer reflect modern Cemetery procedures and legislation and since it has been over ten (10) years since the by-laws have been reviewed, this report is intended to update the language.

The following changes are addressed within the proposed by-law:

- updated language to reflect current legislation/regulations (i.e., BAO, Public access to information, etc.),
- updated legislation and options for re-selling of interment rights,
- removal of reference to the Mausoleum,
- inclusion of Inactive Cemeteries which fall under the Township's jurisdiction,
- updated duties of Township staff, and
- updated Contractor Responsibilities which will be addressed in a separate contract.

### REPORT:

Updating the Township Cemetery By-laws requires a number of steps that include the Bereavement Authority of Ontario's (BAO) involvement. The BAO is a government delegated authority administering provisions of the [Funeral, Burial, and Cremation Services Act 2002 \(FBCSA\)](#) on behalf of the Ministry of Government and Consumer Services. The BAO is responsible for protection of the public interest, and regulates and supports licensed funeral establishment operators, directors and preplanners; cemetery, crematorium, and other related services. The BAO is also responsible for reviewing and approving all Municipal Cemetery By-laws.

Once BAO approval of the proposed By-law is received, no further changes are permitted to be made to the By-law without their further review. The legislated process outlined below, will be undertaken by staff upon approval in principle of the revised By-law by Council. Once approved by the BAO, staff will present the final version to Council for final approval, outlining any changes required by the BAO.

The BAO requires the following steps for a notice of filing for By-law approvals:

- published once in a local newspaper with general circulation,
- clearly post information regarding the proposed By-law review on a sign at the cemetery entrance for four weeks, and
- deliver the proposed By-law to each supplier of markers who has delivered a marker to the cemetery in the last year.

The content of the sign and newspaper notice must be identical. Notices also need to state the following:

- the Cemetery operator will allow anyone who is interested to access the proposed By-law to make copies of it, and
- all proposed By-laws are subject to the Registrar's approval.

The Bereavement Authority of Ontario will then require:

- a copy of the newspaper notice,
- a photo of the sign that was posted at the cemetery entrance,
- a list of the names and addresses of the monument dealers who received notice of the proposed changes to the By-law, and
- two copies of the proposed By-law.

Upon final approval of the proposed By-law the existing By-laws will be repealed and replaced. Staff will bring a follow up report to Council once the review period is complete and final approval by the BAO is received.

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

This By-law review is aligned with the Goal of Community Engagement by providing clear communication and an opportunity for the community to review the proposed revisions to the Cemetery By-law.

This By-law review also supports the Goal of Responsible Governance regarding service reviews.

#### ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 9: Industry, Innovation, and Infrastructure

Goal 17: Partnerships to achieve the Goal

#### FINANCIAL CONSIDERATIONS:

Financial implications will be minimal and restricted to the cost of placing the newspaper ad and corresponding signage at the cemetery advising of the proposed update and any required printed copies for the public. All other circulation is expected to be done electronically. Costs for legal counsel review of the proposed By-law have also been charged to the operating budget for Cemetery Services, in order to complete the review and update.

#### ATTACHMENTS:

Proposed Cemetery By-law

## THE CORPORATION OF THE TOWNSHIP OF WILMOT

### BY-LAW NUMBER 2022-xx

#### Being a by-law to regulate the operation of cemeteries by The Corporation of the Township of Wilmot

**WHEREAS** section 4(1) of the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended (the “**Act**”), prohibits the operation of a cemetery without a licence to do so;

**AND WHEREAS** section 150(1) of Ontario Regulation 30/11 under the Act, as amended (the “**Regulation**”) permits a cemetery operator to make by-laws governing the operation of the cemetery and, in particular, governing rights, entitlements and restrictions with respect to interment and scattering rights.

**AND WHEREAS** The Corporation of the Township of Wilmot (the “**Township**”) owns and operates cemeteries within the Township as a licensee under the Act;

**AND WHEREAS** By-law 2004-28 to maintain, manage, regulate, and control cemeteries in the Township was adopted by the Council of the Township on May 31, 2004 and came into force and effect upon approval of the Bereavement Authority of Ontario;

**AND WHEREAS** the Council of the Township wishes to pass the subject by-law and to repeal By-law 2004-28 to maintain, manage and regulate cemeteries in the Township, as well as all other by-laws amending same;

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:**

#### PART 1

#### SHORT TITLE, PURPOSE AND SCOPE

##### Short Title

- 1.1 This by-law may be cited as the “Cemetery By-law” and may be referred to internally herein as the “By-law”.

##### Purpose

- 1.2 This By-law has been enacted to regulate Cemeteries (hereinafter defined) in the Township in order to:
- 1.2.1 protect the Cemeteries and those interred there; and
  - 1.2.2 protect the families of those interred.

##### Scope

- 1.3 This By-law shall apply to the Cemeteries owned and/or operated by the Township.
- 1.4 This By-law shall not apply to Cemeteries not owned and/or operated by the Township.



## PART 2 DEFINITIONS

- 2.1 “**Act**” means the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended;
- 2.2 “**Bereavement Authority of Ontario**” means the Bereavement Authority of Ontario which is a government delegated authority administering provisions of the Act on behalf of the Ontario Ministry of Government and Consumer Services;
- 2.3 “**Burial Permit**” means the permit issued by the Division Registrar to allow for the burial of Human Remains in a Cemetery;
- 2.4 “**Care and Maintenance Fund**” means the fund established in a corporation registered under the *Loan and Trust Corporations Act*, R.S.O. 1990, c. L.25, as amended, or a credit union or league as defined in the *Credit Unions and Caisses Populaires Act, 1994* pursuant to section 83 of the Regulation;
- 2.5 “**Cemetery**” shall have the same meaning as in section 1(1) of the Act;
- 2.6 “**Cemetery Coordinator**” means the Cemetery Coordinator of the Township, or his or her designate;
- 2.7 “**Certificate of Interment Rights**” shall mean the certificate issued by the Township to the Interment Rights Holder;
- 2.8 “**Child/Infant Lot**” means any Lot so designated in the children’s sections of the plan of a Cemetery;
- 2.9 “**Columbarium**” means a structure designed for the purpose of interring cremated Human Remains in Niches or compartments;
- 2.10 “**Consumer Information Guide**” means the guide published by the Bereavement Authority of Ontario for distribution to the public;
- 2.11 “**Contractor**” means a third party contracted, hired or otherwise retained to perform any work in a Cemetery;
- 2.12 “**Council**” shall mean the Council of the Township;
- 2.13 “**Cremation Certificate**” means a certificate issued by a crematorium confirming cremation of Human Remains;
- 2.14 “**Cremation Lot**” means a Lot in a Cemetery dedicated for cremated remains, such as the cremation sections of Riverside Cemetery, as noted on the map of Riverside Cemetery attached as **Schedule “A”**;
- 2.15 “**Director**” shall mean the Director of the Parks, Facilities and Recreation Services Department for the Township, or his or her designate;

- 2.16 “**Division Registrar**” shall have the same meaning as in section 1 of the *Vital Statistics Act*, R.S.O. 1990, c. V.4, as amended;
- 2.17 “**Fees & Charges By-law**” means the by-law passed by the Township listing the fees and charges applicable to various goods and/or services provided by the Township that is in force and effect at the time the fee or charge is payable;
- 2.18 “**Human Remains**” means a dead human body or the remains of a cremated human body;
- 2.19 “**Inter**” means the burial of Human Remains and includes the placing of Human Remains in a Lot;
- 2.20 “**Interment Rights**” includes the right to require or direct the interment of Human Remains in a Lot;
- 2.21 “**Interment Rights Holder**” means the person who holds the Interment Rights with respect to a Lot whether the person be the purchaser of the rights, the person named in the certificate of interment or such other person to whom the Interment Rights have been assigned.
- 2.22 “**Lot**” means an area of land in a Cemetery containing, or set aside to contain, interred Human Remains and includes a tomb, crypt or compartment in a mausoleum and a Niche or compartment in a Columbarium and any other similar facility or receptacle;
- 2.23 “**Marker**” means any monument, tombstone, plaque, headstone, cornerstone or other structure or ornament affixed to or intended to be affixed to a burial Lot, mausoleum crypt, columbarium niche or other structure or place intended for the deposit of Human Remains;
- 2.24 “**Niche**” shall mean a sealed compartment in a structure designed for the purpose of interring cremated Human Remains;
- 2.25 “**Plinth**” shall mean a heavy base supporting a statue or vase;
- 2.26 “**Plot**” means two (2) or more Lots in respect of which the rights to Inter have been sold as a unit;
- 2.27 “**Riverside Cemetery**” means the Cemetery owned and operated by the Township and located at 82 Bergey Court, New Hamburg, Ontario, more particularly shown on **Schedule “A”**;
- 2.28 “**Township**” shall mean The Corporation of the Township of Wilmot, which includes its employees, contractors, or agents;
- 2.29 “**Treasurer**” shall mean the Director of Corporate Services/Treasurer or designate for the Township; and,
- 2.30 “**Winter Interment**” shall mean all interments between the 1<sup>st</sup> day of December in any year and the 30<sup>th</sup> day of April of the following year;
- 2.31 “**WSIB**” shall mean the Workplace Safety and Insurance Board of Ontario.

## **PART 3 DUTIES OF THE TOWNSHIP**

### **Duties of the Township**

#### **3.1 The Township shall:**

##### **3.1.1 receive all monies for:**

- (a) the sale of Interment Rights;
- (b) the Care and Maintenance Fund; and,
- (c) the upkeep or care of any Lot, or portion of a Cemetery; and
- (d) the upkeep or care of any Marker.

##### **3.1.2 receive all property:**

- (a) given, allocated, bequeathed, or set aside for the upkeep or care of any Lot or portion of a Cemetery;

##### **3.1.3 set aside:**

- (a) for the Care and Maintenance Fund, forty percent (40%) of all monies received on the sale of Interment Rights;
- (b) for the Care and Maintenance Fund, all monies received for the placement of Markers as prescribed by the regulations under the Act;
- (c) all other monies received for the Care and Maintenance Fund; and,
- (d) for the purpose of upkeep and care of any Lot or portion of a Cemetery, any monies or other properties given, allocated, bequeathed, or set aside for such purpose and to invest same, subject to approval of the Township, in such securities as may from time to time be authorized by the applicable legislation.

##### **3.1.4 To receive and transfer to the credit of the Riverside Cemetery, all interest received from the Care and Maintenance Fund investments and all interest and other income from monies invested or from other property given, allocated, bequeathed, or set aside for the purpose of the upkeep and care of any Lot or portion of a Cemetery.**

### **Duties of Township Staff**

#### **3.2 It shall be the duty of the Township's Parks and Facilities staff under the direction of the Director, to:**

- 3.2.1 carry out all the provisions on this By-law and of the Act;
- 3.2.2 open all graves in the Cemeteries and close all graves after Interment; and,
- 3.2.3 attend to the regular and proper maintenance of the Cemeteries.

3.3 It shall be the duty of the Township's Cemetery Coordinator, under the direction of the Director, to:

3.3.1 complete all paperwork required under the Act; and,

3.3.2 prepare Certificates of Interment Rights.

## **PART 4 CEMETERIES**

### **Active Cemeteries**

4.1 The Township is the owner and operator for the following active Cemetery(ies):

4.1.1 Riverside Cemetery.

### **Abandoned Cemeteries**

4.2 The Township also owns and/or maintains the following abandoned Cemeteries:

4.2.1 Baptist Cemetery – 2514B Nafziger Road;

4.2.2 Berlett's Cemetery – 2502 Berlett's Road;

4.2.3 Christner Cemetery – Christner Road;

4.2.4 Pinehill Cemetery – 2726 Huron Road;

4.2.5 Sheard Cemetery – 1054 Bethel Road;

4.2.6 Stauffer Cemetery – Corner of Tye Road/Bean Road;

4.2.7 Old Baden Cemetery – Snyder's Road, Baden; and

4.2.8 Wilhelm Cemetery – Corner of Sandhills Road and Erb's Road.

## **PART 5 GENERAL PROVISIONS**

### **Fees and Charges**

5.1 All persons shall pay the applicable fees and charges set out in the Fees & Charges By-law prior to the commencement of any work, or the provision of any service, or the purchase of any right contemplated in this By-law.

5.2 No interment, disinterment, or placement of any type of Marker shall be allowed in any Lot against which there are any unpaid fees or charges.

### **Public Access to Information**

5.3 The Township shall collect, use, and disclose personal information as required by governing Federal and Provincial legislation, in particular, the Township shall maintain a public register



available for review by the public during regular business hours showing who has been Interred or designated for Interment in the Lot or Plot.

### **No Work in a Cemetery Without Township Permission**

- 5.4 No person shall undertake or perform, or allow to be undertaken or performed, any work in a Cemetery without the written permission of the Township.

### **Contractor's Responsibilities**

- 5.5 No Contractor shall perform any form of work within a Cemetery unless in compliance with the following provisions:
- 5.5.1 The Contractor has written pre-approval of the Interment Rights Holder and the Township prior to the commencement of work;
  - 5.5.2 Where reasonable and possible, a Township staff member should be present during the work being performed by the Contractor;
  - 5.5.3 Work shall be conducted by a Contractor between 7:30 a.m. and 2:30 p.m. Monday to Friday, with all work related clean-up completed by 3 p.m., unless alternative arrangements are authorized by the Cemetery Coordinator prior to commencement of work;
  - 5.5.4 Planks, plywood, runners etc. shall be used by a Contractor when weather conditions call for such use in order to avoid any damage to roads or lawns within a Cemetery;
  - 5.5.5 No Contractor shall carry out any work, or cause work to be carried out, in the vicinity of a funeral or burial service at any time while it is in progress; and,
  - 5.5.6 A Contractor performing any work in a Cemetery must comply with all applicable legislation.

## **PART 6 SALE AND TRANSFER OF INTERMENT RIGHTS**

- 6.1 Interment Rights may only be purchased from the Township at the rate in the Fees & Charges By-law. The cost of Interment Rights shall include the applicable portion for a deposit to the Care and Maintenance Fund.
- 6.2 Purchasers of Interment Rights acquire only the right and privilege of burial of Human Remains, and of installing Markers, subject to the provisions of this By-law.
- 6.3 Each Interment Rights Holder shall be entitled to a Certificate of Interment Rights as issued by the Township. A Certificate of Interment Rights shall only be issued when all applicable fees and charges have been paid as per the Township's Fees and Charges By-law. No Marker shall be placed on any Lot until all outstanding fees and charges have been paid.
- 6.4 A transfer of ownership of Interment Rights is not binding upon a Cemetery until a duly executed transfer has been deposited with the Township. The fee for the transfer of ownership of Interment Rights shall be in accordance with the Fees & Charges By-law. Transfers of Interment Rights shall be in accordance with the Regulation.

- 6.5 Contracts between the Township and the Interment Rights Holder for the purchase of Interment Rights that are cancelled within thirty (30) days of the contract date are subject to a full refund by the Township to the Interment Rights Holder for the amount paid providing no Interment Rights have been exercised on the Lot.
- 6.6 Contributions by the Interment Rights Holder to the Care and Maintenance Fund are non-refundable by the Township after a thirty (30) day period.
- 6.7 The Township shall provide each Interment Rights Holder at the time of sale of Interment Rights, the Township shall provide each Interment Rights Holder with the following:
  - 6.7.1 copy of the contract between the Township and the Interment Rights Holder for the purchase of Interment Rights;
  - 6.7.2 copy of this Cemetery By-Law;
  - 6.7.3 upon payment in full, a Certificate of Interment Rights; and,
  - 6.7.4 copy of the Consumer Information Guide.
- 6.8 An Interment Rights Holder is required to provide the Township with written notice of any change of address within thirty (30) days of such change.

#### **Re-sale of Interment Rights (Lots)**

- 6.9 The Interment Rights Holder agrees that Interment Rights may be transferred to a third party by:
  - 6.9.1 returning the Certificate of Interment Rights to the Township;
  - 6.9.2 completing and signing the appropriate transfer documentation; and,
  - 6.9.3 paying the transfer fee as set out in the Fees & Charges By-law.
- 6.10 In the event the Interment Rights Holder is deceased, a copy of their Will and Certificate of Death, along with the appropriate transfer documentation executed by someone with lawful authority, shall be required to transfer an Interment Right.
- 6.11 If Interment Rights are sold to a third party, those Interment Rights cannot be sold for a price greater than the current amount provided in the Fees & Charges By-law.
- 6.12 If Interment Rights are sold to a third party, the Interment Rights Holder will provide to the third-party purchaser:
  - 6.12.1 an endorsed Certificate of Interment Rights;
  - 6.12.2 a copy of this Cemetery By-law;
  - 6.12.3 a written statement that no Interment Rights have been exercised on the Lot; and,
  - 6.12.4 any other documentation in the Interment Rights Holder's possession relating to the Interment Rights.

- 6.13 If Interment Rights are sold to a third party, the Interment Rights Holder will provide to the Township:
- 6.13.1 the endorsed Certificate of Interment Rights; and,
  - 6.13.2 any other information required to issue a new Certificate of Interment Rights.
- 6.14 Upon receipt of the endorsed Certificate of Interment Rights and any other information required to confirm the sale of the Interment Rights to a third party, the Township will issue a new Certificate of Interment Rights to the new Interment Rights Holder upon payment of the transfer fee as per the Fees & Charges By-law.

## **PART 7 INTERMENTS**

- 7.1 Only the interment of Human Remains shall be allowed in a Cemetery. The interment or placement of animal remains in a Cemetery shall not be permitted.
- 7.2 To ensure safe conditions are maintained at all times, families wishing to witness the closing of a grave shall remain a minimum of twenty (20) feet from the open grave and stand outside the delineated worksite during the operation of equipment.
- 7.3 Human Remains must be delivered to a Cemetery for burial in a closed casket or container.
- 7.4 No interments will be permitted within any Marker.
- 7.5 The interment of an infant on top of an existing traditional interment is permitted when authorized by the Director.
- 7.6 Unless otherwise specified on the document for the purchase of Interment Rights, a maximum of one (1) casket and up to two (2) cremated remains may be buried in a traditional Lot, and no more than four (4) cremations will be permitted on a traditional single full-sized adult Lot where no casket is buried.
- 7.7 No more than two (2) urns containing cremated remains are permitted in any Cremation Lot.
- 7.8 No person shall scatter, or permit the scattering of, Human Remains in a Cemetery.
- 7.9 There will be a maximum of two (2) urn placements of human cremated remains in a Columbarium Niche which must be placed with a suitable container that will fit in to the Niche space assigned.
- 7.10 The Cemetery Coordinator may refuse to place any unsuitable and or oversized container into a Niche space.
- 7.11 The Cemetery Coordinator or their designate may open and seal Niches for interments, including the inside sealer and the Niche shutter/cover plate.
- 7.12 No interment will be made at any Cemetery without the written permission of the Interment Rights Holder or his or her authorized representative.

- 7.13 Interments between May 1<sup>st</sup> and November 30<sup>th</sup> shall be held between 8:00 a.m. and 3:00 p.m., Monday through Friday, where possible. Interments after 3:00 p.m. weekdays, and any weekend interment is subject to additional fees as per the Fees & Charges By-law.
- 7.14 Winter Interments will be permitted only with the authorization of the Township, or on the order of the Medical Officer of Health of the Regional Municipality of Waterloo. Cost for Winter Interment shall be in accordance with the Fees & Charges By-law and shall be the responsibility of the Interment Rights Holder.
- 7.15 No interment shall take place without a Burial Permit or a Cremation Certificate, as applicable, and such documentation must be presented to the Township staff before the interment can take place.
- 7.16 For each interment, the Cemetery Coordinator shall prepare the contract for the purchase of Interment Rights in accordance with the Act. The contract shall include the name, date of interment, location, record of applicable fees and a copy of the Burial Permit or Cremation Certificate shall be attached.
- 7.17 Township staff shall not be responsible for any error occurring from the lack of precise and proper instructions relative to the location of an interment, nor where such instructions are not given in writing, any such erroneous instructions shall be the sole responsibility of the person giving same.
- 7.18 The Cemetery Coordinator shall be given 48 hours' notice of interment by the Interment Rights Holder, except under special circumstances.
- 7.19 No Lot or vault shall be opened for interment or disinterment by any person not in the employ of the Township except under special circumstances and by permission of the Director.
- 7.20 Funeral processions within a Cemetery shall follow the route indicated by Township staff.
- 7.21 The setting up and removal of artificial grass, lowering devices and other interment accessories at the interment site are the responsibility of the Township staff.

## **PART 8 DISINTERMENTS**

- 8.1 Disinterment shall be subject to the fees and charges as set out in the Fees & Charges By-law.
- 8.2 The disinterment fee includes the opening and closing of the Lot, registration of the interment and earth cover.
- 8.3 Disinterment of Human Remains shall be in accordance with the provisions of the Act.
- 8.4 Disinterment will only be permitted with the written consent of the Interment Rights Holder or person authorized to act on the Interment Rights Holder's behalf and notification to the Medical Officer of Health as required.
- 8.5 Township staff shall be present for all disinterment's.



- 8.6 The Township reserves the right to disallow any witnessing of the disinterment if it feels, at its sole discretion, that the health and safety of anyone present may be at risk.
- 8.7 Disinterment will be completed on a day and time designated by the Cemetery Coordinator and may be limited by weather and soil conditions.
- 8.8 If the interment was made without a permanent type of outer case, or should that case be damaged, a new container satisfactory to the Township must be supplied by the Rights Holder for properly and safely transferring the remains.
- 8.9 The Township assumes no responsibility for any damage to any casket, container, urn, vault, or liner that occurs during the course of the disinterment.

## **PART 9 CARE OF LOTS**

### **Columbarium Niche Inscription**

- 9.1 Any person or company contracted to place an inscription on the Columbarium Niche face plate or shutter must be reviewed and approved by the Cemetery Coordinator and shall comply with the following standards:
  - 9.1.1 Letters for the inscription shall not be painted but must be engraved or inscribed in block style, and inserted in order that the face of the Niche remains consistent with its original finish.
  - 9.1.2 The placement of any engraved artwork must be located at the upper left-hand side of the face plate/shutter, engraved artwork shall not exceed an area larger than 118 cm<sup>2</sup> (18 square inches). However, war veterans may also have a poppy engraved on the lower right-hand corner of the faceplate.
  - 9.1.3 The color, design and size of all artwork must be approved by the Cemetery Coordinator before engraving.
  - 9.1.4 The removal of the face plate/shutter for engraving/inscription must not be for a period of longer than 72 hours between Monday and Friday inclusive.
  - 9.1.5 No fraternal or service club insignias will be approved for inscription on any Niche.
  - 9.1.6 The inscription will consist of the names of the deceased, the year of birth and year of death, plus description lines. The Cemetery Coordinator reserves the right to limit the number of lines and number of characters per line, based on the size of the Niche plate. All description lines are to be pre-approved at the sole discretion of the Cemetery Coordinator.
  - 9.1.7 The opening and closing charges for the Columbarium Niche shall be in accordance with the Fees & Charges By-law.
  - 9.1.8 Engraving costs for the Columbarium Niche face plate or shutter are not included in the selling price of the Columbarium Niche and are the responsibility of the Interment Rights Holder.

- 9.1.9 No external decoration will be allowed on the wall of, or near, the Columbarium and no photograph cases will be allowed to be attached to the Niche.

### **General Rules**

- 9.2 All Lots sold shall be properly maintained by the Township pursuant to the Act.
- 9.3 Where provision has not been made for Care and Maintenance, annual charges in accordance with provisions of the Act shall be applicable.
- 9.4 No Lot shall be defined or enclosed by a fence, railing, coping, hedge or any enclosure or Markers other than corner posts.
- 9.5 Planting of any trees or shrubs on any Lot in a Cemetery is prohibited. Any unauthorized plantings will be removed without notice by Township staff.
- 9.6 Perennials can be planted by any person where permitted by the Township, however, such plantings must be maintained and not encroach other Lots or exceed the allowable flower bed size pursuant to section 9.15 of this by-law.
- 9.7 If any trees, shrubs, or perennials already situated on any Lot become detrimental to the Lots, drains, roads, walls, or walkway by means of their roots or branches, Township staff may remove such trees or shrubs or parts thereof.
- 9.8 Memorial statues are not permitted on any Lot within Cemetery grounds.
- 9.9 No Interment Rights Owner shall change the grading of a Lot, and in the event of such change, Township Staff may restore the Lot to its original grade at the expense of the Interment Rights Owner.
- 9.10 No Person shall remove sod, move corner posts, or Markers on a Lot without written authorization of the Township.
- 9.11 The Township is not responsible for the loss of, or damage to, any plantings, items or articles placed or left on any Lot.

### **Flowers**

- 9.12 All flowers left after a funeral and containers therefor are to be removed from the Lot within seven (7) days of the interment or they may be removed by Township staff at any point thereafter.
- 9.13 No hanging baskets will be permitted on any Lot.
- 9.14 Flower beds are only permitted on Lots having Markers.
- 9.15 No flower bed shall exceed twelve (12) inches in depth, nor shall it be wider than the length of the base of the Marker on the Lot. Any other planting can only be made with permission and under the supervision of Township staff. Planting of borders around any Lot is prohibited.
- 9.16 Vases, urns and flower stands shall not interfere with the care of the Lots and, if deemed undesirable or unsightly by Township staff, those vases, urns or flower stands may be removed

or prohibited by Township staff. No candles, glass, porcelain or breakable containers, or objects are permitted on any Lot. Objects not permitted on a Lot in accordance with the provisions of this by-law may be removed by the Township.

- 9.17 In order to preserve the appearance of Cemetery grounds, artificial flowers, non-perennial plantings, wreaths, or any form of decoration must be removed by October 15<sup>th</sup> of any calendar year or they may be removed and disposed of by the Township.

## **PART 10 MARKERS**

- 10.1 No Marker shall be installed on a Lot until all fees and charges, including those for the Care and Maintenance Fund, foundation and installation charges, have been paid in full by the Interment Rights Holder in accordance with the Fees & Charges By-law.
- 10.2 All Markers shall be installed and/or placed under the supervision of the Township staff.
- 10.3 All Markers shall be placed at the top or head of the Lot. In the case where two adjoining single Lots are purchased, a Marker may be centered over the two Lots at the top or head of the Lots.
- 10.4 Only one Marker per single Lot shall be permitted.
- 10.5 Markers shall be free from visible defects with the respect to quality or endurance and no Marker composed in whole or in part of wood or iron shall be erected.
- 10.6 All Markers are to be constructed of granite, though a bronze plate may be added to a Marker.
- 10.7 All bases of Markers must be level on the bottom and the stonework next to the foundation shall have the surface squared, so as to allow full bearing upon the foundation, and no building up or underpinning with spalls or ships shall be allowed.
- 10.8 Plinth's, when installed, shall be installed on bases with a minimum 1" (one inch) border showing on all edges with a maximum height of 1' (one foot). No engraving shall take place on the backside of the Plinth. Plinths created and causing Marker height to exceed 48" may necessitate an additional fee for care and maintenance purposes in accordance with the Fees & Charges By-law. Only one Plinth is permitted per Lot. Final decision on installation of Plinths will be with the Cemetery Coordinator.
- 10.9 Foundations of Markers shall extend not less than five feet (5') below the surface of the ground, shall be level on the top and constructed of concrete by a qualified Contractor under the supervision of Township staff and paid for by the person paying for the installation. No Marker shall cover more than ten (10%) percent of the total area of the Lot or Lots on which it is erected.
- 10.10 Foundations must be as large in area as the base of the Marker, but the Township reserves the right to require a larger foundation, if deemed necessary. Any slabs or Markers shall be level with the sod.

### **Markers at Riverside Cemetery**

- 10.11 In the Riverside Cemetery:

- 10.11.1 upright or flat Markers are only permitted in Sections 1, 2, 4, 6, 7, 8 and the Old Section, Sections A, B, C, D and E of the Holy Family Section and the Children's' Section, as shown on the map of Riverside Cemetery attached as **Schedule "A"**;
- 10.11.2 only flat Markers are permitted in Sections 3, 5 and 7(c), as shown on the map of Riverside Cemetery attached as **Schedule "A"**;
- 10.11.3 only flat Markers are permitted in Sections 3(a) and 5(a), as shown on the map of Riverside Cemetery attached as **Schedule "A"**, and may not be larger than 12" (long) x 24" (wide).

### Maximum Marker Dimensions

- 10.12 The maximum dimensions of a Marker that can be installed in a Cemetery are outlined in the attached **Schedule "B"**.
- 10.13 Prior to installation of any Marker, scale drawings and dimensions must be submitted to the Township and written approval must be obtained prior to installation.

### General Requirements of Markers

- 10.14 All Markers must be safely and adequately fastened to the base as part of the installation process.
- 10.15 A Marker shall be a minimum 6" in thickness to ensure the longevity and stability of the Marker.
- 10.16 A Marker base shall be a minimum 6" in height.
- 10.17 A pillow Marker memorial base shall be a minimum 4" in height.
- 10.18 Marker and pillow Marker memorial bases shall be rock faced in finish.
- 10.19 All Markers shall be delivered to a location designated by Township staff and such Markers shall be set in place by Township staff. The charge for the placing of Markers shall be as set out in the Fees & Charges By-law.
- 10.20 Markers shall be accepted at a Cemetery between April 1<sup>st</sup> and November 15<sup>th</sup> in any calendar year. Markers shall be installed within five (5) working days from the date of delivery to the Cemetery, weather permitting.
- 10.21 The installation of all foundations for Markers in a Cemetery shall be the responsibility of the Township. The dimensions and particulars of the required foundation of a Marker shall be submitted in writing to the Township before the erection or installation of a Marker, so that the foundation may be installed in accordance with the requirements contained within this By-law. Charges for the installation of a foundation and inspection shall be as set out in the Fees & Charges By-law.
- 10.22 The erection or removal of a Marker from a Cemetery shall be supervised by Township staff, unless otherwise authorized by the Township.
- 10.23 No inscription shall be placed on any Marker that is not in keeping with the dignity and decorum of a Cemetery.



- 10.24 No materials for construction or erection of Markers shall be brought into a Cemetery until required for immediate use or be placed on any other Lots without special permission of the Township.
- 10.25 If Township Staff determine that a Marker is in disrepair or in dangerous condition, the Marker shall be removed or laid down on the ground until the proper repairs can be completed.
- 10.26 The Township reserves the right to remove any Marker due to outstanding fees or charges or any Marker that has not been given the approval for placement.
- 10.27 The Township assumes no liability or responsibility for loss of, or damage to, any Marker from any causes beyond its reasonable control.

## **PART 11**

### **RULES AND REGULATIONS**

- 11.1 In addition to the provisions of this By-law, the Director may, at any time, prescribe rules and regulations with respect to Cemeteries which the Township owns and/or operates.
- 11.2 No parades, other than funeral processions, shall be admitted to, or organized within, a Cemetery, without the express written authorization of the Township.
- 11.3 Children under the age of twelve (12) years are not admitted to the grounds except in the care of an adult, who shall be responsible for their conduct.
- 11.4 Vehicular traffic is prohibited from a Cemetery from December 1<sup>st</sup> to April 30<sup>th</sup>.
- 11.5 No person shall, at a Cemetery:
  - 11.5.1 take flowers, plants or other materials from Lots or graves;
  - 11.5.2 pick any flowers, either wild or cultivated;
  - 11.5.3 break any tree, shrub, or plant; or,
  - 11.5.4 write upon, deface or damage any Markers or fences.
- 11.6 No person shall disturb the quiet and good order of a Cemetery through noise or other improper conduct.
- 11.7 Any person who violates any of provisions of this By-law or the rules and regulations prescribed by the Director with respect to a Cemetery may be immediately expelled from a Cemetery.

## **PART 12**

### **OTHER**

#### **Soliciting**

- 12.1 Soliciting of any kind is prohibited in a Cemetery, except for the placement of identifying memorialist tags. Such tags shall be placed at the rear bottom edge of a Marker, between the die and base. The tag shall be black in colour and the exposed area of the tag shall not exceed

6.37 cm (2.5 inches) wide and 2.56 cm (1.0 inch) in height. Tags will only be permitted on upright Markers.

### **Township's Rights**

- 12.2 The Township may, for any portion of a Cemetery where Interment Rights have not been sold, at any reasonable time:
- 12.2.1 resurvey or alter any un-sold Lot or Plots;
  - 12.2.2 construct a building or structure;
  - 12.2.3 layout, establish, close, eliminate, or otherwise modify or change the location or roads, walks or drives; or,
  - 12.2.4 create or remove easements and rights of way over and through a Cemetery for the purpose of installing, maintaining, or operating utility or communication lines, drains, irrigation systems, or for any other Cemetery purpose.

### **Conflict**

- 12.3 In the event the provisions of this By-law are inconsistent with the provisions of the Act or the Regulation, the provisions of the Act or the Regulation shall prevail.

### **Severability**

- 12.4 The terms and provisions of this By-law shall be severable, and should any term or provision be found by a court of competent jurisdiction to be legally unenforceable, inoperative or invalid, the remainder of the By-law shall continue to be in full force and effect.

### **Liability for Loss or Damage**

- 12.5 The Township assumes no liability or responsibility for the loss of, or damage to any Lot, grave, Marker or any article that may be placed on a Lot, grave, or Marker from any causes beyond its reasonable control, except for damage to any Lot, grave, or Marker, caused by the Township or its employees or agents, in the course of performing Cemetery maintenance. This liability to be limited to the cost of a reasonable repair.
- 12.6 In the case of damage caused by the Township leading to loss of, or damage to any Lot, grave, Marker, or any article the Township shall have the first opportunity to make a reasonable effort to correct the damage and no damages are payable in the case of a reasonably successful repair performed by or for the Township.

## **PART 13 PENALTIES**

- 13.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and, upon conviction, is liable to a fine or penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990 c.P33, as amended.

**PART 14  
REPEAL**

14.1 By-law No. 2004-28, as well as all other by-laws amending same, are hereby repealed.

**PART 15  
EFFECTIVE DATE**

15.1 This By-law shall come into force and effect on the date it is passed by the Council of the Township and approved by the registrar, pursuant to section 151 of the Regulation.

Read a first and second time this ... day of ....., 2022.

Read a third and final time and passed this ... day of ....., 2022.

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Mayor Les Armstrong

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Clerk, Dawn Mittelholtz



## PARKS, FACILITIES AND RECREATION SERVICES

### *Staff Report*

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REPORT NO: PFRS 2022-002

TO: Council

SUBMITTED BY: Sandy Jackson, Director, Parks, Facilities and Recreation Services

PREPARED BY: Manuela O'Krafka, Manager of Community Services

REVIEWED BY: Sharon Chambers, CAO  
Patrick Kelly CPA, CMA, Director of Corporate Services / Treasurer

DATE: January 17, 2022

SUBJECT: The Community Players (TCP) Request for Exclusive Use of Space

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#### RECOMMENDATION:

THAT the request for exclusive use of St. Agatha Community Centre from April 1 to 22, 2022 and the Arena Floor from April 23 to May 18, 2022, and the New Hamburg Community Centre from October 2 to November 20, 2022, by The Community Players (TCP) for planned rehearsals and productions in 2022 be approved; and further;

THAT staff be directed to work with TCP to develop an anchor tenancy agreement for the New Hamburg Community Centre for all future exclusive use requests.

#### SUMMARY:

The Community Players (TCP) have requested additional exclusive use of space in Township facilities in 2022 over and above what has been used in the past. The information below outlines the impact that the request may have on other user groups and the community at large, as well as the financial implications of the request and the subsidy which has historically been provided to them.



**BACKGROUND:**

TCP is a local community theatre company established as the Trinity Community Players in 1984 operating out of Trinity Lutheran Church in New Hamburg. After their initial presentation of Godspell, the group continued to expand their performances and evolved into The Community Players of New Hamburg (TCP). TCP continues to present large-scale musicals each spring and fall and are now based out of Township of Wilmot community centres, namely, St. Agatha and New Hamburg Community Centres.

This volunteer-based group is looking for a permanent location to house equipment and hold rehearsals and performances. TCP has indicated that the impact of setting up and tearing down sets for rehearsals and performances, on a daily basis to work around other Township facility rentals and events, is not sustainable and requires a significant amount of volunteer time.

To assist in the delivery of their performances, in 2019, the Township granted exclusive use of the St. Agatha Community Centre to TCP during the month of April for the first time. This resulted in the cancellation of the Township's pickleball program and the inability to rent the space for weddings, family gatherings and other celebrations for the duration of their exclusive use. This report addresses a further request for exclusive use of a facility by TCP for an extended period of time in both April and October of 2022, which would take the facilities out of inventory for community access to township facilities for recreation and leisure services if approved.

**REPORT:**

Due to the impacts of COVID-19, and the need to reduce capacity at venues, TCP is planning to increase the overall number of performances to allow the same number of spectators to attend over a greater number of shows. As a result, they are requesting additional exclusive use in Township facilities for both the spring and fall shows.

In addition, for the fall show, the new request over and above previous years is the exclusive use of either St Agatha or the New Hamburg Arena or Community Centre for the month of October. Historically, TCP would have access for rehearsals and performances but would be required to tear down their set after each use to allow for regularly scheduled Township programs and rentals.

Exclusive access to the facilities that TCP are requesting would have an impact on other user groups and community access to recreation and leisure services and facility rentals.

The impact of this request for exclusive use in St Agatha for both the spring and fall performances, will displace the successful Township run pickleball program. In addition, the Township would not be able to entertain private requests from the community such as weddings, family gatherings and other celebrations.

If the Township permits exclusive use of the New Hamburg Community Centre, regular groups such as the New Hamburg Concert Band weekly practices, who also have storage at the facility causing an inconvenience to the group, Wilmot Family Resource Centre PD Day camps, Board of Trade meetings, Wilmot Aquatics Aces teen dances and other repeat rentals would be displaced. The NHCC is very popular for private rentals such as weddings, stag and does, family reunions, birthday parties etc. which would not be able to be accommodated. At this time, there are buck and does booked for both April 23<sup>rd</sup> and April 30<sup>th</sup> which would be honoured should this request be approved.

The New Hamburg Arena venue is used for activities such as ball hockey, indoor ball, dryland training, birthday parties and the Wilmot Family Resource Centre weekly youth drop-in program.

Although the displacement of these programs is significant, staff understand the need for additional exclusive use of facilities to continue delivery of this important part of Wilmot's arts and culture landscape. As a result, the recommendation in this report seeks Council approval to support exclusive and extended use of the St. Agatha Community Centre for the spring performance and the same for the New Hamburg Community Centre for the fall performance. In addition, this report seeks support for staff to work with TCP on a long-term solution that suggests 'anchor tenancy' of the New Hamburg Community Centre.

Consideration of anchor tenancy will require a legal agreement between the Township and TCP that could be developed for a five (5) year period and would include provisions for longer-term extensions. Having a permanent location for TCP is beneficial not only to their organization, but to the Township from the perspective that space allocation could be established in an agreement and not require annual Council reporting for approvals. Consultation will be conducted with impacted user groups and every effort to find alternate locations for each user group would be made by Township staff should an agreement be reached.

Staff have met with TCP representatives and outlined this proposal and have received their support for this approach.

Staff previously made Council aware that an Affiliation Policy is being developed, and a reference was made to including TCP in this policy. However, after further consideration staff are recommending a separate and distinct legal agreement with TCP as a more appropriate approach for the type of exclusive use they require. Fees and charges related to anchor tenancy will be negotiated with TCP in 2022 with the intent to commence the anchor tenancy in late 2022 or early 2023. The legal agreement for anchor tenancy will be brought back to Council for approval.

\*Note: the dates in the recommendation are subject to minor adjustments that will be approved by staff as required. Any major changes will be brought back to Council for consideration.

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

Provides for Quality of life by providing arts, culture and heritage opportunities and Community Engagement through providing support for Community Events.

**FINANCIAL CONSIDERATIONS:**

TCP has historically been treated as a community group; therefore, they have not paid rental fees for facility use from Sunday through Thursday in Township community centres. They have also traditionally received a discounted rate on Friday nights, while being charged full rental rates for Saturday use, as per the fees and charges by-law. In addition, TCP has not been charged for rental space on the New Hamburg arena floor for rehearsal times, only for their performances. It is important to note that this free community use is outside of the approved fees and charges by-law for space allocation.

In the absence of an Anchor Tenancy Agreement, Facility Scheduling staff have prepared proposed rental contracts (attached) using the same fee approach for 2022 as was done in previous years. The discounts would total approximately \$33,750 on a full rental fee of \$48,110, including HST. The net rental cost would therefore equate to approximately \$14,360.

Fees and charges for anchor tenancy would be negotiated as we work to establish a separate agreement with TCP. These negotiations will occur legal costs to be included under the 2022 operating budget.

It is anticipated that additional costs will be incurred to secure the New Hamburg Community Centre year-round for storage and twice annually for exclusive uses.

**ATTACHMENTS:**

Draft Rental Calendar and Permits.

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## February 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3 SACC REHEARSAL EVENING	4	5
6 SACC REHEARSAL FULL DAY	7	8	9	10 SACC REHEARSAL EVENING	11	12
13 SACC REHEARSAL FULL DAY	14	15	16	17 SACC REHEARSAL EVENING	18	19
20 SACC REHEARSAL FULL DAY	21 FAMILY DAY	22	23	24 SACC REHEARSAL EVENING	25	26
27 SACC REHEARSAL FULL DAY	28					

**March 2022**

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3 SACC REHEARSAL EVENING	4	5
6 SACC REHEARSAL FULL DAY	7	8	9	10 SACC REHEARSAL EVENING	11	12
13 SACC REHEARSAL FULL DAY	14	15	16	17 SACC REHEARSAL EVENING	18	19
20 SACC REHEARSAL FULL DAY	21	22	23	24 SACC REHEARSAL EVENING	25	26
27 SACC REHEARSAL FULL DAY	28	29	30	31 SACC REHEARSAL EVENING		



### April 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1 *EXCLUSIVE	2 EXCLUSIVE  WORK DAY
3 EXCLUSIVE	4 EXCLUSIVE	5 EXCLUSIVE	6 EXCLUSIVE	7 EXCLUSIVE	8 EXCLUSIVE	9 EXCLUSIVE  WORK DAY
10 EXCLUSIVE	11 EXCLUSIVE	12 EXCLUSIVE	13 EXCLUSIVE	14 EXCLUSIVE	15  GOOD FRIDAY	16
17  EASTER SUNDAY	18  EASTER MONDAY	19 EXCLUSIVE	20 EXCLUSIVE	21 EXCLUSIVE	22 EXCLUSIVE	23 ARENA
24 ARENA	25 ARENA	26 ARENA	27 ARENA	28 ARENA	29 ARENA	30 ARENA  TECH REHEARSAL

OPTIONS FOR EXCLUSIVE USE FROM APRIL 1 - 22ND (REQUEST QUOTES)

1. ARENA FLOOR
2. NHCC
3. ARENA FLOOR AND NHCC
4. SACC

## May 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
<b>1</b> ARENA  TECH REHEARSAL	<b>2</b> ARENA  DRESS REHEARSAL	<b>3</b> ARENA  DRESS REHEARSAL	<b>4</b> ARENA	<b>5</b> *ARENA/ALL  SHOW EVENING	<b>6</b> ARENA/ALL  SHOW EVENING	<b>7</b> ARENA/ALL  SHOW MATINEE AND EVENING
<b>8</b> ARENA/ALL  SHOW MATINEE	<b>9</b> ARENA	<b>10</b> ARENA	<b>11</b> ARENA  REHEARSAL	<b>12</b> ARENA/ALL  SHOW EVENING	<b>13</b> ARENA/ALL  SHOW EVENING	<b>14</b> ARENA/ALL  SHOW MATINEE AND EVENING
<b>15</b> ARENA  TEARDOWN	<b>16</b> ARENA  MORNING TECH LOAD OUT	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>  VICTORIA DAY	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>	<b>31</b>				

\* WHERE ALL NOTED - FULL BUILDING RESERVED TO MANAGE SOUND CARRYING DURING THE SHOWS

## June 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2	3	4
5	6	7	8	9	10 SACC AUDITIONS 6: 30-9:30	11 SACC AUDITIONS FULL DAY
12 SACC CALLBACKS FULL DAY	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

# September 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5 LABOUR DAY	6	7	8	9	10
11 SACC REHEARSAL FULL DAY	12	13 SACC REHEARSAL EVENING	14	15 SACC REHEARSAL EVENING	16	17
18 SACC REHEARSAL FULL DAY	19	20 SACC REHEARSAL EVENING	21	22 SACC REHEARSAL EVENING	23	24
25 SACC REHEARSAL FULL DAY	26	27 SACC REHEARSAL EVENING	28	29 SACC REHEARSAL EVENING	30	

## October 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1 *EXCLUSIVE WORK DAY
2 *EXCLUSIVE	3 EXCLUSIVE	4 EXCLUSIVE	5 EXCLUSIVE	6 EXCLUSIVE	7 EXCLUSIVE	8
9	10 THANKSGIVING	11 EXCLUSIVE	12 EXCLUSIVE	13 EXCLUSIVE	14 EXCLUSIVE	15 EXCLUSIVE
16 EXCLUSIVE	17 EXCLUSIVE	18 EXCLUSIVE	19 EXCLUSIVE	20 EXCLUSIVE	21 EXCLUSIVE	22 EXCLUSIVE WORKSHOP
23 EXCLUSIVE	24 EXCLUSIVE	25 EXCLUSIVE	26 EXCLUSIVE	27 EXCLUSIVE	28 EXCLUSIVE	29 NHCC
30 NHCC	31 NHCC					

OPTIONS FOR EXCLUSIVE USE FROM OCTOBER 2ND (REQUEST QUOTES)

1. NHCC
2. SACC FROM OCT 2 - 28
3. SACC FROM OCT 2 - 21, NHCC EXCLUSIVE STARTING OCT 22ND



## November 2022

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 NHCC	2 NHCC	3 NHCC	4 NHCC	5 NHCC
6 NHCC	7 NHCC  DRESS REHEARSAL	8 NHCC  DRESS REHEARSAL	9 NHCC  DRESS REHEARSAL	10 *NHCC/ARENA  SHOW EVENING	11 <b>REMEMBRANCE</b> NHCC /ARENA  SHOW EVENING	12 NHCC/ARENA  SHOW MATINEE AND EVENING
13 NHCC/ARENA  SHOW MATINEE	14 NHCC	15 NHCC	16 NHCC  REHEARSAL	17 NHCC /ARENA  SHOW EVENING	18 NHCC /ARENA  SHOW EVENING	19 NHCC/ARENA  SHOW MATINEE AND EVENING
20 NHCC  TEARDOWN	21	22	23	24	25	26
27	28	29	30			

\* WHERE ARENA NOTED - FULL BUILDING RESERVED TO MANAGE SOUND CARRYING DURING THE SHOWS

Mail to: Township of Wilmot  
60 Snyder's Road West  
Baden, ON N3A 1A1

PHONE:(519) 634-9225  
FAX:(519) 634-9329  
EMAIL:[recreation@wilmot.ca](mailto:recreation@wilmot.ca)

Permit # R5386

Status Approved

Date Dec 7, 2021 10:14 AM

Organization Name	The Community Players - 86		
Customer Type	Wilmot Community Group		
Organization Address	P.O. Box 6154 New Hamburg, ON N3A 2K6		
Agent Name	Altiera Essensa	Primary Phone Number	(519) 274-0490
		Email Address	<a href="mailto:operations@thecommunityplayers.com">operations@thecommunityplayers.com</a>
System User	Ashley Brooks		

Rental Fee	\$9,743.63
HST	\$342.72
Discounts	-\$7,107.28
Subtotal	\$2,979.07
Deposits	\$0.00
Deposit Discounts	\$0.00
Total Permit Fee	\$2,979.07
Total Payment	\$0.00
Refunds	\$0.00
Balance	\$2,979.07

2022 TCP Spring Performance- Rehearsals- Beauty & the Beast 2 resource(s) 54 booking(s) Subtotal: \$2,636.35

**Event Notes:**  
Insurance certificate naming the Township of Wilmot <60 Snyders Rd W Baden On N3A1A1> is required on file. April 1-April 23 booked exclusively in the St. Agatha Community Centre main hall for set-up to remain. Please note- the Seniors room is not included for exclusive use\*\*  
Renter is responsible to ensure the following:  
1. Stay up to date on Public Health regulations  
2. Participant Screening and Recording all names/numbers for contact tracing  
3. Provide a Safety Plan - outline safety protocols to keep participants safe  
4. Proof of vaccination is required to utilize Township of Wilmot facilities. Proof of of double vaccination with 1 piece of government issued ID is required.  
5. Masks are required to be worn when indoors

Booking Summary

SACC - Hall (Activities/Programs)		Center: St. Agatha Community Centre & Lion's Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Feb 3, 2022 6:00 PM	Feb 3, 2022 10:00 PM	20	\$0.00
Feb 6, 2022 11:00 AM	Feb 6, 2022 10:00 PM	20	\$0.00
Feb 10, 2022 6:00 PM	Feb 10, 2022 10:00 PM	20	\$0.00
Feb 13, 2022 11:00 AM	Feb 13, 2022 10:00 PM	20	\$0.00
Feb 17, 2022 6:00 PM	Feb 17, 2022 10:00 PM	20	\$0.00
Feb 20, 2022 11:00 AM	Feb 20, 2022 10:00 PM	20	\$0.00
Feb 24, 2022 6:00 PM	Feb 24, 2022 10:00 PM	20	\$0.00

Feb 27, 2022 11:00 AM	Feb 27, 2022 10:00 PM	20	\$0.00
Mar 3, 2022 6:00 PM	Mar 3, 2022 10:00 PM	20	\$0.00
Mar 6, 2022 11:00 AM	Mar 6, 2022 10:00 PM	20	\$0.00
Mar 10, 2022 6:00 PM	Mar 10, 2022 10:00 PM	20	\$0.00
Mar 13, 2022 11:00 AM	Mar 13, 2022 10:00 PM	20	\$0.00
Mar 17, 2022 6:00 PM	Mar 17, 2022 10:00 PM	20	\$0.00
Mar 20, 2022 11:00 AM	Mar 20, 2022 10:00 PM	20	\$0.00
Mar 24, 2022 6:00 PM	Mar 24, 2022 10:00 PM	20	\$0.00
Mar 27, 2022 11:00 AM	Mar 27, 2022 10:00 PM	20	\$0.00
Mar 31, 2022 6:00 PM	Mar 31, 2022 10:00 PM	20	\$0.00
<b>Apr 1, 2022 9:00 AM</b>	<b>Apr 23, 2022 10:00 PM</b>	<b>—</b>	<b>\$0.00</b>

*Occurs on selected dates: Apr 1, 2022, Apr 2, 2022, Apr 3, 2022, Apr 4, 2022, Apr 5, 2022, Apr 6, 2022, Apr 7, 2022, Apr 8, 2022, Apr 9, 2022, Apr 10, 2022, Apr 11, 2022, Apr 12, 2022, Apr 13, 2022, Apr 14, 2022, Apr 16, 2022, Apr 19, 2022, Apr 20, 2022, Apr 21, 2022, Apr 22, 2022, Apr 23, 2022*

Resource level fees
\$2,636.35

SACC - Seniors Room (Activities/Programs)		Center: St. Agatha Community Centre & Lion's Park	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Feb 3, 2022 6:00 PM	Feb 3, 2022 10:00 PM	20	\$0.00
Feb 6, 2022 11:00 AM	Feb 6, 2022 10:00 PM	20	\$0.00
Feb 10, 2022 6:00 PM	Feb 10, 2022 10:00 PM	20	\$0.00
Feb 13, 2022 11:00 AM	Feb 13, 2022 10:00 PM	20	\$0.00
Feb 17, 2022 6:00 PM	Feb 17, 2022 10:00 PM	20	\$0.00
Feb 20, 2022 11:00 AM	Feb 20, 2022 10:00 PM	20	\$0.00
Feb 24, 2022 6:00 PM	Feb 24, 2022 10:00 PM	20	\$0.00
Feb 27, 2022 11:00 AM	Feb 27, 2022 10:00 PM	20	\$0.00
Mar 3, 2022 6:00 PM	Mar 3, 2022 10:00 PM	20	\$0.00
Mar 6, 2022 11:00 AM	Mar 6, 2022 10:00 PM	20	\$0.00
Mar 10, 2022 6:00 PM	Mar 10, 2022 10:00 PM	20	\$0.00
Mar 13, 2022 11:00 AM	Mar 13, 2022 10:00 PM	20	\$0.00
Mar 17, 2022 6:00 PM	Mar 17, 2022 10:00 PM	20	\$0.00
Mar 20, 2022 11:00 AM	Mar 20, 2022 10:00 PM	20	\$0.00
Mar 24, 2022 6:00 PM	Mar 24, 2022 10:00 PM	20	\$0.00
Mar 27, 2022 11:00 AM	Mar 27, 2022 10:00 PM	20	\$0.00
Mar 31, 2022 6:00 PM	Mar 31, 2022 10:00 PM	20	\$0.00
Resource level fees			\$0.00

<a href="#">Waivers and Information</a>	
INFORMATION DESCRIPTION	SIGNING STATUS

# Permit



Mail to: Township of Wilmot  
60 Snyder's Road West  
Baden, ON N3A 1A1

PHONE:(519) 634-9225  
FAX:(519) 634-9329  
EMAIL:recreation@wilmot.ca

**Permit # R5387**

Status Approved

Date Dec 7, 2021 11:06 AM

Organization Name	The Community Players - 86		
Customer Type	Wilmot Community Group		
Organization Address	P.O. Box 6154 New Hamburg, ON N3A 2K6		
Agent Name	Altiera Essensa	Primary Phone Number	(519) 274-0490
		Email Address	operations@thecommunityplayers.com
System User	Ashley Brooks		

Rental Fee	\$16,190.17
HST	\$805.56
Discounts	-\$9,993.64
Subtotal	\$7,002.09
Deposits	\$0.00
Deposit Discounts	\$0.00
Total Permit Fee	\$7,002.09
Total Payment	\$0.00
Refunds	\$0.00
Balance	\$7,002.09

## 2022 TCP Spring Performance- Beauty & The Beast- Altiera 4 resource(s) 45 booking(s) Subtotal: \$6,196.53

### Event Notes:

Insurance certificate naming the Township of Wilmot <60 Snyders Rd W Baden On N3A1A1> is required on file. April 1-April 23 booked exclusively in the St. Agatha Community Centre main hall for set-up to remain. Please note- the Seniors room is not included for exclusive use\*\*

Renter is responsible to ensure the following:

1. Stay up to date on Public Health regulations
2. Participant Screening and Recording all names/numbers for contact tracing
3. Provide a Safety Plan - outline safety protocols to keep participants safe
4. Proof of vaccination is required to utilize Township of Wilmot facilities. Proof of double vaccination with 1 piece of government issued ID is required.
5. Masks are required to be worn when indoors

### Booking Summary

#### NHCC - Arena Floor (Special Event)

Center: New Hamburg Community Centre

START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Apr 23, 2022 8:00 AM	Apr 28, 2022 11:00 PM	--	
Occurs every day effective Apr 23, 2022 until Apr 28, 2022 from 8:00 AM to 11:00 PM			
Apr 23, 2022 8:00 AM	Apr 23, 2022 11:00 PM	20	\$0.00
Apr 24, 2022 8:00 AM	Apr 24, 2022 11:00 PM	1	\$0.00

Apr 25, 2022 8:00 AM	Apr 25, 2022 11:00 PM	1	\$0.00
Apr 26, 2022 8:00 AM	Apr 26, 2022 11:00 PM	1	\$0.00
Apr 27, 2022 8:00 AM	Apr 27, 2022 11:00 PM	1	\$0.00
Apr 28, 2022 8:00 AM	Apr 28, 2022 11:00 PM	1	\$0.00
Apr 29, 2022 8:00 AM	Apr 29, 2022 6:30 PM	20	\$0.00
<b>Apr 30, 2022 8:00 AM</b>	<b>May 4, 2022 11:00 PM</b>	--	
<i>Occurs every day effective Apr 30, 2022 until May 4, 2022 from 8:00 AM to 11:00 PM</i>			
Apr 30, 2022 8:00 AM	Apr 30, 2022 11:00 PM	20	\$0.00
May 1, 2022 8:00 AM	May 1, 2022 11:00 PM	20	\$0.00
May 2, 2022 8:00 AM	May 2, 2022 11:00 PM	20	\$0.00
May 3, 2022 8:00 AM	May 3, 2022 11:00 PM	20	\$0.00
May 4, 2022 8:00 AM	May 4, 2022 11:00 PM	20	\$0.00
May 5, 2022 8:00 AM	May 5, 2022 11:00 PM	20	\$0.00
May 6, 2022 8:00 AM	May 6, 2022 11:00 PM	20	\$0.00
May 7, 2022 8:00 AM	May 7, 2022 11:00 PM	20	\$0.00
May 8, 2022 8:00 AM	May 8, 2022 11:00 PM	20	\$0.00
May 9, 2022 8:00 AM	May 9, 2022 10:00 PM	20	\$0.00
May 10, 2022 8:00 AM	May 10, 2022 10:00 PM	20	\$0.00
May 11, 2022 8:00 AM	May 11, 2022 11:00 PM	20	\$0.00
May 12, 2022 8:00 AM	May 12, 2022 11:00 PM	20	\$0.00
May 13, 2022 8:00 AM	May 13, 2022 11:00 PM	20	\$0.00
May 14, 2022 8:00 AM	May 14, 2022 11:00 PM	20	\$0.00
May 15, 2022 8:00 AM	May 15, 2022 11:00 PM	20	\$0.00
May 16, 2022 8:00 AM	May 16, 2022 11:00 PM	20	\$0.00
Resource level fees			\$3,988.48
Arena Floor - Daily (Sun - Fri) \$533.12 / Day x 20 \$10,662.40			
Arena Floor - Saturday Day Rate \$661.44 / Each x 4 \$2,645.76			
Discount - No Charge -\$533.12 / Each x 15 -\$7,996.80			
Discount - No Charge -\$661.44 / Each x 2 -\$1,322.88			
<b>NHCC - Hall (Activities/Programs)</b>		<b>Center: New Hamburg Community Centre</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
May 5, 2022 8:00 AM	May 5, 2022 11:00 PM	20	\$0.00
May 6, 2022 8:00 AM	May 6, 2022 11:00 PM	20	\$0.00
May 7, 2022 8:00 AM	May 7, 2022 11:00 PM	20	\$0.00



May 8, 2022 8:00 AM	May 8, 2022 11:00 PM	20	\$0.00
May 12, 2022 8:00 AM	May 12, 2022 11:00 PM	20	\$0.00
May 13, 2022 8:00 AM	May 13, 2022 11:00 PM	20	\$0.00
May 14, 2022 8:00 AM	May 14, 2022 11:00 PM	20	\$0.00
Resource level fees			\$2,208.05
CC - Hall Rentals - All Users Fri or Sat    \$394.79 / Day x 4    \$1,579.16			
CC - Hall Rentals - Daily Rate    \$209.63 / Day x 3    \$628.89			
<b>NHCC - Meeting Room (Activities/Programs)</b>		<b>Center: New Hamburg Community Centre</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
May 5, 2022 8:00 AM	May 5, 2022 11:00 PM	1	\$0.00
May 6, 2022 8:00 AM	May 6, 2022 11:00 PM	1	\$0.00
May 7, 2022 8:00 AM	May 7, 2022 11:00 PM	1	\$0.00
May 8, 2022 8:00 AM	May 8, 2022 11:00 PM	1	\$0.00
May 12, 2022 8:00 AM	May 12, 2022 11:00 PM	1	\$0.00
May 13, 2022 8:00 AM	May 13, 2022 11:00 PM	1	\$0.00
May 14, 2022 8:00 AM	May 14, 2022 11:00 PM	1	\$0.00
Resource level fees			\$0.00
Meeting Room - Daily    \$48.14 / Day x 7    \$336.98			
Discount - Mtg Rooms - Wilmot Minor/Comm Groups    -100% x 1    -\$336.98			
<b>NHCC - Multi Purpose Rm (Activities/Programs)</b>		<b>Center: New Hamburg Community Centre</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
May 5, 2022 8:00 AM	May 5, 2022 11:00 PM	20	\$0.00
May 6, 2022 8:00 AM	May 6, 2022 11:00 PM	20	\$0.00
May 7, 2022 8:00 AM	May 7, 2022 11:00 PM	20	\$0.00
May 8, 2022 8:00 AM	May 8, 2022 11:00 PM	20	\$0.00
May 12, 2022 8:00 AM	May 12, 2022 11:00 PM	20	\$0.00
May 13, 2022 8:00 AM	May 13, 2022 11:00 PM	20	\$0.00
May 14, 2022 8:00 AM	May 14, 2022 11:00 PM	20	\$0.00
Resource level fees			\$0.00
Meeting Room - Daily    \$48.14 / Day x 7    \$336.98			
Discount - Mtg Rooms - Wilmot Minor/Comm Groups    -100% x 1    -\$336.98			

## Custom Questions

QUESTION

ANSWER

Are you planning to have alcohol served at your event?

No

# Permit



Mail to: Township of Wilmot  
60 Snyder's Road West  
Baden, ON N3A 1A1

PHONE:(519) 634-9225  
FAX:(519) 634-9329  
EMAIL:recreation@wilmot.ca

**Permit # R5391**

Status Approved

Date Dec 7, 2021 1:18 PM

<b>Organization Name</b>	The Community Players - 86		
<b>Customer Type</b>	Wilmot Community Group		
<b>Organization Address</b>	P.O. Box 6154 New Hamburg, ON N3A 2K6		
<hr/>			
<b>Agent Name</b>	Altiera Essensa	<b>Primary Phone Number</b>	(519) 274-0490
		<b>Email Address</b>	operations@thecommunityplayers.com
<hr/>			
<b>System User</b>	Ashley Brooks		

Rental Fee	\$22,176.67
HST	\$718.96
Discounts	-\$16,646.21
Subtotal	\$6,249.42
Deposits	\$0.00
Deposit Discounts	\$0.00
Total Permit Fee	\$6,249.42
Total Payment	\$0.00
Refunds	\$0.00
Balance	\$6,249.42

## TCP Fall Performance- Rehearsals & Performance

6 resource(s) 99 booking(s) Subtotal: \$5,530.46

### Event Notes:

Insurance certificate naming the Township of Wilmot <60 Snyders Rd W Baden On N3A1A1> is required on file. April 1-April 23 booked exclusively in the St. Agatha Community Centre main hall for set-up to remain. Please note- the Seniors room is not included for exclusive use\*\*

Renter is responsible to ensure the following:

1. Stay up to date on Public Health regulations
2. Participant Screening and Recording all names/numbers for contact tracing
3. Provide a Safety Plan - outline safety protocols to keep participants safe
4. Proof of vaccination is required to utilize Township of Wilmot facilities. Proof of double vaccination with 1 piece of government issued ID is required.
5. Masks are required to be worn when indoors

### Booking Summary

#### SACC - Hall (Activities/Programs)

Center: St. Agatha Community Centre & Lion's Park

START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Jun 10, 2022 6:30 PM	Jun 10, 2022 9:30 PM	15	\$0.00
Jun 11, 2022 9:00 AM	Jun 11, 2022 10:00 PM	15	\$0.00
Jun 12, 2022 9:00 AM	Jun 12, 2022 10:00 PM	15	\$0.00
Sep 11, 2022 10:00 AM	Oct 2, 2022 10:00 PM	--	

<i>Occurs every Sunday effective Sep 11, 2022 until Oct 2, 2022 from 10:00 AM to 10:00 PM</i>			
Sep 11, 2022 10:00 AM	Sep 11, 2022 10:00 PM	15	\$0.00
Sep 18, 2022 10:00 AM	Sep 18, 2022 10:00 PM	15	\$0.00
Sep 25, 2022 10:00 AM	Sep 25, 2022 10:00 PM	15	\$0.00
Oct 2, 2022 10:00 AM	Oct 2, 2022 10:00 PM	15	\$0.00
<b>Sep 13, 2022 6:00 PM</b>	<b>Oct 4, 2022 10:00 PM</b>	--	
<i>Occurs every Tuesday effective Sep 13, 2022 until Oct 4, 2022 from 6:00 PM to 10:00 PM</i>			
Sep 13, 2022 6:00 PM	Sep 13, 2022 10:00 PM	15	\$0.00
Sep 20, 2022 6:00 PM	Sep 20, 2022 10:00 PM	15	\$0.00
Sep 27, 2022 6:00 PM	Sep 27, 2022 10:00 PM	15	\$0.00
Oct 4, 2022 6:00 PM	Oct 4, 2022 10:00 PM	15	\$0.00
<b>Sep 15, 2022 6:00 PM</b>	<b>Oct 6, 2022 10:00 PM</b>	--	
<i>Occurs every Thursday effective Sep 15, 2022 until Oct 6, 2022 from 6:00 PM to 10:00 PM</i>			
Sep 15, 2022 6:00 PM	Sep 15, 2022 10:00 PM	15	\$0.00
Sep 22, 2022 6:00 PM	Sep 22, 2022 10:00 PM	15	\$0.00
Sep 29, 2022 6:00 PM	Sep 29, 2022 10:00 PM	15	\$0.00
Oct 6, 2022 6:00 PM	Oct 6, 2022 10:00 PM	15	\$0.00
Resource level fees			\$723.57
CC - Hall Rentals - All Users Fri or Sat \$468.64 / Each x 1 \$468.64			
CC - Hall Rentals - Daily Rate \$209.63 / Day x 13 \$2,725.19			
CC - Hall Rentals - Rental for Setup & Decorating \$254.93 / Each x 1 \$254.93			
Discount - CC- Wilmot Minor/Comm Group (Sun-Thurs) -\$2,725.19 / Each x 1 -\$2,725.19			
<b>SACC - Seniors Room (Activities/Programs)</b>		<b>Center: St. Agatha Community Centre &amp; Lion's Park</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Jun 10, 2022 6:30 PM	Jun 10, 2022 9:30 PM	15	\$40.86
Meeting Room - Hourly \$13.62 / Hour x 3 \$40.86			
Jun 11, 2022 9:00 AM	Jun 11, 2022 10:00 PM	15	\$0.00
Jun 12, 2022 9:00 AM	Jun 12, 2022 10:00 PM	15	\$0.00
<b>Sep 11, 2022 10:00 AM</b>	<b>Oct 2, 2022 10:00 PM</b>	--	
<i>Occurs every Sunday effective Sep 11, 2022 until Oct 2, 2022 from 10:00 AM to 10:00 PM</i>			
Sep 11, 2022 10:00 AM	Sep 11, 2022 10:00 PM	15	\$0.00
Sep 18, 2022 10:00 AM	Sep 18, 2022 10:00 PM	15	\$0.00
Sep 25, 2022 10:00 AM	Sep 25, 2022 10:00 PM	15	\$0.00
Oct 2, 2022 10:00 AM	Oct 2, 2022 10:00 PM	15	\$0.00

Sep 13, 2022 6:00 PM		Oct 4, 2022 10:00 PM		--	
Occurs every Tuesday effective Sep 13, 2022 until Oct 4, 2022 from 6:00 PM to 10:00 PM					
Sep 13, 2022 6:00 PM		Sep 13, 2022 10:00 PM		15	\$0.00
Sep 20, 2022 6:00 PM		Sep 20, 2022 10:00 PM		15	\$0.00
Sep 27, 2022 6:00 PM		Sep 27, 2022 10:00 PM		15	\$0.00
Oct 4, 2022 6:00 PM		Oct 4, 2022 10:00 PM		15	\$0.00
Sep 15, 2022 6:00 PM		Oct 6, 2022 10:00 PM		--	
Occurs every Thursday effective Sep 15, 2022 until Oct 6, 2022 from 6:00 PM to 10:00 PM					
Sep 15, 2022 6:00 PM		Sep 15, 2022 10:00 PM		15	\$0.00
Sep 22, 2022 6:00 PM		Sep 22, 2022 10:00 PM		15	\$0.00
Sep 29, 2022 6:00 PM		Sep 29, 2022 10:00 PM		15	\$0.00
Oct 6, 2022 6:00 PM		Oct 6, 2022 10:00 PM		15	\$0.00
Resource level fees					-\$40.86
Discount - Mtg Rooms - Wilmot Minor/Comm Groups		-100% x 1	-\$714.82		
Meeting Room - Daily		\$48.14 / Day x 14	\$673.96		
NHCC - Hall (Special Event)			Center: New Hamburg Community Centre		
START DATE/TIME		END DATE/TIME		ATTENDEE	AMT W/O TAX
Oct 2, 2022 9:00 AM		Nov 9, 2022 10:00 PM		--	
Occurs every day effective Oct 2, 2022 until Nov 9, 2022 from 9:00 AM to 10:00 PM					
Oct 2, 2022 9:00 AM		Oct 2, 2022 10:00 PM		15	\$0.00
Oct 3, 2022 9:00 AM		Oct 3, 2022 10:00 PM		15	\$0.00
Oct 4, 2022 9:00 AM		Oct 4, 2022 10:00 PM		15	\$0.00
Oct 5, 2022 9:00 AM		Oct 5, 2022 10:00 PM		15	\$0.00
Oct 6, 2022 9:00 AM		Oct 6, 2022 10:00 PM		15	\$0.00
Oct 7, 2022 9:00 AM		Oct 7, 2022 10:00 PM		15	\$0.00
Oct 8, 2022 9:00 AM		Oct 8, 2022 10:00 PM		15	\$0.00
Oct 9, 2022 9:00 AM		Oct 9, 2022 10:00 PM		15	\$0.00
Oct 11, 2022 9:00 AM		Oct 11, 2022 10:00 PM		15	\$0.00
Oct 12, 2022 9:00 AM		Oct 12, 2022 10:00 PM		15	\$0.00
Oct 13, 2022 9:00 AM		Oct 13, 2022 10:00 PM		15	\$0.00
Oct 14, 2022 9:00 AM		Oct 14, 2022 10:00 PM		15	\$0.00
Oct 15, 2022 9:00 AM		Oct 15, 2022 10:00 PM		15	\$0.00
Oct 16, 2022 9:00 AM		Oct 16, 2022 10:00 PM		15	\$0.00
Oct 17, 2022 9:00 AM		Oct 17, 2022 10:00 PM		15	\$0.00

Oct 18, 2022 9:00 AM	Oct 18, 2022 10:00 PM	15	\$0.00
Oct 19, 2022 9:00 AM	Oct 19, 2022 10:00 PM	15	\$0.00
Oct 20, 2022 9:00 AM	Oct 20, 2022 10:00 PM	15	\$0.00
Oct 21, 2022 9:00 AM	Oct 21, 2022 10:00 PM	15	\$0.00
Oct 22, 2022 9:00 AM	Oct 22, 2022 10:00 PM	15	\$0.00
Oct 23, 2022 9:00 AM	Oct 23, 2022 10:00 PM	15	\$0.00
Oct 24, 2022 9:00 AM	Oct 24, 2022 10:00 PM	15	\$0.00
Oct 25, 2022 9:00 AM	Oct 25, 2022 10:00 PM	15	\$0.00
Oct 26, 2022 9:00 AM	Oct 26, 2022 10:00 PM	15	\$0.00
Oct 27, 2022 9:00 AM	Oct 27, 2022 10:00 PM	15	\$0.00
Oct 28, 2022 9:00 AM	Oct 28, 2022 10:00 PM	15	\$0.00
Oct 29, 2022 9:00 AM	Oct 29, 2022 10:00 PM	15	\$0.00
Oct 30, 2022 9:00 AM	Oct 30, 2022 10:00 PM	15	\$0.00
Oct 31, 2022 9:00 AM	Oct 31, 2022 10:00 PM	15	\$0.00
Nov 1, 2022 9:00 AM	Nov 1, 2022 10:00 PM	15	\$0.00
Nov 2, 2022 9:00 AM	Nov 2, 2022 10:00 PM	15	\$0.00
Nov 3, 2022 9:00 AM	Nov 3, 2022 10:00 PM	15	\$0.00
Nov 4, 2022 9:00 AM	Nov 4, 2022 10:00 PM	15	\$0.00
Nov 5, 2022 9:00 AM	Nov 5, 2022 10:00 PM	15	\$0.00
Nov 6, 2022 9:00 AM	Nov 6, 2022 10:00 PM	15	\$0.00
Nov 7, 2022 9:00 AM	Nov 7, 2022 10:00 PM	15	\$0.00
Nov 8, 2022 9:00 AM	Nov 8, 2022 10:00 PM	15	\$0.00
Nov 9, 2022 9:00 AM	Nov 9, 2022 10:00 PM	15	\$0.00
Nov 10, 2022 8:00 AM	Nov 10, 2022 11:00 PM	100	\$0.00
Nov 11, 2022 8:00 AM	Nov 11, 2022 11:00 PM	100	\$0.00
Nov 12, 2022 8:00 AM	Nov 12, 2022 11:00 PM	100	\$0.00
Nov 13, 2022 8:00 AM	Nov 13, 2022 11:00 PM	100	\$0.00
Nov 14, 2022 9:00 AM	Nov 14, 2022 10:00 PM	15	\$0.00
Nov 15, 2022 9:00 AM	Nov 15, 2022 10:00 PM	15	\$0.00
Nov 16, 2022 9:00 AM	Nov 16, 2022 10:00 PM	15	\$0.00
Nov 17, 2022 8:00 AM	Nov 17, 2022 11:00 PM	100	\$0.00
Nov 18, 2022 8:00 AM	Nov 18, 2022 11:00 PM	100	\$0.00
Nov 19, 2022 8:00 AM	Nov 19, 2022 11:00 PM	100	\$0.00



Nov 20, 2022 8:00 AM	Nov 20, 2022 10:00 PM	10	\$0.00
Resource level fees			\$4,806.89
CC - Hall Rentals - All Users Fri or Sat \$394.79 / Day x 14 \$5,527.06			
CC - Hall Rentals - Daily Rate \$209.63 / Day x 35 \$7,337.05			
CC - Hall Rentals - Rental for Setup & Decorating \$254.92 / Each x 4 \$1,019.68			
Discount - No Charge -\$394.79 / Each x 6 -\$2,368.74			
Discount - No Charge -\$209.63 / Each x 32 -\$6,708.16			
<b>NHCC - Meeting Room (Activities/Programs)</b>		<b>Center: New Hamburg Community Centre</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Nov 10, 2022 3:00 PM	Nov 10, 2022 10:00 PM	15	\$0.00
Nov 11, 2022 3:00 PM	Nov 11, 2022 10:00 PM	15	\$0.00
Nov 12, 2022 8:00 AM	Nov 12, 2022 10:00 PM	15	\$0.00
Nov 13, 2022 8:00 AM	Nov 13, 2022 5:00 PM	15	\$0.00
Nov 17, 2022 3:00 PM	Nov 17, 2022 10:00 PM	15	\$0.00
Nov 18, 2022 3:00 PM	Nov 18, 2022 10:00 PM	15	\$0.00
Nov 19, 2022 8:00 AM	Nov 19, 2022 10:00 PM	15	\$0.00
Resource level fees			\$0.00
Meeting Room - Daily \$48.14 / Day x 7 \$336.98			
Discount - Mtg Rooms - Wilmot Minor/Comm Groups -100% x 1 -\$336.98			
<b>NHCC - Multi Purpose Rm (Activities/Programs)</b>		<b>Center: New Hamburg Community Centre</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Nov 10, 2022 3:00 PM	Nov 10, 2022 10:00 PM	15	\$0.00
Nov 11, 2022 3:00 PM	Nov 11, 2022 10:00 PM	15	\$0.00
Nov 12, 2022 8:00 AM	Nov 12, 2022 10:00 PM	15	\$0.00
Nov 13, 2022 8:00 AM	Nov 13, 2022 5:00 PM	15	\$0.00
Nov 17, 2022 3:00 PM	Nov 17, 2022 10:00 PM	15	\$0.00
Nov 18, 2022 3:00 PM	Nov 18, 2022 10:00 PM	15	\$0.00
Nov 19, 2022 8:00 AM	Nov 19, 2022 10:00 PM	15	\$0.00
Resource level fees			\$0.00
Meeting Room - Daily \$48.14 / Day x 7 \$336.98			
Discount - Mtg Rooms - Wilmot Minor/Comm Groups -100% x 1 -\$336.98			
<b>NHCC - Arena Floor (Activities/Programs)</b>		<b>Center: New Hamburg Community Centre</b>	
START DATE/TIME	END DATE/TIME	ATTENDEE	AMT W/O TAX
Nov 11, 2022 3:00 PM	Nov 11, 2022 11:00 PM	15	\$0.00
Arena Floor - Hourly (Sun - Fri) \$66.64 / Hour -- \$0.00			
Nov 12, 2022 8:00 AM	Nov 12, 2022 11:00 PM	15	\$0.00

Nov 13, 2022 8:00 AM	Nov 13, 2022 11:00 PM	15	\$0.00
Nov 17, 2022 3:00 PM	Nov 17, 2022 11:00 PM	15	\$0.00
Arena Floor - Hourly (Sun - Fri) \$66.64 / Hour -- \$0.00			
Nov 18, 2022 3:00 PM	Nov 18, 2022 11:00 PM	15	\$0.00
Arena Floor - Hourly (Sun - Fri) \$66.64 / Hour -- \$0.00			
Nov 19, 2022 8:00 AM	Nov 19, 2022 11:00 PM	15	\$0.00
Resource level fees			\$0.00
Arena Floor - Daily (Sun - Fri) \$533.12 / Each x 4 \$2,132.48			
Arena Floor - Saturday Day Rate \$661.43 / Day x 2 \$1,322.86			
Discount - No Charge -100% x 1 -\$3,455.34			

## Custom Questions

QUESTION	ANSWER
Are you planning to have alcohol served at your event?	No
Are you planning to offer bouncey castles or other blow-up activities for children at the event?	No

## Waivers and Information

INFORMATION DESCRIPTION	SIGNING STATUS
Meeting Room	Unchecked
<p><b>MEETING ROOM RENTAL TERMS AND CONDITIONS</b></p> <p>Access to the facility is granted as per the arrangements made with the Township of Wilmot Facility Booking staff. The time required for the rental(s) is reflected on this permit, indicates the event start time and event end time.</p> <p>The time reflected must include any set up and clean up time. Access to the facility is not permitted prior to the event start time, the facility must be vacated by the end time indicated on this permit.</p> <p><b>CANCELLATION</b></p> <p>Cancellation of rental must be provided by the renter with a minimum of seven (7) days notice of the rental date in writing to the Facility Scheduler. In the event that written notification is not received by the Township seven (7) days prior to the rental date(s), the Licensee will be charged the full cost of the booking. Credit for time cancelled within the cancellation requirements will be held on the account for a maximum of 3 years. Refunds issued for cancellations within the parameters of terms and conditions of this contract will be subject to an Administration Fee, equaling the lower of \$35 or 20% of the refund, as outlined in the Township of Wilmot's Fees and Charges ByLaw.</p> <p>Cancellations due to inclement weather can be rescheduled at no additional charge. A credit for time cancelled within these parameters can be held on the account for a maximum of 3 years.</p> <p>Facility time is reserved and NOT GUARANTEED. The Township of Wilmot retains the right to adjust, cancel, withdraw or reschedule any and all allocated facility time. This will be in the event of tournaments, special events, or playoff games, or in the case of emergency or unforeseen circumstances. All reasonable efforts will be made to advise affected groups as early as possible. The rental fee for a cancelled rental(s) shall not be payable. The Township will not be liable for any costs/damages as a result of a cancelled rental(s).</p> <p><b>INSURANCE &amp; INDEMNITY</b></p> <p>Insurance is required for all rentals. All permit holders must hold proof of \$2M Liability Insurance with the "Township of Wilmot" &lt;60 Snyder's Road West Baden, ON N3A 1A1&gt; named as additional insured, including cross liability and severability of</p>	

**Ministry of Northern Development,  
Mines, Natural Resources and  
Forestry**

Resources Planning and Development  
Policy Branch  
Policy Division  
300 Water Street  
Peterborough, ON K9J 3C7

**Ministère du Développement du Nord, des  
Mines, des Richesses Naturelles et des  
Forêts**

Direction des politiques de planification et  
d'exploitation des ressources  
Division de l'élaboration des politiques  
300, rue Water  
Peterborough (Ontario) K9J 3C7



**Subject: Proposed regulatory changes under the Aggregate Resources Act**

Dear Ontario Heads of Council and Clerks,

The Ministry of Northern Development, Mines, Natural Resources and Forestry recognizes the critical role Ontario's municipalities play in the lives of Ontarians. We value our strong collaborative partnership with municipalities and the associations that represent their interests.

I am writing to inform you, the Ministry of Northern Development, Mines, Natural Resources and Forestry is proposing regulatory changes under the *Aggregate Resources Act*. These changes will harmonize with Ministry of the Environment, Conservation and Parks' new provincial requirements under the *Environmental Protection Act* (EPA) for soil that is moved during construction activities to another site for a beneficial reuse (i.e., excess soil). Ontario Regulation 406/19, and Rules for Soil Management and Excess Soil Quality Standards include risk-based quality standards for the safe reuse of excess soil.

**We invite you to review the changes and offer comments.**

A complete summary of the proposed regulatory changes can be found on the Environmental Registry at the following address: [www.ero.ontario.ca](http://www.ero.ontario.ca)

Then search for notice: 019-4801

There are several ways you can comment on this proposal, including:

1. Directly through the Environmental Registry posting (click on the "Submit a comment" button)
2. By email to [aggregates@ontario.ca](mailto:aggregates@ontario.ca), or
3. By mail to:

Resources Development Section  
Ministry of Northern Development, Mines, Natural Resources and Forestry  
300 Water Street, 2nd Floor South  
Peterborough, ON K9J 3C7

If you have any questions you can contact Darryl Mitchell at (705) 313-2154.

Sincerely,

Jennifer Keyes,  
Director, Resources Planning and Development Policy Branch



**THE CORPORATION OF THE CITY OF SARNIA**  
**City Clerk's Department**

255 Christina Street N. PO Box 3018  
 Sarnia ON Canada N7T 7N2  
 519-332-0330 (phone) 519-332-3995 (fax)  
 519-332-2664 (TTY)  
[www.sarnia.ca](http://www.sarnia.ca) [clerks@sarnia.ca](mailto:clerks@sarnia.ca)

December 16, 2021

The Right Honourable Justin Trudeau  
 Prime Minister of Canada  
 House of Commons  
 80 Wellington Street  
 Ottawa, ON K1A 0A2

The Honourable Doug Ford  
 Premier of Ontario  
 Legislative Building  
 Queen's Park  
 Toronto, ON M7A 1A1

**RE: "Catch and Release" Justice**

At its meeting held on December 13, 2021, Sarnia City Council adopted the following resolution with respect to "Catch and Release Justice":

***That the City of Sarnia send a letter to the Federal and Provincial Governments requesting meaningful improvements to the current state of "catch and release" justice in the Ontario legal system. Police Services across Ontario are exhausting precious time and resources having to manage the repeated arrests of the same offenders, which in turn, is impacting their morale, and ultimately law abiding citizens who are paying the often significant financial and emotional toll of this broken system. This resolution should also be sent to other Municipalities throughout Ontario for their endorsement consideration; and***

***That the request also be referred to the Sarnia Police Services Board and be presented via AMO delegations for endorsement consideration.***

Your consideration of this matter is respectfully requested.

Yours sincerely,

Amy Burkhart  
 City Clerk

Cc: Bob Bailey, MPP  
 Marylyn Gladu, MP  
 All Ontario Municipalities



**Town of Bradford West Gwillimbury**  
 100 Dissette St., Unit 4  
 P.O. Box 100, Bradford, Ontario, L3Z 2A7  
 Telephone: 905-775-5366  
 Fax: 905-775-0153

[www.townofbwg.com](http://www.townofbwg.com)

December 22, 2021

VIA EMAIL

Honourable Doug Ford, Premier of Ontario  
 Legislative Building  
 Queen's Park  
 Toronto, ON M7A 1A1

Dear Honourable Doug Ford,

**Re: Motion Against Quebec's Bill 21**

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At its Regular Meeting of Council held on December 21<sup>st</sup>, 2021, the Town of Bradford West Gwillimbury Council approved the following resolution regarding the Province of Quebec's Bill 21.

Resolution 2021-424      Scott/Sandhu

*WHEREAS Quebec's Bill 21 unfairly discriminates against public-sector workers by directly infringing on their freedom of religion and freedom of expression rights as enshrined into law by the Canadian Charter of Rights and Freedoms;*

*WHEREAS Bradford West Gwillimbury is a growing community that is proud of its diversity and diligently working to tear down barriers, advance anti-racism work and foster an inclusive community;*

*WHEREAS municipalities across Ontario are passing motions condemning Bill 21;*

*AND WHEREAS the Ontario Legislature unanimously passed a motion in 2019 stating: "Ontario and its government shall oppose any law that would seek to restrict or limit the religious freedoms of our citizens; and, that Ontario's Legislature affirms that we value our diversity and assert that we shall promote and protect free expression and the rights of religious minorities, consistent with the Charter of Rights and Freedoms";*

*THEREFORE BE IT RESOLVED that the Town of Bradford West Gwillimbury Council declares its opposition to Bill 21 and supports efforts to see this discriminatory law overturned; and*



*THAT a copy of this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Francois Legault, Premier of Quebec, the Honourable Caroline Mulroney, MPP York-Simcoe, Scot Davidson, MP York-Simcoe, the Association of Municipalities of Ontario, and all other municipalities in Ontario.*  
CARRIED.

Thank you for your consideration of this request.

Regards,



Tara Reynolds  
Deputy Clerk, Town of Bradford West Gwillimbury  
(905) 775-5366 Ext 1104  
[treynolds@townofbwg.com](mailto:treynolds@townofbwg.com)

CC: Hon. Francois Legault, Premier of Quebec  
Hon. Caroline Mulroney, MPP York-Simcoe  
Scot Davidson, MP York-Simcoe  
The Association of Municipalities of Ontario  
All Municipalities in Ontario



*The TOWNSHIP of*  
**NORTH DUMFRIES**

2958 Greenfield Road  
PO Box 1060  
Ayr, ON N0B 1E0

September 28, 2021

**RE: Resolution related to Ontario Truck Parking Study**

Attention: Honourable Caroline Mulroney, Minister of Transportation, the Association of Municipalities of Ontario, the Members of Provincial Parliament across Waterloo Region, and, the Ontario Trucking Association

This letter is to advise you that Township Council, at their Regular Council Meeting held on September 27, 2021, adopted the following resolution:

*“WHEREAS it is recognized that the Transportation Sector, and specifically the Trucking Industry, represents a vital component in the context of both the Ontario and Canadian economy;*

*AND WHEREAS the Trucking Industry moves over 70% of all freight in support of various commercial and industrial sectors;*

*AND WHEREAS the implementation in Ontario of Hours of Service (HOS) and Electronic Logging Device regulations which limit driving hours to ensure rest is now in effect;*

*AND WHEREAS the implementation of the HOS elevates the need and demand for the provision of appropriate truck parking and rest areas for long haul routes and aggravates the shortfall in the provision of existing truck parking;*

*AND WHEREAS the need for a reliable and stable truck industry is not only critical to the continued strength of the Ontario and Canadian economy, but also a matter of public safety on our highways.*

**NOWTHEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES RESOLVES:**

1. *THAT the Correspondence received from Ted Harvey Re: Ontario Truck Parking Study be received;*
2. *AND THAT Council seeks the engagement of the Minister of Transportation to work collaboratively with the Ontario Trucking Association to develop a proactive and encompassing strategy to ensure the appropriate provision of dedicated truck parking spaces and rest areas along the 400 series highway network, and, long haul routes across Central and Northern Ontario;*

3. *AND THAT this Resolution be circulated to the Honourable Caroline Mulroney, Minister of Transportation, the Association of Municipalities of Ontario, the Members of Provincial Parliament across Waterloo Region, and, the Ontario Trucking Association."*

Please contact the undersigned should you require anything further.

Sincerely,



Ashley Sage, Clerk  
Township of North Dumfries

cc. Ted Harvey

**THE CORPORATION OF THE TOWNSHIP OF WILMOT**

**BY-LAW NO. 2022-03**

**BY-LAW TO CLOSE AN UNUSED PORTION OF ARNOLD STREET,  
A PUBLIC HIGHWAY IN THE TOWNSHIP OF WILMOT**

**WHEREAS** Section 34 (1) of the Municipal Act, S.O. 2001, c. 25 as amended, provides that the Council of a municipality may pass by-laws to permanent close a highway or part of a highway;

**AND WHEREAS** it is deemed expedient to close a part of Arnold Street, an unused portion of a public highway in the Township of Wilmot;

**AND WHEREAS** required notices of this by-law have been given according to Township of Wilmot procedures.

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

- 1. That the highway herein described and being part of Arnold Street, New Hamburg in the Township of Wilmot as follows:

**ALL AND SINGULAR** that certain parcel or tract of lands and premises situate, lying and being in the Township of Wilmot, in the Regional Municipality of Waterloo and the Province of Ontario and being composed of Part of Arnold Street (Not in Use) and designated as Part 3 of Reference Plan 58R-3908, be closed.

**READ** a first and second time this 17th day of January, 2022.

**READ** a third time and finally passed in Open Council this 17th day of January, 2022.

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

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

**By-law for Municipalities Not Within a Regional  
Municipality, the County of Oxford or The  
District Municipality of Muskoka – Form 5***Drainage Act, R.S.O. 1990, c. D.17, subs. 45(1)*Drainage By-law Number 2020-32A by-law to provide for a drainage works in the Township of Wilmot  
in the Regional Municipality of Waterloo.Whereas the council of the Township of Wilmot has procured a  
report under section 4 of the *Drainage Act* for the construction  
of the Nachurs Alpine Municipal Drain 2020 drain;And whereas the report dated 2020/07/27 has been authored by R. J. Burnside & Associates Limited  
and the attached report forms part of this by-law;And whereas the estimated total cost of the drainage work is \$55,000.00 ;And whereas \$10,280.00 is the amount to be contributed by the Township  
of Wilmot for the drainage works;And whereas *(Complete this clause only if other municipalities are being assessed a share of the cost of the project.)*;

_____	is being assessed in the	<u>Municipality</u>	of	_____
_____	is being assessed in the	_____	of	_____
_____	is being assessed in the	_____	of	_____
_____	is being assessed in the	_____	of	_____

And whereas the council is of the opinion that drainage of the area is desirable;

Therefore the council of the Township of Wilmot  
pursuant to the *Drainage Act* enacts as follows:**1. AUTHORIZATION**

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report.

**2. BORROWING**The Corporation of the Township of Wilmot  
may borrow on the credit of the Corporation the amount of \$55,000.00 being the amount necessary for  
the construction of the drainage works.This project will NOT be debentured.



**3. DEBENTURE(S)**

The Corporation may issue debenture(s) for the amount borrowed less the total amount of:

- (a) grants received under section 85 of the *Drainage Act*;
- (b) monies paid as allowances;
- (c) commuted payments made in respect of lands and roads assessed with the municipality;
- (d) money paid under subsection 61(3) of the *Drainage Act*; and
- (e) money assessed in and payable by another municipality.

**4. PAYMENT**

Such debenture(s) shall be made payable within \_\_\_\_\_ years from the date of the debenture(s) and shall bear interest at a rate not higher than 2% more than the municipal lending rates as posted by Infrastructure Ontario on the date of sale of such debenture(s).

- (1) A special equal annual rate sufficient to redeem the principal and interest on the debenture(s) shall be levied upon the lands and roads as shown in the schedule and shall be collected in the same manner and at the same as other taxes are collected in each year for \_\_\_\_\_ years after the passing of this by-law.
- (2) For paying the amount \_\_\_\_\_ being the amount assessed upon the lands and roads belonging to or controlled by the municipality a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the Township of Wilmot in each year for \_\_\_\_\_ years after the passing of this by-law to be collected in the same manner and at the same time as other taxes collected.
- (3) All assessments of \_\_\_\_\_ or less are payable in the first year in which the assessments are imposed.

**5. SCHEDULE OF ASSESSMENTS OF LANDS AND ROADS**

in the Township of Wilmot

Property Description				Equal Annual Rate to be Imposed
Lot or Part Lot No.	Concession	Geographic Township	Parcel Roll No.	
<b>Total</b>				

6. CITATION

This by-law comes into force on the passing thereof and may be cited as the " Nachurs Alpine Municipal Drain 2020 by-law".

First reading 2020/09/14

Second reading 2020/09/14

Provisionally adopted this 14 day of September, 2020

Name of Head of Council (Last, First Name) <u>Armstrong, Les</u>	Signature
---	-----------

Name of Clerk (Last, First Name) <u>Mittelholtz, Dawn</u>	Signature
--	-----------

Third reading 2022/01/17

Enacted this 17 day of January, 2022

Name of Head of Council (Last, First Name)	Signature
--	-----------

Name of Clerk (Last, First Name)	Signature
----------------------------------	-----------



I, \_\_\_\_\_  
clerk of the Corporation of the Township of Wilmot,  
certify that the above by-law was duly passed by the council of the Corporation and is a true copy thereof.

Name of Clerk (Last, First Name)	Signature
----------------------------------	-----------

