



TOWNSHIP OF WILMOT

Council Meeting Agenda

Monday, September 14, 2020

Regular Council Meeting

Virtual

7:00 P.M.

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

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

- 1. MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
- 2. MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
- 3. MOMENT OF SILENCE**
- 4. LAND ACKNOWLEDGEMENT**
- 5. ADDITIONS TO THE AGENDA**
- 6. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT**
- 7. MINUTES OF PREVIOUS MEETINGS**

7.1 Council Meeting Minutes August 24, 2020

RECOMMENDATION

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

Council Meeting August 24, 2020.

8. PUBLIC MEETINGS

9. PRESENTATIONS/DELEGATIONS

9.1 Indigenous Worker for Wilmot Family Resource Centre

**Sister Anne Keffer, Dorothy Wilson, Gladys Bender and Reverend
Margret Walker, Wilmot Ecumenical Working Group**

9.2 Nachurs Alpine Municipal Drain 2020

**Jeremy Taylor, Project Engineer, R. J. Burnside & Associates
Limited**

9.2.1 REPORT NO. ILS 2020-20

**Consideration of Drainage Engineer's Report
For the Nachurs Alpine Municipal Drain 2020
Concession South of Snyder's Road Part Lot 19
RP58R13951 Parts 2 to 4, 7 and 8
Nafziger Road, Baden
Township of Wilmot**

Registered Delegation

Donna Kampf

10. CONSENT AGENDA

10.1 REPORT NO. COR 2020-32

Drain Maintenance Levies

10.2 REPORT NO. ILS 2020-21

**Access Agreement
Deer Court (unopened road allowance)
990 Deer Court**

RECOMMENDATION

THAT Report No. COR 2020-32 and ILS 2020-21 be approve.

11. REPORTS

11.1 DEVELOPMENT SERVICES

11.1.1 REPORT NO. DS 2020-021

Zoning Change Application 06/20

Deonisie Ardelean and Priscilla Ardelean

2232 Nafziger Road, Phillipsburg

RECOMMENDATION

THAT Council approve Zone Change Application 06/20 by Deonisie Ardelean and Priscilla Ardelean to amend the zoning of the property by deleting Section 22.206 of Zoning By-law 83-38, as amended.

Registered Delegation

Deonisie Ardelean

11.2 PUBLIC WORKS AND ENGINEERING

11.2.1 REPORT NO. PW 2020-14

Morningside Sanitary Trunk Sewer Municipal Class

**Environmental Assessment and Preliminary Design – Award
of Contract**

RECOMMENDATION

THAT RFP 2020-02 be awarded to GM BluePlan for the Municipal Class Environmental Assessment (EA) and preliminary engineering design for Morningside Sanitary Trunk Sewer as per their proposal submitted on August 12th, 2020, in the base amount of \$178,844.40 plus HST.

11.2.2 REPORT NO. PW 2020-15

**Automated Speed Enforcement Program – Implementation
Plan**

RECOMMENDATION

THAT Report 2020-15 regarding the Automated Speed Enforcement Program be received for information;

AND THAT Bridge Street in New Dundee be endorsed as the first installation location as outlined in the report;

AND THAT Council authorize the Mayor and Clerk to execute all necessary agreements and renewals with the Region of Waterloo for the administration and operation of Automated Speed Enforcement to the satisfaction of the Township Solicitor.

12. CORRESPONDENCE

12.1 Email from Carrie Richmond – Prime Ministers Path

12.2 Letter from John Heij – Prime Ministers Path

12.3 Letter from Jean Wood – Sir John A. Macdonald Statue

RECOMMENDATION

THAT Correspondence Items 12.1, 12.2 and 12.3 be received for information.

13. BY-LAWS

13.1 BY-LAW NO. 2020-30 Drain Maintenance Levies, Various Drains

13.2 BY-LAW NO. 2020-31 Zone Change Application 06/20

13.3 BY-LAW NO. 2020-33 Authorization to Execute an Agreement – Access Agreement

RECOMMENDATION

THAT By-law No. 2020-30, 2020-31 and 2020-33 be read a first, second, and third time and finally passed in Open Council.

**13.4 BY-LAW NO. 2020-32 Drain Provisional By-law for Nachurs Alpine
Municipal Drain 2020**

RECOMMENDATION

THAT By-law No. 2020-32 be read a first and second time in Open Council.

14. NOTICE OF MOTIONS

15. ANNOUNCEMENTS

16. BUSINESS ARISING FROM CLOSED SESSION

17. CONFIRMATORY BY-LAW

17.1 By-law No. 2020-34

RECOMMENDATION

THAT By-law No. 2020-34 to Confirm the Proceedings of Council at its Meeting held on September 14, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

18. ADJOURNMENT

RECOMMENDATION

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



TOWNSHIP OF WILMOT

Council Meeting Minutes

Monday, August 24, 2020

Council Meeting

Electronic Online Participation

7:00 P.M.

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

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

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- 7. MINUTES OF PREVIOUS MEETINGS**

7.1 Council Meeting Minutes July 13, 2020 and Special Council Meeting Minutes July 27, 2020

Resolution No. 2020-114

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

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

Council Meeting July 13, 2020 and Special Council Meeting July 27, 2020.

CARRIED.

Councillor A. Hallman requested that page 116 of the minutes reflect the technical issues she experienced during the Council Meeting.

Councillor A. Hallman requested that page 125 clarify that the request was to have the Resolution forwarded to all Boards of Trade or Chambers of Commerce in Wilmot.

8. PUBLIC MEETINGS

8.1 REPORT NO. DS 2020-18

Zone Change Application 06/20

Deonisie Ardelean and Priscilla Ardelean

2232 Nafziger Road, Phillipsburg

Resolution No. 2020-115

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

THAT Report DS 2020-020 be received for information.

CARRIED.

Mayor L. Armstrong declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Local Planning Appeal Tribunal, the Tribunal has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor L. Armstrong stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website along with email addresses, if provided.

The Manager of Planning / EDO outlined the report.

Mr. Deonisie Ardelean, applicant, provided an overview of project.

The Manager of Planning / EDO noted that comments have been received after the report was written that staff will summarize in a subsequent report.

Mayor L. Armstrong asked if anyone else wished to address Council on this matter. There were none and the Public Meeting was declared closed.

9. PRESENTATIONS/DELEGATIONS

9.1 SUSTAINABLE WATERLOO REGION

Tova Davidson, Executive Director

Ms. Davidson provided an update of the work that Sustainable Waterloo Region and its members have done over the years. She advised that the Township was the recipient of a partnership award this year for the work done over the last year. Ms. Davidson noted that every municipality in the Region declared a climate emergency in the past year. Ms. Davidson advised that the Green House Gas reduction targets have been collectively exceeded set targets.

9.1.1 REPORT NO. CS 2020-031

Sustainability Working Group Annual Report

Resolution No. 2020-116

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

THAT the annual report COR 2020-031, from the Sustainability Working Group be received for information; and further,

THAT the Sustainability Working Group staff composition be amended in the Terms of Reference, Governance Policy #CL-05.7, as follows:

Five (5) Full-time Staff covering (at least one must be a SMT member):

- o Parks, Facilities and Recreation Services
- o Development Services
- o Public Works and Engineering
- o Corporate Services (Budget/Finance Division)
- o Corporate Services (Asset Management Division)

The committee may invite other members of staff not listed in the membership as resources to assist with specific projects being undertaken (non-voting).

CARRIED.

The Manager of Finance / Deputy Treasurer outlined the report.

The Manager of Finance / Deputy Treasurer clarified that the amended Terms of Reference continues to include a member of Council on the Working Group, the revision was specific to the staff members of the Working Group.

Council thanked Sustainable Waterloo Region for their work and to staff for their dedication.

Mayor L. Armstrong requested a change in the agenda and move to Item 11.2.2, followed by Item 11.2.1 and 11.4.1

10. REPORTS

10.1 DEVELOPMENT SERVICES

10.1.2 REPORT NO. DS 2020-020

Township Zoning By-law Update

Resolution No. 2020-117

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Pfenning

THAT Council approve amendments to By-law 83-38, being the Township of Wilmot Zoning Bylaw, as outlined in Report DS 2020-13 and DS 2020-020.

CARRIED.

The Manager of Planning / EDO outlined the report.

Mr. Rory Farnan appeared as a delegation. His written statement was provided and is attached as Appendix A.

Ms. Samantha Lernout appeared as a delegation and provided a PowerPoint Presentation and is attached as Appendix B.

Ms. Pat Chevalier appeared as a delegation. Ms. Chevalier noted that her comments were more from the health oriented perspective and the need for bylaws to ensure appropriate distance to protect public health and safety.

The Manager of Planning / EDO advised that the recommendations from the delegations will be included as part of the review.

Council also endorsed the recommendations from the delegations for further review of the portions of the Zoning By-law specific to aggregate properties.

10.2.1 REPORT NO. DS 2020-19

Zone Change Application 03/20

Tri-County Mennonite Homes

Neville Street, New Hamburg

Resolution No. 2020-118

Moved by: Councillor B. Fisher

Seconded by: Councillor J. Pfenning

THAT Council approve Zone Change Application 03/20 by Tri-County Mennonite Homes to change the zoning of a portion of the property from Zone 11 (Open Space) to Zone 4 (Residential) along with the following site specific regulations:

1. to reduce the required setback of parking from the front property line from 7.6m to approximately 2.9m; and
2. to increase the maximum building height from 10.5m, or 3 storeys (whichever is greater) to a height ranging from 4 storeys (approximately 13m) at the front of the building to 5 storeys (approximately 19m) at the rear of the building.

CARRIED.

The Manager of Planning / EDO outlined the report.

The Fire Chief confirmed that the current compliment of the department would satisfy any emergency needs and future planning would take into consideration any additional needs.

10.2 INFORMATION AND LEGISLATIVE SERVICES

10.2.1 REPORT NO. ILS 2020-16

Relocation of the Sir John A. Macdonald Statue and

Endorsement of the Consultation Process

Resolution No. 2020-119

Moved by: Councillor Seconded by: Councillor

THAT Council not accept Report NO. ILS 2020-16; and

THAT staff be directed to immediately relocate the Sir John A Macdonald statue to a rental storage facility.

Councillor A. Hallman raised a Point of Information noting that on page 963 there is a hate word that needs to be removed.

Councillor A. Hallman asked the CAO for clarification on measures taken by the Township to avoid conflict under the Income Tax Act respective of the boundary between education relative to the Township's CRA registration. The CAO advised that he would have to gather more information and provide a response later.

Councillor A. Hallman advised that she is rejecting this report as it does not include any consultation with the Indigenous Community or the True and Reconciliation Committee. The CAO advised that there is clarity being looked at on the immediate removal versus consultation to allow for staff to continue.

The Director of Information and Legislative Services clarified that interpretation of the Motion was that immediate indicated priority of the relocation of the statue followed by consultation with the Indigenous Community. Councillor A. Hallman advised that she had sent an introductory email to begin those conversations and feels that it was not followed up on.

Councillor J. Gerber expressed an immediate action of relocation was his understanding of the Motion and if that was an error it will need to be clarified.

Councillor J. Pfenning noted that the immediate removal of the statue was a priority; however, the recommendations to Council of where to place it temporarily would have included those consultations.

Councillor J. Gerber asked Councillor A. Hallman if there is an option that is not included in the report that would satisfy the Indigenous voices we have already heard from, Councillor A. Hallman noted that the report does not include conversations with the Indigenous Community or reflection on the Truth and Reconciliation Calls to Action.

The Director of Information and Legislative Services advised that Council has the option to direct staff to have the consultation and reflect upon the Truth and Reconciliation, then bring the report back to Council for consideration.

Councillor B. Fisher advised that directing staff to redo the report is his preferred approach, and asked if staff had an idea of how long that might take. The Director of Information and Legislative Services advised that at this time, staff are unable to estimate a timeline.

Councillor J. Gerber noted that he would like to hear from the delegations prior to making a decision.

Councillor A. Hallman asked for the report to be rejected and have staff fully complete the direction of the Motion.

Councillor C. Gordijk agreed with Councillor A. Hallman and expressed her concerns with option 3 as it may be unethical that a group of citizens are offering to move the statue at their costs. Councillor C. Gordijk also rejected the report and noted that she would like the report to come back with clear options as set out in the Motion and that the statue be removed.

Councillor J. Pfenning acknowledged the difficulties surrounding this item, and agreed that the report should go back to staff.

Councillor J. Gerber asked if it is a better act of ally-ship to leave the statue where it is over voting on removing the statue to storage as set out in the report.

Councillor A. Hallman expressed that the Motion outlined the immediate relocation and consultation.

The Director of Information and Legislative Services asked for clarification on the process.

Councillor A. Hallman clarified that staff identify locations, then consult with the Indigenous Community for their feedback.

The Director of Information and Legislative Services asked the Director of Corporate Services / Treasurer for clarification on the budget concerns under emergency purchase to which he noted that should the relocation be declared an emergency then the Procurement By-law would allow for that.

Councillor B. Fisher expressed that he feels the report needs to come back to Council for approval.

The CAO asked for clarity in respect to obtaining input, where do we get that from.

Councillor A. Hallman advised that she sent an introductory email including the Clerk as well as previous contacts provided.

Mayor L. Armstrong asked if the citizens of Wilmot are being left out of the conversation.

Councillor A. Hallman advised that the motion that was passed stipulated immediate relocation and consultation.

Councillor J. Gerber noted there are two steps, one being the relocation of the statue to allow for the second step of the consultations to be done. Councillor J. Gerber noted the report options can satisfy short term needs of the Indigenous Community based on feedback already received from delegations.

Councillor J. Pfenning pointed out that taxpayers and residents of the Township also includes Indigenous residents. Councillor J. Pfenning noted that she questions as well whether deferring the report is the best approach as Council has already heard that the removal of the statue is preferred. She expressed her concerns surrounding the concept of accepting a report that creates questions on how the decision is being approached.

Councillor C. Gordijk also noted that she would like to see the statue removed; however, is not happy with the report. She noted that the community needs to do some healing and that begins with the removal of the statue and into storage.

Councillor J. Pfenning noted that when talking about removal of the statue, this is a temporary removal and suggested that the concrete and/or the chairs could stay.

Councillor J. Gerber again asked if the report is going to be discussed or is it going to be refused. He suggested that noting concerns of the report while still moving forward could be an option and allowing the delegations to present.

Mayor L. Armstrong agreed and noted that there are several delegations waiting to speak and asked if Council was going to hear them or turn them away.

Councilor A. Hallman noted there is the option to suspend the rules to consider that would allow the opportunity to hear the delegations.

The Curator / Director of Castle Kilbride noted that the statue removal does affect the concrete pad as it would not stay intact for the removal.

The Director of Information and Legislative Services noted that the options available to Council, the deferral of the report or amendment of the recommendation. She noted that the delegations have been waiting and that the Procedural By-law does not specifically outline the rules surrounding hearing delegations or not; however, the delegations have registered and the item is an agenda item.

Mayor L. Armstrong asked members of Council to decide which direction they wanted to move forward with.

Councillor J. Gerber noted that Council should decide if they are accepting the report or not to allow for some clarity for the delegations.

Councillor J. Pfenning advised that if Council is not voting on the report, delegations should still be able to present.

Councillor J. Pfenning asked Councillor A. Hallman if an amendment to the recommendation would satisfy.

The Director of Information and Legislative Services provided clarification and noted that Council does need to make a decision on the report and provided a proposed amendment. She noted that the question on reporting back to Council needed clarification or if staff are being directed to act based on the feedback from the Indigenous Community already received.

The Director of Information and Legislative Services suggested taking a break and she will rewrite the recommendation for Council's consideration.

Mayor L. Armstrong advised that at this time, Council will hear from the delegations.

Mr. Glen Mathers appeared as a delegation. Mr. Mathers provided an overview of the vision of the Prime Ministers Path and the focus of the project. He noted that the path is intended to focus on leadership in Canada and that this is a multi-year educational project that would have various aspects added to it over time. Mr. Mathers noted that the Save our Statues group has been subjected to various defamatory comments and their requests to discuss the matter with the individuals wanting the statue relocated have not been accepted.

Councillor J. Pfenning responded to a comment from Mr. Mathers that she does not run any social media groups that promote hate.

Mr. David Atkinson appeared as a delegation in support of the statue, noting that listening to the Council debate the previous resolution was not entirely clear to staff of what was being requested. Mr. Atkinson noted that the Notice of Motion states a relocation not a removal. He noted that this has taught him history of Canada that he would not have otherwise known. Mr. Atkinson noted that the Truth and Reconciliation report calls for more education of the Indigenous history and feels that keeping the statue will allow for that education. Mr. Atkinson noted this is Canada's history and it is not perfect and the removal of the statue because of a wart on history is the wrong move.

Ms. Nancy Birss appeared as a delegation. Her prewritten statement was provided and is attached as Appendix C.

Councillor J. Pfenning noted that the dialogue is the basis of reconciliation and noted that the dialogue to date has included insulting comments; however, noted that no one can be forced to come to the table when they feel hurt or attacked.

Councillor B. Fisher noted that further discussions with various groups could be done, and noted that he liked the delegation's suggestion of building a box over the statue. Councillor B. Fisher advised that having both groups satisfied with the relocation is the ultimate goal.

Councillor C. Gordijk also noted that she is not in a position to pressure any one person or group to come to the table. She disagreed with the idea of a box as it could be subjected to vandalism and that complete removal is the most viable option.

Councillor A. Hallman noted that she will share contact details with members of the Indigenous Community should they wish to have a conversation with the delegation.

Councillor J. Gerber expressed appreciation for the willingness to have the conversations when the parties are ready.

Ms. Birss clarified that she was not implying a force or pressure to come to the table, rather a small group of people that can have direct, intimate dialogues that encourages the discussions.

Ms. Kate Laing appeared as a delegation and thanked the leadership of Council in wanting to listen to the Indigenous voices on this matter. Ms. Laing noted that the third option was not part of the Notice of Motion and removal is the only option. Ms. Laing expressed her concerns for the transparency of the process and that moving the statue and completing the consultation process is the intent of the motion and challenged Council to live up to that promise.

Mr. Dennis and Mrs. Pat Mighton appeared as delegations. Their prepared written statement is attached as Appendix D.

Ms. Aimee Coslovich appeared as a delegation, commented on disparaging remarks on social media and that moving forward is a positive move. She expressed her disappointment of comments of white privilege and personal attacks, noting that coming to a solution together is the goal. Ms. Coslovich acknowledged the need to have further conversation and that the harm the Path has caused needs to be rectified.

Ms. Mary Eileen McClear provide a pre-recorded video delegation. Her prepared statement was provided and is attached as Appendix E.

Mr. Robert Roth appeared as a delegation. His prepared statement was provided and is attached as Appendix F.

Ms. Ruth Abernethy appeared as a delegation. Her prepared statement was provided and is attached as Appendix G.

The Manager of Information and Legislative Services noted that Councillor J. Pfenning has shut off her video to ensure a more stable internet connection and confirmed that she is still participating in the meeting.

Mr. James Spencer appeared as a delegation and noted that there was confusion at the outset of the meeting and the Indigenous community members have been clear that the statue is causing harm when it is in view. He noted the statue is disrespectful and

expressed his view that there are groups that are not listening. Mr. Spencer noted he felt the recommendation of this report are not in keeping with the original Notice of Motion. He asked for clarification on what Council is voting on since Councillor A. Hallman raised a Point of Order.

The Director of Information and Legislative Services clarified that Point of Order / Point of Information are not motions that trigger a vote, they are to draw attention to something they feel is not in order and it is the role of the Chair to note and correct then proceed.

Mr. Spencer expressed that Option 3 of keeping the statue in the public eye is going against what has been advised in previous delegations and removing the statue is the only option.

Mr. Harrison Rees appeared as a delegation. His prepared statement was provided and is attached as Appendix H.

Additional correspondence received from members of the public who requested they be added to the public record are attached as Appendix I.

Mayor L. Armstrong advised that the original Motion as it was passed did not specify where the statue was to go and staff was unable to make that decision and as a result the report was intended to assist in that final decision.

Councillor J. Gerber noted that considering the report and the original Notice of Motion identified two directives, one is to pause the expansion of the Path and second is to relocate the Sir John A. Macdonald statue. Councillor J. Gerber noted that the removal or relocation of the statue does not preclude the conversations that are to happen. He noted the long term goal is to work towards reconciliation and that should be what is considered. He noted that he is in support of removing and storing the statue during the reconciliation process.

Councillor C. Gordijk agreed with Councillor J. Gerber that the main goal is proper reconciliation. She noted that relocating the statue to the back of the park should not have been an option as it is not in keeping with the original motion. Councillor C. Gordijk expressed her opinion on the idea of having funds provided particularly to move the statue to the back is unethical and the only option is to remove and store the statue.

Councillor B. Fisher advised that the original Notice of Motion was confusing for him and understands the reason for the report. He advised he was hoping to move forward with the consultation process and he was hoping to come to a compromise to please everyone during that process.

The Director of Information and Legislative Services noted that procedurally we need to pass a motion to continue the meeting past 11:00 pm and that Council consider dealing with all business on the agenda as many reports have been deferred several times.

Resolution No. 2020-120**Moved by: Councillor J. Gerber****Seconded by: Councillor A. Hallman**

THAT the meeting time be extended beyond the 11:00 PM curfew and that all matters on the Agenda be disposed of.

CARRIED.

Councillor J. Pfenning expressed her concern for the risk of approving a report that did not meet the Motion. She noted that she is not in favour of having this issue deferred any further. She noted the temporary relocation of the statue out of site is the viable solution to respectful dialogue. She acknowledged the trauma that has been experienced and she does not want anyone to feel unwelcome.

Councillor A. Hallman requested that the Director of Information and Legislative Services present the amended recommendation.

She noted that the motion in the report would then not be carried and asked if Council would like to accept the amendment or if there is another direction Council would like to go.

The Director of Corporate Services / Treasurer noted that the Procurement By-law outlines that the opinion of the CAO in designating an emergency in terms of preventing danger to Township property. He advised that if that is the route taken then approval by Council is not required.

The Director of Information and Legislative Services noted that Councillor A. Hallman had provided contact information as a starting point for consultations.

Councillor A. Hallman asked for clarification that the report submitted to Council would be refused and the proposed amendment is what is being discussed.

The Director of Information and Legislative Services confirmed that what staff would be directed to do is what is outlined in the proposed amendment. She asked Councillor A. Hallman to clarify if the original Motion intended staff to provide a report to Council on how the remainder of the Motion will be implemented. Councillor A. Hallman noted that the report before Council is being turned down and that the proposed amendment is being considered.

Councillor A. Hallman confirmed that a report on the remainder of the original Motion and the results of the conversations would come back to Council.

The Director of Information and Legislative Services asked if Council would be voting on the amended motion.

Mayor L. Armstrong asked Council to advise if they would like to vote.

Councillor C. Gordijk noted that she does not want the original Motion to be ignored through this proposed amendment. She advised that she also does not accept this report and does not want another report to come back to discuss the inevitable removal of the statue and asked if Council can direct staff to remove the statue, then continue with the consultations.

The CAO advised that the proposed amendment identifies options and if Council would like to have the statue removed and stored the amendment can identify that direction.

Mayor L. Armstrong noted that there is another statue expected to arrive and the CAO noted that there is no space large enough in a Township facility to store both statues therefore a rental unit will be utilized.

Councillor C. Gordijk asked for clarification that although she is in favour of option 2, she is not accepting of the report and if the proposed amendment would reflect that.

The Director of Information and Legislative Services advised that the original motion is 2 parts, one being endorsement of the report, secondly being options for the statue. She noted that the amendment can be updated to provide further clarification to identify that it be removed.

Councillor C. Gordijk noted that she is trying to avoid another relapse and just have the statue removed, noting that the continual listening is not productive since Council has heard from the delegations.

The Director of Information and Legislative Services noted that the potential amendment included a report back to Council on how the removal was undertaken and that can be removed and included in the final report to Council once the entire process has been complete.

Councillor J. Pfenning advised that she is prepared to move the new recommendation as amended including in the motion pending the response from the Indigenous consultation that the statues are housed in Township facilities to reduce costs. She noted that she wished to have a report back to Council on the removal.

Mayor L. Armstrong asked if there were any further amendments to the proposed amendment.

Councillor J. Pfenning asked that the amendment include should the consultations with Indigenous people agree with putting it in storage that every effort be made to accommodate it in Township facilities.

Mayor L. Armstrong advised that staff have identified that there is not a Township facility that can house the statue.

The Director of Facilities, Parks and Recreation advised that the challenge with locating in Township facilities is that the storage facilities are allocated to user groups and Township equipment would then need to be stored outside which increase risk to damage and theft.

Councillor J. Pfenning asked if there was available space at the Public Work yard and the Director of Public Works and Engineering advised that facility would also then require equipment to be stored outdoors and that is also a security risk.

Councillor J. Pfenning noted that she understands that staff will proceed with the best intentions of the community and moved the amended motion as written.

Councillor C. Gordijk advised that she did not hear the answer to her original question of the statue being relocated and then another lengthy Council meeting in September.

The Director of Information and Legislative Services advised that if the motion is approved as revised, then a paired down consultation process would occur to ensure that identified location is acceptable, the statue would then be relocated and a report to Council on what has been done with the statue and a revised outline of how the remainder of the original motion would be carried out.

Councillor J. Gerber noted that he is slightly uncomfortable with coming back to more consultation on the relocation of the statue; however, noted that at this point directing staff to remove the statue to a storage facility is preferable and does not require any further consultation on the temporary relocation.

The Director of Information and Legislative Services noted that the conversations can be initiated and that can include a geographical location that the statue is being housed in as an exact location of the statue could be considered a security risk.

Councillor J. Gerber advised he would be voting against the motion and would rather get the direction to staff to continue.

Mayor L. Armstrong noted that the motion can be amended to advise staff to immediately remove the statue to a rental storage facility with no further consultation.

Councillor J. Pfenning and Councillor A. Hallman approved that friendly amendment.

Councillor J. Pfenning advised that the consultation was intended on not having the statue in open view; therefore, the relocation to a storage facility is acceptable.

11. CONSENT AGENDA

11.1 REPORT NO. ILS 2020-13

Quarterly Activity Report

11.2 REPORT NO. FD 2020-03 (deferred from July 13 and 27, 2020)

Second Quarter Activity Report

11.3 REPORT NO. ILS 2020-12

2021 Council Meeting Schedule

11.4 REPORT NO. ILS 2020-19

Consideration of Drainage Engineer's Report

For the Nachurs Alpine Municipal Drain 2020

Concession South of Snyder's Road Part Lot 19

RP58R13951 Parts 2 to 4, 7 and 8

Nafziger Road, Baden

Township of Wilmot

11.5 REPORT NO. PW 2020-13 (deferred from July 13, 2020)

Q1 and Q2 Department Activity Report

January – June 2020

11.6 REPORT NO. CK 2020-003 (deferred from July 13 and 27, 2020)

Quarterly Activity Report – April, May & June 2020**11.7 REPORT NO. FRS 2020-008 (deferred from July 13 and 27, 2020)****Parks, Facilities & Recreation Services Second Quarter Activity Reports****11.8 REPORT NO. DS 2020-014 (deferred from July 13 and 27, 2020)****2nd Quarter 2020 Building Statistics Summary****11.9 REPORT NO. ILS 2020-15****Volunteer Member Appointment:
Sustainability Working Group****Resolution No. 2020-121**

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

THAT Report Nos. ILS 2020-13, FD 2020-03, ILS 2020-19, PW 2020-13, CK 2020-003, FRS 2020-008, DS 2020-014 and ILS 2020-15 be received for information purposes.

CARRIED. AS AMENDED.

Mayor L. Armstrong noted that Item 11.3 is being removed from the Consent Agenda as there is a proposed amendment.

The Director of Information and Legislative Services advised that she would provide Council clarification regarding the increase in firearms discharge calls.

The Director of Public Works and Engineering advised that the automated speed enforcement report is expected at the next meeting.

The Director of Public Works and Engineering advised that the Gingrich Road deficiencies are part of the watermain connections project.

11.10 REPORT NO. ILS 2020-12**2021 Council Meeting Schedule**

Resolution No. 2020-122**Moved by: Councillor C. Gordijk****Seconded by: Councillor J. Penning**

THAT the 2021 Council Schedule be approved, as amended.

CARRIED.

The Manager of Information and Legislative Services advised that there was a request to amend the 2021 Council Schedule to move the May 10 meeting to May 17.

12. REPORTS**12.1 CORPORATE SERVICES****12.1.1 REPORT NO. COR 2020-027 (deferred from July 13 and 27, 2020)****Statement of Operations as of June 30, 2020 (un-audited)****Resolution No. 2020-123****Moved by: Councillor A. Hallman****Seconded by: Councillor C. Gordijk**

THAT report COR 2020-027, Statement of Operations (un-audited) as of June 30, 2020, as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

CARRIED.

The Director of Corporate Services / Treasurer outlined the report.

12.1.2 REPORT NO. COR 2020-028 (deferred from July 13 and 27, 2020)**Capital Program Review as of June 30, 2020 (un-audited)****Resolution No. 2020-124****Moved by: Councillor C. Gordijk****Seconded by: Councillor J. Pfenning**

THAT Report COR 2020-028, Capital Program Review as of June 30, 2020 (un-audited), as prepared by the Manager of Finance / Deputy Treasurer, be received for information purposes.

CARRIED.

The Director of Corporate Services / Treasurer outlined the report. The Director of Corporate Services / Treasurer clarified that there should be cost savings on the artificial turf project as the bids received were lower than anticipated.

The Director of Parks, Facilities and Recreation Services advised that the tile floors in a number of washroom facilities throughout the Township were replaced with an epoxy surface.

12.3 PARKS, FACILITIES AND RECREATION SERVICES

12.3.1 REPORT NO. 2020-010

Dog Park Change Notice Approval

Resolution No. 2020-125

Moved by: Councillor B. Fisher

Seconded by: Councillor C. Gordijk

THAT 39 Seven Inc. Construction Change Notice - 2 for RFP 2020-21, be approved to increase the size of the Permanent Dog Park site at William Scott Park, New Hamburg, as per their proposal dated August 13, 2020, in the amount of \$9,545.00 plus HST.

CARRIED.

The Director of Parks, Facilities and Recreation Services outlined the report.

12.4 INFORMATION AND LEGISLATIVE SERVICES

12.4.2 REPORT NO. ILS 2020-17

Regional Council Composition Review

Resolution No. 2020-126

Moved by: Councillor B. Fisher

Seconded by: Councillor C. Gordijk

THAT Township of Wilmot Council support Option 1 – Status Quo and that the Director of Information and Legislative Services / Municipal Clerk be directed to advise the Regional Municipality of Waterloo of the preferred option for Regional Council composition.

CARRIED.

The Director of Information and Legislative Services outlined the report.

13. CORRESPONDENCE

13.1 Email from a resident Ron Kennell with a request to have his statement at the next council meeting.

Resolution No. 2020-127

Moved by: Councillor B. Fisher

Seconded by: Councillor A. Hallman

That Correspondence 12.1 be received for information.

CARRIED.

13.2 Emancipation Day Resolution – Municipality of Chatham-Kent

Resolution No. 2020-128

Moved by: Councillor C. Gordijk

Seconded by: Councillor A. Hallman

That Township of Wilmot Council acknowledges and supports the following Private Members Bill put forward by Majid Jowhari; M-36, *Emancipation Day*, 43rd Parliament, 1st Session that reads as follows:

That the House recognizes that:

- a) The British Parliament abolished slavery in the British Empire as of August 1, 1834
- b) Slavery existed in the British North America prior to its abolition in 1834
- c) Abolitionists and others who struggled against slavery, including those who arrived in Upper and Lower Canada by the Underground Railroad, have historically celebrated August 1, as Emancipation Day

- d) The Government of Canada announced on January 30, 2018 that it would officially recognize the United Nations International Decade for People of African Descent to highlight the important contributions that people of African Descent have made to Canadian society, and to provide a platform for conforming anti-black racism; and
- e) The heritage of Canada's people of African descent and the contributions they have made and continue to make to Canada; and that in the opinion of the House, the government should designate August 1 of every year as "Emancipation Day" in Canada

THAT support for this motion is sent to our Member of Parliament and all House of Commons representatives, Bardish Chagger (Minister of Diversity and Inclusion and Youth), Ahmed Hussen (Minister of Families, Children and Social Development), and Steven Guilbeault (Minister of Canadian Heritage).

CARRIED.

14. BY-LAWS

- 14.1 By-law No. 2020-26 Zoning By-law**
- 14.2 By-law No. 2020-27 ZCA-03/20**

Resolution No. 2020-129

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

THAT By-laws 2020-26 and 2020-27 be read a first, second and third time and finally passed in Open Council.

CARRIED.

15. NOTICE OF MOTIONS

16. ANNOUNCEMENTS

17. BUSINESS ARISING FROM CLOSED SESSION

18. CONFIRMATORY BY-LAW

- 18.1 By-law No. 2020-29**

Resolution No. 2020-130

Moved by: Councillor B. Fisher

Seconded by: Councillor C. Gordijk

THAT By-law No. 2020-29 to Confirm the Proceedings of Council at its Meeting held on August 24, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

19. ADJOURNMENT (12:55 AM)

Resolution No. 2020-131

Moved by: Councillor J. Gerber

Seconded by: Councillor J. Pfenning

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

CARRIED.

Good evening Council, Staff, and Citizens viewing tonight's meeting on the Township's YouTube channel. My name is Rory Farnan, and I am a resident of Mannheim. I will be speaking with you tonight about aggregate operations, and our need for greater protections within our by-laws, and policies.

Debate relating to the aggregate industry seems to always be on-going, but more so in Wilmot, and throughout Ontario, over the last 12 months. One of the questions that Citizens, Business, and Municipals Government's are asking; is my Township receiving its fair share from the aggregate industry?

Well, if you are North Dumfries, Wellington, Brant, Puslinch, or Zorra (to only name a few), the answer to that question this a resounding NO. Our neighbouring municipal leaders are standing up, concerned with the strain that aggregate operations have to infrastructure, and the toll to already strained roads budgets. Municipalities are coming to the same conclusion; that the challenges relating to aggregate operations outweigh the perceived benefits to their Citizens.

Another question being asked by Citizens, and their elected officials; are established communities being protected from aggregate operators? Minimal setbacks continue to encroach on established communities who directly feel the effects of dust, noise, and truck traffic. In some municipalities, multiple site operations within close proximity are causing negative 'cumulative impacts' to its community, and its wellbeing. Snowballing out of control, and leaving municipal officials scrambling to respond.

When looking for evidence of this snowball effect, Wilmot doesn't have to look too far. Our neighbour, North Dumfries, is a prime example. With 47 aggregate sites, it has quickly become one of the largest aggregate mined municipalities in Ontario. The aggregate industry has, and continues to, rip apart North Dumfries' natural landscape, while leaving Citizens in the dust, to the point where citizens are fed-up, and miserable. With projected growth continuing to rise in our Region, we don't want Wilmot to be another North Dumfries story. We must prioritize the importance of our natural assets, while protecting our established communities.

But here is the good news...Wilmot citizens are already standing up and are already engaged. Think back to January, when Citizens packed council chambers, and its two overflow rooms, to show their concern of a proposed zone change in Shingletown. Look at the work that Citizens for Safe Ground Water have done over the last 12 months to create awareness, while providing citizens with a strong, unified voice. I have on several occasions engaged with staff and council on this issue and stand here today to promise the people of Wilmot that their voice will continue to be heard. The message is clear, we need Council's support, and engagement. It is time to lift the veil on a discussion about aggregate operations in Wilmot. It is time to make our position known, together, citizens, AND council.

So, as I stand in front of you tonight, what is my ask? My ask is a call to action. In Planning's report in front of you Mr. O'Kafka, and Mr. Martin have suggested that changes to bylaws, as they relate to aggregate operations, should follow a process of broader public engagement. I

couldn't agree more with that recommendation. And as much as I believe the recommendations put forth by Citizens for Safe Ground Water should be approved tonight, I welcome the suggestion of reviewing aggregate operations within the 2021 Development Service Workplan. Any opportunity to spark consultation is a positive step. That is the takeaway for staff. For council, it is a call for direct, open, and two-way collaboration with its Citizens, and the Citizens for Safe Ground Water, as it relates to aggregate in Wilmot. Lastly, it is a commitment that the outcome of this exercise will result in the creation of a clearly defined, "Made in Wilmot" plan to address aggregate operations in Wilmot, with an approach that prioritizes our natural assets, and protects our established communities.

Thank you for your time, and your on-going support.

1 ☐ **Wilmot Bylaw Revisions**

August 24, 2020 7:00 p.m. - 11:00 p.m.

Township of Wilmot Council Meeting

2 ☐ **Groundwater and Wilmot Township**3 ☐ **Overlapping Resources: Water**

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

4 ☐ **Overlapping Resources: Mineral Aggregate**

- How these resources are protected and/or extracted impacts our region and our communities and potential contamination

5 ☐ **Protecting Our Groundwater**

- We must be proactive and cutting edge in protecting the safety and security of our groundwater
 - Public Need (in an Expanding Region)
 - Agricultural Need (livestock and crops during times of drought)
 - Climate Change and our declared Climate Emergency
 - Pandemic and increased water use

6 ☐

Communities worth protection

Mclean's top 20 List of best places to live in Canada

7 ☐ **What are "Zoning Bylaw Amendments"?**

A zoning by-law implements the objectives and policies of a local municipality's official plan. It states exactly how land may be used and contains specific requirements that are legally enforceable.

Such things as lot sizes, setbacks, buffers, vehicular access, environmentally sensitive areas, wellhead and source water protection, and suitability of the land for the proposed use may be included in a zoning by-law.

Gravel Watch Ontario

Bylaws set the local standard, making it clear for all parties what is considered safe and

acceptable practice in our Township for the betterment of all.

8 ☐ **Revising Wilmot's Bylaws**

We urge that these standards be upheld and details be revised and added to increase the protection of groundwater and our communities.

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

9 ☐ **Recommendations to the Bylaw Amendments Include Regulations that SET THE STANDARD for:**

10 ☐ **Recommendations to the Bylaw Amendments**

We recommend the following revisions:

1. Regulation 20.1.3 be revised as follows: *The processing of extracted materials from the site including crushing, screening, washing, sorting and storage of materials, but not include asphalt plants, recycling, AND wash ponds*
 - *regional recharge areas*
 - *risk to groundwater safety, quality and security*
2. Regulation 20.2.7 be revised to require a 50m setback from road and 30m of a property line
 - Ex. Cambridge, Brantford, Hamilton and West Perth

11 ☐ **Recommendations (Continued)**

1

We recommend the following additions:

- 3.) Standard berm height and location be set in order to protect our communities
 - Referenced in site specific exceptions

2

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

screening, washing, stockpiling etc.)
➤ Ex. Puslinch

12 ☐ **Recommendations (Continued)**

Site Specific Exceptions:

It is our position that the standards set in section 20 (specifically 20.1.3.) are important and they should be adhered to.

13 ☐ **Bylaw Revisions and Public Engagement**

We ask that Council direct staff to include this review within the 2021 Development Services work plan.

We request that a Public consultation be started this Fall.

14 ☐ **Wilmot Strategic Plan Goals Reflect:**

An "engaged community; that we have a prosperous economy; that we protect our natural environment; and, that we enjoy our quality of life."

15 ☐ **Thank You**

16 ☐

**Nancy Birss delegation to Wilmot Township Council
Monday, August 24, 2020**

RE: Prime Ministers Path and Sir John A Macdonald statue

Thank you Council for hearing my delegation on this matter.

I am presenting here tonight to ask your assistance in the reconciliation process.

Many Wilmot residents would like to see the Prime Ministers Path continue hopefully with an ever-evolving plan to be even more educational and inclusive of Canada's **Indigenous history and population**. Hence a group of interested Wilmot citizens have joined the SOS (Save Our Statues) Committee. We want to provide a moderate, positive, respectful and inclusive voice to address the issues of racism and Indigenous history.

We feel there is an opportunity to let the statues tell the whole, balanced truth about the history of our nation - - the good and the bad. We want to embrace and invite our Indigenous brothers and sisters to help tell this history. There is great educational value to having these statues and hopefully Indigenous ones, reveal the Indigenous stories in the formation of Canada.

I am appealing to members of the 'Remove the Statues' group to pay particular attention to my words this evening.

The following is quoted from an editorial article in The Record on August 13, 2020 by Gary Whetung, a member of the Record's Community Editorial Board and an Ojibway man affiliated with the Curve Lake Reserve northwest of Peterboro. He has lived and worked in Waterloo Region for many years.

Reconciliation happens through dialogue and truly listening to others

By Gary Whetung Special to Waterloo Region Record Thu., Aug. 13, 2020

"In reflecting on the recent protests in our region, I am reminded that much work remains in achieving reconciliation between Indigenous and non-Indigenous people.

*Listening is about **paying attention** to what is happening all around us, to **hearing others**, and processing and understanding what they are **saying**. But it's also about taking an interest in others' lives and viewpoints, especially if those viewpoints are **different** from our own.*

*Good listening is behind every example of effective leadership and collaboration, and it almost always leads to greater respect between people. But it can't happen when we **prioritize wanting to be right**, or wanting to be heard. The divisions and conflict that we see in our country (and others, too) suggest a genuine unwillingness to listen, understand, and find common ground with others.*

*Listening is hard work. It demands honesty and truthfulness, and an empathy that grows out of a genuine love for ourselves and others, regardless of distance and differences. It is rooted in a humility that allows us to be vulnerable, to **not** have all the answers, and to simply want to learn and understand more. It demands courage to be that way, not just when we are “ready” for it, but when we **already** have much to think about, and feel tired, discouraged, and a little beaten down.*

*And listening requires courage when we meet someone who hears our grievances and wants to understand — **but doesn’t respond the way we would like**. We can rush to judgment, we can condemn their efforts — or we can recognize the courage it would have taken them to reach out and ask questions in the first place, and respond with kindness and generosity of spirit.*

*It might sound tired and stale, but the truth is: **reconciliation happens through dialogue**. It requires a commitment to sharing our perspectives and life experiences in ways that will engage those with **other points of view**. Respectfully, protests and throwing paint at statues may draw attention, but they will not create dialogue or understanding, in and of themselves. Instead, we each need to figure out how **we** — **every person**; every school, business, and organization; all levels of government — **can help reconcile** and heal the brokenness and divisions of all kinds that exist in our country, and commit to doing our part.*

*Learning about the issues behind Black Lives Matter or the concerns of Indigenous people is something we can all do — and **need to do**. We need to get informed and get interested in the needs of others in our community, and respond on a personal level.which brings people together so that we **can create a truly inclusive community where everyone is valued**.*

***Listening**, helping others, taking a personal interest in other people’s lives ... these are things that will promote hope and reconciliation — for all of us.*

Gary Whetung’s article inspired me to say “we **need to do this in Wilmot**”. In doing so, we invite **3** members of the ‘Remove the Statues’ group to meet with **3** members of the ‘Save Our Statues’ committee to work **together** to listen respectfully to each other and to talk about our two perspectives with **the aim to finding common ground**.

I also reference Former Chief Justice of Canada, Beverly McLaughlin, who stated in an address in 2014 “*Reconciliation recognizes the reality that Canada is made up of people of Aboriginal descent but **also** people who are descended, not just from different European forbears, but from people from all parts of the globe. Whatever our views about that, **it is a reality** and we must accept it.*

She also quoted Chief Justice Lamer, “*Let us face it, we are all here to stay.*”^{Footnote}

¹⁴ *Reconciliation takes a hard look at what Canada is, differences, divisions and all, and says, for the good of us all, we need to make peace and build a better future.*

*The project of reconciliation, she says, while our best way forward, is not an easy way. It is not a finite task but a process. Reconciliation requires openness of spirit, endurance and great patience. But I believe that it **is worth the effort**."*

Another former chief justice of the Supreme Court of Canada once famously said, *none of us is going anywhere*, by which he meant that Indigenous and non-Indigenous Canadians **must learn to live together, for there is no alternative**. How we understand and pursue reconciliation will determine whether we do so in **mutual respect and co-operation or mutual distrust and hostility**.

We are asking Wilmot Township Council to **endorse our request** and to encourage members of the Remove the Statues group to come to the table in order that we can share our perspectives and respectfully listen to each other.

It is through meeting face to face and listening to each other that **we want to engage in and promote healing and reconciliation**.

Will each of the Councillors **acknowledge this request** and state right now whether they endorse this request and also provide some members of the 'Remove' group with our contact information? We also invite members of the Remove group to contact Councillors for our contact information.

Thank you/Miigwech

Nancy Birss

New Dundee

Additional comments made:

1. Clarification (to Gordjik) that I did not say 'force or pressure' anyone to come to the table, rather 'encourage'.
2. Suggest we think 'outside the box' and instead 'box him in'.....build a nice wooden box around SJAM and paint a mural on the box. This would put him out of sight until all is settled.
3. Each and every Councillor owes it to their ward constituents to be able to have their input, not just the Indigenous citizens of Wilmot. As Mayor Armstrong said "it is the citizens of Wilmot who own this statue".

Presentation to Council, Monday August 24, 2020

1. First, our thanks to Township staff for all their work in putting together the three detailed proposals for council to consider this evening.

We will carry on with our prepared remarks despite the fact that it is not clear whether or not Council has accepted the report. We have the July 27 motion in front of us. It is definitely ambiguous. We can see that Councillor Hallman is right when she says that the Indigenous Community is to be consulted regarding the relocation of the Macdonald statue. The motion could just as easily be interpreted to mean, as staff took it, that the discussion with the Indigenous Community is the next step following the immediate relocation of the statue.

2. We are in favour of Option C, that is to relocate the Macdonald statue to a position among the other four Prime Minister statues at the back of the Township property in Baden.

Regardless of the financial implications this is our preferred option. The offer of financial support for this move, however, makes it feasible within the strict confines of the motion approved by Council on July 27.

That motion states, in part, that any investment in the Prime Ministers Path is to be paused, pending consultation, until March 2021. Taken literally, that would mean that no money could be spent to move the Macdonald statue until next March. The offer of financial support would provide a way to allow the relocation of the statue sooner than that at no cost to the taxpayers.

3. The motion stipulated that the statue be moved to a location that does not harm members of the indigenous community. We have heard the concerns of those who see the Macdonald statue as they drive by on Snyders Road, or who pass it as they enter the Township Property. The area behind the Township office where the other Prime Minister statues are located is not visible to those who are casually passing by. Anyone can freely choose to visit this area, to view the statues and learn about their contributions, good and bad, which have made Canada a country that is the envy of many. Or they can choose to avoid this area if the statues cause them distress.
4. Of far greater importance than the short-term location of Sir John, or the immediate expenditure of ten or twelve thousand dollars of taxpayer money is the long-term future of the Prime Ministers Path. That is our primary concern. Here again, we cite the motion approved by Council on July 27.
5. The motion calls for expansion of the Prime Minister Path to be paused until the completion of a consultation process by March 2021. We take it on good faith that the consultation process is about meeting with first nations and other groups to determine **how** best to proceed with this project, **not** that the consultation is about deciding **whether or not** the

Prime Ministers Path will continue.

6. Unfortunately the discussion about the Macdonald statue has become divisive and nasty. A group calling themselves Citizens for a Democratic Wilmot seem to feel that it is appropriate to hide behind a cloak of anonymity and snipe at Township staff and others. We certainly hope that none of our Councillors have any association whatsoever with this clandestine group, and that you will work with Township staff to bring a halt to it.
7. We appreciate the calls and emails we have received thanking us for choosing to speak about this issue. We find it distressing to hear that many are unwilling or even afraid to make their views known publicly because they fear the disrespectful, intimidating words and actions of some of the protestors. How unfortunate that this issue has caused things to deteriorate to this point here in our Wilmot Township.

Thank you.

That concludes our prepared remarks. I (Pat) want to comment, however, on an attack against the Mayor made by the previous speaker. In June the Mayor apologized publicly for an error he made. It is disrespectful and unacceptable for a delegate to bring this up at tonight's council meeting, and for others present at the meeting not to call the delegate's comments out of order.

Mr. Mayor, Members of Council

The issue we're discussing this evening is only one of the many issues you deal with as Wilmot's Township Council, but it is probably the one which has taken the greatest amount of your time, and the highest toll on your physical and emotional well-being. I sincerely thank you for all you have done and continue to do.

At this point, I am disheartened, as perhaps you are. The whole issue of the statue is one which *could have* opened our eyes and minds to the immense task of Reconciliation and what it, in its many forms, could look like in an enlightened Wilmot. But that has not happened. The issue has become a narrow, too often nasty, argument about what to do with a piece of public art. We, on both "sides," have failed to listen to the views of others with open minds and hearts. We have failed to look for points of intersection from which cooperation and collaboration could begin. We have clung to *our* ideas as right, and the ideas of others as wrong.

I think we all agree that true Reconciliation must go far deeper than just the removal of a statue. My fear is that we have developed tunnel vision and that whatever action is taken on the statue issue, people holding one opinion will feel they have "won," and people holding another opinion will feel they have "lost." And worse, *all* will feel that that's the end of it, the matter is settled. The concept of winners and losers leads to ongoing hard feelings, and division. Those will not only harm the community, but will sour people on future attempts at action towards actual local Reconciliation.

What we have needed from the start is dialogue and compromise. In previous letters, I've tried to communicate that thought the way I know best, through traditional stories and proverbs that have spoken truth to many generations of listeners around the world. But perhaps society has forgotten how to listen to the old wisdom. As a public storyteller for more than thirty years, I learned the power of stories and storytelling, and I also

learned what happens when stories are not allowed to be told, or are not heard. There's even an ancient folktale which tells of stories which were collected, hoarded and kept from people, but which eventually broke free to wreak havoc on those who would have kept them untold.

It is my personal opinion that Indigenous stories, which have been untold for far too long, should be told alongside the complete (informed) stories of Sir John A and the other Prime Ministers. The Township has shown good faith on the way to Reconciliation by agreeing to move the statue from its place of prominence. Good faith on the part of others truly working toward the larger issues of Reconciliation could be to agree to its presence on the Prime Ministers Path. That location, which is out of sight of Baden's main street, and of the entrances to Township offices and Castle Kilbride, is, in essence, an outdoor museum which one enters by choice. My opinion is shared by some, and not shared by others, including some of my friends.

You have heard impassioned arguments and opinions from Township residents - and many outsiders. These have been voiced at Council meetings, in the letters and phone calls that have bombarded you, and on social media. You will hear more of the same tonight. It would be hard for you to not have made up your minds by this point.

But your job is to continue to listen, openly, to all that is offered. The job of the rest of us - the citizens of Wilmot - is to *listen to each other*.

On August 13th, Gary Whetung, who is Ojibway, wrote an editorial which was printed in The Record. It was titled: Reconciliation Happens Through Dialogue and Truly Listening to Others. In it he says, and I quote "Good listening is behind every example of effective leadership and collaboration, and it almost always leads to greater respect between people. But it can't happen when we prioritize wanting to be right, or wanting to be heard." End quote.

Social media comments are ample proof that respect is far too often lacking in exchanges between those who hold differing views. Perhaps that's because it's much easier to make accusations, call names, and speak in anger from distant social media platforms. We do not speak that way to our neighbours face-to-face.

Whetung goes on to say that when we speak with someone who doesn't respond the way we would like, we can rush to judgement and condemn their efforts, or recognize the courage it takes for someone to speak at all, and respond with kindness and generosity of spirit.

We have a long way to go in hearing the voices of Wilmot's Indigenous and non-Indigenous people talking together - not talking *at* each other, but actively engaging in dialogue. Perhaps designating a place such as the Prime Ministers Path, balanced by an Indigenous Healing Path, would bring stories out into the open and allow them to be heard.

But for such a decision/designation to be made, true dialogue between Indigenous and non-Indigenous citizens of Wilmot must take place. And such dialogue has not.

True dialogue among non-Indigenous citizens of Wilmot, some of whom support or disdain the statues for reasons often having nothing to do with Reconciliation, must take place. And such dialogue has not.

It is not too late for the dialogue to happen now. One way would be to enlarge the mandate of the consultation process which has already been approved so that it seeks out the thoughts of both Indigenous and non Indigenous citizens of Wilmot Township.

You are our leaders in this and, like it or not, the success or failure of how this is viewed in the future falls on you. You can help our Township take a first step on the path not just to Reconciliation, but also toward healing the

rifts and disharmony which have erupted in our communities. Your duty is to all of the people of Wilmot. It is up to you to stop, take a step backward, and begin to facilitate the true dialogue which will allow cooperation and collaboration. In this way you can set the Township on a path forward.

PRESENTATION
BY ROBERT ROTH
TO WILMOT TOWNSHIP COUNCIL
AUG. 24, 2020

Some weeks ago, council passed a motion to engage in a consultation process with Indigenous people. The motion cited two studies that rejected statutes. Notably missing from that motion was a study carried out by the City of Kingston that came to the exact opposite conclusion.

Consequently, I feel obliged tonight to bring that Kingston study into the open.

Over an 18-month period, the City of Kingston engaged in a consultation process with both Indigenous and non-Indigenous members of the public about what to do with **their** statue of Sir John A. Macdonald.

That process included workshops, public events and open houses – perhaps one of the most extensive and all-inclusive consultation exercises ever undertaken by a municipal government on Indigenous issues.

That process concluded that the statue of Macdonald should **not** be taken down.

Instead, the City will install a new plaque providing a more balanced picture of Macdonald's role in history.

What you may not know is that this recommendation to keep the statue was not a product of white privilege or systemic racism, but rather it came directly from a certified Indigenous consulting firm that includes some of the best Indigenous minds in the country. That firm is known as the First Peoples Group.

INSERT GRAPHIC ONE



Founded in 2006 on the principle of reconciliation, First Peoples Group has become recognized as the most trusted Indigenous advisory firms in Canada.

1

INSERT GRAPHIC TWO

CERTIFIED
Aboriginal Business

Canadian Council for
Aboriginal Business 

2

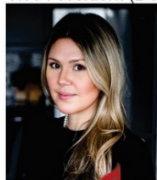
INSERT GRAPHIC 3

Guy Freedman
President



1 

Neegann Aaswaakshin
Vice President (BC)



2 

Melissa Hammell
Vice President



3 

Brenda Macdougall
Partner



4 

David Turner
Vice President (Alberta)



5 

Vanessa Watts
Senior Associate



6 

Patrick Kelly
Senior Associate (BC)



7 

Fred Kelly
Senior Advisor



8 

3

The first photo, top row left, is that of the firm's president, Guy Freedman.

He is a fifth generation Métis from Flin Flon, Manitoba, with roots dating back to 1812 in the Red River area.

Because your motion refers to the Truth and Reconciliation Commission of Canada, you will be impressed to know that Mr. Freedman was a senior advisor to the Truth and Reconciliation Commission. Hence, he knows what it takes to bring about reconciliation – and it is not by pitting one group against another and tearing down historic works of art.

Next is Neegann Aaswaakshin a Vice President and Partner.

She is Saulteaux of the Anishinaabe Nation. And has worked in policy, research, and strategic advisor roles for numerous Indigenous organizations such as the Union of BC Indian Chiefs, Native Women's Association of Canada, and the Assembly of First Nations.

Next is Melissa Hammel, another Vice President.

She is also Anishinaabe. And has more than 15 years of experience working with urban Indigenous communities in the creation of high school enrichment programs, cultural camps and social enterprises.

Next to her is Brenda Macdougall, a Partner and Senior Education Consultant.

Of mixed native and Scottish heritage, she is the author of several articles on Metis life and is considered one of the **foremost** scholars on Metis history.

In 2010, she was appointed chair of Métis Research at the University of Ottawa.

Next up, on the bottom left, is David Turner, Vice-President and Partner.

He is of Saulteaux heritage and also of African American decent.

Among other things, for 6 years, he served as a Director on the Aboriginal Healing Foundation, which was responsible for distributing funding to First Nations, Metis and Inuit Communities for residential school healing.

Next to him is Vanessa Watts, a Senior Associate, of Mohawk and Anishinaabe heritage.

She is an Assistant Professor in the Department of Sociology and the Indigenous Studies Program at McMaster University where she teaches in areas of Contemporary Indigenous Issues, Residential Schools, Indigenous Sovereignty, Indigenous Knowledge and Methodologies.

Beside her is Patrick Kelly, a Senior Advisor, who is a member of the Leq:amel First Nation in BC.

Among other things, he was Advisor and Director of the **Missing Women Commission of Inquiry**.

Next is Fred Kelley, a Senior Advisor.

He is an Ojibway Elder in Midewin, the Sacred Law and Medicine Society of the Anishinaabe.

He is Grand Chief Emeritus of the Anishinaabe Nation in Treaty #3 and serves as spiritual advisor to First Nation leadership in Canada, including the Assembly of First Nations and Chiefs in Ontario.

And there are more introductions I would like to make, but time simply does not permit me to do so.

I hope, however, that I have made my point – namely, that some of the most **dedicated, committed, leading lights** of the Indigenous community, **from coast to coast**, are part of the First Peoples Group. They have years of experience **in** and service **to** the Indigenous cause. And they are telling you that taking down statues is **not** the only way to go.

In short, members of council, the unrepresentative, loud voices that show up here meeting after meeting with their message of destruction do not speak for all Indigenous people. Do not let yourself be manipulated by angry and bitter voices.

Instead, listen to the quiet, more reasoned voices. Know with certainty that there are strong, dedicated, sincere, Indigenous voices out there who would guide you onto a better, more conciliatory path.

It is time to listen to the sage counsel of these wise, distinguished Indigenous leaders.

You've also heard the loud voices tell you that, at best, statues should be shut away in some corner of a museum. This, too, has been rejected by the thoughtful Indigenous lights of the First Peoples Group. One of their other recommendations is to market Kingston – and I quote – “as a **‘museum without walls,’** by connecting all of its statues, monuments and heritage sites into an integrated experience. In other words, don't knock down statues. Don't hide them. Connect them. Turn them into a comprehensive, public educational experience.

Here is the profound irony. You already have such a “museum without walls” in the Prime Ministers Path. And yet, there are those, seduced by the angry voices, who would destroy it.

Council – it's time to challenge the elephant in the room. The biggest false premise being perpetuated in this whole debate is that removing the statue of Macdonald is the only way to satisfy Indigenous concerns. As the First Peoples Group has demonstrated, this is simply **not true** – And it is time to remove the elephant before it tramples on one of the most insightful and aesthetically powerful history projects in the nation.

Your constituents have spoken – in letters, in petition and with their wallets, in favour of the Prime Ministers Path.

Most significantly, perhaps, you also have well-reasoned guidance from Indigenous leaders who are clearly among the most talented and outstanding in the nation. And they are telling you that such statues do not create the harm and trauma that we hear so much about from the angry voices. Properly scripted, these statues can, in fact, be a vehicle for reconciliation.

Harm and trauma occur when people attack your statues, commit criminal acts of vandalism, occupy your parks and denounce everyone who disagrees with them as racists. That, Councillor Gordijk, is how you hijack a process – not by generously donating a gift of money to the township. As for comparisons to Hitler – Please! (SEE NOTE BELOW)

And everyone has missed the mayor's point. Your motion to relocate the statue disenfranchises everyone in the township who is not Indigenous. That is a betrayal of public trust the likes of which I

have never seen in 10 years as a municipal councillor. When a minority can disenfranchise the majority, that is the very definition of tyranny. Shame on you.

For any open-minded person, the choice is clear and obvious. The Prime Ministers Path can become one of the most effective vehicles for bringing about reconciliation through a keener understanding of our multi-faceted history.

And yet some of you would let this opportunity slip through your fingers. Don't do it.

NOTE: The comments I made above in yellow were a quick afterthought after Councillor Gordijk criticized the offer of people to make donations to cover the cost of moving the statue to another location onsite. She said such an offer was "hijacking" the process. She said the statue was causing trauma to Indigenous people and had to be moved out of sight. She also compared Macdonald to Hitler.

Good evening.

Before I began sculpting in my own studio, I spent 20 years building props for theatre and film, across Canada and in the States. Collaboration was essential in addressing challenges on camera or onstage but often, fine minds disagreed on the solutions to problems, hence this phrase, “When in doubt, go back to the script!”

The mandate, or ‘script’ guiding the Prime Minister portrait collection includes dialogue on leadership. In this role Councillors, I thank you for navigating the complexities of the project on behalf of the people of Wilmot. You are here to represent **our** voices, no matter what personal viewpoints you hold. The effort demanded from each of you in this, is significant, and the solutions presented by your fine minds do vary. Be assured that the ‘script’ behind this portrait collection holds no intention to shame --- anyone, or deny any aspect their story.

Telling a one-sided, incomplete story is simply inadequate and so: I offer to sculpt 3 indigenous portraits, as a start in completing the historic narrative. I would sculpt these characters as generously sized head studies, and request that subject-selection be led by qualified indigenous participants in the consultation process. The usual discussions and approvals would be done in step with consultation and the curatorial process exactly as it’s done for all of my portraits.

I made this same offer nearly 5 years ago to a well-connected group, based outside of Ontario. I’d observed early in my solo practice, that indigenous portraits like portraits of women, were difficult to summon and as challenging to launch. Commissions don’t spring ‘organically’ from marginalized groups, BUT, stopping arts endeavours in any time period does not eradicate NEED. All societies, represented by their councils must balance actions and intentions between immediate need and long-term objectives.

Face-to-face truths are as valid as long-term goals but by definition, reconciliation is the process of aligning different points of view. Notice that the word ‘agreement’ does not appear. In this moment I ask that everyone draw a deep breath and be assured that NO one will be declared wrong. No points are being tabulated no winner will be declared. Let us no not confuse WINNING with SUCCESS.

In South Africa, the reconciliation process was granted the legal clout to subpoena input from anyone. All involved could be summoned to meet face-to-face. Canadian Reconciliation was structure very differently, more like a Class Action suit. Many people opted out though it proved to be a heart-rending exercise in exposing trauma.

Inter-generational trauma has demanded attention and prompted excellent research. The resulting therapies consistently return to the liberating and empowering act of Telling The Story. We have all learned a much about our Canadian story in the last ten years and I share this recent phrase, “It’s time to get comfortable with being uncomfortable.”

Personal discomfort has a place in this discussion and I acknowledge that with all sincerity but his frustrating, catalytic project will outlast us all. I would be honoured to contribute indigenous portraits to the collection. Here in Wilmot we can present the broadest possible look at leadership as conducted before our time, as demonstrated here this evening and to be representative of us all for generations to come.

Sir John A MacDonald Monument:

Today the Water Region Record printed a story to relocate Wilmot's Sir John A. MacDonald statue, showing a clear case of vandalism overpowering law and order. Minority rule and our elected officials lack of leadership.

This monument belongs to all the people in the area why was it not protected? Why is there not security especially after the first attack. Where are the pictures and videos of the vandals. We are now looking at thousands of dollars in expense because our elected officials failed in their initial response and instead try to appease the violators of criminal acts.

As for the possible reasons for these acts there is no changing history and denying historical facts does not alter the facts. MacDonald had major accomplishments and some terrible personal traits. However: he did not invent residential schools initially looked at as a boarding school that was corrupted but not intended.

Giving in to radical force does not move our society forward only weakens it. To move forward we all "have to willingly wear the weight of our unreconciled past, The day of personal and historical accountability is as arrived for us."

To this end the statue of Sir John A MacDonald as our founder with his faults should stay in our Baden facility if it bothers non-residents, they do not have to visit it. I live in direct

View of these monument and my neighbours are proud to have them, and are disappointed and discussed with the way tis art is treated and the lack of security and recourse shown by our elected officials

Why are these protest against Sir John A MacDonald when he did not found the residential schools, Hector Louis Langevin did and Prime Minister Justin Trudeau has already removed his name, even though a founding father Sir John A MacDonald just signed the Document as every Prime Minister does.

Some vandals and protesters should fact check before throwing paint and elected officers should get the facts before wasting time and money on false accusations and use it on security cameras.

Harrison Rees

Quote by Springsteen

Hi Dawn

Please include my letter in the township public records and permission to read at council meeting if necessary.

Thank you

Cindy Gimbel

Sent from my BlackBerry — the most secure mobile device — via the Rogers Network

From:

Sent: August 23, 2020 8:02 PM

To: les.armstrong@wilmot.ca; angie.hallman@wilmot.ca; barry.fisher@wilmot.ca; cheryl.gordijk@wilmot.ca; jeff.gerber@wilmot.ca; jennifer.pfenning@wilmot.ca

Cc: dawn.mittelholtz@wilmot.ca

Subject: Removal of SJAM

Good evening Mr. Mayor and Councillors

Removing evidence of past mistakes in history will have no benefit and leave us nothing to learn from.

History can't be erased, we need to learn and teach others. SJAM might be unpleasant to look at for a few citizens but it's also an opportunity to be proud of our heritage and county. History is history....., its history created by my father, grandfather and great grandfather. Removal of SJAM changes nothing in our Canadian history. I'm very proud of our Canadian history, erasing our history will make our ancestors out to be monsters, which they are not. They did things the way things were done during that time period. The world has changed over the years, things are not done the way we did in SJAM time.

It's apparent and shameful just how bias "several" of the council members have been with the voting strategy. It's also very disappointing to know the same group is helping the group of protesting with the removal of the SJAM statue. Our community votes were in confidence; trusting you to stand up, make decisions and not be bullied into decisions that aren't in the best interest of the community. Being influenced and bullied by the protestors and hooligans shows weakness. Shame on you for embarrassing our community.

We are not making a shrine to honor SJAM but rather a monument to honor Canada's history.....both good and bad.

What benefit has it been for me to be a tax payer in Wilmot for the last 20+ years? Our despicable and cowardly council is allowing views from wrongdoers who do not reside in Wilmot and paid their dues. Privileges are earned. Remember "Councillors are voted in to represent Wilmot Twsp residents. Yielding and allowing to be bullied by outside activists is abhorring loyalty to local residence and our Canadian history. Caving to pressure from a small minority is not a satisfactory political practice. Sad to see our leaders being led by the mob and turning into sheep. I'm embarrassed. Looking forward to the next municipal election when we can vote the four cowardly councillors out.

You must stand up to the bullying by these out of town ruffians and stop allowing them to shame us. Hats off to Mayor Les Armstrong and Councillor Jeff Gerber for representing Wilmot, opposing the motion and standing up to what we believe in.

The cost to move SJAM is over \$10,000. Maybe this money could be better spent by setting up cameras to monitor the damage they are doing to SJAM in our community.

Thank you Les Armstrong and Jeff Gerber.

Cindy Gimbel

August 24, 2020

>

> Dear Wilmot Township Councillors,

>

> I am writing with disappointment and concern over the third option
> provided with regards to the SJAM statue in Baden, proposing to use
> private wealth and interest to move the statue to the back of the
> Path. I live, work and study in the Waterloo Region and have been part
> of the efforts to support Indigenous leaders regarding their concerns
> over the statue. Please include this letter in the official
> correspondence about this matter for the August 24th, 2020 Council
> meeting.

>

> I watched the July 13th, 2020 meeting of Wilmot Council, where the
> council voted to remove the statue while a consultation could take
> place about this statue and the Prime Minister's Path in general. I
> heard in both the motion and in the instruction to staff that the
> Indigenous community would be consulted on the potential storage
> options to ensure that further harm was not done.

>

> I was deeply disappointed therefore to learn that there is currently a
> proposal to simply move the statue to the back of the path, still in a
> public space and in public view. In considering the proposal and not
> doing appropriate consultation, yet again Indigenous voices have been
> erased and ignored. By deciding to foreground the cost of relocating
> the statue and what appears to be primarily non-Indigenous white
> members of the community using their wealth, this proposal bypasses
> the democratic process and decision that was made over a month ago.

>

> For this option to even be discussed does not follow either in spirit
> or the language the motion passed by Council in July, and is the
> continuation of a deeply harmful, colonial process of silencing
> Indigenous voices, history, concerns, and due process. And, it
> continues to do the harm to members of this community. For Indigenous
> communities, and for myself as a white settler who is committed to
> processes of decolonization, the statue is a symbol of genocide.

>

> If the leadership of council is genuine in their calls for anti-racist
> and reconciliation practices and policies, this proposal cannot move
> forward and should not be considered. While I find it difficult to
> believe that there is no space within the township to store the
> statues, if this is true, then moving the SJAM statue to private
> storage is the only appropriate option.

>

> I urge you to have your actions match your words and commitments.
>
> Sincerely,
>
> Christine Mayor
> Resident of Waterloo Region
>
> --
> Christine Mayor, PhD Candidate, MA, BCT/RDT, RP (Qualifying)
> (she/her) Associate Editor, Drama Therapy Review
> <http://www.intellectbooks.co.uk/journals/view-Journal,id=241/>

From: David Alton

Sent: Friday, August 21, 2020 2:23 PM

To: Angie Hallman <angie.hallman@wilmot.ca>; Jennifer Pfenning <jennifer.pfenning@wilmot.ca>; Jeff Gerber <Jeff.Gerber@Wilmot.ca>; Barry Fisher <Barry.Fisher@Wilmot.ca>; Cheryl Gordijk <cheryl.gordijk@wilmot.ca>; Les Armstrong <les.armstrong@Wilmot.ca>

Subject: Moving from violence to reconciliation

Hello councillors,

I noticed that the matter of the SJAM statue is again up for discussion at council on August 25. I am disappointed to see that this is the case as it forces indigenous people and their allies to again make their case and opens the door for further harm to be caused to them. I am confused as to why this is being discussed at council when the decision to remove the statue was already approved. This seems like a matter that could have already been resolved by staff. More concernedly, the staff report outlines an option that would have the statue remain outdoors in a public park. This is counter to the decision already made and the evidence already presented to you.

As I have outlined previously, the way the municipality is moving forward with this process is counter productive and is furthering the harm in our community. The more you proceed down this road the more you are entrenching conflict and eroding public faith in the process. It is becoming apparent that some of you and the staff who support you are using the municipal process to delay action and further harm. This is immensely disappointing, and cannot bode well for the future of this conflict.

For those of you who are uninterested in listening to best practices in consultation, who ignore the mountain of reports on the legacy of Sir John A Macdonald, and are hoping to sweep this under the rug: You are unlikely to achieve your goals. Precedents show that community conflicts that are not openly acknowledged and healed will fester into long standing trauma and disfunction. You will be dealing with the ramifications of this trauma in perpetuity until you decide to shift course and resolve it.

For those of you who seek to bring closure and peace to our community, I am imploring you to amend the agenda and not open this item for further debate. It is time to remove the statue from the public realm and embark on a formal reconciliation process. I have already pointed you to professionals with experience in this area. There are ways out of this conflict but it requires shifting course.

Please remove the statue ASAP, stop the consultations, and begin a formal healing process.

-David Alton

From:

Sent: Monday, August 24, 2020 10:55 AM

To: Angie Hallman <angie.hallman@wilmot.ca>; Jennifer Pfenning <jennifer.pfenning@wilmot.ca>; Jeff Gerber <Jeff.Gerber@Wilmot.ca>; Barry Fisher <Barry.Fisher@Wilmot.ca>; Cheryl Gordijk <cheryl.gordijk@wilmot.ca>; Les Armstrong <les.armstrong@Wilmot.ca>

Subject: tonight's council meeting

To all, Democracy dies if you let the size of someone's bank account to sway the decision making process to allow this motion to be re-opened. Also, public display of this statue anywhere will leave it exposed to further protests. This motion cannot be reopened based on the current information presented.

Ron Helps P.Eng.
Wilmot Resident

From: Rebecca Lanteigne

Sent: Monday, August 24, 2020 2:27 PM

To: Angie Hallman <angie.hallman@wilmot.ca>

Subject: SJAM Statue Removal

Dear Angie Hallman,

To my understanding, you are a part of the Wilmot Council taking part in the meeting this evening, Monday, August 24th,

2020, in regards to the formal relocation process of the John A. MacDonald statue located in Castle Killbride in Baden, Ontario.

As a concerned member of the community, I email you with disappointment and condemnation of the Wilmot Council and members

of the Wilmot Township. I believe it is extremely inappropriate that the council has prepared three options for the removal of the statue without consulting the Indigenous communities in the region who were promised consultation and I stand in solidarity with

the groups working diligently to remove the statue. I am writing to express my formal support with the organizers working to remove the statue and to request that this issue be resolved once and for all, with the Indigenous communities interests/needs put

as the first priority.

In the report, it is clear that a sculptor, experts in the removal and storage of the statue and at least one privileged,

private citizen, has been consulted in the process to develop these options. Despite the fact that Indigenous communities within the Wilmot region were promised voices and spaces in this decision-making process, they were not consulted. This moves beyond unacceptable

and represents the racism, discrimination and disregard for folx outside of a settler-colonial context in the Wilmot Township. This is an unflawed example of white-privilege and the erasure of marginalized voices.

The reports focus on the costs to relocate and store the statue are highlighting where Wilmot's council and settler-community's

priorities lie. These priorities are not in line with de-colonial actions to remediate the past and look forward to a more equal and sustainable future in Wilmot, but to reinforce colonial ideologies and white supremacy by giving the private citizen who offered

to pay for the move of the statue to another public place, more space and voice than the Indigenous communities who have trying to make their case and be heard for decades. I believe the cost of the removal and storage of the statue works out to about 60 cents

per taxpayer, which should not be the only factor stalling the removal of the statue.

I would also like to respectfully demand that the Wilmot Council publicly acknowledge and condemn the many instances of

blatant hate and the overwhelming threats of violence to the organizer, supports and allies working for the removal of this statue. These are continuous threats that are happening consistently from the members of the Wilmot community. The community you claim

is working to, “fight hard for everyone”, according to the Mayor, the townships strategic plan to become more inclusive introduced in 2013, and the newsletter released on July 2, 2020 which states, “as a corporation, the Township of Wilmot stands with all

peoples who have and continue to face oppression and marginalization”. Instead of following the status quo of Canada and providing more meaningless lip service made from empty promises to marginalized communities, take a leadership role as one of the first

townships in Canada to make a decision based on the interests of the group who has been oppressed, marginalized and discriminated against at the hands of our governments and settler populations for hundreds of years.

Wilmot Council, I am asking that you do better and you consider the words that I know so many have reached out to you with

before entering tonight's meeting.

I would like to note that I am happy to have my email counted as a part of the public record for council.

Sincerely,

Rebecca Lanteigne

August 24, 2020

Dear Wilmot Township Councillors,

I am writing to you today to implore you to reject the option of moving the SJAM statue behind the administrative buildings. Please include my letter in the official public documentation regarding this issue. I am very disappointed to see that this was even put forth as an option given the motion to remove the statue and to consult with Indigenous members of the community. It is my understanding that no consultation has been done with Indigenous community members, which is in direct contravention of the motion, and good reconciliation practice.

I was very concerned when the motion passed given its vague wording and lack of direction to move the statue INSIDE, which is what Indigenous people and their allies have been calling for. I was afraid that this vagueness would be a doorway for those who want to keep the statues outside, on public property, and unfortunately my fear has been actualized.

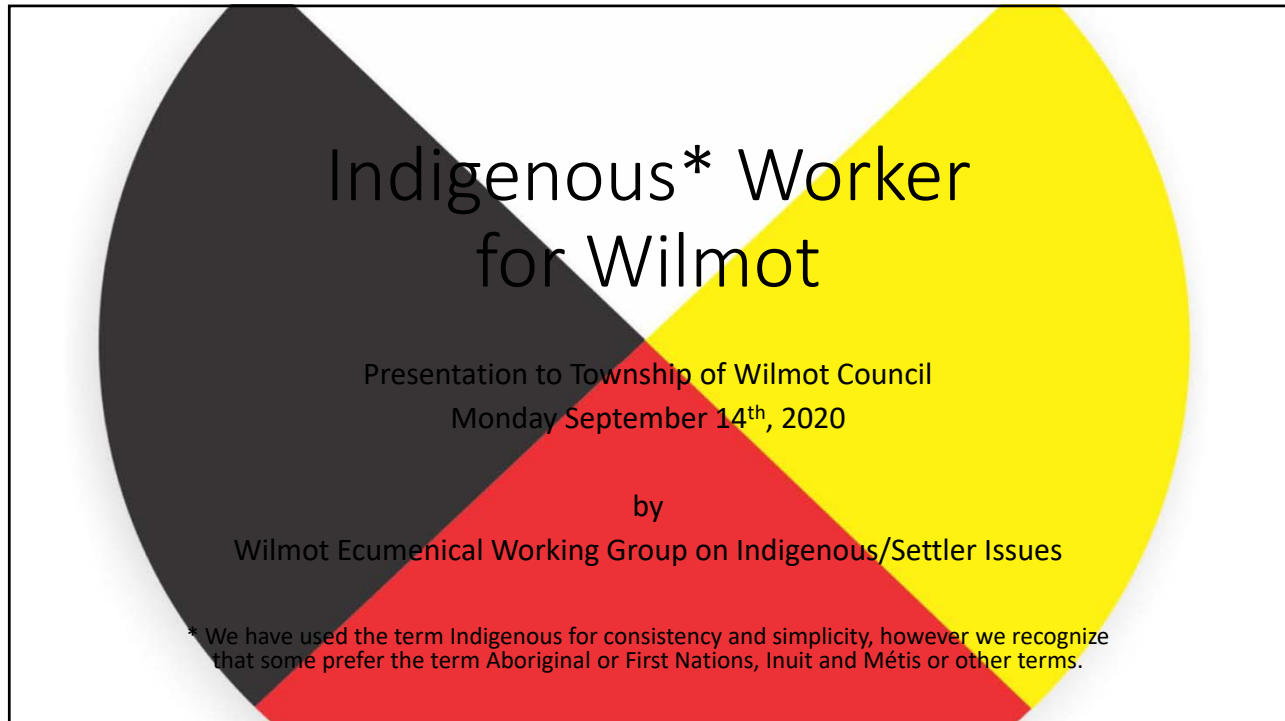
It is my understanding that there are some influential white, private citizens attempting to buy their way past good democratic process by using their wealth to influence council members' decisions. To me, this is clear evidence of white privilege and white supremacy as those with power continue to wield their social standing and wealth to ensure their voices are heard over those who are most marginalized. This process should not be permitted when discussing public issues and I find myself wondering how it was put forth as an option.

During the July 27th council meeting, it came for the fore that Mayor Les Armstrong had backroom conversations with those who wanted to bring the Statue Project to Wilmot in the first place. The inclusion of wealthy private citizens attempting to pay for the statues to remain outside, suggests to me that more sidebar conversations and deals have been taking place despite the motion to remove the statue and consult with Indigenous community members. In a healthy democratic system, money should not be used to sway council decisions, and I am deeply disturbed that this has been seen as a viable option.

Many of you have committed to engaging in anti-racist and reconciliatory actions and I urge you to reject the option to keep the SJAM statue outside. If space cannot be found within Wilmot (which seems very unusual), private storage, or perhaps a partnership with the Region of Waterloo, can be a viable alternative. Either way, the community has spoken – SJAM should be placed indoors so that Indigenous peoples do not have to continue to endure the harm of seeing his bronzed statue in a public space.

Please do not allow wealthy white men to strongarm you into making decisions that are contrary to anti-racist and anti-colonial practice.

Sincerely
Jessica Hutchison
Resident of Waterloo Region



Indigenous* Worker for Wilmot

Presentation to Township of Wilmot Council
Monday September 14th, 2020

by
Wilmot Ecumenical Working Group on Indigenous/Settler Issues

* We have used the term Indigenous for consistency and simplicity, however we recognize that some prefer the term Aboriginal or First Nations, Inuit and Métis or other terms.

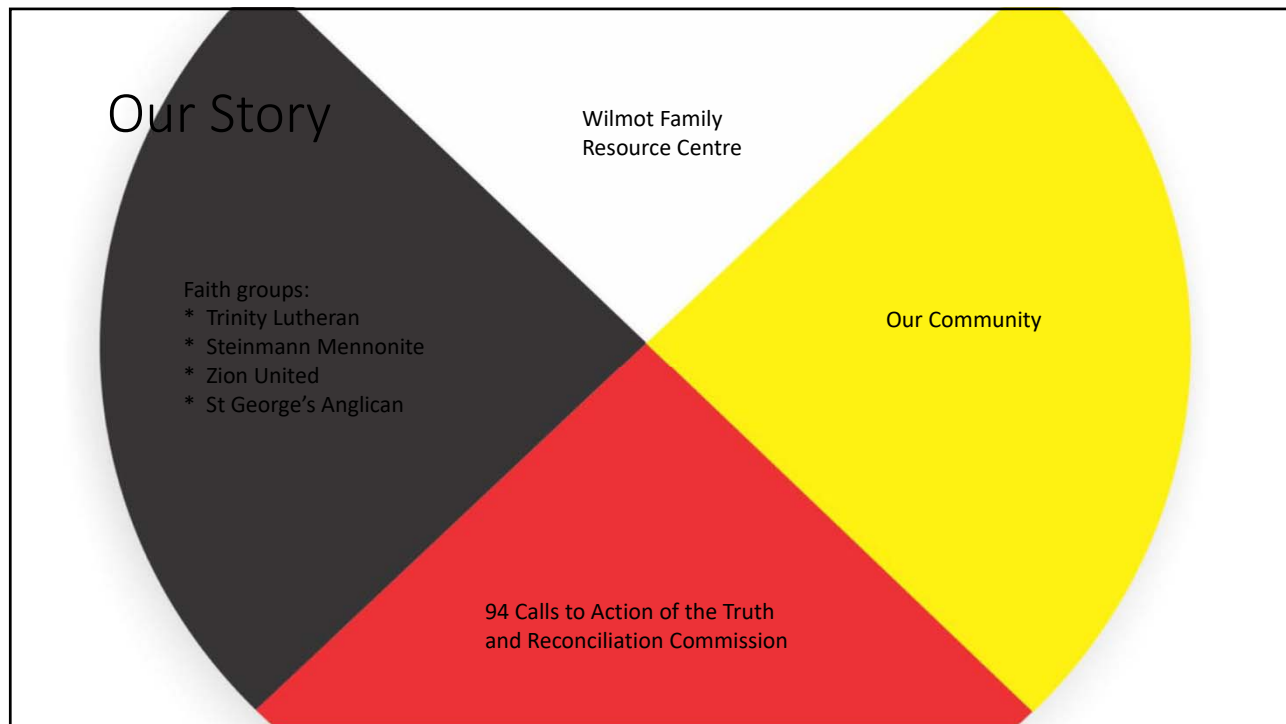
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Agenda

- Our Story
- The Need
- The Plan
- Moving Forward
- Thank you ...
... and questions?

2



3

Our Story

The Blanket Exercise:
 the Indigenous rights history we're rarely taught

DISCOVERY A COMIC LAMENT
 BY ALISON BROOKINS • DIRECTED BY PHIL WEAVER-STOESZ

A SHOW ABOUT LAND, LOVE, AND LOSS | MAY 31 TO JUNE 3, 2018
 MORE INFORMATION AND TICKET SALES: WATERLOO.CA/GREBEL/Discovery

4

Our Story



"They never taught us this in school..."

Did you know that Wilmot Township was populated before Europeans arrived?

Did you know that those societies were both sophisticated and had highly developed trade, political systems, agricultural and botanical knowledge, and deep spiritual connections to the natural world?

You are invited to hear Dave Neufeld, retired Museum Historian of local history, who worked 30 years at the Waterloo Region Museum in Kitchener, Ontario. As Coordinator of Education at the Museum, Dave worked in partnership with the local Indigenous Community to develop several programs for both the school audience and adults on Indigenous Culture, History and current realities.

Thursday, February 27 at 7:00 p.m.

**Steinmann Mennonite Church
1313 Snyder's Rd West, Baden**

A Free Will Offering will be received
Donations of \$20.00 or more are eligible for a charitable receipt

This event is sponsored by the Wilmot Ecumenical Working Group on Indigenous Issues which has initiated a project to help raise funds for the Wilmot Family Resource Centre to hire an Indigenous elder.

For more information about the event,
please contact Gladys Bender: gladysbender@hotmail.com

5

The Need



6

The Need

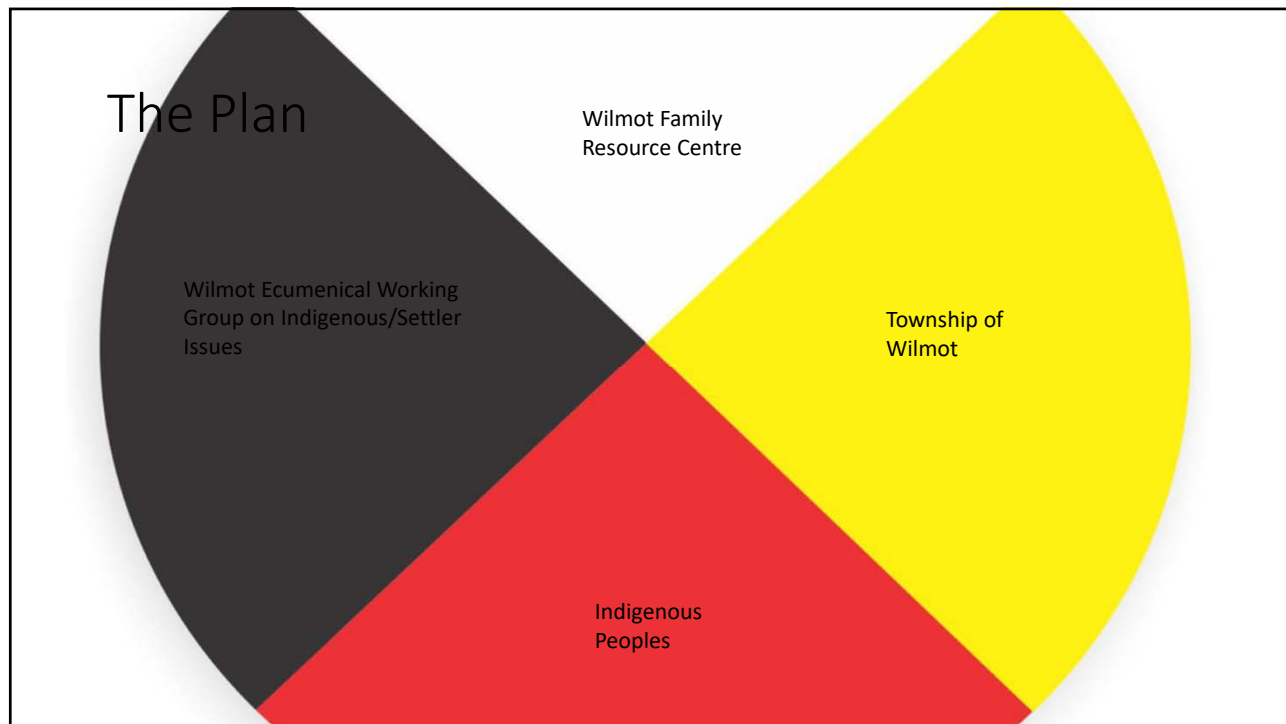


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The Plan



8



9

Who Cares? Wilmot Does!

- Cohesive, vibrant community
- Community of caring people
 - Diverse and inclusive
- Involves community groups
- Support rich cultural heritage
- Support ongoing volunteer initiatives within the community

****Taken from the Strategic Plan**

10



11



12



TOWNSHIP OF WILMOT

INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

REPORT NO: ILS 2020-20

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: Grant Whittington, CAO

DATE: September 28, 2020

SUBJECT: Consideration of Drainage Engineer's Report
For the Nachurs Alpine Municipal Drain 2020
Concession South of Snyder's Road Part Lot 19
RP58R13951 Parts 2 to 4, 7 and 8
Nafziger Road, Baden
Township of Wilmot

RECOMMENDATION:

THAT the Drainage Engineer's Report dated July 27, 2020 for the Nachurs Alpine Municipal Drain 2020 requiring drainage involving the incorporation of an existing private drain (ditch and tile) for Concession South of Snyder's Road Part Lot 19, RP58R13951 Parts 2 to 4, 7 and 8, Nafziger Road, Baden, Township of Wilmot, Regional Municipality of Waterloo, be adopted, and further;

THAT the Provisional By-law be given first and second reading; and further,

THAT the date for the Court of Revision be scheduled for Monday, November 2, 2020 at 7:00 pm and that May L. Armstrong, and Councillors B. Fisher, J. Pfenning and J. Gerber (as alternate member), be appointed to the Court of Revision.

BACKGROUND:

As Council is aware, the Drainage Engineer's Report for the above-mentioned municipal drain was filed with the Clerk on July 27, 2020. As per Council resolution on August 24, 2020, the date to consider the Report was scheduled for a Council Meeting on September 14, 2020 at 7:00 pm.

REPORT:

Pursuant to the requirements of the Drainage Act, copies of the Report have been mailed to all persons and affected agencies entitled to receive them, along with a Notice that the Engineer's Report will be considered by Council.

At this meeting to consider the Report, the Drainage Engineer will review the Report for Council, comment on the revision made and answer any questions that may arise. The landowners and all other affected parties will be given the opportunity to voice their concerns relating to any aspect of the Report. At the conclusion of the meeting, the owners affected will be given an opportunity to add or withdraw their names from the petition.

If Council wishes to proceed to adopt the Report, a By-law known as the Provisional By-law for drainage works is given first and second reading only. (By-law is attached to this Report), Council sets the date for the Court of Revision wherein any appeals to the assessments are reviewed, and members appointed to the Court. All affected parties will be mailed a notice of the date and time of the Court of Revision.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

By proceeding with the requirements of the Drainage Act, Council is supporting the infrastructure within the municipality.

FINANCIAL CONSIDERATIONS:

If the municipal drainage works proceed pursuant to the Drainage Act, then the property owners that are affected would be assessed in accordance with the assessment schedule, and levied by by-law upon completion of the project. The summary of assessment for these works is estimated as follows:

Privately Owned – Agricultural (grantable)	\$0
Privately Owned – Non-Agricultura (non-grantable)	\$44,720
Township of Wilmot	<u>\$10,280</u>
Total Estimated Assessments	\$55,000

ATTACHMENTS:

Burnside Engineer's Report, Nachurs Alpine Municipal Drain 2020



BURNSIDE

**Engineer's Report
Nachurs Alpine Municipal Drain 2020**

Township of Wilmot

**R.J. Burnside & Associates Limited
332 Lorne Avenue East
Stratford ON N5A 6S4 CANADA**

**July 2020
300036862.0000**

Distribution List

No. of Hard Copies	PDF	Email	Organization Name
9	Yes	Yes	Township of Wilmot

Record of Revisions

Revision	Date	Description
0	June 11, 2018	Draft Submission to the Township of Wilmot
1	March 31, 2020	Draft Submission to the Township of Wilmot
2	July 27, 2020	Submission to the Township of Wilmot

R.J. Burnside & Associates Limited**Report Prepared By:**Trevor Kuepfer, P.Eng.
Project Engineer
TK:tp**Report Reviewed By:**Jeremy Taylor, P.Eng.
Project Engineer
JT:tp**Disclaimer**

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Executive Summary

Authorization

The preparation of this Engineer's Report was authorized through a resolution of the Council on March 9, 2015 and a letter dated March 13, 2015 from the Deputy Clerk of the Township of Wilmot in accordance with Section 4 of the Drainage Act.

Objective & Recommendations

The objective of this Report is to provide a defined legal outlet under the Drainage Act for the west stormwater management pond on the Alpine Plant Foods property (Roll No. 7-144-10).

This Report recommends the establishment of the Nachurs Alpine Municipal Drain beginning at the eastern boundary of Lot 20, Concession North of Bleams Road, proceeding northeast ending on Lot 19, Concession South of Snyder's Road, Township of Wilmot, Regional Municipality of Waterloo.

Summary of Assessments

A summary of the assessments for this project are as follows:

Privately Owned – Agricultural (grantable)	\$ 0
Privately Owned – Non-Agricultural (non-grantable)	\$ 55,000
Total Estimated Assessments	\$ 55,000

Acknowledgements

R.J. Burnside & Associates Limited (Burnside) would like to acknowledge John Kuntze, P.Eng., Drainage Superintendent for the Township of Wilmot (Wilmot), and the Council and Staff of the Township of Wilmot.

Table of Contents

1.0	Request for Improvement and Petition for Drainage Works by Owners	1
2.0	Background Information	1
2.1	Municipal Drain History	1
2.2	Existing Conditions	1
2.3	Watershed Area & Land Use	2
2.4	Soils	2
3.0	Preliminary Investigations	2
3.1	On-Site Meeting.....	2
4.0	Validity of Petition.....	3
5.0	Environmental & Fisheries Considerations	3
5.1	Grand River Conservation Authority	4
5.2	Ministry of Environment, Conservation, and Parks.....	4
5.3	Fisheries and Oceans Canada.....	4
6.0	Design Criteria & Engineering Considerations.....	4
7.0	Stakeholder Meetings	5
7.1	Information Meeting No. 1.....	5
7.2	Project Scoping Meeting No. 1.....	6
7.3	Project Scoping Meeting No. 2.....	7
8.0	Proposed Design	7
8.1	Proposed Drain Specifications	7
8.2	Working Spaces and Access Routes	8
8.3	Future Development Considerations.....	9
8.4	Engineer's Report.....	9
9.0	Allowances	10
9.1	Section 29 – Right-of-Way	10
9.2	Section 32 – Insufficient Outlet	11
10.0	Project Cost Estimate	11
11.0	Assessments.....	12
11.1	Sections 22 and 23 – Benefit and Outlet Assessment.....	12
11.2	Maintenance Assessment Schedule	15
12.0	Appendix A – Drawings	17
13.0	Maintenance	17

Tables

Table 1: Drain Working Space	9
Table 2: Allowances	10
Table 3: Project Cost Summary	12
Table 4: Nachurs Alpine Municipal Drain Assessments	14
Table 5: Maintenance Assessment Schedule	16

Nomenclature

General

ac – acre (0.4047 ha)
BSWI – buried surface water inlet
CB – catchbasin
CCTV – closed circuit television
CDT – concrete drain tile
CSP – corrugated steel pipe
c/w – complete with
dia. – diameter
DICB – ditch inlet catchbasin
d/s – downstream
ea. – each
FL – fence line
FPPDT – filtered perforated plastic drainage tubing
H – horizontal
ha – hectare (2.471 ac)
HDPE – high density polyethylene
BJB – buried junction box
km – kilometre
LS – lump sum
m – metre
mm – millimetre
m² – square metre
m³ – cubic metre
OB – observation box
o/s – offset
PDT – plastic drainage tubing
PL – property line
ROW – right of way
S & I – supply and install
Sta. – station (chainage)
SWI – surface water inlet
SWWSP – smoothwall welded steel pipe
t – tonne (2,205 pounds)
u/s – upstream
V – vertical

Other

CA – Conservation Authority
DFO – Fisheries and Oceans Canada
MECP – Ministry of Environment, Conservation and Parks
MTO – Ministry of Transportation
NRCS – Natural Resources Conservation Service
OMAFRA – Ontario Ministry of Agriculture, Food and Rural Affairs
SCS – Soil Conservation Service

1.0 Request for Improvement and Petition for Drainage Works by Owners

This Report is being prepared in response to an appointment by the Township of Wilmot Council, dated March 13, 2015, to investigate drainage issues on the property of the petitioning landowner within the watershed, in accordance with Section 4 of the Drainage Act.

The Petition, dated November 24, 2014, was submitted by Dietmar Walch and signed by the signing officer for Nachurs Alpine Solutions Inc., Mac Duncan, on November 25, 2014 for the Alpine Plant Foods property (Roll No. 7 144 01).

2.0 Background Information

2.1 Municipal Drain History

The watershed of the proposed Nachurs Alpine Municipal Drain 2020 is not currently assessed to an existing municipal drain.

2.2 Existing Conditions

The Alpine Plant Foods property (Roll No. 7-144-10) on the northeastern limit of Lot 19, Concession South of Snyders Road currently drains surface water to two different stormwater management ponds.

This report focuses on the outlet for the stormwater management pond on the west portion of the Alpine Plant Foods site. The outlet for this pond is an existing watercourse which conveys water from the site in addition to surface waters from woodlot and other industrial lands to a private tile drainage system located at the eastern boundary of Lot 20, Concession North of Bleams Road.

There is a second stormwater management pond on the east portion of the Alpine Plant Foods site. The outlet for this pond is an existing watercourse which conveys water from the site in addition to surface waters from agricultural, woodlot, recreational, industrial, and residential lands to a private tile drainage system located at the eastern boundary of Lot 20, Concession North of Bleams Road.

The aforementioned private tile drainage system collects underdrainage within Lot 20 and conveys the water to the southern property line at Highway 7 and 8 into a concrete box culvert. The box culvert conveys flow underneath Highway 7 and 8 to an existing watercourse that outlets further downstream into the Nith River to the southeast of New Hamburg, ON.

2.3 Watershed Area & Land Use

The total watershed area contributing to the Nachurs Alpine Municipal Drain is approximately 14 ha. This watershed area was delineated through the examination of topographic mapping contour data with computer aided drafting (CAD) software, the examination of existing municipal drain reports, and field survey.

The Nachurs Alpine Municipal Drain 2020 shares a contiguous watershed boundary with the following watersheds:

- The Ivan Gingrich Municipal Drain to the north.

Land use within the Nachurs Alpine Municipal Drain watershed is approximately divided as follows:

- 10.2 ha as woodlot.
- 2.2 ha for industrial use.
- 1.0 ha for commercial use.
- 0.6 ha as a railway

2.4 Soils

The Waterloo County Soils Associations Map indicates that the predominant soil type within the watershed is Wilmot silty clay loam.

Wilmot silty clay loam is typically characterized by smooth gently sloping topography, and poor drainage.

The soils within the Nachurs Alpine Municipal Drain watershed have an agricultural capability rating of Class 1 with no limitations in crop use.

3.0 Preliminary Investigations

3.1 On-Site Meeting

An On-Site meeting regarding the drain was held on May 28, 2015 at the Alpine Plant Foods site. The following were present at the meeting:

- | | |
|--------------------|---|
| • Patrick George | Badenvue Developments (7-105-10) |
| • Luke Slabczynski | J & K Converters Ltd. (Roll No. 7-102-10) |
| • Carolyn Klem | Property owner (Roll No. 7-210-10) |
| • Paul Klem | Representative (Roll No. 7-210-10) |
| • Dietmar Walch | Alpine Plant Foods (Roll No. 7-144-10) |
| • Steve Blenkhorn | Stitch Holdings Inc. (Roll No. 7-144-01) |
| • Frank Fakdy | Stitch Holdings Inc. (Roll No. 7-144-01) |
| • Jim Allan | Representative (Roll No. 7-102-01) |

Nachurs Alpine Municipal Drain 2020
July 2020

- Ian Young Regional Municipality of Waterloo
- John Tracklo Roads Supervisor, Regional Municipality of Waterloo
- Gary Charbonneau Public Works, Wilmot
- Jeremy Taylor Burnside
- Paul MacIntyre Burnside
- Taylor VanBoekel Burnside

The existing drainage conditions were discussed, and Dietmar Walch indicated that the Ministry of Environment and Climate Change (MOECC) now the Ministry of Environment Conservation and Parks (MECP) requires that a defined legal outlet be provided for the two stormwater management ponds on the Alpine Plant Food property (Roll No. 7-144-10). It was determined from discussions at the meeting that the boundary of the watershed should be investigated.

Landowners also agreed that a preliminary report would not be necessary and that the Engineer should proceed to a final report.

4.0 Validity of Petition

This Report has been prepared in accordance with Section 4 of the Drainage Act.

Initially, the area requiring drainage was determined by the Engineer at the On-Site meeting on May 28, 2015 as the drainage area for the two stormwater management ponds servicing industrial lands on the Alpine Plant Food property (Roll No. 7-144-10). However, further correspondence with the MECP in November of 2019 indicated that a legal drainage outlet would only be required for the west stormwater management pond to satisfy the current Environmental Compliance Application (ECA) from Nachurs Alpine. As such, the area requiring drainage was adjusted to be only the drainage area for the west stormwater management pond on the Alpine Plant Food property.

The Petition submitted is valid on the basis that all of the owners in the area requiring drainage have signed the Petition, in accordance with Section 4(1)(a) of the Act.

5.0 Environmental & Fisheries Considerations

When a new Engineer's Report is prepared that could affect an existing open Municipal Drain, natural watercourse, wetland, or other environmental features, a review of the work is required, and subsequent approvals and/or project requirements must be obtained from the applicable agency. These may include the local Conservation Authority (CA), Ministry of Environment, Conservation and Parks (MECP), and Fisheries and Oceans Canada (DFO).

5.1 Grand River Conservation Authority

The Grand River Conservation Authority (GRCA) has been apprised of the project progression. No construction activities are proposed as part of this report and therefore no permit from the GRCA was required.

5.2 Ministry of Environment, Conservation, and Parks

An initial screening of the former MNRF website for Species at Risk indicated that there were no Provincial Species at Risk that have been identified within this drainage area that would require special consideration by the MNRF under the Endangered Species Act (ESA).

5.3 Fisheries and Oceans Canada

No construction activities are proposed as part of this report and therefore no approval from the Department of Fisheries and Oceans Canada (DFO) was required.

6.0 Design Criteria & Engineering Considerations

The applicable sections of the *Design and Construction Guidelines for Work under the Drainage Act*, as prepared by the Government of Ontario, and the applicable sections of the *Drainage Guide for Ontario*, as published by the Ontario Ministry of Agriculture and Food, are used for the design and construction of municipal drains.

Under these guidelines for a tile system it is recommended to use a drainage co-efficient for the underdrainage requirements of cleared, worked, agricultural land and to consider an additional drainage co-efficient for the surface water requirements of all lands and roads within the watershed area. Typically, a drainage co-efficient of 12.7 mm (0.5 inches) for under drainage requirements, and 25.4 mm (1 inch) for surface water requirements over a 24-hour period is used.

At the onset of this drainage report a design for a closed drainage system was calculated to service both the east and west stormwater management ponds. The capacity of the private tile system in the downstream section on Lot 20 was evaluated. It was determined based on the contributing watershed area that the existing tile system had a capacity for a drainage co-efficient that was less than current typical drainage co-efficient. To obtain a drainage co-efficient of 38.1 mm over a 24-hour period the downstream tile servicing the east pond would need to be increased up to a 525 mm diameter from the existing 400 mm diameter. Likewise, the downstream tile servicing the west pond would need to be increased up to a 350 mm diameter from the existing 200 mm diameter. The flows associated with these increased pipe sizes are approximately 0.36 m³/s and 0.11 m³/s respectively.

Nachurs Alpine Municipal Drain 2020
July 2020

Based on landowner input from the initial meeting there was no request to increase the capacity of the tile system downstream in Lot 20. With the information provided by landowners, the fields on Lot 20 have been systematically under drained and connected to this private tile system in a number of locations. At the On-Site meeting, the landowner also indicated that the property may be redeveloped in the future and he would prefer that any future development and design not be encumbered by a Municipal Drain across the property. The landowners upstream of Lot 20 did not express any issue with regards to the existing system or flooding resulting from insufficient capacity in the downstream tile system. Therefore, it was determined that no work would be completed on Lot 20 and instead an allowance for insufficient outlet on Lot 20 would be provided. The berm will provide some ponding of water immediately upstream of Lot 20, and there will be storm events that will exceed the capacity of the existing tile system and result in stormwater flowing overland on Lot 20, Badenview Developments.

At the information meetings and follow up discussions, the upstream landowners were generally not in favour of a tile system across their properties. They indicated that they would prefer to see minimal to no disruption to their properties and therefore a channel/swale was originally proposed on these properties to match existing conditions while improving the overall system capacity. In addition, the side slopes of the channel were lowered to allow crossing of the drain during low flow/no flow conditions.

Subsequent to the information meetings and based on the change in direction from the petitioner, the proposed outlet for the east pond has been removed from this report and is not considered part of this Municipal Drain.

The existing swale/channel servicing the west pond has a capacity to convey approximately 0.5 m³/s. The maximum depth of ponding at the downstream end of the drain should not exceed the height of spillway indicated in the design drawings. The grass lined channel/swale through the Nachurs Alpine Municipal Drain will encourage filtering of the overland flow. In addition, as the channel meanders through the woodlot area it will allow for higher flows to spread out over the top of bank with minimal impact to the working corridor of the woodlot.

7.0 Stakeholder Meetings

7.1 Information Meeting No. 1

An information meeting for the improvement was held on August 4, 2016 at the Wilmot Recreation Complex to discuss the proposed design of the drain, and cost estimates. The following were present at the meeting:

- Luke Slabczynski J. & K. Converters Ltd. (Roll No. 7-102-10)
- Glen Bender Landowner (Roll No. 7-102-02)
- Dorothy Bender Landowner (Roll No. 7-102-02)

Nachurs Alpine Municipal Drain 2020
July 2020

- Peter Klem Representative (Roll No. 7-210-10)
- Jane Klem Representative (Roll No. 7-210-10)
- Dietmar Walch Alpine Plant Foods (Roll No. 7-144-10)
- Steve Blenkhorn Stitch Holdings Inc. (Roll No. 7-144-01)
- John Tracklo Roads Supervisor, Regional Municipality of Waterloo
- Alastair Duncan Engineering Technician, Wilmot
- Jeremy Taylor Burnside
- Trevor Kuepfer Burnside

Three (3) options for the proposed drain were presented and discussed at the meeting. The first option proposed replacing the existing private tile with the construction of 735 m of CDT installation, a 40 m bored crossing beneath Highway 7 & 8, and 300 m of swale construction to service the east stormwater management pond on the Alpine Plant foods property. Furthermore, the proposed design presented also included 184 m of CDT installation, and 675 m of swale construction to service the west stormwater management pond. The second option discussed was to maintain the existing private tile and add a grassed swale through Lot 20 and Lot 19 to service both stormwater management ponds. The third option discussed, was improving the existing channels, but stopping the Municipal Drains servicing both the east and west ponds at the Lot 19/20 property line and providing an insufficient outlet to the Lot 20 lands.

The watershed boundary, estimated costs, design and a general discussion on the allowances and assessments were reviewed with all of those in attendance.

7.2 Project Scoping Meeting No. 1

A project scoping meeting was held on July 3, 2018 at the Wilmot office. The following were present at the meeting:

- Grant Whittington Chief Administrative Officer, Wilmot
- Jeff Molenhuis Director of Public Works and Engineering, Wilmot
- Harold O’Krafka Director of Development Services, Wilmot
- John Kuntze Drainage Superintendent, Wilmot
- Jeremy Taylor Burnside
- Trevor Kuepfer Burnside

The meeting was initiated upon the proposed Municipal Drainage report completed by Burnside. Wilmot’s staff expressed concerns pertaining to the drainage report and possible future conflicts with the development proposed on the Badenview developments property (Roll No. 7-105-10) and the New Hamburglrs Inc. property (Roll No. 7-104-10). Wilmot also expressed concern with the proposed work servicing the east stormwater management pond on the Wilmot property (Roll No. 7-144-20). This land in the woodlot area is deemed as “core environmental feature”. As such, construction would typically not be allowed within this corridor.

It was requested if the proposed drain design could be re-evaluated to better meet the needs of future development as well as the woodlot area on the Wilmot property.

7.3 Project Scoping Meeting No. 2

A second project scoping meeting was held on January 29, 2020 at the Wilmot office. The following were present at the meeting:

- Mark Jeffery Senior Engineering Technologist, Wilmot
- Bryan Bishop Manager of Engineering, Wilmot
- Harold O’Krafka Director of Development Services, Wilmot
- John Kuntze Drainage Superintendent, Wilmot
- Steve Brickman Dietrich Engineering Limited
- Jeremy Taylor Burnside
- Trevor Kuepfer Burnside

The project scoping meeting was scheduled since there were a number of changes that had occurred since the 2018 meeting. The first change was that the interpretation of what the MECP required from the Alpine Plant Foods property’s ECA. The Alpine Plant Foods property now only required a legal drainage outlet for the west pond on their site to satisfy the MECP and the ECA. The second change was that additional development and design was completed pertaining to the development on the Badenview Developments and New Hamburglrs Inc. property. The third change was that two new drainage petitions had been completed and submitted by downstream landowners. Dietrich Engineering Limited had been appointed to complete a separate Municipal Drain appointment to address these petitions. The proposed municipal drain is located downstream of the Nachurs Alpine Municipal Drain and will eventually convey water from the watershed of the Nachurs Alpine Municipal Drain.

The above topics were discussed amongst all of those in attendance at the meeting. Following the change in direction from the original petitioner, Nachurs Alpine, it was determined that this report would be completed to address the requirement for a legal outlet of the west stormwater management pond only.

8.0 Proposed Design

8.1 Proposed Drain Specifications

At this current time no construction activities are being proposed within this report. If, however, at any time in the future a request to maintain or construct any part of the Nachurs Alpine Municipal Drain is made by an owner benefiting from the proposed work, that work shall be completed as per the accompanying drawings and following details.

Wilmot Township (7-104-15) & Nachurs Alpine Solutions Inc (7-143-01)

Nachurs Alpine Municipal Drain 2020
July 2020

The Nachurs Alpine Municipal Drain includes the existing berm and catchbasin just upstream of the Lot 20 property line, an existing pond and approximately 285 m of channel through the woodlot up to the Alpine Plant Foods property (Roll No. 7-144-10). The private crossing in the woodlot that consists of three (3) – 300 mm diameter culverts shall be part of the Municipal Drain.

If requested by a landowner within the watershed in the future, the channel may be deepened as defined in the accompanying drawings with a 0.6 m bottom width and side slopes no steeper than 2H:1V. Likewise, the culverts may be replaced with three (3) new 300 mm diameter culverts.

The berm at Sta. 0+000 can be adjusted to include a rip-rap spillway and protection around the existing catchbasin. In the future the berm shall be constructed of clayey fill material, satisfying a minimum clay content of 20%, then covered with 150 mm depth of topsoil. The berm shall have 3H:1V front and back slopes and be keyed into the subsoil by a minimum of 300 mm. The sediment pond in Nachurs Alpine Municipal Drain from Sta. 0+000 to Sta. 0+006 shall be maintained to a depth approximately 0.5 m below design grade with the spoil spread on the area surrounding the pond. If the catchbasin at Sta. 0+000 requires replacement, a new 600 mm x 600 mm concrete catchbasin shall be installed.

If a landowner requires an additional crossing over the Nachurs Alpine Municipal Drain a crossing that matches the existing specified crossing may be installed by the Drainage Superintendent. In this case, 50% of the cost shall be assessed to the property that the crossing is located on and the remaining as maintenance to the entire watershed. Any crossings that impede the flow on the Nachurs Alpine Municipal Drain are subject to be removed or improved as directed by the Drainage Superintendent as per Section 80 of the Drainage Act.

Costs shall be distributed among the upstream landowners using the Maintenance Assessment Schedule and in the same relative portions until such time as they are varied in accordance with the Drainage Act.

8.2 Working Spaces and Access Routes

The working space and access route shall be available for future construction and/or maintenance of the drain as indicated in the table below and considered easements for access to the property. Access to the working space is to be confirmed by the Contractor with the Landowners prior to commencement of construction. Allowances for the working space and access routes have been provided to the affected properties. Access to parts of the drain shall be as shown on the accompanying Watershed Plan.

Table 1: Drain Working Space

Working Space/Future Access		
Nachurs Alpine Municipal Drain 2020		
0+000 to 0+285	9 m working space from center of existing channel and 20 m x 20 m area around downstream end	Access to the Nachurs Alpine Municipal Drain (Open) will be from Nafziger Road through the Alpine Plant Foods driveways (Roll No. 7-144-10) and then to AR#1 . The channel construction shall be along the south and east bank. Excess excavation material shall be spread within the working corridor.

8.3 Future Development Considerations

During the preparation of this report Burnside was made aware of the intent to develop the agricultural lands on the Badenvue Developments property (Roll No. 7-105-10). As such, the Nachurs Alpine Municipal Drain ends upstream of the east property line of the Badenvue Developments property (Roll No. 7-105-10). Any future development of this property must be designed to accommodate stormwater from the Nachurs Alpine Municipal Drain without flooding the upstream lands.

If the private tile is removed in the future, then either a new tile outlet shall be installed, or an unobstructed overland flow route/channel set no higher than the low elevation of the existing catchbasin shall be constructed on the Wilmot and the Badenvue Developments properties. Any costs associated with the tile removal or alternate drainage route downstream of the catchbasin in the future shall not be considered part of this Municipal Drain.

No obstructions exceeding the elevations of the berm specified in this report shall be allowed to be constructed downstream of the Nachurs Alpine Municipal Drain and shall be removed at the landowner's expense.

8.4 Engineer's Report

The proposed works and costs contained herein are intended to reflect the requirements of the stakeholders and are based on information gathered during the field survey, as well as at the landowner meetings, and follow up discussions. Details of the work are described in this Report and on the Plan and Profile Drawings.

Nachurs Alpine Municipal Drain 2020
July 2020

9.0 Allowances

In accordance with Section (S.) 8(1)(d) of the Act, this section provides a summary of the allowances provided under Sections 29 and 32 of the Act. A breakdown of these Allowances is available upon request to affected landowners. Allowances will be deducted from total assessments in accordance with Section 62(3) of the Act. The land and crop values used for these calculations were determined based on recent land sales and a general understanding of these values within this geographic area and are described in the following sections. The results of the allowance calculations under each relevant section of the Act can be seen in Table 1.

Table 2: Allowances

Concession	Lot	Owner	Roll No.	Right of Way (S. 29)	Insufficient Outlet (S. 32)	Totals
N of Bleams Road	Pt.20	Badenview Developments	(7-105-10)	\$ 0	\$ 1,000	\$ 1,000
S of Snyder's Road	Pt.19	Wilmot Township	(7-104-15)	\$ 1,240	\$ 0	\$ 1,240
S of Snyder's Road	Pt.19	Nachurs Alpine Solutions Inc.	(7-143-01)	\$ 880	\$ 0	\$ 880
S of Snyder's Road	Pt.19	Alpine Plant Foods	(7-143-10)	\$ 200	\$ 0	\$ 200
Total - Nachurs Alpine Municipal Drain				\$ 2,320	\$ 1,000	\$ 3,320

9.1 Section 29 – Right-of-Way

The Act states:

The engineer in the report shall estimate and allow in money to the owner of any land that it is necessary to use,

- (a) *for the construction or improvement of a drainage works;*
- (b) *for the disposal of material removed from drainage works;*
- (c) *as a site for a pumping station to be used in connection with a drainage works; or*
- (d) *as a means of access to any such pumping station, if, in the opinion of the engineer, such right-of-way is sufficient for the purposes of the drainage works,*

the value of any such land or the damages, if any, thereto, and shall include such sums in the estimates of the cost of the construction, improvement, repair or maintenance of the drainage works R.S.O. 1990, s. 29.

\$12,335 per hectare (\$5,000 per acre) has been provided as a right-of-way (ROW) allowance for the average width of the existing channel within the existing woodlot. A reduction to **\$4,942 per hectare (\$2,000 per acre)** has been provided as a ROW allowance for working corridor alongside the channel. The reduction is on the basis that the land next to the open portion of the drain can still be utilized following the construction of the drain. This ROW shall be considered for future access to the drain for inspection and maintenance purposes. The path for future access shall be defined as 9 m from the center line of the channel to the south/east side and to top of bank for the north/west side of the channel. There is also a 20 m x 20 m area for access around the downstream end of the Municipal Drain next to the existing berm and catchbasin.

No permanent buildings, structures or plantings will be allowed within the right-of-way, to allow for future maintenance of this Drain.

9.2 Section 32 – Insufficient Outlet

Section 32 of the Act states:

“Where, in the opinion of the engineer, the cost of continuing a drainage works to a sufficient outlet or the cost of constructing or improving a drainage works with sufficient capacity to carry off the water will exceed the amount of injury likely to be caused to the low-lying lands along the course of or below the termination of the drainage works, instead of continuing the works to such an outlet, or making it of such capacity, the engineer may include in the estimate of cost a sufficient sum to compensate the owners of such low-lying lands for any injuries they may sustain from the drainage works, and in the report the engineer shall determine the amount to be paid to the owners of such low-lying lands in respect of such injuries. R.S.O. 1990, c. D.17, s.32.”

In this Report, a base value of **\$1,977 per hectare (\$800 per acre)** for workable agricultural land has been applied for the calculation of this allowance and is based on approximate crop values within the area. An allowance is provided to the Badenvue Developments property (Roll No. 7-105-10) to account for the losses in crop productivity resulting from the undersized private agricultural drainage system on this property. This allowance was calculated on the basis that the lands receiving insufficient outlet will have an annual 1/3 loss in crop productivity over a 2 m overland flow width over a length of 700 m, for a 10 year time period. A 10-year time period was selected on the basis that the lands are scheduled to be developed in the near future.

10.0 Project Cost Estimate

In accordance with Section 8(1)(b) of the Act, this section provides a breakdown of the total estimated cost of this project, including all engineering, administration, and allowances.

Nachurs Alpine Municipal Drain 2020
July 2020

Table 3: Project Cost Summary

Summary of Costs	
Allowances to Owners (Sections 29, 30, & 32)	\$ 3,320
Preparation of Report	\$ 45,500
Site Meetings, Investigations and Field Survey, Information Meeting, Watershed Plan, Profile drawing, Report Preparation, Allowance, Construction, and Maintenance Assessment Schedules	
Meetings and Procedure	\$ 3,500
Preparation of Report Copies for Distribution Preparation and Attendance at the Consideration of the Report	
Administration and Financing	\$ 2,680
Net HST (Engineering) and Interest Charges	
Total Estimated Cost – Nachurs Alpine Municipal Drain 2020	\$ 55,000

Note:

The above summary contains cost estimates only. It is emphasized that these estimates do NOT include costs to defend the Drainage Report and procedures if appeals are filed with the Court of Revision, Ontario Drainage Tribunal and/or the Ontario Drainage Referee. Unless otherwise directed, additional costs to defend the report are typically distributed in a pro-rata fashion over the assessments contained in the Construction Assessment Schedule, excluding any Special Assessments.

11.0 Assessments

In accordance with Section 8(1)(c) of the Act, the following schedule indicates the distribution of the total estimated cost over the lands and roads involved and are in accordance with Sections 21, 22, 23, 24 and 26 of the Act.

11.1 Sections 22 and 23 – Benefit and Outlet Assessment

Section 21 of the Act states:

The engineer in the report shall assess for benefit, outlet liability and injuring liability, and shall insert in an assessment schedule, in separate columns, the sums assessed for each opposite each parcel of land and road liable therefor. R.S.O. 1990, c. D.17, s. 21.

Section 22 of the Act states:

Lands, roads, buildings, utilities or other structures that are increased in value or are more easily maintained as a result of the construction,

Nachurs Alpine Municipal Drain 2020
July 2020

improvement, maintenance or repair of a drainage works may be assessed for benefit. R.S.O. 1990, c. D.17, s. 22.

Section 23 of the Act states:

(1) Lands and roads that use a drainage works as an outlet, or for which, when the drainage works is constructed or improved, an improved outlet is provided either directly or indirectly through the medium of any other drainage works or of a swale, ravine, creek or watercourse, may be assessed for outlet liability.

(2) If, from any land or road, water is artificially caused by any means to flow upon and injure any other land or road, the land or road from which the water is caused to flow may be assessed for injuring liability with respect to a drainage works to relieve the injury so caused to such other land or road.

(3) The assessment for outlet liability and injuring liability provided for in subsections (1) and (2) shall be based upon the volume and rate of flow of the water artificially caused to flow upon the injured land or road or into the drainage works from the lands and roads liable for such assessments.

(4) The owners of the lands and roads made liable to assessment only under subsection (1) or (2) shall neither count for nor against the petition required by section 4 unless within the area therein described R.S.O. 1990, c. D.17, s. 23.

The assessments have been calculated to distribute the project costs throughout the watershed in a fair and equitable manner based on the principles defined within the Drainage Act. Detailed calculations of these assessments are available to affected landowners upon request. More information on assessment and the Drainage Act can be found on the website for the Ontario Ministry of Agriculture and Food and Rural Affairs (OMAFRA).

The assessments for this project are summarized in Table 2.

Nachurs Alpine Municipal Drain 2020
July 2020

Table 4: Nachurs Alpine Municipal Drain Assessments

Concession	Lot	Owner	Roll No.	Affected Area (ha.)	Benefit Asst (S. 22)	Outlet Asst (S. 23)	Totals
N of Bleams Road	Pt.20	Badenvview Developments	(7-105-10)	0.00	\$ 0	\$ 0	\$ 0
S of Snyder's Road	Pt.19	Wilmot Township	(7-104-15)	4.95	\$ 9,460	\$ 610	\$10,070
N of Bleams Road	Pt.19	M. Kampf	(7-103)	0.38	\$ 0	\$ 50	\$ 50
S of Snyder's Road	Pt.19	Wilmot Township	(7-144-20)	1.68	\$ 0	\$ 210	\$ 210
S of Snyder's Road	Pt.19	Alpine Plant Foods	(7-143-10)	2.24	\$37,180	\$ 2,210	\$39,390
S of Snyder's Road	Pt.19	Stitch Holdings Inc.	(7-144-01)	1.00	\$ 0	\$ 490	\$ 490
S of Snyder's Road	Pt.19	Nachurs Alpine Solutions Inc.	(7-143-01)	3.16	\$ 3,960	\$ 420	\$ 4,380
Railroad ROW		Canadian National Railway		0.56	\$ 0	\$ 410	\$ 410
TOTAL				13.97	\$50,600	\$ 4,400	\$55,000

11.2 Maintenance Assessment Schedule

In accordance with Section 74 of the Drainage Act, an assessment schedule for future maintenance of the Nachurs Alpine Municipal Drain has been included as the basis on how to divide such costs. Affected lands located upstream of the maintenance work shall be determined by the Drainage Superintendent and assessed according to the schedule (see Table 3).

Nachurs Alpine Municipal Drain 2020
July 2020

Table 5: Maintenance Assessment Schedule

Concession	Lot	Owner	Roll No.	Affected Area (ha.)	Equivalent Area (ha.)	Totals
S of Snyder's Road	Pt. 19	Wilmot Township	(7-104-15)	4.95	2.48	13.8%
N of Bleams Road	Pt. 19	M. Kampf	(7-103)	0.38	0.19	1.1%
S of Snyder's Road	Pt. 19	Wilmot Township	(7-144-20)	1.68	0.84	4.7%
S of Snyder's Road	Pt. 19	Alpine Plant Foods	(7-143-10)	2.24	8.96	50.1%
S of Snyder's Road	Pt. 19	Stitch Holdings Inc.	(7-144-01)	1.00	2.00	11.2%
S of Snyder's Road	Pt. 19	Nachurs Alpine Solutions Inc.	(7-143-01)	3.16	1.76	9.8%
Railroad ROW		Canadian National Railway		0.56	1.68	9.3%
ALL LANDS AND ROADS				13.97	17.90	100.0%

12.0 Appendix A – Drawings

Two (2) drawings are included with the appendix of this report, consisting of a plan, profiles and details pertinent to the construction of the Nachurs Alpine Municipal Drain 2020.

13.0 Maintenance

The Nachurs Alpine Municipal Drain 2020 shall be maintained by Wilmot at the expense of the upstream lands and roads as determined by the Drainage Superintendent and in accordance with Section 74 of the Drainage Act.

While the Township of Wilmot will be responsible for the maintenance of the drain, the sections of the Act dealing with obstruction of, damage, and injury to a Municipal Drain, namely Sections 80 and 82 respectively, are brought to the attention of the property owners. As can be seen from these sections, both the property owners and Wilmot have responsibilities to ensure that a Municipal Drain is properly maintained and kept in good working condition.

The inlet structures should be inspected on a regular basis, prior to heavy rainfall events and spring snowmelt to ensure that ice and snow or other material have not obstructed the inlets. Property owners should assist with this maintenance activity by making regular inspections of the drain and inlet structures, clearing debris from the inlet structures in a timely manner and reporting any problems to the Township, so that the Drainage Superintendent can take proper action.



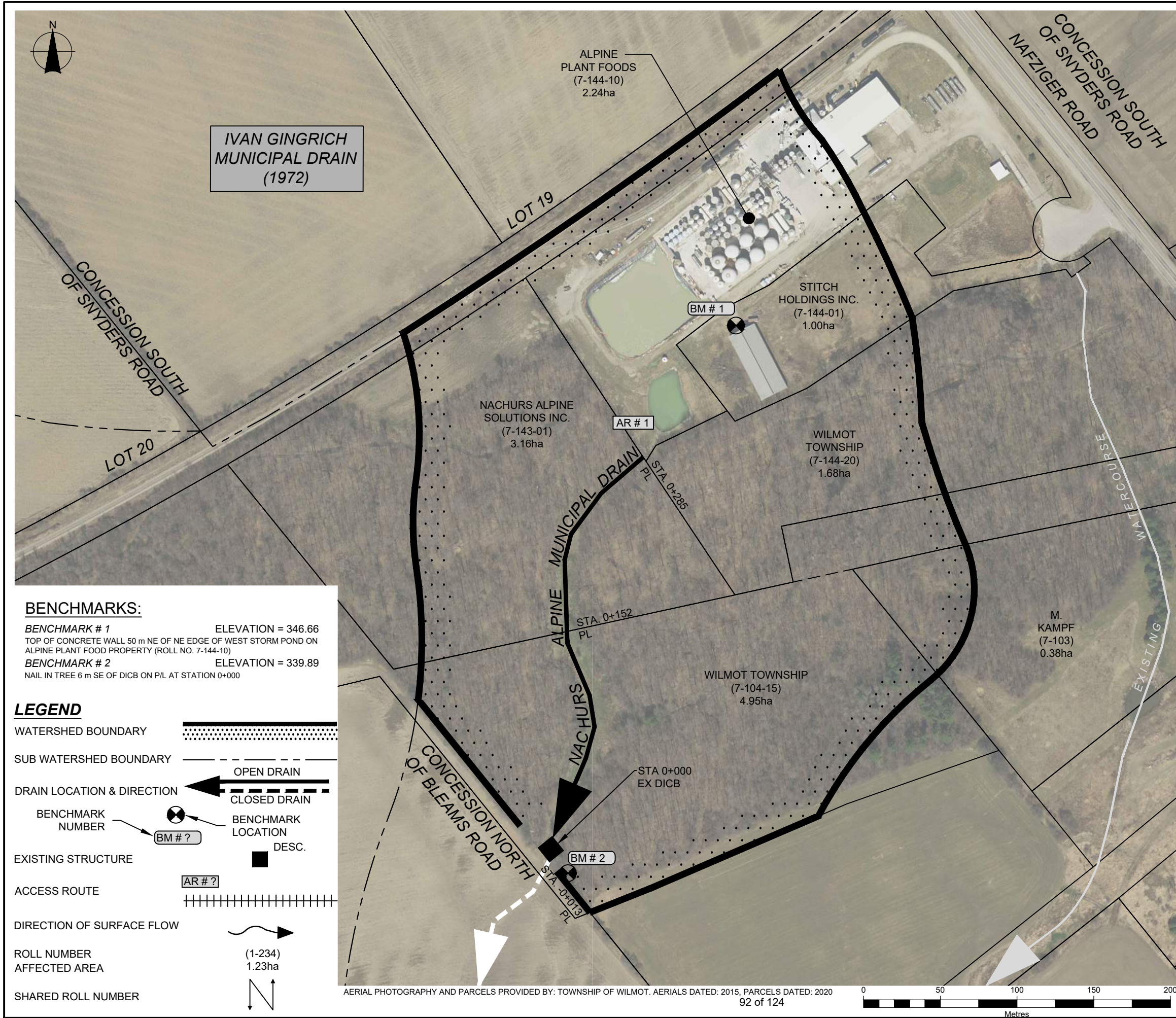
BURNSIDE

[THE DIFFERENCE IS OUR PEOPLE]

Appendix A

Drawings

Watershed Plan	1 of 2
Profile & Details	2 of 2



BENCHMARKS:

BENCHMARK # 1 ELEVATION = 346.66
TOP OF CONCRETE WALL 50 m NE OF NE EDGE OF WEST STORM POND ON
ALPINE PLANT FOOD PROPERTY (ROLL NO. 7-144-10)
BENCHMARK # 2 ELEVATION = 339.89
NAIL IN TREE 6 m SE OF DICB ON P/L AT STATION 0+000

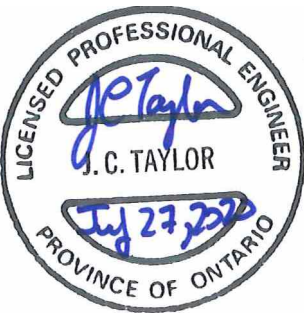
LEGEND

- WATERSHED BOUNDARY
- SUB WATERSHED BOUNDARY
- DRAIN LOCATION & DIRECTION
 - OPEN DRAIN
 - CLOSED DRAIN
- BENCHMARK NUMBER
 - BENCHMARK LOCATION
 - DESC.
- EXISTING STRUCTURE
- ACCESS ROUTE
- DIRECTION OF SURFACE FLOW
- ROLL NUMBER AFFECTED AREA
- SHARED ROLL NUMBER

KEY PLAN
SCALE: N.T.S.



- Notes
1. This drawing is the exclusive property of R. J. Burnside & Associates Limited. The reproduction of any part without prior written consent of this office is strictly prohibited.
 2. The contractor shall verify all dimensions, levels, and datums on site and report any discrepancies or omissions to this office prior to construction.
 3. This drawing is to be read and understood in conjunction with all other plans and documents applicable to this project.



No.	Issue / Revision	Date	Auth.
3	ISSUED FOR MUNICIPAL REVIEW	AUG 2017	
4	ISSUED FOR GRCA REVIEW	OCT 2017	
5	ISSUED FOR MUNICIPAL REVIEW	FEB 2018	
6	ISSUED FOR MUNICIPAL REVIEW	MAR 2020	
7	ISSUED FOR ENGINEER'S REPORT	JULY 2020	



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Stratford, Ontario, N5A 6S4
telephone (519) 271-5111 fax (519) 271-3790
web www.rjburnside.com

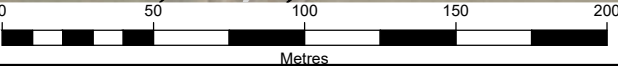
Client
TOWNSHIP OF WILMOT
60 SNYDER'S ROAD WEST
BADEN, ONTARIO
N3A 1A1



Drawing Title
NACHURS ALPINE MUNICIPAL DRAIN

WATERSHED PLAN

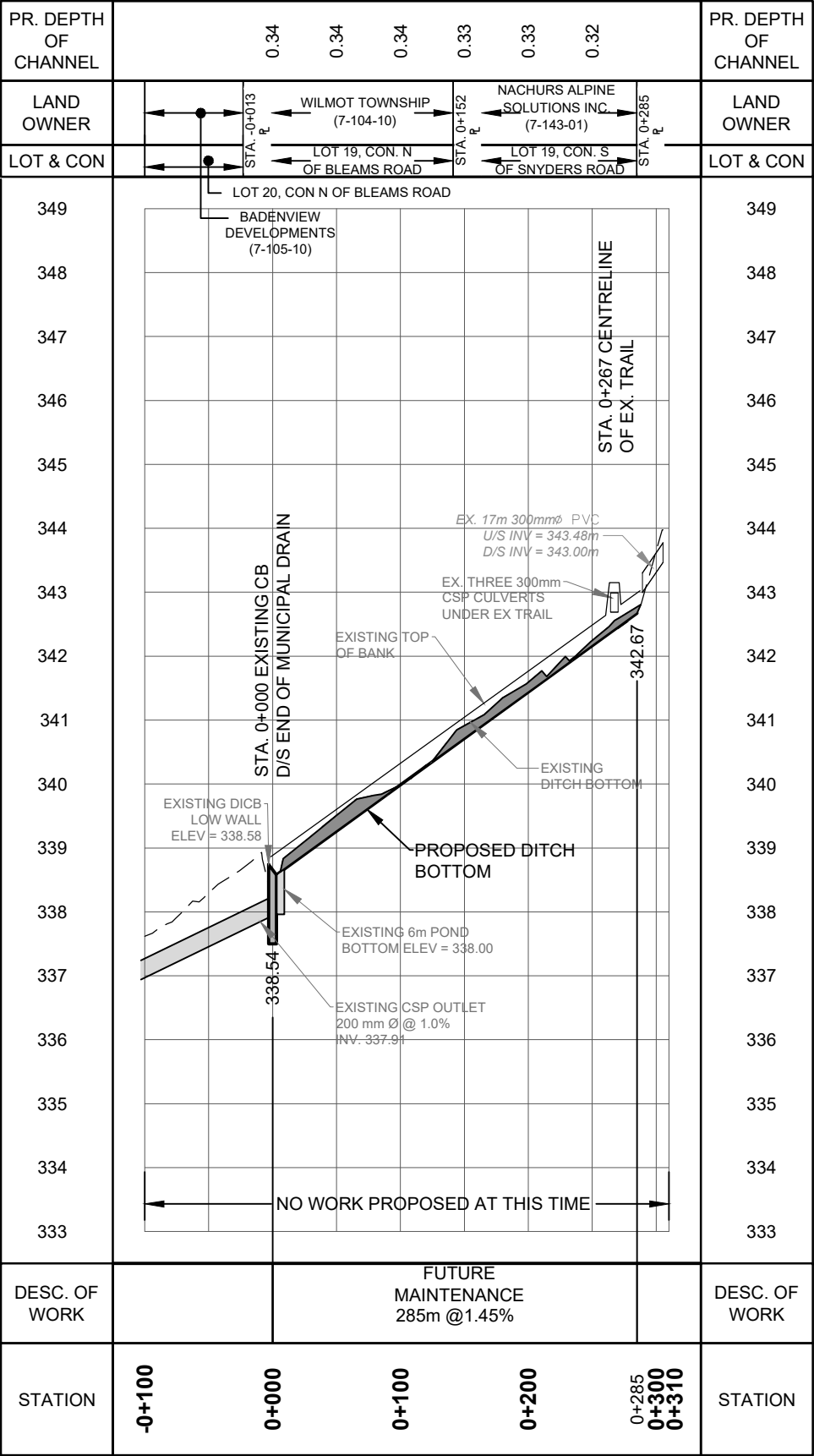
Drawn TAK/JMS	Checked JCT	Date JULY 2020	Drawing No. 1 OF 2
Scale 1:2500	Project No. 300036862		



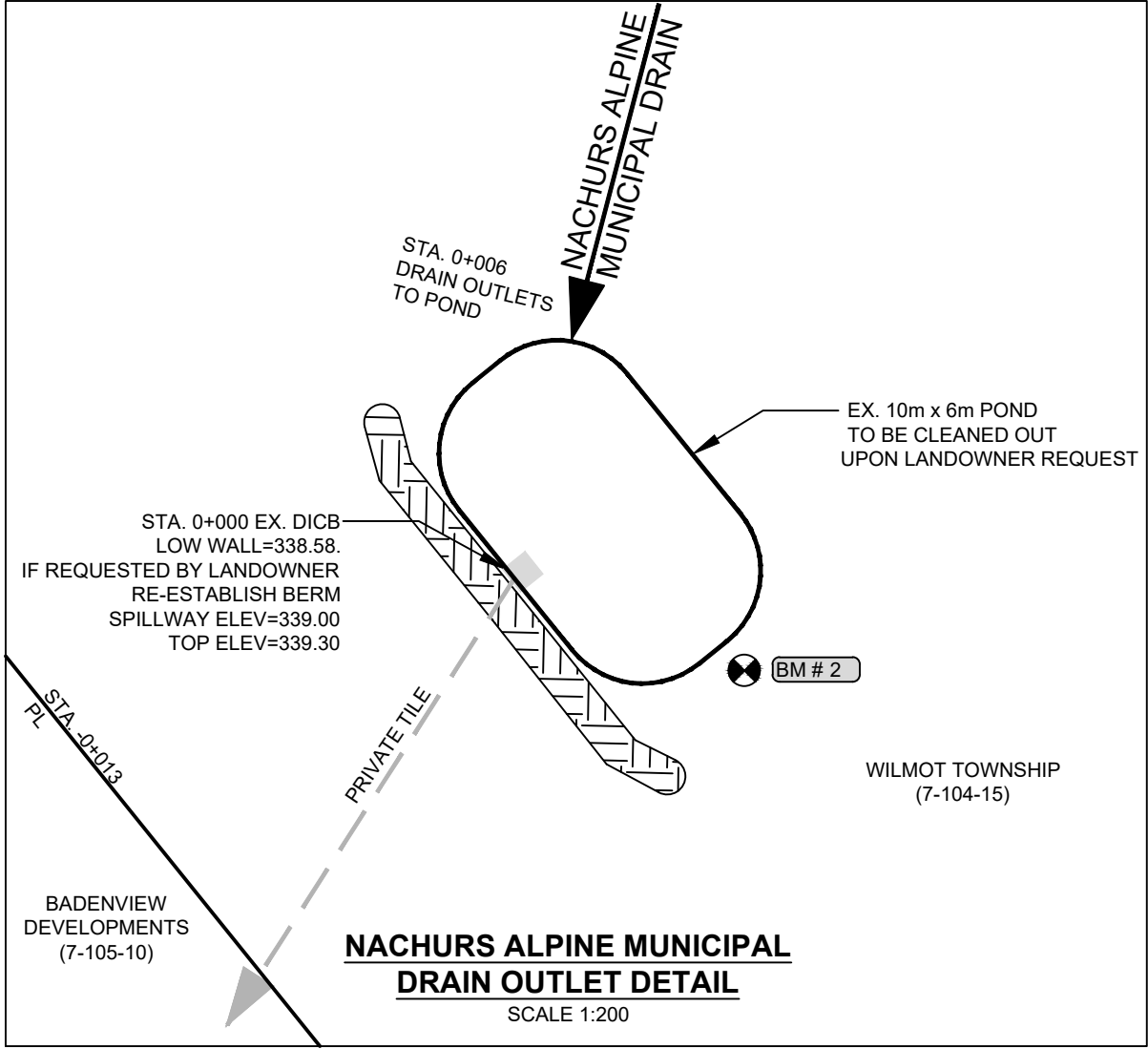
NACHURS ALPINE MUNICIPAL DRAIN CHANNEL TABLE						
STATION		LENGTH (m)	CHANNEL TYPE	BOTTOM WIDTH	SIDE SLOPES	NOTE
FROM	TO					
0+000	0+285	285	TRAPEZOIDAL	0.6m	2H:1V MIN.	FUTURE WORK TO BE AS PER SPECIAL PROVISIONS

CHANNEL NOTES:

1. ALL CHANNEL WORKS SHALL BE IN ACCORDANCE WITH THE PROVIDED TABLE, PROFILE, AND SPECIFICATIONS.
2. ALL CHANNEL WORKS AND EXCAVATIONS SHALL CONFORM TO THE GOVERNING OPSS AND OPSD.
3. ACCESS TO THE CHANNEL AND WORKING SPACE SHALL BE COMPLETED AS PER THE REPORT.
4. SPOIL SHALL BE SPREAD ON THE DESIGNATED CHANNEL BANK, A MINIMUM OF 2 m FROM THE TOP OF BANK, UNLESS OTHERWISE DIRECTED BY THE ENGINEER IN THE SPECIAL PROVISIONS OR AT THE TIME OF CONSTRUCTION.
5. ALL WORKING OUTLET PIPES DAMAGED DURING THE EXCAVATION SHALL BE REPLACED SECURELY WITH CORRUGATED STEEL PIPE (CSP) OR HIGH DENSITY POLYETHYLENE (HDPE) TO THE SATISFACTION OF THE ENGINEER.
6. ALL WORKING OUTLET PIPES SHALL HAVE A RODENT GRATE.



NACHURS ALPINE MUNICIPAL DRAIN PROFILE



NACHURS ALPINE MUNICIPAL DRAIN OUTLET DETAIL

SCALE 1:200



KEY PLAN
SCALE: N.T.S.

- Notes
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Client
TOWNSHIP OF WILMOT
60 SNYDER'S ROAD WEST
BADEN, ONTARIO
N3A 1A1



Drawing Title
NACHURS ALPINE MUNICIPAL DRAIN

PROFILE AND DETAILS

Drawn TAK/JMS	Checked JCT	Date JULY 2020	Drawing No. 2 OF 2
Scale H 1:5000 V 1:100	Project No. 300036862		



REPORT NO: COR 2020-032

TO: Council

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

PREPARED BY: Ashton Romany, CPA
Manager of Finance / Deputy Treasurer

REVIEWED BY: Grant Whittington, Chief Administrative Officer

DATE: September 14, 2020

SUBJECT: Drain Maintenance Levies

RECOMMENDATION:

THAT Report COR 2020-032, prepared by the Manager of Finance / Deputy Treasurer, regarding the levy of maintenance costs for various municipal drains, be received for information purposes.

SUMMARY:

This report outlines maintenance activities that were recently completed on Richardson Drain Branch "A"; Cressman Drain, Don Myers Drain, and the Straus Drain. A drain levy by-law is required to assess benefiting property owners and submit an application to OMAFRA for grant funding.

BACKGROUND:

Under Section 74 of the Drainage Act RSO 1990 Chapter D.17, The Township of Wilmot is responsible for the maintenance of drains constructed under Township By-laws passed under the Drainage Act. The cost of drain maintenance is to be levied to lands and roads upstream of the point of maintenance in accordance with the current By-law applicable to the drain.

REPORT:

Between the fall of 2018 and the summer of 2020, drain repair and maintenance activities occurred on the Cressman Drain, Don Myers Drain, and Straus Municipal Drain. In addition, significant drain maintenance works were completed on Branch “A” of the Richardson Municipal Drain throughout 2019 and early 2020. These works are outlined within Schedule A of the By-law.

A levy by-law has been prepared to levy the associated costs to the assessed lands and roads of each drain, in accordance with the provisions of the applicable Engineer’s Report and By-Law, which adopted the Report. The levying by-law has been prepared, and is included within this Council package for Council approval.

Upon Council’s approval of the by-law, staff will commence billing of the maintenance and repair assessments to the property owners, as outlined in Schedule B.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This report is aligned with the strategy maintaining our infrastructure, as well as protecting farmland and green space.

FINANCIAL CONSIDERATIONS:

The total cost of drain maintenance is provided in the chart below. The chart outlines the total assessment, OMAFRA grant funding, and net assessment to benefitting landowners and the Township for each drain.

Drain	Total Assessment	OMAFRA Grant	Benefitting Landowners	Township Assessment
Cressman / Don Myers	\$13,144.90	\$3,212.35	\$9,077.35	\$855.20
Straus	1,363.57	425.94	967.63	0.00
Richardson Branch A	80,167.85	4,158.97	20,617.23	55,391.65
Total	\$94,676.32	\$7,797.26	\$30,662.21	\$56,246.85

The assessment of these costs has been captured in Schedule B of the by-law, and an application for 1/3 grant funding from OMAFRA for eligible properties, totaling \$7,797.26, will be submitted upon passage of the by-law.

As per the levying by-law, the Township of Wilmot has been allocated \$56,246.85 for the drains. As noted within Report PW 2019-15, the levy allocation for Wilmot roads impacted by the Richardson Drain will require additional funding above the original 2019 budget estimates. This additional funding will be derived from the capital levy as part of the closure of the 2020 Capital Program.

ATTACHMENTS: Drain Maintenance Levy By-Law 2020-030



TOWNSHIP OF WILMOT

INFORMATION AND LEGISLATIVE SERVICES *Staff Report*

REPORT NO: ILS 2020-21

TO: COUNCIL

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

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

REVIEWED BY: Grant Whittington, CAO

DATE: September 14, 2020

SUBJECT: Access Agreement
Deer Court (unopened road allowance)
990 Deer Court

RECOMMENDATION:

THAT Council authorize the Mayor and Director of Information and Legislative Services to execute an agreement permitting access and establishing roles and responsibilities for a portion of the Deer Court unopened road allowance; and,

THAT any and all costs incurred by the Township in preparing, reviewing and executing the access agreement be borne by the owner of 990 Deer Court.

SUMMARY:

The proposed access agreement will allow continued access over an unopened road allowance east of Deer Court, while establishing roles and responsibilities with respect to ongoing maintenance as well as current and future improvements.

BACKGROUND:

The property 990 Deer Court is located at the south end of Nafziger Road gaining access by way of the east extension of Deer Court, that is currently an unopened road allowance. The owner of the property is seeking a building permit for a new dwelling and as such wishes to improve the existing access to the property.

REPORT:

990 Deer Court currently gains access by way of an informal driveway over an unopened road allowance east of Deer Court. The access has historically served two farm buildings. The owner of the property plans to construct a new dwelling on the property.

In order to facilitate continued use of the road allowance, the Public Works and Engineering Department has requested that the existing access arrangement be formalized by way of an agreement that will formally permit access and establish roles and responsibilities with respect to ongoing maintenance as well as current and future improvements.

Prior to the signing of the agreement, prepared by the Township solicitor, the access agreement will be reviewed by the Directors of Development Services, Information and Legislative Services, and Public Works and Engineering and the Fire Chief and a survey for the subject portion of the unopened road allowance must be filed with the Clerk.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

By working with the property owner to find solutions to ensure access, the Township strengthens customer service.

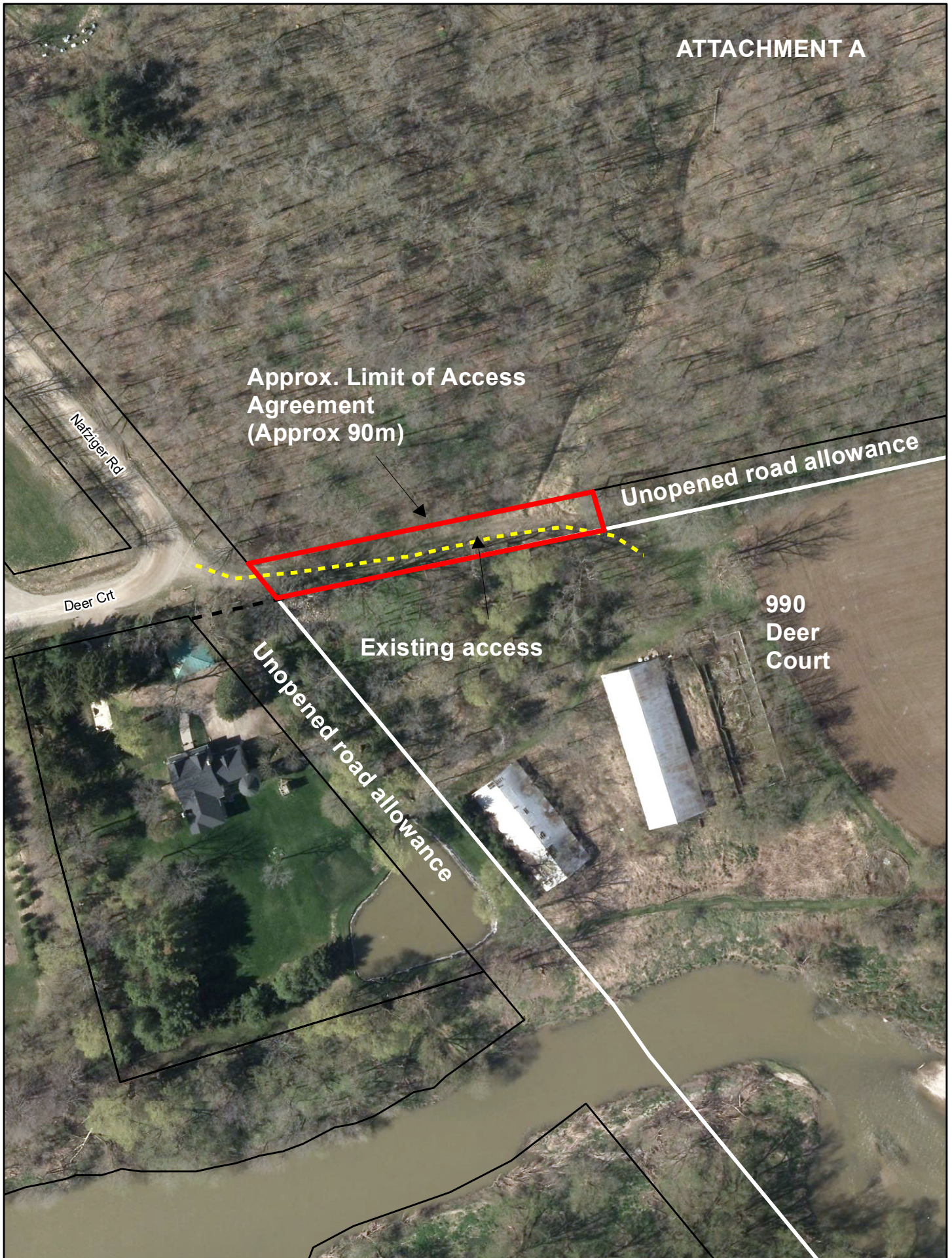
FINANCIAL CONSIDERATIONS:

All costs incurred in preparing, reviewing and executing the access agreement will be borne by the proponent.

ATTACHMENTS:

Attachment A Location of access agreement

ATTACHMENT A





TOWNSHIP OF WILMOT

DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS 2020-021

TO: COUNCIL

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

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning/EDO

REVIEWED BY: Grant Whittington, CAO

DATE: September 14, 2020

SUBJECT: Zone Change Application 06/20
Deonisie Ardelean and Priscilla Ardelean
2232 Nafziger Road, Phillipsburg

RECOMMENDATION:

THAT Council approve Zone Change Application 06/20 by Deonisie Ardelean and Priscilla Ardelean to amend the zoning of the property by deleting Section 22.206 of Zoning By-law 83-38, as amended.

SUMMARY:

This application proposes to remove the current site specific zoning that establishes a minimum lot size of 0.4 hectares. This deletion would allow the regulations to return to the standard Zone 2 regulations that require a minimum lot area of 0.2 hectares. This standard zoning would allow the property to be divided as originally intended in 2005.

The Region of Waterloo has supported the findings of an updated Hydrogeological Assessment that concludes that a new lot with an individual septic system will not impact any adjacent private drinking water supply wells.

BACKGROUND:

Notice of a Public Meeting was given on July 30, 2020 and a Public Meeting was held on August 24, 2020. The following is a summary of comments received prior to and at the Public Meeting.

Public: Debby and Dave Riepert, Philipsburg: concerns with new lot creation and portions of the hydrogeological assessment. Complete comments included as Attachment B.

Agencies: GRCA – no objections
Region of Waterloo – no objections
WCDSB – no comments or concerns

REPORT:

The subject lands are designated Settlement Residential in the Township Official Plan, and are presently zoned Zone 2 (Residential) with a site specific section requiring a minimum lot size of 0.4047 hectares.

This application proposes to delete subsection 22.206 of the Zoning By-law to remove the minimum lot size restriction and allow the zoning to revert to the standard lot area requirement under Zone 2 of 0.2ha.

The subject property was created by severance in 2005. At that time a hydrogeological assessment was completed that concluded that a minimum lot size of 0.4047 hectares was required in order to support a new individual septic system without impact to abutting private water supply wells.

In support of the current application, an updated hydrogeological assessment was completed, including test wells that were not installed during the 2005 assessment. Based on additional information derived from the current study, the report concludes that a new lot with a private individual septic system is not anticipated to impact any adjacent private water supply wells. Region of Waterloo Professional Geoscientists within the Water Services division have concurred with the findings of the updated report.

The land owners behind the subject property, Mr. and Mrs. Riepert, expressed concerns with the creation of a new lot. Those concerns are documented within their letter, which is included as Attachment B. The following paragraphs provide responses to the concerns raised.

The Reiperts purchased their property in 2017 and were under the impression that there was no ability to create additional lots within Philipsburg. This statement was correct as it applies to the

Riepert's property as their frontage on Nafziger Road was (and remains) entirely outside of the Phillipsburg Settlement Area. The only portion of their lands that were within the settlement area at that time, were lands constrained by floodplain on Erb's Road, so there was no ability to sever any lands from their property. On the other hand, the lot subject to this application was, and remains, within the Phillipsburg Settlement Area. When the lot was created in 2005 it was originally proposed as two lots, but the hydrogeological assessment at that time concluded that a larger lot area was required to ensure no impact on neighbouring drinking water supply wells. As a result, zoning was established on the property to essentially double the minimum lot size to reflect the findings of the hydrogeological assessment.

It is important to note that the only reason two lots were not created in 2005 was based on the outcomes of the hydrogeological assessment. The applicant has submitted the necessary scientific based reporting which was prepared by a Professional Geoscientist, and subsequently reviewed and supported by Professional Geoscientists at the Region of Waterloo, to update the previous findings from 2005.

Comments received from the Rieperpts provided some misunderstanding with respect to the Official Plan Settlement Boundary Rationalization that was completed by the Township as it relates to the Philipsburg Settlement Area. Portions of the Riepert's lands that were removed from the Settlement Boundary were those lands that front onto Erb's Road and are within the floodplain as well as lands to the rear of the floodplain that would not have frontage outside of the floodplain. As such, only lands that had no development potential were removed. The request to have these lands reintroduced to the Settlement Boundary would provide no development opportunity. The messaging provided through the Official Plan review process was consistent and correct as it applies to the Riepert's property as well as the subject lands.

Further comments from the Rieperpts directly related to the Hydrogeological Assessment completed in support of this application by Chung & Vander Doelen Engineering. The author of that report provided responses to concerns expressed.

With respect to potential impact on an existing dug well on the Riepert's property, the author has indicated that the house is not currently connected by plumbing to the dug well and further that groundwater flow from the subject property does not travel toward the dug well on the Riepert's land. As such, even if the well were to be used now or in the future, it would not be possible for it to be impacted by the severance septic system.

One solution originally presented with respect to neighbouring dug wells was to decommission the dug well on the Riepert's property including plugging water lines and interior plumbing, such that the dug well could not be reconnected. Regardless of whether there was support to do so, the dug well is not of issue as per the preceding paragraph.

The conclusions of the hydrogeological assessment summarize that an impact on groundwater to existing wells is "not expected". Use of the word "expected" is simply a personal choice of the author of the study. In response to this concern, the author has further commented that no detrimental impact is expected at all because there are no shallow dug wells located

downgradient from the proposed septic system. Further, the author has indicated that there is no possibility that the well on the Riepert's property would become contaminated due to the additional septic system on a lot severed from the subject property and that the proven flow direction prohibits the possibility.

With respect to a question regarding the necessity to include a nitrate assessment of the shallow aquifer, Chung & Vander Doelen Engineering responded that the dug well on the Riepert's property is atypical because there are no other dug wells in the area that exist today. The fact that several previous dug wells were abandoned and decommissioned many decades ago and replaced with deep aquifer drilled wells is a testament to the fact that the shallow groundwater was not adequate for supply to those users. The response concluded that based on this fact, as well as the geological setting, that the shallow groundwater downgradient from the proposed severed property is not a useable aquifer. The shallow groundwater has indeed been qualitatively evaluated (for all septic effluent constituents including nitrate) and it was concluded in the report that there would not be a detrimental impact.

Staff at the Region of Waterloo received and concurred with these responses and ultimately have indicated they have no objections to the zone change application to revert the minimum lot size requirements to the standards contained within Zone 2.

This application simply proposes to remove restrictions that were previously applied to the subject lands based on what is now dated scientific reporting. The current and extensive hydrogeological assessment concludes that the standard Zone 2 area of 0.2ha will not result in any impacts on adjacent private water supply wells, which was the only reason the 0.4ha restriction was imposed in 2005.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The approval of infilling residential development maximizes the use of existing infrastructure and reduces demand for additional greenfield lands to accommodate all residential development, which are both strategies in achieving the Township's goal to protect the natural environment.

FINANCIAL CONSIDERATIONS:

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application.

ATTACHMENTS:

Attachment A	Proposed severance sketch
Attachment B	Public written comments

August 20, 2020

To: Township of Wilmot Planning Department / Council

Re: Letter to Neighboring Property Owners Dated July 30, 2020
Comments for Zone Change Application 06/20

We bought our property 2242 Nafziger June 17, 2017 relying on the understanding no more severances due to township lot size by-law. This was stated by Township office, auction, realtors, previous owner who made decisions based on this information. We are the only neighbor adjacent to this property and of who this proposal would directly affect. What changed within this short 3 month period of June to September?

1. Excerpt from the Official Plan Amendment Notice dated September 14, 2017

**RE: Official Plan Amendment No. 9 (Conformity Review)
Official Plan Amendment No. 10 (Settlement Boundary Rationalization Review)**

“Proposed Official Plan Amendment No. 10 (OPA 10) is a Countryside Line and Settlement Boundary Rationalization Review and applies to Rural Settlement Areas and Township Urban Areas. The intent of OPA. 10 is to review and clearly define existing settlement boundaries and the countryside line to identify future growth limits in accordance with the Regional Official Plan. No net gain in developable land within the Settlements or Countryside Line is permitted as a result of this exercise.”

“You are receiving this notice because OPA 10 because your property is within 120m of lands proposed to be added to the Philipsburg Settlement Area. “

We attended the Public Open House Monday October 16, 2017 and at the time we had a part of our property within the settlement lines. When asked what this amendment means for us the response was there will be no further housing allowed in Phillipsburg. The settlement boundaries and further expansion is being taken away and moved to the current supported towns – to focus on their infrastructure – therefore taking our opportunity away for future housing. Because of this response we did not put forward our comment to maintain the settlement line as there was no option.

Comment – This is the second time that we approached the Township on making a decision to purchase a property and that the statement made became the opposite from that given.

Questions

- a. What changed that the township provided the previous owner, realtor and our inquiry in to no severance May 2017 to July 2017.
- b. If a citizen pays and provides the necessary information to disprove/prove a requested zoning bylaw amendment, the Township/Region will recommend approval to Council? If so the criteria on severance should be disclosed.

Request: To have previous land within the settlement be restored to 2242 Nafziger property

2. Chung & Vander Doelen - 'Scoped' Hydrogeological Assessment – Nov 25, 2019

Pg. 2 INCORRECT - dug well still contains plumbing but is no longer used for supply according to the owner

Pg. 3 INCORRECT – Owners have been contacted and are agreeable to the proponent retaining a licensed plumbing contractor to remove the plumbing connection into the well at 2242 Nafziger Road and plug the water lines and remove all associated basement interior plumbing associated with the cistern/well.

Pg. 4 INCORRECT – 4. The plumbing connections to the un-used dug wells at 2242 Nafziger and 2318 Erbs Road should be removed by a licensed plumbing contractor and confirmed by the author of this report to have occurred.

3. Chung & Vander Doelen Confirmatory Shallow Groundwater Flow Direction – Proposed Lot Severance 2232 Nafziger – July 19, 2020

Pg. 1 NOT GUARANTEED - only documented shallow dug well in the area. On the basis, the supplemental work supports the initial assessment report conclusion that no detrimental groundwater impacts to existing wells “are expected” from proposed severance lot and additional septic system.

Question: If our dug well (currently potable) becomes contaminated as a result of the purposed new development who - neighbors, township or is anyone liable/responsible or does the risk entirely with the homeowner?

4. **Question:** Is it applicable that the existing hydrogeological work done to date does not include a Nitrate Impact Assessment per Ministry of the Environment Procedure D-5-4. This is normally a standard requirement for any lot severance on private services both within the Region of Waterloo and beyond. While the scoped report suggests deep overburden aquifer where drilled wells are completed would not be impacted, that doesn't mean the shallow overburden aquifer is not significant and does not need to be evaluated?
5. **Request:** as the purpose to sever is based on the owners lifestyle change since purchase. We are requesting that we are offered the first right of refusal to purchase the said severed lot of mention.

Respectfully yours,

Debby & Dave Riepert



TOWNSHIP OF WILMOT

PUBLIC WORKS & ENGINEERING Staff Report

REPORT NO: PW 2020-14

TO: Council

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

PREPARED BY: Bryan Bishop, C.E.T., Manager of Engineering

REVIEWED BY: Grant Whittington, CAO

DATE: September 14, 2020

SUBJECT: Morningside Sanitary Trunk Sewer Municipal Class
Environmental Assessment and Preliminary Design – Award of
Contract

RECOMMENDATION:

THAT RFP 2020-02 be awarded to GM BluePlan for the Municipal Class Environmental Assessment (EA) and preliminary engineering design for Morningside Sanitary Trunk Sewer as per their proposal submitted on August 12th, 2020, in the base amount of \$178,844.40 plus HST.

SUMMARY:

The Township of Wilmot is projected to grow to approximately 28,500 people by 2031. The 2019 Official Plan Policy calls for a “combined growth node” for developable lands between New Hamburg and Baden to experience considerable growth within this time frame. To support this growth plan and future development, upgraded and new infrastructure is required to ensure adequate sewage conveyance capacity, including the Morningside Trunk Sanitary Sewer.

This report outlines the Municipal Class Environmental Assessment and preliminary design process, and recommends Council award for the study and preliminary design of the preferred alternative for Morningside Trunk Sanitary Sewer upgrade.

BACKGROUND:

The Morningside Trunk Sanitary Sewer was constructed through design and contract administration by the Region of Waterloo. Ownership of the sewer was conveyed to the Township sometime after construction. With the revised 2019 Official Plan Policy consolidating development lands to a growth node between New Hamburg and Baden, the existing Morningside Trunk Sanitary Sewer requires review and evaluation to consider alternatives to adequately service these new lands in a cost effective and environmentally friendly manner.

The Municipal Class EA process requires that all stakeholders in the vicinity be contacted to inform them of the project initiation, that a public information meeting be held to present different alternatives to the public for feedback, and finalize the investigation, reporting and preliminary design in a project record. The agencies and stakeholders contacted will generally include; GRCA, MNR, DFO, Region and First Nations and the general public. The reporting process includes study and evaluation of the cultural, heritage, environmental, technical and financial aspects of alternatives being considered.

This procurement recommendation is for the EA and preliminary design only. The remaining works required to support final design and construction will be brought before Council at a later date.

REPORT:

On July 10th, 2020, the request for proposal was made available online through the Township's e-bidding site. There was a total of six (6) plan takers, with four (4) bids received at time of close on August 12th, 2020.

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

Section	Criteria	Description	Points
1	Company Profile	Description of the company / department service units	10
2	Understanding, Approach & Methodology	Knowledge of the project and deliverable process	20
3	Experience and References	Past experience on similar projects and references	15
4	Team Structure / Staff Qualifications	Individual team members educations and experience	15

5	Schedule / Work Plan	Timeline approach for deliverables and expectations	25
6	Price	Cost to successfully complete project scope	15

The proposals were 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, GM BluePlan is recommended to be authorized for award, at a cost of \$178,844.40.

If Council proceeds with award of this proposal submission, the staff will finalize documentation with the successful applicant and proceed with the Environmental Assessment process.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

We have a prosperous community through maintaining our infrastructure. We are an engaged community through communicating municipal matters.

FINANCIAL CONSIDERATIONS:

The following funding sources were identified in the 2019 Capital Budget process for the EA, preliminary design, detailed design and construction inspection/administration costs.

Funding Source	Amount
Development Charges (Sanitary)	\$400,750
Total Budget	\$400,750

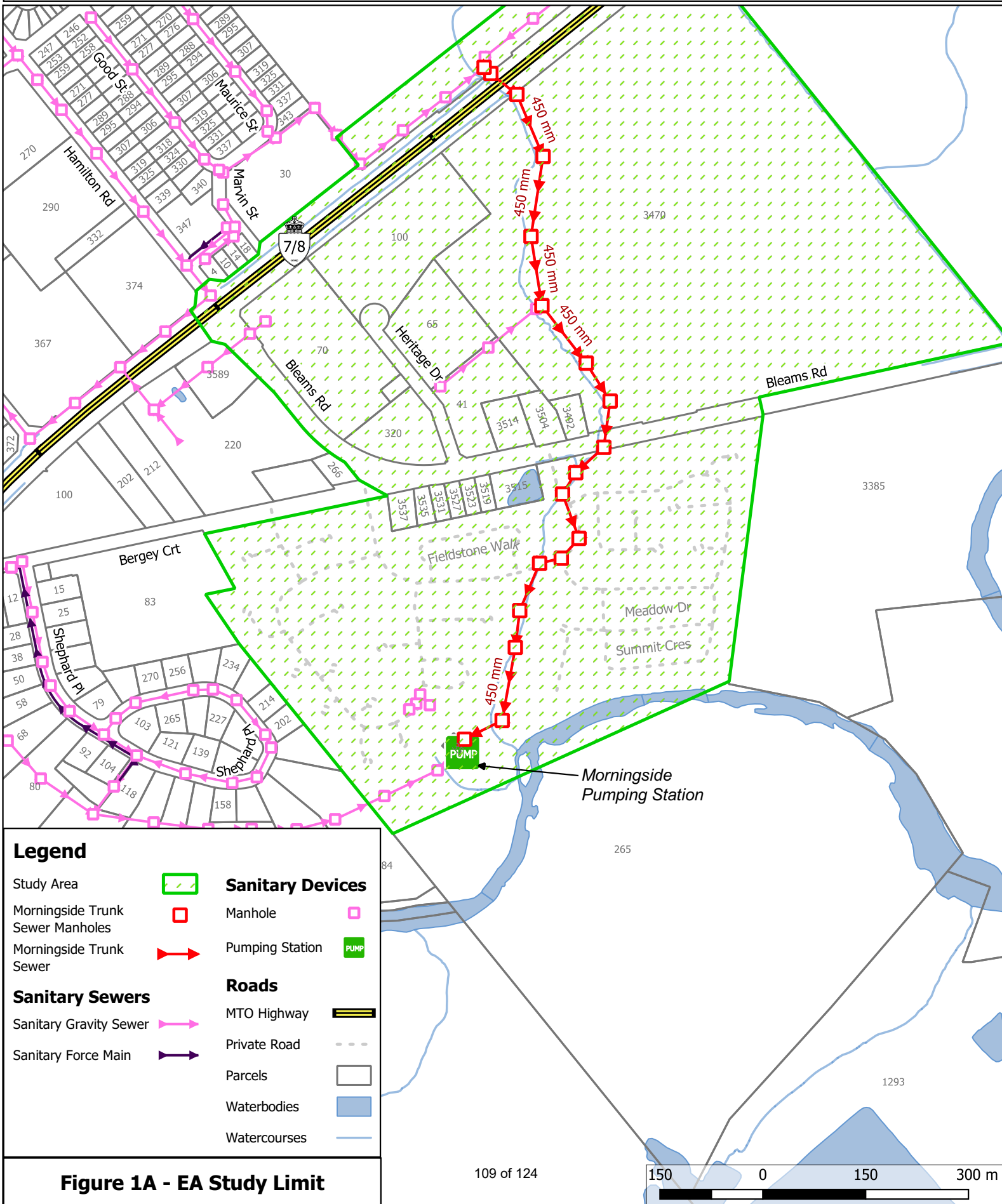
The bid received for the completion of the Environmental Assessment and preliminary design of the preferred alternative is within the budget allocated for this project. There will be additional fees for sub-consultant investigation works as part of the EA process, as well as engineering fees for the detailed design and construction inspection/administration works required for the preferred alternative. The approval to proceed with the detailed design and construction inspection/administration works will be brought forward to Council for endorsement and approval at a later date.

ATTACHMENTS:

The project location is shown in Figure 1 attached.

Trunk Sanitary Sewer - Hwy 7/8 to Morningside Pumping Station

March 2020





TOWNSHIP OF WILMOT

PUBLIC WORKS & ENGINEERING Staff Report

REPORT NO: PW 2020-15

TO: Council

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

PREPARED BY: Bryan Bishop, C.E.T., Manager of Engineering

REVIEWED BY: Grant Whittington, CAO

DATE: September 14, 2020

SUBJECT: Automated Speed Enforcement Program – Implementation Plan

RECOMMENDATION:

THAT Report 2020-15 regarding the Automated Speed Enforcement Program be received for information;

AND THAT Bridge Street in New Dundee be endorsed as the first installation location as outlined in the report;

AND THAT Council authorize the Mayor and Clerk to execute all necessary agreements and renewals with the Region of Waterloo for the administration and operation of Automated Speed Enforcement to the satisfaction of the Township Solicitor.

SUMMARY:

In 2019, the Safer School Zones Act amended the Highway Traffic Act to permit municipalities to use Automated Speed Enforcement (ASE) to improve road safety. The Region and area municipality staff are implementing ASE as a Region-led project, with a phased approach starting with one (1) school zone location in each of the lower tier areas. Township of Wilmot

staff have recommended school-zone locations, with the first location for implementation on Bridge Street in New Dundee at in New Dundee Public School.

BACKGROUND:

In 2019, the Safer School Zones Act amended the Highway Traffic Act to permit municipalities to use Automated Speed Enforcement (ASE) to improve road safety. This legislative amendment allows municipalities to enact by-laws to permit the use of ASE exclusively in school zones and community safety zones. Municipalities would be responsible for the site selection and installation of cameras and signage, infraction processing and public communications.

The Region and area municipalities are implementing ASE within the Region as a whole. This is a Region-led project, with input and recommendation on locations from Township staff.

The main objective of ASE is to lower vehicle operating speeds in school zones to be more in line with the posted speed limits.

REPORT:

Regional and area municipality staff are seeking to reduce traffic speeds to enhance user safety within school zones situated on Regional and local area municipality roadways through the application of ASE.

With the Region leading the development of an ASE program in Wilmot, Regional and area municipal staff have agreed on an operating model and implementation plan that involves Regional staff administering ASE on Regional roads and on area municipality roads on behalf of all area municipalities subject to Regional and local area municipality Council approvals and legal agreements.

All costs associated with the implementation and maintenance of all ASE site locations including area municipality sites will be the responsibility of the Region and all revenue collected will be retained by the Region.

The proposed phased ASE program launch consists of the implementation of ASE within eight school zones (one school zone per municipality) across the Region (on both Regional and area municipality roadways). The original intent was to install four (4) locations per municipality to start, however the launch scope was reduced as part of COVID response. The Township's four (4) locations are noted below:

1. Bridge Street – New Dundee Public School
2. Snyder's Road West – Sir Adam Beck Public School
3. Snyder's Road West – Waterloo Oxford Secondary School
4. Waterloo Street – Forest Glen Public School

Criteria used to prioritize sites was based on, but not necessarily limited to, speed limit compliance, historical pedestrian collisions, traffic volume, presence of sidewalk, boulevard space to install the equipment, and student demand walking to school. As noted, the New Dundee Public School on Bridge Street in New Dundee is the recommended location for the first installation in the Township.

The Region is required to enter into agreements with the following agencies in order to operate ASE:

- Ministry of Transportation Ontario to use automated speed enforcement on Regional and area municipality roadways and to access license plate registry;
- Redflex Traffic Systems (Canada) Limited to supply, install, operate and maintain ASE sites within the Region of Waterloo based on the semi-fixed equipment described above;
- City of Toronto to operate and cost-share the joint municipal processing centre which issues the certificate of offence; and
- All participating local area municipalities having the Region administer ASE in their municipalities.

Regional staff will work with area municipalities to complete the required applicable legal agreements. It is anticipated that the ASE Program will be operational in late 2020, at the earliest. The implementation requires the execution of an agreement between the Region and Township in order to proceed.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

We have a prosperous community through maintaining our infrastructure. We are an engaged community through communicating municipal matters.

FINANCIAL CONSIDERATIONS:

There are no financial implications with the recommendations of this report. All Capital and Operating costs for the ASE program will be funded by the Region of Waterloo.

ATTACHMENTS:

None

From: Carrie Richmond

Sent: Tuesday, August 25, 2020 11:23 AM

To: Les Armstrong <les.armstrong@Wilmot.ca>; Cheryl Gordijk <cheryl.gordijk@wilmot.ca>

Subject:

Les,

In April 2016 you brought the controversial Prime Ministers path to Wilmot township without ANY public consultation as you said there was no cost to the taxpayer. You followed up in the media stating why would you provide an opportunity for people to preach. My eyes were opened to the way Wilmot Township operated at that moment and I was distressed at the thought that not only did our mayor not care what we thought, he was brazen enough to announce it publicly. At the time, I debated coming forward with my concerns but truly felt muzzled by your comments - you didn't care what others thought and made it clear you weren't interested in hearing it, so I didn't. I wonder how many others felt the same way.

This evening I watched with great interest as suddenly I became an OWNER of the statues And you demanded we be consulted. In 2016, you didn't want to consult with the residents and our voices weren't important or wanted. Why were we not afforded this opportunity at that time? Why is it so important to you now? Do you only want public input if you feel it will support what you want?

This project should never have been put through so quickly and quietly. There should have been the appropriate public consultation at that time. The project has been detrimental to the community on so many levels and has many hidden costs - both financial but more importantly the human cost.

I struggled with whether to send this or not as I believe it will fall on deaf ears although I hope not.

Thank you
Carrie Richmond

JOHN HEIJ

**233 Laurentian Drive
Kitchener, ON N2E 2G5**

September 1, 2020

Township of Wilmot Council
60 Snyder's Road West
Baden, ON N3A 1A1

SUBJECT: Prime Ministers Path

Your Worship and Members of Council:

I was extremely disappointed by the decision relative to the statue of Sir J.A. Macdonald. Not only was the most expensive option chosen but one that really does not resolve the issue but rather "kicks the can down the road". It was a cowardly concession made to a small group of noisy activists which will set a dangerous precedent for other political bodies. We have to constantly remind ourselves that we live in a democracy where the wishes of the majority are respected and that the demands of boisterous minority interests are not caved to.

You may ask what interest a city slicker from Kitchener has in this Township issue. I see this Prime Ministers Path as being a gift to a much broader audience than the residents of Wilmot. My wife and I have visited the display a number of times

For me the issue is very simple. This is a display of Canada's Prime Ministers. Was Sir J.A. a Prime Minister? Yes he was. Then he belongs there. These statues are of folks who held a certain office...good, bad and ugly. The three prime ministers who are now in storage....I never heard of them. As for Joe Clark and Kim Campbell.....a lot of folks thought very little of them. These statues are not there to glorify these individuals, only to state a historical fact that they were leaders in Canada.

Macdonald, rightly so, had a place of high visibility since he was the founder of our nation. It turns out that certain overly sensitive people have a problem with his legacy. Moving the statue to a less conspicuous place in the grounds would have resolved that problem, since these folks would have to make a real effort to be offended. On the flip side, there are a number of things that offend me, one of them is the flying of the Mohawk Warrior flag in Kitchener's Victoria Park. This flag reminds me of all the illegal blockades of highways/rail lines and the present/past illegal occupation of a part of Caledonia, by our aboriginals. Having said that, I have no right to rip down that flag off their teepee. Neither do these activists have the right to deface your display and force you to accede to their demands.

As I said at the start, this was a most unfortunate and cowardly decision which will have lasting unfavourable consequences. I hope the good folk of Wilmot Township will remember this decision come voting day.

With respect,

John Heij

(519) 742-8119



Our dear Council of Baden.

I am writing this note to tell
you what I think of you all.

I thought we voted you in so you
would represent us the people
of Wilmet. You got people to sign up if
we were for or ~~against~~ the statue. We
were for it. The people work hard for
what they believe in. It took a long time to
get the statues in Baden. He was the
first prime Minister of Canada. In his
time in history he worked hard to get
Canada going. You Can't change history.
When things go wrong you work to make
things work better. Not Hide them.

A few people go on a it's Me, Me-Me
I will not vote for one of you.
I will the Mayor Sherbo who voted for us.
You do not stand up for us. Did you see
on the News to-day not one word was
said that you did the right thing.

Be proud of Yourself.

Lived here 64 years JEAN WOOD.

now am very 6 Yorkwood Trail, Brampton, ON L6R 3J3
disappointed. (905) 654-2060 • (647) 244-2060 • Fax: (905) 654-0896
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**THE CORPORATION OF THE TOWNSHIP OF WILMOT
BY-LAW NO 2020-030**

**A BY-LAW TO PROVIDE FOR THE LEVY OF DRAIN
MAINTENANCE COSTS ON VARIOUS DRAINAGE
WORKS IN THE TOWNSHIP OF WILMOT IN THE
REGIONAL MUNICIPALITY OF WATERLOO**

WHEREAS under Section 74 of the Drainage Act RSO 1990 Chapter D.17, The Township of Wilmot is responsible for the maintenance of drains constructed under Township By-laws passed under the Drainage Act;

AND WHEREAS the cost of drain maintenance is to be levied to lands and roads upstream of the point of maintenance in accordance with the current By-law applicable to the drain;

AND WHEREAS in 2017, 2018, 2019 and 2020 the Township Drainage Superintendent undertook drain maintenance on the drains as listed in Schedule A attached;

NOW THEREFORE the Council of the Corporation of the Township of Wilmot enacts as follows:

1. That the maintenance costs of the drains listed in Schedule A shall be levied to the assessed lands and roads in accordance with the provisions of the applicable Engineer's report and the By-law which adopted the report as listed in Schedule A;
2. That for eligible lands the final cost levied shall be reduced by the amount of grants received from OMAFRA under Section 85 of the Act;
3. That the maintenance costs to be levied for the various drains listed in Schedule A shall be as outlined in Schedule B attached and the amounts shown in Schedule B shall be due within 30 days of the date of the invoice for the amount owing, after which time the amount due will be added to the Township Tax Roll;
4. That assessments in Schedule B less than \$15 shall be paid from general funds of the Township of Wilmot.

This by-law comes into force on the passing thereof and may be cited as the "2020 Drain Maintenance Cost Levy on Various Drains" Bylaw.

READ a first and second time this 14th day of September, 2020.

READ a third time and finally passed in open Council this 14th day of September, 2020.

Clerk

Mayor

SCHEDULE A to Bylaw No. 2020-030

Wilmot Township Drain repairs for 2017, 2018, 2019 and 2020			
Drain	By-Law	Cost	Work Completed
Richardson Drain Branch A	1129	80,167.85	Tile Repairs
Cressman / Don Myers Drain	2017-17	13,144.90	Maintenance
Straus Drain	1977	1.363.57	Ditch Cleanout

Schedule B to Bylaw No 2020-030
Richardson Drain Branch A - 2019 tile repair

				Part 1 - replace tile			Part 2 Road work	Part 3 Townline	TOTAL
Con	Lot	Roll No.	Current Owner	Report Maintenance Assessment	2019 Maintenance Assessment	1/3 Grant	Net after grant		
Township of Wilmot									
	1	Pt 21,22	-092-01 G. & D. Hebel	36	637.12		637.12		637.12
	1	Pt 21,22	-093 D. Demerling	125	2212.22		2212.22		2212.22
F	2	22	-109 K. & T. Straus	175	3097.11	1032.37	2064.74		3097.11
	2	Pt 22	-108 T. & M. Spaetzel	125	2212.22		2212.22		2212.22
Total on Lands				461	8158.67	1032.37	7126.30		8158.67
Carmel-Koch Road Wilmot Township				550	9733.75		9733.75	38986.49	48720.24
1/2 Wilmot-Easthope Road Wilmot Township				135	2389.20		2389.20	4282.21	6671.41
Total on Roads				685	12122.95		12122.95	38986.49	55391.65
Total Township of Wilmot				1146	20281.62	1032.37	19249.25	38986.49	4282.21
Township of Perth East (North Easthope)									
F	8	6 & 7	4-001 A. & R. Jantzi	400	7079.10	2359.70	4719.40		7079.10
	8	NE Cor 7	4-002 R. & J. Knischewsky	5	88.49		88.49		88.49
F	8	8	4-003 A. & R. Jantzi	53	937.98	312.66	625.32		937.98
F	8	8	4-003-50 N. & E. Snyder	47	831.79	277.26	554.53		831.79
F	8	9	4-004 N. & E. Snyder	30	530.93	176.98	353.95		530.93
	9	SPt 8	4-033 R. & S. Bean	5	88.49		88.49		88.49
	9	SPt 7	4-032 L. & C. Larochell	2	35.40		35.40		35.40
Total on Lands				542	9592.18	3126.60	6465.58		9592.18
Line 45 Perth East Township				20	353.95		353.95		353.95
1/2 Wilmot-Easthope Road Perth East Township				135	2389.20		2389.20	4282.20	6671.40
Total on Roads				155	2743.15		2743.15	4282.20	7025.35
Total Township of Perth East				697	12335.33	3126.60	9208.73	4282.20	16617.53
TOTAL ASSESSMENT 2019 Maintenance:				1843	32616.95	4158.97	28457.98	38986.49	8564.41

- Notes
- 1 Lands noted with an "F" are eligible for 1/3 grant - confirmed August 25, 2020
 - 2 Report Maintenance Assessment is from January 19, 1962 report adopted by Bylaw 1129 and updated for reapportioned assessment July 15, 2019

Schedule B to Bylaw No. 2020-030
Cressman Drain and Don Myers Drain 2017 Maintenance

				Cressman Drain 2017 Open Drain		Don Myers Drain 2017 2+083 to 2+443		Total Repair	1/3	
Con Blk A	Lot	Roll No. (010-001)	Owner - 2017	Maintenance Assessment	Repair Assessment	Maintenance Assessment	Repair Assessment	Assessment	Grant	NET
F	3	26	-061 A. & D. Wagler	2.9	103.51		2.0	191.51	98.34	196.68
F	3	25	-062 J. & S. Cressman	6.4	228.43		1.5	143.64	124.02	248.05
	3	25	-062-01 Gemmell & West-Gemmell	0.3	10.71		0.2	19.15		29.86
F	3	23,24	-065 Rosegate Farms Inc	0.1	3.57			0.00	1.19	2.38
	3	24	-065-01 K. Cressman	0.1	3.57			0.00		3.57
F	3	23,24	-065-02 L. Cressman	7.6	271.26			0.00	90.42	180.84
	3	24	-066 Nith Valley Mennonite Church	0.4	14.28			0.00		14.28
	3	24	-067 A. Sweeney	0.8	28.55			0.00		28.55
F	2	23	-092 T. & D. Linesman	0.5	17.85			0.00	5.95	11.90
F	2	26	-093 D. Myers	3.6	128.49	2.5	239.39	367.88	122.63	245.25
F	2	26	-108 Myersview Farm Inc	11.3	403.32	7.9	756.48	1,159.80	386.60	773.20
	2	26	-0108-10 M Townshend	0.3	10.71	0.2	19.15	29.86		29.86
F	2	25	-110 Myersview Farm Inc	13.3	474.71	9.2	880.96	1,355.67	451.89	903.78
F	2	25	-111 Century Oak Holdings Inc	13.9	496.12	38.7	3,705.79	4,201.91	1400.64	2,801.27
F	2	24	-112 L. & M. Saranus	8.3	296.25	0.1	9.58	305.83	101.94	203.89
F	2	24	-113 Three Star Turkey Inc	2.6	92.80	0.9	86.18	178.98	59.66	119.32
F	2	24	-114 Three Star Turkey Inc	0.8	28.55	0.5	47.88	76.43	25.48	50.95
F	2	24	-116 Birch Villa Farms Ltd	2.3	82.09	1.6	153.21	235.30	78.43	156.87
F	1	25	-176 K. Bean	5.8	207.02	4.0	383.03	590.05	196.68	393.37
F	1	26	-177 T. & K. Wagler	2.0	71.38	1.4	134.06	205.44	68.48	136.96
Total Assessments on Lands:				83.3	2,973.17	70.7	6,770.01	9,743.18	3,212.35	6,530.83
Huron Road Wilmot Township				3.2	114.22	2.2	210.66	324.88		324.88
Walker Road (Region Rd 3) Region of Waterloo				8.3	296.24	23.5	2,250.28	2,546.52		2,546.52
Bean Road Wilmot Township				5.2	185.60	3.6	344.72	530.32		530.32
Total Assessments on Roads:				16.7	596.06	29.3	2,805.66	3,401.72	0.00	3,401.72
TOTAL ASSESSMENTS				100.0	3,569.23	100.0	9,575.67	13,144.90	3,212.35	9,932.55

- Notes:
- 1. Schedule of assessment for maintenance is in Cressman and Don Myers Municipal Drains 2017 report dated March 22, 2017, Bylaw 2017-17
 - 2. Parcels noted with an "F" are eligible for the 1/3 grant under the OMAFRA ADIP policy - confirmed September 2, 2020

Schedule B to Bylaw No. 2020-030
Straus Drain Ditch Maintenance

(3018-080-)					1977 Assessment			2018 repair assessment		
Con	Lot	Roll No.	Owner - 1977	Current Owner	Benefit	Outlet	Total	Assessment	1/3 Grant	Net
* B 3	Pt 5&6	008-152	Manfred & George Langecker	H. Sherifali		31	31	2.51	0.84	1.67
* B 3	Pt 6	008-153	Murray Klages	Barth	100	2,175	2,275	183.88	61.29	122.59
* B 3	Pt 7	009-170	John Wilson	Comcon Inc.	2,100	1,227	3,327	268.92	89.64	179.28
B 3	Pt 7	009-167-01	Cletus Kittel	Tempelman		19	19	1.54		1.54
B 3	Pt 7	009-169	Glen Gingerich	Detzler		243	243	19.64		19.64
B 3	Pt 7	009-173	James B Ware	Steeves		31	31	2.51		2.51
* B 3	Pt 7	009-167	John D Walker	J. & S. Walker	3,225	1,290	4,515	364.94	121.65	243.29
B 3	Pt 7	009-172	Frank Krzewski	Lam Chung		186	186	15.03		15.03
* B 3	Pt 7	009-171	Paul Furniss	Furniss		93	93	7.52	2.51	5.01
* B 3	Pt 8	009-166	Manfred & George Langecker	E. Klages	2,500	325	2,825	228.33	76.11	152.22
* B 3	Pt 8	009-149	Anthony Fleet	Jantzi & Carter	1,800	703	2,503	202.30	67.43	134.87
* B 3	Pt 8	009-150	Vasa Marina	Carter		240	240	19.40	6.47	12.93
Total on Lands					9,725	6,563	16,288	1,316.52	425.94	890.58
Notre Dame Drive (Road 12) Region of Waterloo Region of Waterloo					100	482	582	47.05		47.05
TOTAL					9,825	7,045	16,870	1,363.57	425.94	937.63

* Farm land eligible for 1/3 grant (2020)

TOWNSHIP OF WILMOT

BY-LAW NO. 2020-031

BY-LAW TO FURTHER AMEND BY-LAW NO. 83-38 OF THE TOWNSHIP OF WILMOT BEING A ZONING BY-LAW FOR THE SAID TOWNSHIP OF WILMOT.

WHEREAS The Corporation of the Township of Wilmot deems it desirable to further amend By-law No. 83-38, being a Zoning By-law for the said Township of Wilmot.

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

- 1. Subsection 22.206 is hereby deleted.
- 2. Notwithstanding the provisions of By-law 83-38, as amended, the map forming Part 10 of Schedule 'A' to By-law 83-38 shall be amended as necessary to remove identification of Subsection 22.206.
- 3. This by-law shall come into effect on the final passing thereof by the Council of The Corporation of the Township of Wilmot subject to compliance with the provisions of The Planning Act, R.S.O., 1990 and amendments thereto.

READ a first and second time on the 14th day of **September, 2020**.
READ a third time and finally passed in Open Council on the 24th day of **September, 2020**.

MAYOR

CLERK

**THE CORPORATION OF THE TOWNSHIP OF WILMOT
BY-LAW NO. 2020-33**

**BY-LAW TO AUTHORIZE THE EXECUTION OF AN ACCESS
AGREEMENT WITH REGARDS TO 990 DEER COURT**

WHEREAS the Municipal Council of the Corporation of the Township of Wilmot is desirous of entering into an Agreement, which forms Schedule "A" to this By-law.

**THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF
THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:**

1. That the Agreement which forms Schedule "A" to this By-law is hereby accepted as approved.

2. That the Mayor and Clerk are hereby authorized to execute under seal the said Agreement and all other documents and papers relating to this transaction.

READ a first and second time this 14TH day of September, 2020.

READ a third time and finally passed in Open Council this 14TH day of September, 2020.

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. BORROWINGThe 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.	
Total				

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) Armstrong, Les	Signature
--	-----------

Name of Clerk (Last, First Name) Mittelholtz, Dawn	Signature
---	-----------

Third reading _____

Enacted this _____ day of _____ , [2020](#) _____

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
----------------------------------	-----------

