

Council Meeting Agenda Monday, September 28, 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 <u>Township of Wilmot You Tube Channel</u> to watch the live stream or view after the meeting.

Delegations must register with the <u>Information and Legislative Services Department</u>. 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 September 14, 2020

RECOMMENDATION

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

Council Meeting September 14, 2020.

8. PUBLIC MEETINGS

9. PRESENTATIONS/DELEGATIONS

10. CONSENT AGENDA

10.1 REPORT NO. ILS 2020-22

Receipt of Petition for Drainage Works Waterloo Common Element Condo Plan #355, Summers Field Lane, 1662 Erbs Road, St. Agatha Township of Wilmot

10.2 REPORT NO. ILS 2020-23

Receipt of Notice for Drain Improvements Karen Wagler Nicklas Drain, Part Lot 32, Concession 3, Block B Township of Wilmot

10.3 REPORT NO. ILS 2020-24

Receipt of Request for Drain Improvement Karen Wagler Delton-Reibling Drain, Part Lot 32, Concession 3, Block B Township of Wilmot

10.4 REPORT NO. COR 2020-33 Drain Maintenance Levies

RECOMMENDATION

THAT Report No. ILS 2020-22, ILS 2020-23, ILS 2020-24 and COR 2020-33 be approved.

11. **REPORTS**

11.1 INFORMATION AND LEGISLATIVE SERVICES

11.1.1 REPORT NO. ILS 2020-25 Procedural By-law Amendment Notice Electronic Participation

RECOMMENDATION

THAT Report Number ILS 2020-25 be received for information; and,

THAT amendments to the Township's Procedural By-law concerning electronic participation be added to the October 5, 2020 Council Meeting Agenda.

11.2 CORPORATE SERVICES

11.2.1 REPORT NO. COR 2020-34

Development Charges Deferral Payment and Interest Rate Policy

RECOMMENDATION

THAT Report COR 2020-034 be received for information purposes; and further,

THAT Council approve the Governance Policy on Development Charges Deferral Payment and Interest Rates.

12. CORRESPONDENCE

12.1 AODA Website Compliance Extension Request – Town of Amherstburg

RECOMMENDATION

WHEREAS Section 14(4) of O.Reg 191/11 under the Accessibility for Ontarians with Disabilities Act requires designated public sector organizations to conform to WCAG 2.0 Level AA by January 1, 2021;

AND WHEREAS the Township remains committed to the provision of accessible goods and services;

AND WHEREAS the Township provides accommodations to meet any stated accessibility need, where possible;

AND WHEREAS the declared pandemic, COVID-19, has impacted the finances and other resources of the Township;

AND WHEREAS the Accessibility for Ontarians with Disabilities Act contemplates the need to consider the technical or economic considerations in the implementation of Accessibility Standards;

BE IT THEREFORE RESOLVED THAT the Township requests that the Province of Ontario extend the compliance deadline stated in Section 14(4) of O.Reg 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022; AND,

BE IT THEREFORE RESOLVED THAT the Township requests that the Province of Ontario consider providing funding support and training resources to meet these compliance standards.

13. BY-LAWS

13.1 BY-LAW NO. 2020-34 Drain Maintenance Levy

RECOMMENDATION

THAT By-law No. 2020-34 be read a first, second, and third time and finally passed in Open Council.

- 14. NOTICE OF MOTIONS
- 15. ANNOUNCEMENTS
- 16. BUSINESS ARISING FROM CLOSED SESSION
- 17. CONFIRMATORY BY-LAW
 - 17.1 By-law No. 2020-35

RECOMMENDATION

THAT By-law No. 2020-35 to Confirm the Proceedings of Council at its Meeting held on September 28, 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.



Council Meeting Minutes Monday, September 14, 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 Engineering B. Bishop
- 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
 - 4.1 Councillor J. Gerber read the Land Acknowledgement
- 5. ADDITIONS TO THE AGENDA

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

None disclosed.

7. MINUTES OF PREVIOUS MEETINGS

7.1 Council Meeting Minutes August 24, 2020

Resolution No. 2020-132

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

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

Council Meeting August 24, 2020.

CARRIED. AS AMENDED.

The Director of Information and Legislative Services noted that staff received emails from Councillor J. Gerber and Councillor J. Pfenning to clarify certain sections of the minutes.

Councillor J. Gerber advised that his comments on page 13 of the Agenda Package were that it would be a better act of ally-ship to take action and relocate the statue rather than wait based on a concern with the report and do more consultations.

Councillor J. Pfenning clarified her comments on page 13 of the Agenda Package that she is not an administrator of any of the community pages or social media groups the delegation accused her of managing.

Councillor C. Gordijk noted that on page 11, Councillor A. Hallman raised a Point of Order not a Point of Information, the Director of Information and Legislative Services advised that both terms were used and the Minutes will be adjusted to reflect such.

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

Sister Anne Keffer, Dorothy Wilson, Gladys Bender and Reverend Margret Walker presented on the partnership with the Wilmot Family Resource Centre to hire an Indigenous Worker. Their prepared statement / presentation is attached as Appendix A.

Councillor C. Gordijk asked if there was an amount that they were anticipating to bring forward in their request and Sister Anne Keffer advised they are still working on the final numbers.

Councillor J. Pfenning asked when the hiring would be complete and if there are any further details on the recruitment that could be provided. It was noted that the Wilmot Family Resource Centre is leading the recruitment.

9.2 Nachurs Alpine Municipal Drain 2020 Jeremy Taylor, Project Engineer, R. J. Burnside & Associates Limited

Mr. Jeremy Taylor provided an overview and historical outline of this Municipal Drain project.

Mr. and Mrs. Martin and Donna Kampf appeared as delegations and asked for clarification on their property being included. Mr. Taylor noted that there has been adjustments since the draft Engineer's Report and only a portion of the property is still included.

Ms. Carrie Sciarra appeared as a delegation on behalf of Nachurs Alpine and thanked Council for receiving the petition.

Mr. Darcy Miller appeared as a delegation on behalf of Nachurs Alpine and noted that the east pond is no longer included as part of this petition. Mr. Miller noted they are in support of this petition going forward.

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

Resolution No. 2020- 133

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

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 Mayor L. Armstrong, and Councillors B. Fisher, J. Pfenning and J. Gerber (as alternate member), be appointed to the Court of Revision.

CARRIED.

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

Resolution No. 2020- 134

Moved by: Councillor B. Fisher Seconded by: Councillor J. Gerber

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

CARRIED.

11. **REPORTS**

11.1 DEVELOPMENT SERVICES

11.1.1 REPORT NO. DS 2020-021 Zoning Change Application 06/20 Deonisie Ardelean and Priszcilla Ardelean 2232 Nafziger Road, Phillipsburg

Resolution No. 2020-135

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

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

CARRIED.

The Manger of Planning / EDO outlined the report.

Deonisie Ardlean appeared as a delegation, noting that the report outlined the proposal well and thanked staff for the work they have done.

Ms. Debbie Riepert appeared as a delegation. Ms. Riepert provided an overview of their concerns of the Zone Change Application. Ms. Riepert suggested inequity in the ability to apply for Zoning By-law amendments based on when you make requests.

Councillor C. Gordijk asked if water pressure can be addressed. The Manager of Planning / EDO noted that the pressure of the water was not the concern, rather the concern is the water supply in particular of the shallow dug well on the property that is currently not connected, he confirmed that the proposed septic system would not affect that well due to the water flow in the opposite direction.

Councillor J. Pfenning asked if the septic system would be one that would be required to be tested and the Manager of Planning / EDO advised that this septic is not in the water protection area.

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

Resolution No. 2020-136

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

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.

CARRIED.

The Manager of Engineering outlined the report.

11.2.2REPORT NO. PW 2020-15

Automated Speed Enforcement Program – Implementation Plan

Resolution No. 2020-137

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

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.

CARRIED.

The Manager of Engineering outlined the report.

Mayor L. Armstrong asked why the schools on Snyder's Road were not be considered as one and the Manager of Engineering advised that the Region's distance requirements identified them as two separate locations.

The Manager of Engineering clarified that a variety of factors were used to identify specific schools for consideration.

The Manager of Engineering confirmed the Region has not provided a timeline for the remaining placements.

The Manager of Engineering noted that he would have to confirm with the Region the length of time this would be installed.

Mr. Dave Moore appeared as a delegation and put forward his support for the location. Mr. Moore noted that there are several speeders and expressed his concern for safety in front of the school.

Mr. Chris Martin-Root appeared as a delegation and noted he lives on Bridge Street. Mr. Martin-Root noted that he has previously advocated for speed control in school zones. He expressed his support for this installation. He noted this is the right message to send to everyone in the community.

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

Resolution No. 2020-138

Moved by: Councillor J. Gerber Seconded by: Councillor B. Fisher

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

CARRIED.

Councillor C. Gordijk advised she received an email from Ms. Richmond regarding the follow-up on her questions regarding costs associated with the Prime Ministers Path and asked that staff provide Ms. Richmond with a response.

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 Access Agreement	Authorization to Execute an Agreement –
Resolution	No. 2020-139	
Moved by:	Councillor J. Pfenning	Seconded by: Councillor B. Fisher
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.		

CARRIED.

13.4BY-LAW NO. 2020-32Drain Provisional By-law for Nachurs AlpineMunicipal Drain 2020

Resolution No. 2020-140

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

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

CARRIED.

14. NOTICE OF MOTIONS

15. ANNOUNCEMENTS

- **15.1** Councillor C. Gordijk advised that the residents of Foxborough Green celebrated the 25th anniversary of their first resident.
- **15.2** Councillor C. Gordijk advised that the Poor Boy Lunch is on September 24, 2020 through curbside pick-up.
- **15.3** Councillor C. Gordijk asked for support on Friday September 18, 2020 to honor Terry Fox by wearing Terry Fox Foundation shirts.

15.4 Councillor C. Gordijk noted that Sunday September 20, 2020 is the Terry Fox Run at 9:00 am and will be live streamed on Facebook as a virtual event.

16. BUSINESS ARISING FROM CLOSED SESSION

17. CONFIRMATORY BY-LAW

17.1 By-law No. 2020-34

Resolution No. 2020-141

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

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.

CARRIED.

18. ADJOURNMENT (8:20 PM)

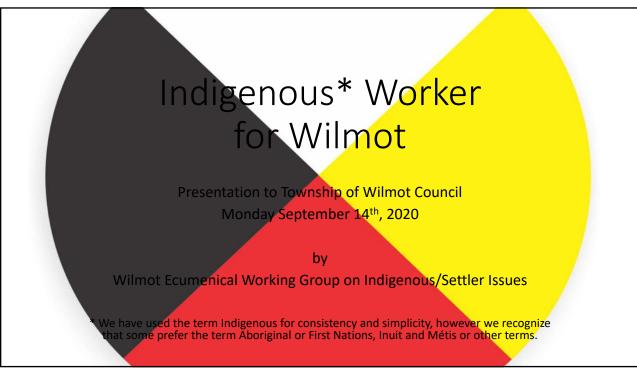
Resolution No. 2020-142

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

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

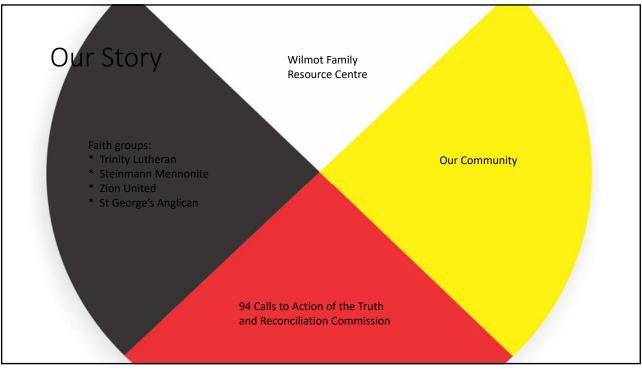
CARRIED.

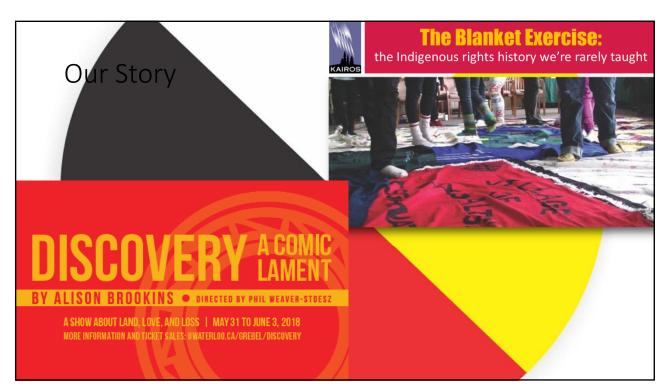
Appendix A

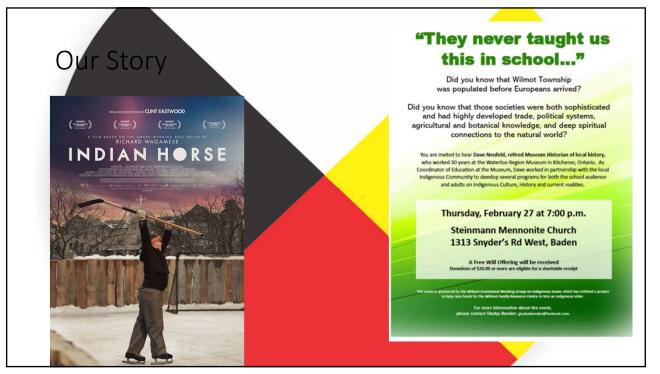


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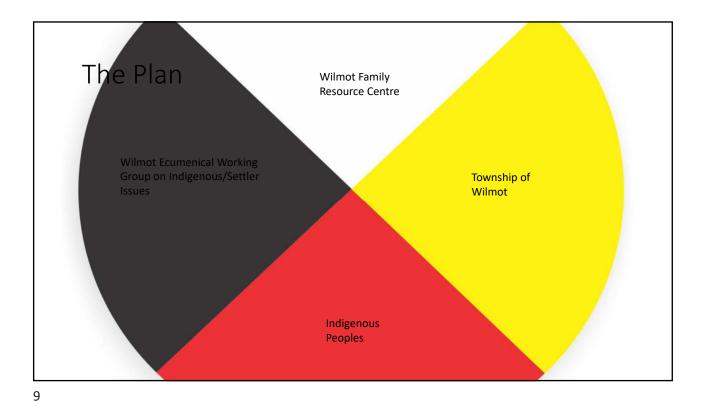


















Indigenous Worker for Wilmot

Slide 1 – Title Anne

Thank you, Mayor Les Armstrong, thank you, Wilmot Township Council and staff for your time this evening.

We are the Wilmot Ecumenical Working Group on Indigenous/Settler Issues. In the order that we are presenting Gladys Bender, Rev Margaret Walker, me Sister Anne Keffer and Dorothy Wilson.

Slide 2 – Agenda Anne

We are here to share information about a collaborative effort with the Wilmot Family Resource Centre to seek out an Indigenous Worker for Wilmot Township.

Slide 3 – Our Story Gladys

The Wilmot Ecumenical Working Group on Indigenous/Settler Issues began meeting to consider how this community could respond to the 94 Calls to Action of the **Truth and Reconciliation Commission of 2015**. We have representation from 4 local congregations.

Our overarching goal is to find ways of being in respectful relationship with Indigenous people. We believe that we have much to share with each other, and much to learn.

We began by hosting several events to raise awareness of Indigenous/Settler relations.

Slide 4 – Our Story Gladys

Perhaps you were among the over 80 participants who attended the Blanket Exercise in 2017 in the New Hamburg Community Centre. The Blanket Exercise is an experiential exercise that teaches Indigenous history. It covers around 400 years of history in one hour.

Were you one of the 300 from Wilmot Township who attended the play "Discovery: A Comic Lament" in 2018? The TRC asked that we repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery." The attitudes embedded in the Doctrine of Discovery continue to be alive in the way we tell our stories of settling this land.

Following up on those 2 well-attended events, our group is embarking on a new project in partnership with Wilmot Family Resource Centre. We are endeavoring to procure funds to assist the Resource Centre to hire an Indigenous Worker as part of our commitment to promote reconciliation with Indigenous people.

Slide 5 – Our Story Gladys

Our group has held two more events to facilitate more understanding and begin raising funds. Both these events were well attended, and a groundswell of enthusiasm became evident for the hiring of an Indigenous Worker.

A free screening of the movie Indian Horse was shown January 31/20 attended by over 65 people. This movie sheds some light on the Residential Schools that many Indigenous people were forced to attend and the involvement of many churches.

An audience of over 60 listened on a very snowy February 27/20 as newly retired historian David Neufeld from Waterloo Regional Museum enlightened us on the topic "They Never Taught Us This In School." He elaborated on the artifacts that have been found in this area that confirm the existence of long houses and Indigenous communities long before European settlers arrived. Case in point is the archeological excavation at Huron Rd and Fischer Hallman. The proceeds of the annual Lenten Lunch program were allocated to this project by the New Hamburg Ministerial. Unfortunately, the need to be physically distant cancelled the lunches. We are anticipating additional funds from some other church groups.

Slide 6 – The Need Margaret

Wilmot Family Resource Centre's vision is "a strong community with healthy families where all individuals are valued and have opportunities to participate and grow."

The Resource Centre serves the entire community of Wilmot and the need for an Indigenous Worker was first identified through their Family Violence Prevention Program.

Statistics Canada reported in 2009 that Victimization of Aboriginal women was close to triple that of non-Aboriginal women.

In the 2016 census data, 355 people identified themselves as Indigenous in Wilmot Township. However, this number should probably be much higher since stigma, shame, and fear often keep people from claiming their heritage.

Women deserve and need to be supported in ways that best foster their physical, emotional, mental, and spiritual healing. Right now, women identifying as Indigenous must travel outside of Wilmot Township to seek culturally appropriate programs and supports. These women often face additional barriers such as low income and lack of transportation which make accessing these services even more difficult.

Additionally, youth have expressed a deep longing for culturally appropriate supports; ones which will foster their beliefs, honour their spirits and help them grow into the people they are meant to be.

Slide 7 – The Need Margaret

The Resource Centre envisions the position will:

- 1. Support and counsel women affected by family violence
- 2. Help instill a respect for the natural world and mother earth
- 3. Share knowledge and provide guidance
- 4. Help shape the Resource Centre's programing for children, youth and adults
- 5. Foster respectful relationships between indigenous and non-indigenous peoples

The Final report of the Truth and Reconciliation Commission stated that: "Canadians **must do more than just talk** about reconciliation; **we must learn how to practise reconciliation** in our everyday lives." [emphasis added] ^[1]

^[1] The Truth and Reconciliation Commission of Canada, Final Report of the Truth and Reconciliation Commission of Canada, Volume 1: Summary p 21

Slide 8 – The Plan Anne

Our understanding is that many of the Indigenous people of Wilmot Township have little or no connection with their own culture, due to residential schools, being adopted into non-indigenous families, or racism. An Indigenous Worker can help them connect to their tradition, knowledge, culture, and values.

With an Indigenous Worker available within our township, members of this community will find ways to connect, to understand, and to respect those who inhabited these lands for thousands of years before our ancestors arrived here.

Slide 9 - The Plan Anne

Our desire is to help provide funding for an Indigenous Worker to be available at the Resource Centre. One-half of the cost will be borne by the Resource Centre, and our group has found funding for one half of the costs for 2020, through gifts from individuals, congregations and fund-raising events, as we have already named. We are excited about this project and have discovered a growing enthusiasm among the members of this township. Having the worker located at the Resource Centre in New Hamburg means they will be reaching out to the whole township.

We will be making a request for some funding from the Wilmot Township Council in the next budget cycle.

Slide 10 – Who Cares? Dorothy

The Wilmot Ecumenical Working Group on Indigenous/Settler Issues has shared some information with you about our group and how we came to get involved in the project to assist with the funding for the Wilmot Family Resource Centre to hire an Indigenous Worker. You have heard about why this is an important initiative for our entire community.

Our group believes that this project aligns very well with several aspects of the township's strategic plan including the vision of Wilmot as a cohesive, vibrant and welcoming community that is evolving and growing as a community of caring people. The strategic plan values diversity, inclusivity and the importance of involving community groups. The plan also supports our rich cultural heritage and volunteer initiatives in the community.

The Wilmot Council has demonstrated its desire to work towards reconciliation with Canada's First Nations peoples by taking the action of starting its meetings with a land acknowledgement, and responding to concerns raised about the Prime Ministers Path.

Slide 11 – Moving Forward Dorothy

The Wilmot Ecumenical Working Group on Indigenous/Settler Issues hopes that you will agree that it is important to have an Indigenous Worker available at the Resource Centre and will consider working with us to move this project forward.

We realize that the members of council will need time to absorb the information that has been presented this evening. We look forward to meeting with you again in the fall.

Slide 12 – Thank You Anne

Thank you for your attention this evening. We are happy to answer any questions that you have about this initiative.



INFORMATION AND LEGISLATIVE SERVICES Staff Report

REPORT NO:	ILS 2020-22
то:	Council
SUBMITTED BY:	Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk
PREPARED BY:	Tracey Murray, Manager Information and Legislative Services / Deputy Clerk
REVIEWED BY:	Grant Whittington, CAO
DATE:	September 28, 2020
SUBJECT:	Receipt of Petition for Drainage Works Waterloo Common Element Condo Plan #355, Summers Field Lane, 1662 Erbs Road, St. Agatha Township of Wilmot

RECOMMENDATION:

THAT the Township of Wilmot accept the Petition for Municipal Drain Improvements received from Waterloo Common Elements Condominium Corporation #355 for Part Lot 6, Concession North of Erbs Road, and;

THAT the Clerk be authorized to proceed accordingly under The Drainage Act.

SUMMARY:

Receiving a petition for drainage works is the first step in the Municipal Drain process under the Province's Drainage Act.

REPORT:

Waterloo Common Elements Condominium Corporation #355 have submitted and filed a petition with the Clerk on September 8, 2020 to construct a new tile drain for the following



lands: Summers Field Land, 1662 Erbs Road, St. Agatha, Township of Wilmot. The proposed work involves tile and surface water drainage. The Drainage Superintendent has met with the petitioner and has confirmed that this is a valid petition.

Pursuant to the Drainage Act, once the petition is filed, it proceeds to Council for acceptance. Following acceptance of the petition, staff will forward written notice within 30 days to: each petitioner, the Grand River Conservation Authority, and the Ministry of Natural Resources.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The acknowledgement of the petition supports 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 that will be prepared by the Engineer as part of his report. At this time, there are no financial considerations.



INFORMATION AND LEGISLATIVE SERVICES Staff Report

REPORT NO:	ILS 2020-23
то:	Council
SUBMITTED BY:	Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk
PREPARED BY:	Tracey Murray, Manager Information and Legislative Services / Deputy Clerk
REVIEWED BY:	Grant Whittington, CAO
DATE:	September 28, 2020
SUBJECT:	Receipt of Request for Drain Improvement Karen Wagler Nicklas Drain, Part Lot 32, Concession 3, Block B Township of Wilmot

RECOMMENDATION:

THAT the Township of Wilmot accept the Notice of Request for Drain Improvement received from Karen Wagler for the Nicklas Drain, Part Lot 32, Concession 3, Block B, Township of Wilmot; and,

THAT the Clerk be authorized to proceed accordingly under The Drainage Act.

SUMMARY:

Receiving a request for drainage improvements is in accordance with section 78(1) of the Drainage Act.

REPORT:

Karen Wagler submitted and filed a petition with the Clerk on September 8, 2020 to initiate improvements to an existing municipal drain for the following lands: Part Lot 32, Concession 3,



Block B, Township of Wilmot. The proposed work involves improving, extending to an outlet or altering the drainage works. The Drainage Superintendent has met with Ms. Wagler and confirmed this request.

Pursuant to the Drainage Act, once the petition is filed, it proceeds to Council for acceptance. Following acceptance of the petition, staff will forward written notice within 30 days to: each petitioner, the Grand River Conservation Authority, and the Ministry of Natural Resources.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The acknowledgement of the petition supports 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 that will be prepared by the Engineer as part of his report. At this time, there are no financial considerations.



INFORMATION AND LEGISLATIVE SERVICES Staff Report

REPORT NO:	ILS 2020-24
TO:	Council
SUBMITTED BY:	Dawn Mittelholtz, Director Information and Legislative Services / Municipal Clerk
PREPARED BY:	Tracey Murray, Manager Information and Legislative Services / Deputy Clerk
REVIEWED BY:	Grant Whittington, CAO
DATE:	September 28, 2020
SUBJECT:	Receipt of Request for Drain Improvement Karen Wagler Delton-Reibling Drain, Part Lot 32, Concession 3, Block B Township of Wilmot

RECOMMENDATION:

THAT the Township of Wilmot accept the Notice of Request for Drain Improvement received from Karen Wagler for the Delton-Reibling Drain, Part Lot 32, Concession 3, Block B, Township of Wilmot; and,

THAT the Clerk be authorized to proceed accordingly under The Drainage Act.

SUMMARY:

Receiving a request for drainage improvements is in accordance with section 78(1) of the Drainage Act.

REPORT:

Karen Wagler submitted and filed a petition with the Clerk on September 8, 2020 to initiate improvements to an existing municipal drain for the following lands: Part Lot 32, Concession 3,



Block B, Township of Wilmot. The proposed work involves improving, extending to an outlet or altering the drainage works. The Drainage Superintendent has met with Ms. Wagler and confirmed this request.

Pursuant to the Drainage Act, once the petition is filed, it proceeds to Council for acceptance. Following acceptance of the petition, staff will forward written notice within 30 days to: each petitioner, the Grand River Conservation Authority, and the Ministry of Natural Resources.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The acknowledgement of the petition supports 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 that will be prepared by the Engineer as part of his report. At this time, there are no financial considerations.



REPORT NO:	COR 2020-033
то:	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 28, 2020
SUBJECT:	Drain Maintenance Levies

RECOMMENDATION:

THAT Report COR 2020-033, 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 the Wagner Drain Branch "C" and Petersburg Drain 1983. 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.



Between the fall of 2017 and the summer of 2020, drain repair and maintenance activities occurred on the Petersburg Drain and Wagner Drain.

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
Wagner Drain	\$399.92	\$0.00	\$399.92	\$0.00
Petersburg Drain	\$33,569.32	\$2,336.46	\$25,579.27	\$5,653.59
Total	\$33,969.24	\$2,336.46	\$25,979.19	\$5,653.59

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 \$2,336.46, will be submitted upon passage of the by-law.

As per the levying by-law, the Township of Wilmot has been allocated \$5,653.59 for the drains. These costs will be funded from general municipal drains operations.

ATTACHMENTS: Drain Maintenance Levy By-Law 2020-034



INFORMATION AND LEGISLATIVE SERVICES Staff Report

REPORT NO:	ILS 2020-25
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 28, 2020
SUBJECT:	Procedural By-law Amendment Notice Electronic Participation

RECOMMENDATION:

THAT Report Number ILS 2020-25 be received for information; and,

THAT amendments to the Township's Procedural By-law concerning electronic participation be added to the October 5, 2020 Council Meeting Agenda.

SUMMARY:

This report is providing notice of proposed changes to the Township's Procedural By-law concerning electronic participation in Council Meetings.

BACKGROUND:

On March 25, 2020, Council endorsed amendments to the Procedural By-law allowing for electronic participation in Council Meetings during the declared emergency. These amendments were made possible through Bill 187 and its amendments to the Municipal Act, 2001, which previously did not allow for Members participating electronically to be counted towards quorum. The physical distancing recommendations and Emergency Ordered office



closures throughout the province necessitated these changes in how Council Meetings were held.

REPORT:

On July 21, 2020, Bill 197, was given Royal Assent and included further amendments to the Municipal Act, 2001 concerning electronic participation in Council and Committee meetings and allowing for proxy voting in meetings.

In compliance with the Township's Procedural By-law, the Clerk is required to provide notice of amendments to the Procedural By-law at the preceding Regular Meeting of Council where such amendments will be considered. This report serves to provide notice and a draft copy of the proposed Procedural By-law Amendments.

On October 5, 2020, Council will be provided with a recommendation concerning the proposed amendments to the Procedural By-law and a review of the amendments to the Municipal Act, 2001, as they pertain to the electronic participation in meetings and proxy voting.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This By-law amendment is a core service required as the result of an emergency. It aligns with the Strategic Plan by communicating municipal matters while ensuring people's safety.

FINANCIAL CONSIDERATIONS:

None.

THE CORPORATION OF THE TOWNSHIP OF WILMOT BY-LAW NO. 2020-XX BEING A BY-LAW TO AMEND THE RULES OF ORDER AND PROCEDURE FOR THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WILMOT

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

AND WHEREAS section 238(3.1) of the Municipal Act, 2001 allows for a municipality's procedural by-law to permit a member of Council, of a local board or a committee of either of them, to participate electronically in a meeting to the extent and in the manner set out in the by-law;

AND WHEREAS section 238(3.3) of the *Municipal Act, 2001* allows the procedural by-law to provide that,

- (a) a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public.

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

- 1. **THAT** the definition of "Participate Electronically", as set out in section 1A.3 of the Procedural By-law (Township By-law 2019-25) be deleted and replaced with the following:
 - 1A.3 "**Participate Electronically**" means that Members of Council are present at the Council Meeting through an online or telecommunications medium that allows for audio and/or video interactions for the purposes of participating in a Council Meeting and such participation includes voting.
- 2. **THAT** Section 4A.1 of the Procedural By-law (Township By-law 2019-25) is hereby deleted and replaced with the following:

4A.1 PARTICIPATING ELECTRONICALLY

- 4A.1.1 Notwithstanding any other provision of this By-law, a Member of Council may Participate Electronically in any Council Meeting, which is either open or closed to the public, and may be counted in determining whether or not a quorum of members is present at any point in time, subject to Sections 4A.1.2 and 4A.1.3 of this By-law.
- 4A.1.2 The Chair of a Meeting of Council shall not be permitted to Participate Electronically in a Meeting of Council, except during a Declared Emergency.
- 4A.1.3 In the absence of a Declared Emergency, where a Council Member wishes to Participate Electronically at any Council Meeting, such Council Member shall provide the Clerk with a minimum of 48 hours' notice, in writing.
- 3. This by-law shall come into force and effect on the date of its passage.

READ a first and second time on the 5^{th} day of October, 2020.

READ a third time and passed in open Council on the 5th day of October, 2020.

Mayor

Clerk



CORPORATE SERVICES Staff Report

REPORT NO:	COR 2020-034
TO:	Council
SUBMITTED BY:	Patrick Kelly, CPA, CMA Director of Corporate Services / Treasurer
PREPARED BY:	Patrick Kelly, Director of Corporate Services / Treasurer Harold O'Krafka, Director of Development Services
REVIEWED BY:	Grant Whittington, Chief Administrative Officer
DATE:	September 28, 2020
SUBJECT:	Development Charges Deferral Payment and Interest Rate Policy

RECOMMENDATION:

THAT Report COR 2020-034 be received for information purposes; and further,

THAT Council approve the Governance Policy on Development Charges Deferral Payment and Interest Rates.

SUMMARY:

This report provides an overview of changes to the Development Charges Act (DCA) resulting from recently adopted Provincial legislation. As a direct result of these legislative changes, the Township is in need of an approved Governance Policy on the DC Deferral Payment and applicable Interest Rates.

Staff from Development Services and Corporate Services participated on a joint-municipal working group with representation across the Region of Waterloo, to develop a common approach to the new requirements authorized under Bill 108, Bill 138 and Bill 197.



BACKGROUND:

The Provincial Government, with the intent of making housing more affordable, implemented changes to the DCA (Development Charges Act). The changes pertaining to Section 26.1 and 26.2 of the DCA came into effect on January 1, 2020, and were legislated through:

- Bill 108 More Homes, More Choices Act, 2019 received royal assent on June 6, 2019
- Bill 138 Plan to Build Ontario Together Act, 2019 received royal assent on December 10, 2019
- Bill 197 COVID-19 Economic Recovery Act, 2020 received royal assent on July 21, 2020

Development Charges (DCs) are a development related fee paid by residential and nonresidential development to help municipalities finance the capital infrastructure required as a result of growth. The determination of DCs including its application and amount is a legislated calculation. The premise behind DCs is growth should pay for growth, although current legislation prevents this fully from occurring and as a result, some costs of growth must be borne by the ratepayers of a municipality.

Prior to Ontario adopting the first Development Charges Act in 1989, municipalities had to use other methods to finance municipal infrastructure needs due to growth. The financial methods were property taxes, special capital levies, lot levies, development agreements or government grants / subsidies.

REPORT:

Several sections of the DCA amended by Bills 108, 138 and 197 came into force on January 1, 2020. As such, starting this year municipalities will need to change the way they administer and collect DCs for certain developments.

Section 26.1:

On January 1, 2020 DCs will be payable in equal annual installments for three types of development: rental housing; institutional development; and non-profit housing. (commercial and industrial development was originally included but was removed from this provision in Bill 138).

The installments begin on the earlier of occupancy permit issuance or first occupancy, and continue for:

- 5 years for rentals and institutional (6 payments in total); and
- 20 years for non-profits (21 payments in total).

Previously DCs for all development were payable in full upon the first building permit being issued. Typically, there is 6-12 months (sometimes years) between building permit issuance and occupancy of the building. Any development that is not eligible will continue to pay DCs in full prior to the issuance of the building permit.



The payment plan for rentals, institutional, and non-profit housing is not affected by an expiring DC by-law – so the annual payments will not change even if a new DC by-law is passed in a later year. A developer has to notify the municipality within 5 days of occupancy unless occupancy is authorized by the building permit. If notice isn't provided the full DC is payable immediately, with interest accruing from the date the DC would have first been payable.

If any part of the development changes (i.e. rental housing converted to condos) the full DC is payable immediately (with interest), less any installments already paid. Note that this section does not apply to any DCs that became payable prior to January 1, 2020 – it is not retroactive.

As we move forward, the Township will need to start identifying the types of development eligible for this payment plan and tracking their annual payments. The Township will also need to determine an appropriate interest rate to charge in order to ensure eligible cost recovery.

Section 26.2:

This provision is commonly referred to as the DC "freeze". On January 1, 2020 the DC payable is determined by the DC in effect at:

- The day of application for site plan control; or, if not applicable
- The day of application for rezoning; or, if neither apply
- The day of building permit issuance.

Note that if a development is subject to both site plan and rezoning application, the later application is the date used for determining the DC. The freezing of the DC will not apply if a prescribed amount of time elapses from the date the site plan or rezoning application is approved to building permit issuance; the draft regulations indicate this timeframe will be two years, though this has yet to be finalized.

As with the payment plan, the determination of the DC is not affected by an expiring DC by-law – so a developer may pay a frozen DC rate that is technically no longer in effect by the date the DC is payable. The Township can however charge interest from the date of application to the date the DC is payable, up to a maximum prescribed interest rate. The Province has indicated that it will not prescribe a maximum interest rate.

Again, this section does not apply to any site plan/rezoning applications that were made prior to January 1, 2020. Municipalities will need to start tracking site plan and rezoning application dates for all development starting on January 1st, 2020. Municipalities will also need to determine an appropriate interest rate to charge in order to ensure eligible cost recovery.

Development Charge Deferral Payment and Interest Rate Policy

Staff have developed the Development Charge Deferral Payment and Interest Rate Policy as attached as Appendix "A". The proposed policy recommends interest rates that strike a balance between strategic priorities and promoting affordable housing and development, with the Township's requirement to manage risk and balance revenues of growth with the cost of growth.

Where Development Charges are deferred, the Township is either required to use its reserves (that could have generated interest revenue) or borrow with associated borrowing costs, to fund any shortfall. There is some financial risk associated with the non-collection of payments given their long-term nature. Traditionally loans of this type would be secured by a letter of credit or agreement registered on title against the property. There are no regulations with respect to requiring securities under this legislation. Staff will monitor deferral plans and amendments to the policy can be addressed if non-payment becomes an issue.

Some municipalities have chosen to set a different interest rate depending on whether or not securities have been acquired for the development. This choice is not being recommended by staff because requesting securities may negate the intent of the legislation to promote rental housing and non-profit development.

Staff are making the following recommendations to be included within the policy:

DEVELOPMENT CHARGE DEFERRAL UNDER SECTION 26.1 OF THE DC ACT

- For development applications deemed to be received for rental housing and institutional development- fixed interest charges will be applied to the deferred Development Charge rates to be collected at the current Bank of Canada Prime Rate plus two (2) percent annually. Under subsections 26.1 (1), (2) and (3) of the Act, development charges shall be paid in equal annual installments, plus interest, beginning at the earlier of first occupancy or occupancy permit under the Building Code Act, 1992 (as amended). Eligible developments shall pay their first payment at occupancy and the following five (5) anniversaries after that date.
- For development applications deemed to be received for non-profit housing development – no interest rate will apply. Under subsections 26.1 (1), (2) and (3) of the Act, development charges shall be paid in equal annual installments, plus interest, beginning at the earlier of first occupancy or occupancy permit under the Building Code Act, 1992 (as amended). Non-profit housing development shall pay their first payment at occupancy and the following twenty (20) anniversaries after that date.

DEVELOPMENT CHARGE DETERMINATION (FREEZING OF RATES) UNDER SECTION 26.2 OF THE DC ACT

- For development applications deemed to be received for rental housing and institutional development– fixed interest charges will be applied to the frozen Development Charge rates to be collected at the current Bank of Canada Prime Rate plus two (2) percent annually.
- For development applications deemed to be received for non-profit housing development no interest rate will apply.

Staff are recommending Prime plus two (2) percent for rental housing and institutional development. The prime interest rate is a publicly available figure on the Bank of Canada's website and is determined by an independent third party, somewhat similar to CPI inflation. And much like CPI inflation, the prime interest rate will fluctuate over time, based on economic



conditions. A premium of 2% on top of the prime interest rate is proposed to cover an element of risk in the development process and to offset interest rate fluctuations over the course of a freeze/deferral.

Staff are also recommending not to charge an interest rate on non-profit housing developments as a way to encourage affordable housing.

To ensure better consistency of approach and information amongst regional municipalities, and thereby a better customer experience for developers operating across the region, a regional working group was struck which includes representation from all eight regional municipalities. The regional group has been working through the various changes in the DCA to ensure consistency across the Region and all are in agreement with the proposed interest rate methodology in this report.

For the purposes of this Policy, an application is deemed to be "received" when the Township receives an application for a Site Plan or Zoning By-Law Amendment and is deemed complete in accordance with the Planning Act and the Township's Official Plan. In addition, the Township considers an application for Site Plan to be approved on the date that the Site Plan Agreement is executed or the date that the Site Plan drawings are stamped for approval by the Township, whichever occurs last. The Township considers a Zoning By-Law Amendment to be approved on the date that the amending by-law comes into effect in accordance with the Planning Act. If a development is subject to both a site plan and a rezoning application, the later completed application is the date used for determining the received date.

The fixed interest will be calculated from the date of when the development charges would have been payable, based on the date the site plan or zoning application is considered to be "received" to the date of when the installment is paid in full in accordance with Sections 26.1(7) and 26.2(3) of the Development Charges Act. In the case where there are no such applications required to be received, the rate will be based on the charge in effect on the day of the building permit issuance.

Invoicing and collection of interest will be in accordance with the Development Charges Act, 1997, as amended. The current Bank of Canada Prime Rate is 2.45% (as of September 1, 2020).

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Through the Development Charge Deferral Payment and Interest Rate Policy the Township is following the Strategic Plan by ensuring the we are being fiscally responsible in the manner we are collecting development charges.

FINANCIAL CONSIDERATIONS:

There are no immediate financial impacts, other than what has already been discussed within this report.

ATTACHMENTS: GP-??? – Development Charge Deferral Payment and Interest Rate Policy

	Governance Policy
	Section:
OF WILMOT	Policy # Pg. 1 of 8 Development Charges Deferral Payment and Interest Rate Policy
Revision Date:	Issue Date: September 28, 2020
Approved by:	Review Date: August 31, 2024

PURPOSE

To establish a policy that provides guidelines for and establishes interest charges to apply to:

- the Development Charge rates deferred for applications under Section 26.1 of the Development Charges Act, 1997 (as amended) and received after January 1, 2020;
- the Development Charge rates frozen for a received site plan / rezoning application under • Section 26.2 of the Development Charges Act, 1997 (as amended), and received on or after January 1, 2020.

This policy will serve to authorize the Township of Wilmot to take any necessary action related to calculating, invoicing and collecting interest charges related to the administration of the Development Charges By-Law and requirements of Bill 108, More Homes More Choices Act 2019, Bill 138 the Plan to Build Ontario Together Act and Bill 197 COVID-19 Economic Recovery Act, as deemed appropriate to protect the Township's financial interests. This will apply to the current and any future reviews and updates to the Township's Development Charges By-law and Background Studies.

This policy proposes interest rates that strike a balance between strategic priorities and promoting affordable housing and development, with the requirement of a Municipality to manage risk and balance revenues of growth with the cost of growth.

SCOPE

This policy will apply to any Development Charges that became payable on or after January 1, 2020, for which the applicant elects to defer payment, in accordance with Sections 26.1 and Section 26.2 of the Development Charges Act, 1997 (as amended).

DEFINITIONS

Development Charges (DC) – Monies that are collected from land developers by a municipality, to offset some of the capital infrastructure expenditures incurred, to service the needs of new development. These development charges to those imposed pursuant to the Township of Wilmot and Region of Waterloo's respective Development Charge By-law's.

Institutional Development – For the purposes of this policy only, is defined as per O.Reg 454/19 (or as updated) meaning development of a building or structure intended for the following uses:

A long-term care home within the meaning of subjection 2 (1) of the Long-Term Care Homes Act. 2007;

- A retirement home within the meaning of subsection 2 (1) of the Retirement Homes Act, 2010;
- A university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
- A college or university affiliated with a university described above;
- A private school;
- An Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017.
- A memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion.
- A hospice to provide end of life care

Interest Rates – The proportion of a loan that is charged as interest to the borrower, typically expressed as an annual percentage of the loan outstanding.

Non-Profit Housing Development – For the purposes of this policy only, is defined as O.Reg 454/19 (or as updated) meaning development of a building or structure intended for use as a residential premises by:

- A corporation to which the Not-for Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing.
- A corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing.
- A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.

Received – this definition is defined in this policy.

Rental Housing Development – For the purposes of this policy only, is defined as per O.Reg 454/19 (or as updated) meaning development of a building or structure with four or more dwelling units all of which are intended for use as rented residential purposes.

Site Plan – A plan or plans for proposed development that is subject to approval by the Township pursuant to Section 41 of the Planning Act and in accordance with the Township's Site Plan Approval Area By-Law.

Township - The Township of Wilmot

Zoning By-Law Amendment – A by-law passed by Council of the Township of Wilmot under Section 34 of the Planning Act to amend the zoning of a property or area.

STANDARDS AND PROCEDURES

Applicable Interest Rate Charges

DEVELOPMENT CHARGE DEFERRAL UNDER SECTION 26.1 OF THE DC ACT

- For development applications deemed to be received for rental housing and institutional development—fixed interest charges will be applied to the deferred Development Charge rates to be collected at the current Bank of Canada Prime Rate plus two (2) percent annually. Under subsections 26.1 (1), (2) and (3) of the Act, development charges shall be paid in equal annual installments, plus interest, beginning at the earlier of first occupancy or occupancy permit under the Building Code Act, 1992 (as amended). Eligible developments shall pay their first payment at occupancy and the following five (5) anniversaries after that date.
- For development applications deemed to be received for non-profit housing development

 no interest rate will apply. Under subsections 26.1 (1), (2) and (3) of the Act, development charges shall be paid in equal annual installments, plus interest, beginning at the earlier of first occupancy or occupancy permit under the Building Code Act, 1992 (as amended). Non-profit housing development shall pay their first payment at occupancy and the following twenty (20) anniversaries after that date.

DEVELOPMENT CHARGE DETERMINATION (FREEZING OF RATES) UNDER SECTION 26.2 OF THE DC ACT

- For development applications deemed to be received for rental housing and institutional development- fixed interest charges will be applied to the frozen Development Charge rates to be collected at the current Bank of Canada Prime Rate plus two (2) percent annually.
- For development applications deemed to be received for non-profit housing development

 no interest rate will apply.

Received Defined

When an application is deemed to be "received":

The meaning of when an application is considered to be received will be:

- The Township considers an application for a Site Plan or Zoning By-Law Amendment to be received at the time that the submitted application is deemed complete in accordance with the Planning Act and the Township's Official Plan.
- The Township considers an application for Site Plan to be approved on the date that the Site Plan Agreement is executed or the date that the Site Plan drawings are stamped for approval by the Township, whichever occurs last.
- The Township considers a Zoning By-Law Amendment to be approved on the date that the amending by-law comes into effect in accordance with the Planning Act
- If a development is subject to both a site plan and a rezoning application, the later completed application is the date used for determining the received date.

The fixed interest will be calculated from the date of when the development charges would have been payable, based on the date the site plan or zoning application is considered to be "received" to the date of when the installment is paid in full in accordance with Sections 26.1(7) and 26.2(3) of the Development Charges Act.

In the case where there are no such applications required to be received the rate will be based on the charge in effect on the day the building permit issuance.

Invoicing and collection of interest will be in accordance with the Development Charges Act, 1997, as amended.

Early Payment Agreement

Under section 27.1 of the Act, an early payment agreement (sample provided in Appendix 1) will be required if the person required to pay development charges chooses to pay the full development charges plus accrued interest owing prior to building permit issuance or at occupancy.

Schedule of Installment Payments

The Township will provide an Installment Payment Schedule (sample provided in Appendix 2) to the person required to pay development charges once notified of occupancy. Acknowledgement of the Installment Payment Schedule and the first installment payment shall be due within 15 days of the Installment Payment Schedule being provided. It will be the responsibility of the person responsible to pay development charges to provide payment in a prompt and timely manner as per the schedule, no further notifications of upcoming payments will be given.

The Installment Payment Schedule will terminate, and the remaining balance of all development charges shall be payable within 15 days immediately following the notification/determination of any of these trigger events:

- Change of use to a development type that is not eligible for development charge installments under the Act, as of the day the change is made.
- Sale or transfer of ownership, of the property unless an assumption agreement is entered into.

Unpaid Development Charges

If any development charges (including interest) are unpaid, those development charges (including interest) may (at the discretion of the Treasurer) be added to the tax roll and collected in the same manner as taxes, in accordance with section 32 of the Act.

RESPONSIBILITIES

In accordance with the Development Charges Act, 1997, as amended, The Township of Wilmot authorizes the Director of Corporate Services / Treasurer, the Director of Information and Legislative Services / Clerk, the Chief Building Official or the Director of Development Services to execute any necessary agreements in a format approved by the Director of Corporate Services / Treasurer to charge interest, to set out a DC payment plan, and/or DC Early Payment Agreement as indicated in the procedures below.

COMMUNICATION

This policy will be posted on the Township website, and directly shared upon request from applicable developers within the Township of Wilmot

Appendix 1

Early Payment Agreement (section 27 of the Act)

DATE

This is an early payment agreement between INSERT NAME and the Township of Wilmot for the payment of development charges under section 27 of the Development Charges Act, 1997 (the Act) for INSERT ADDRESS, (reference building permit # XXXXX).

The Applicant acknowledges that under section 26.1 of the Act, the property listed above shall pay development charges in equal annual installments with the first payment due upon occupancy. It is the Applicant's desire and commitment to remit the applicable development charges on an alternate / early payment schedule as outlined below:



Full payment of applicable development charges on the building permit issuance date calculated as per policy.

Full payment of applicable development charges within 15 days of notice of occupancy calculated as per policy.

The following payment terms have been deemed acceptable by both parties upon signature of this agreement.

AUTHORIZED REPRESENTATIVE/OWNER SIGNATURE

COMPANY NAME

ADDRESS

DATE

AUTHORIZED TOWNHIP OF WILMOT SIGNATURE

TITLE

DATE

Appendix 2

Schedule of Development Charge Installment Payments - to be provided once notice of occupancy has been received

DATE

Notification of occupancy for INSERT ADDRESS (reference building permit # XXXXX) was received on INSERT DATE. As per section 26.2 of the Development Charges Act, 1997 the first installment of the development charges is now due, with the remainder due in annual installments, refer to the schedule below for the future due dates.

Date	Township of Wilmot Amount	Region of Waterloo Amount	Total DC Installment Due
OCCUPANCY			
Payment 2			
Payment 3			
Payment 4			
Payment 5			
Payment 6			
Total			

The first payment must be received within fifteen days of the date on this letter to avoid any interest penalty. All future payments are due on/before the due date.

Under subsection 26.1 (8) of the Development Charges Act, 1997 unpaid amounts may be added to the tax roll and collected in the same manner as taxes including the applicable interest rate.

Under the approved Township of Wilmot Development Charge Deferral Payment and Interest Rate Policy, this schedule will serve as the only notice of future due dates for installment payments.

AUTHORIZED TOWNSHIP OF WILMOT SIGNATURE

TITLE

Acknowledgement of receipt of the Schedule of Development Charge Installment Payments dated INSERT DATE, for the development located at INSERT ADDRESS (reference building permit # XXXXX).

The undersigned as an authorized representative or owner of the property is acknowledging receipt of the letter outlining the Schedule of DC Installment Payments permitted under section 26.1 of the Act.

AUTHORIZED REPRESENTATIVE/OWNER SIGNATURE

COMPANY NAME

ADDRESS

DATE



The Corporation of The **Town of Amherstburg**

September 21, 2020

VIA EMAIL

The Right Honourable Raymond Cho, Minister for Seniors and Accessibility College Park 5th Flr, 777 Bay St, Toronto, ON M7A 1S5

Re: AODA Website Compliance Extension Request

At its meeting of September 14, 2020, Council passed the following for your consideration:

Resolution # 20200914-281

"1. **WHEREAS** Section 14(4) of O.Reg 191/11 under the Accessibility for Ontarians with Disabilities Act requires designated public sector organizations to conform to WCAG 2.0 Level AA by January 1, 2021;

2. **AND WHEREAS** the municipality remains committed to the provision of accessible goods and services;

3. **AND WHEREAS** the municipality provides accommodations to meet any stated accessibility need, where possible;

4. **AND WHEREAS** the declared pandemic, COVID-19, has impacted the finances and other resources of the municipality;

5. **AND WHEREAS** the Accessibility for Ontarians with Disabilities Act contemplates the need to consider the technical or economic considerations in the implementation of Accessibility Standards;

6. **BE IT THEREFORE RESOLVED THAT** the municipality requests that the Province of Ontario extend the compliance deadline stated in Section 14(4) of O.Reg 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022; **AND**,

7. **BE IT THEREFORE RESOLVED THAT** the municipality requests that the Province of Ontario consider providing funding support and training resources to meet these compliance standards."

The impacts of the pandemic on municipal finances and resources affect the ability of municipalities to meet the January 1, 2021 deadline for full compliance with WCAG 2.0 Level AA.

We humbly request the Ontario government consider an extension request, in addition to financial support and training due to the unprecedented impacts of the global pandemic.

Regards,

Tammy Fowkes Deputy Clerk, Town of Amherstburg (519) 736-0012 ext. 2216 <u>tfowkes@amherstburg.ca</u>

CC:

The Right Honourable Doug Ford, Premier of Ontario The Association of Municipalities of Ontario All Ontario Municipalities

THE CORPORATION OF THE TOWNSHIP OF WILMOT BY-LAW NO 2020-034

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 28th day of September, 2020.

READ a third time and finally passed in open Council this 28th day of September, 2020.

Clerk

Mayor

SCHEDULE A to Bylaw No. 2020-034

Wilmot Township Drain repairs for 2017, 2018, 2019 and 2020						
Drain By-Law Cost Work Completed						
Wagner Drain	1326	399.92	Repairs			
Cressman / Don Myers Drain 83-47 33,569.32 Maintenance						

Wagner Drain Branch C 2020 Repairs Township of Wilmot

· • · · · · · · · · · · · · · · ·							
	Roll No.	Maintenance	Repair	1/3			
Con Lot	(030-005)	Assessment	Assessment	Grant	NET		
SSR W1/2 8	071	703	259.36		259.36		
NSR SW pt 8	-101	29	10.70		10.70		
NSR SE pt 8	-102	72	26.56		26.56		
NSR Pt 8,9	-103	12	4.43		4.43		
NSR Pt 8,9	-104	38	14.02		14.02		
Total Assessments on Lands		854	315.07	0.00	315.07		
Snyder's Road		230	84.85		84.85		
TOTAL ASSESSMENTS		1,084	399.92	0.00	399.92		

Notes:

1. In accordance with OMAFRA ADIP Policy 2.2(a) repairs less than \$500 do not qualify for the 1/3 grant

2. Maintenance assessment is from Wagner Drain report dated September 18, 1969, Wilmot Township Bylaw 1326

			Township				
					2020		
				Maintenance	Maintenance	1/3	
	Con	Lot	Roll No.	Schedule	Assessment	Grant	NET
	S.S.R.	Pt 7	3-5-076	40	21.55		21.55
	S.S.R.	Pt 7	3-5-076-01	667	359.41		359.41
	S.S.R.	Pt 7	3-5-076-02	9	4.85		4.85
	S.S.R.	Pt 7	3-5-076-10	2612	1407.48		1407.48
	S.S.R.	Pt 7	3-5-077	9	4.85		4.85
	S.S.R.	Pt 7	3-5-077-01	9	4.85		4.85
	S.S.R.	Pt 7	3-5-077-02	16	8.62		8.62
	S.S.R.	Pt 7	3-5-078	9	4.85		4.85
	S.S.R.	Pt 7	3-5-078-05	9	4.85		4.85
	S.S.R.	Pt 7	3-5-080	16	8.62		8.62
	S.S.R.	Pt 7	3-5-081	16	8.62		8.62
	S.S.R.	Pt 7	3-5-082	31	16.70		16.70
	S.S.R.	Pt 7	3-5-082	25	13.47		13.47
	S.S.R. S.S.R.	Pt 7		15			
			3-5-084		8.08 1251.21	447.07	8.08 834.14
F	S.S.R.	Pt 7	3-5-085	2322		417.07	
	S.S.R.	Pt 7	3-5-086	8	4.31		4.31
	S.S.R.	Pt 7	3-5-087	3	1.62		1.62
F	S.S.R.	Pt 7	3-5-089	520	280.20	93.40	186.80
	S.S.R.	Pt 7&8	3-5-075	82	44.19		44.19
	S.S.R.	Pt 7&8	3-5-074	3186	1716.78		1716.78
F	S.S.R.	WPt 8	3-5-071	160	86.22	28.74	57.48
	S.S.R.	PtEPt 9	3-5-070	3	1.62		1.62
F	S.S.R.	PtEPt 9	3-5-069	168	90.53	30.18	60.35
F	S.S.R.	PtWPt 9	3-5-068	159	85.68	28.56	57.12
	S.S.R.	PtWPt 9	3-5-067	3	1.62		1.62
	S.S.R.	PtWPt 9	4-5-067	3	1.62		1.62
	S.S.R.	PtEPt 10	4-5-066	3	1.62		1.62
F	S.S.R.	PtEPt 10	4-5-065	88	47.42	15.81	31.61
	S.S.R.	PtWPt 10	4-5-064	32	17.24		17.24
	S.S.R.	PtWPt 10	4-5-061	3	1.62		1.62
F	N.S.R.	PtNEPt 6	3-4-216	2379	1281.91	427.30	854.61
F F F	N.S.R.	Pt 5 & Pt 6	3-4-220	510	274.81		274.81
F	N.S.R.	Pt 6	3-4-222	760	409.53	136.51	273.02
	N.S.R.	Pt 6	3-4-225	56	30.18		30.18
	N.S.R.	Pt 6	3-4-226	62	33.41		33.41
	N.S.R.	Pt 6	3-4-227	62	33.41		33.41
	N.S.R.	Pt 6	3-4-228	65	35.03		35.03
	N.S.R.	Pt 6	3-4-229	91	49.04		49.04
	N.S.R.	Pt 6	3-4-230	104	56.04		56.04
	N.S.R.	Pt 6	3-4-231	76	40.95		40.95
	N.S.R.	Pt 6	3-4-233	420	226.32		226.32
	N.S.R.	Pt 6	3-4-233-30	409	220.39		220.39
	N.S.R.	Pt 6	3-4-234	548	295.29		295.29
	N.S.R.	Pt 6	3-4-249-05	362	195.06		195.06
	N.S.R.	Pt 6	3-4-235	820	441.86		441.86
	N.S.R.	Pt 6	3-4-236	530	285.59		285.59
	N.S.R.	Pt 6	3-4-237	391	210.69		210.69
	N.S.R.	Pt 6	3-4-238	391	210.69		210.69
	N.S.R.	Pt 6	3-4-249-10	65	35.03		35.03
	N.S.R. N.S.R.	Pt 6	3-4-239	388	209.07		209.07
	N.S.R. N.S.R.	Pt 6	3-4-239	379	209.07 204.22		209.07 204.22
				379 385	204.22 207.46		
	N.S.R.	Pt 6	3-4-241				207.46
	N.S.R. N.S.R.	Pt 6	3-4-242	386	208.00		208.00
I	N.O.K.	Pt 6	3-4-243	787	424.08		424.08

Petersburg Drain 1983 - 2017-2020 Maintenance Township of Wilmot

			Township				
					2020		
	_				Maintenance	1/3	
	Con	Lot	Roll No.	Schedule	Assessment	Grant	NET
	N.S.R.	Pt 6	3-4-244	394	212.31		212.31
	N.S.R.	Pt 6	3-4-245	815	439.16		439.16
	N.S.R.	Pt 6	3-4-246	812	437.55		437.55
	N.S.R.	Pt 6	3-4-247	545	293.67		293.67
	N.S.R.	Pt 6	3-4-248	380	204.76		204.76
	N.S.R.	Pt 6	3-4-249	383	206.38		206.38
	N.S.R.	Pt 6	3-4-250	393	211.77		211.77
	N.S.R.	Pt 6	3-4-251	384	206.92		206.92
	N.S.R.	Pt 6	3-4-252	396	213.38		213.38
	N.S.R.	Pt 6	3-4-253	395	212.85		212.85
	N.S.R.	Pt 6	3-4-254	395	212.85		212.85
	N.S.R.	Pt 6	3-4-255	395	212.85		212.85
	N.S.R.	Pt 6	3-4-256	398	214.46		214.46
	N.S.R.	Pt 6	3-4-257	390	210.15		210.15
	N.S.R.	Pt 6	3-4-258	383	206.38		206.38
	N.S.R.	Pt 6	3-4-258-01	200	107.77		107.77
	N.S.R.	Pt 6	3-4-258-02	201	108.31		108.31
	N.S.R.	Pt 6	3-4-259	531	286.13		286.13
	N.S.R.	Pt 6	3-4-260	531	286.13		286.13
	N.S.R.	Pt 6	3-4-261	586	315.77		315.77
	N.S.R.	Pt 6	3-4-262	581	313.07		313.07
	N.S.R.	Pt 6	3-4-263	380	204.76		204.76
	N.S.R.	Pt 6	3-4-264	380	204.76		204.76
	N.S.R.	Pt 6	3-4-265	380	204.76		204.76
	N.S.R.	Pt 6	3-4-266	372	200.45		200.45
	N.S.R.	Pt 6	3-4-267	372	200.45		200.45
	N.S.R.	Pt 6	3-4-268	372	200.45		200.45
	N.S.R.	Pt 6	3-4-269	371	199.91		199.91
	N.S.R.	Pt 6	3-4-270	376	202.61		202.61
	N.S.R.	Pt 6	3-4-271	389	209.61		209.61
	N.S.R.	Pt 6	3-4-272	378	203.69		203.69
	N.S.R.	Pt 6	3-4-273	368	198.30		198.30
	N.S.R.	Pt 6	3-4-274	374	201.53		201.53
	N.S.R.	Pt 6	3-4-275	374	201.53		201.53
	N.S.R.	Pt 6	3-4-276	378	201.00		203.69
	N.S.R.	Pt 6	3-4-277	381	205.30		205.30
	N.S.R.	Pt 6	3-4-278	377	203.30		203.30
	N.S.R.	Pt 6	3-4-279	375	203.13		203.13
	N.S.R.	Pt 6	3-4-279	375	202.07		202.07
					202.01		
	N.S.R.	Pt 6	3-4-281	374			201.53
	N.S.R.	Pt 6	3-4-282	373	200.99		200.99
	N.S.R.	Pt 6	3-4-283	30	16.17		16.17
-	N.S.R.	Pt 6	3-4-284	257	138.48	470.40	138.48
F	N.S.R.	Pt 6	3-4-285	947	510.29	170.10	340.19
F	N.S.R.	Pt 6	3-4-286	201	108.31	36.10	72.21
-	N.S.R.	NPt 7	3-5-093	38		400.45	20.48
F	N.S.R.	Pt 7	3-5-093-10	910	490.35	163.45	326.90
	N.S.R.	Pt 7	3-5-094-01	313	168.66		168.66
	N.S.R.	Pt 7	3-5-094-19	63	33.95		33.95
	N.S.R.	Pt 7	3-5-094-20	49	26.40		26.40
	N.S.R.	Pt 7	3-5-094-25	49	26.40		26.40
	N.S.R.	Pt 7	3-5-094-30	49	26.40		26.40
	N.S.R.	Pt 7	3-5-094-35	49			26.40
	N.S.R.	Pt 7	3-5-094-50	63	33.95		33.95

Petersburg Drain 1983 - 2017-2020 Maintenance
Township of Wilmot

	I ownship of Wilmot									
				Maintenance		1/3				
	Con	Lot	Roll No.	Schedule	Assessment	Grant	NET			
<u> </u>	N.S.R.	Pt 7	3-5-094-51	63	33.95	Grant	33.95			
	N.S.R.	Pt 7	3-5-094-51	63	33.95		33.95			
	N.S.R.	Pt 7	3-5-094-53	104	56.04		56.04			
	N.S.R.	Pt 7	3-5-094-53	118	63.58		63.58			
	N.S.R.	Pt 7	3-5-094-55	110	59.81		59.81			
	N.S.R.	Pt 7	3-5-094-56	97	52.27		52.27			
	N.S.R.	Pt 7	3-5-094-57	166	89.45		89.45			
	N.S.R.	Pt 7	3-5-094-60	49	26.40		26.40			
	N.S.R.	Pt 7	3-5-095	146	78.67		78.67			
	N.S.R.	Pt 7	3-5-096	326	175.67		175.67			
	N.S.R.	Pt 7	3-5-097	323	174.05		174.05			
	N.S.R.	Pt 7	3-5-098	191	102.92		102.92			
	N.S.R.	Pt 7	3-5-098-01	170	91.60		91.60			
	N.S.R.	Pt 7	3-5-099	177	95.38		95.38			
	N.S.R.	Pt 7	3-5-099-01	28	15.09		15.09			
F	N.S.R.	Pt 7	3-5-100	1760	948.38	316.13	632.25			
F	N.S.R.	Pt 8	3-5-101	1558	839.53	279.84	559.69			
F F F	N.S.R.	Pt 8	3-5-102	67	36.10	12.03	24.07			
F	N.S.R.	Pt 8	3-5-102-05	271	146.03	48.68	97.35			
	N.S.R.	Pt 8	3-5-103	3	1.62		1.62			
F	N.S.R.	PtEPt9	3-5-104	549	295.83	98.61	197.22			
F	N.S.R.	PtWPt9	3-5-105	183	98.61	32.87	65.74			
	N.S.R.	PtWPt9	3-5-106	3	1.62		1.62			
	N.S.R.	PtWPt9	3-5-107	3	1.62		1.62			
	N.S.R.	PtWPt9 & PtEPt10	4-5-108	6	3.23		3.23			
	N.S.R.	PtEPt10	4-5-109	3	1.62		1.62			
	N.S.R.	PtEPt10	4-5-110		3.77		3.77			
F	N.S.R.	PtEPt10	4-5-112-01	6	3.23	1.08	2.15			
	N.S.R.	Pt10	4-5-112	4	2.16		2.16			
	N.S.R.	PtWPt10	4-5-114	4	2.16		2.16			
	N.S.R.	PtWPt10	4-5-116	3	1.62		1.62			
	N.S.R.	PtWPt10	4-5-115	3	1.62		1.62			
	N.S.R.	PtWPt10	4-5-116-01	3	1.62		1.62			
	N.S.R.	5 to 9		2295 49,541	1236.66	0006.46	1236.66 24358.77			
	Total on Lan				26695.23	2336.46				
	Regional Ro Regional Ro			1,124 1,430			605.67 770.56			
	Alice Cresce			4,095			2206.59			
Deerfield Avenue				4,095	2206.59		2206.59			
	Redford Driv			653	351.87		351.87			
	Cecil Kenne			66	35.56		35.56			
	Highway 7 &			24	12.93		12.93			
<u> </u>	Total on Roads				6874.09		6874.09			
<u> </u>		ESSMENT for Mainte	12757 \$62,298.00	\$ 33,569.32	\$2,336.46	\$31,232.86				
L				\$02,200.00	↓ 00,000.0Z	<u>↓</u> • <u>•</u>	Ψ01,202.00			

Petersburg Drain 1983 - 2017-2020 Maintenance Township of Wilmot

Notes

1 Lands noted with an "F" are eligible for 1/3 grant - confirmed September 2020

2 Maintenance Assessment is from June 10, 1983 report adopted by Bylaw 83-47