



TOWNSHIP OF WILMOT

Council Meeting Minutes **Monday, October 5, 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

- 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 A. Hallman read the Land Acknowledgement and spoke to the significance of October 4 as the day of remembering missing and murdered Indigenous women.
- 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 September 28, 2020

Resolution No. 2020-151

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

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

Council Meeting September 28, 2020.

CARRIED.

Councillor C. Gordijk noted the list of reading material that was provided was welcomed.

8. PUBLIC MEETINGS

8.1 Zone Change Application 07/20

Caiden-Keller Homes Inc. /

Dryden, Smith & Head Planning Consultants

Part of Lot 27-28, Plan 532A

18 Hincks Street, New Hamburg

Resolution No. 2020-152

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

THAT Report DS 2020-022 be received for information.

CARRIED.

The Manager of Planning / EDO outlined the report.

The Manager of Planning / EDO advised that the changes in setback will be discussed in further detail in a subsequent report. He advised that the next report is expected to be presented to Council in November, which is anticipated to include engineering comments. The Manger of Planning / EDO noted that the noise report was completed as this property is within a regulation area designated by CN and although the applicant has not been provided with feedback from CN, the Region is satisfied that the requirements CN would have required have been met.

Registered Delegations

Mr. Craig and Cindy Nichols appeared as delegations. Mr. Nichols noted that they are property owners adjacent to the subject property and noted their objections to the proposed zone change application. Mr. and Mrs. Nichols expressed their concerns for privacy given the potential elevations for the proposed buildings and proximity to the property line. They noted that they have a young family and a pool and this lack of privacy raises concerns.

Mr. and Mrs. Rathbone appeared as delegations noting their concerns with the zone change application. Mr. Rathbone noted that concerns with the amount of parking that is available, possibly having 6 families occupying the property not being adequate. Mr. Rathbone asked why the setback reduction is being proposed. He also questioned the impact this development would have on the value of his property. Mr. Rathbone also asked why the application includes a severance instead of a proposal for a semidetached dwelling.

Ms. Ceri Nelmes appeared as a delegation. Ms. Nelmes provided a presentation. The presentation is attached as Appendix A.

Mr. Sam Head appeared as a delegation. Mr. Head noted that the plans submitted have been adjusted to comply with the Township Official Plan to increase density and infill. Mr. Head noted that there is significant parking on the site and he advised that he will work with staff to address the concerns provided by the public in a follow up report.

In response to Council, Mr. Head noted the homes would be a typical 2 story home.

The Manager of Planning / EDO clarified that the semidetached would be potentially 4 units and the single-family home could potentially have 2 units.

Mr. Head noted that fencing requirement has not been addressed at this time, although could be considered. He clarified for Council that the units would be for sale.

9. PRESENTATIONS/DELEGATIONS

10. CONSENT AGENDA

11. REPORTS

11.1 INFORMATION AND LEGISLATIVE SERVICES

11.1.1 REPORT NO. ILS 2020-26

Procedural By-law Amendment

Electronic Participation

Resolution No. 2020-153

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

THAT Report Number ILS 2020-26 be received for information; and,

THAT By-law Number 2020-36, as amended, be endorsed.

CARRIED, AS AMENDED.

The Director of Information and Legislative Services outlined the report.

Members of Council expressed concern surrounding the 48 hour time frame requirement for providing notice to the Clerk of electronic participation in the absence of a declared emergency. The Director of Information and Legislative Services noted that Council can remove the 48 hour notice requirement, replace it with notice being provided at Council's earliest opportunity, and approve the By-law, as amended,

At the request of Council, the Director of Information and Legislative Services advised that an operational adjustment can be made where votes would be recorded if any Members of Council are not visible to the electronic or in-person public.

In response to Council, the Director of Corporate Services advised that IT Services staff are able to provide the technical support when required; however, noted that as much notice as possible would be needed.

Mayor L. Armstrong clarified that the consensus is that the 48-hour clause be removed and changed to provide as much notice as possible.

11.1.2 REPORT NO. ILS 2020-27

Supplementary Agreement with Createscape Waterloo Region

Resolution No. 2020-154

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

THAT Report No. ILS 2020-27 be deferred.

CARRIED.

The Director of Information and Legislative Services outlined the report.

Council requested clarification if the Township has any input into the commissioning process in regards to providing a balanced history. The Director of information and Legislative Services advised that the members of the Committee discuss the artist's proposals and provide feedback to the artist on the piece, noting that her time on the Committee has been short and the Director / Curator of Castle Kilbride confirmed the input from the Committee.

Council asked what the Township's process is for overview of the educational program and associated costs, the Director of Information and Legislative Services advised that the educational program is created by the University of Nipissing and is provided to staff for posting on the Township website. The Curator / Director of Castle Kilbride further clarified that the creators of the program are students from the Faculty of Education.

Council requested clarification on the composition of the Committee and representation of such with regards to point 8 of the agreement. The Director of Information and Legislative Services advised of the composition and noted staff will further investigate that aspect of the original Agreement and respond to Council.

Council asked for clarification on the education resources and asked if staff are connecting with the Ministry of Education regarding such. The Director / Curator of Castle Kilbride noted that the education material follows the curriculum and is considered a resource tool that is ever evolving and available for teachers and those visiting the Path.

Mr. John Bailey appeared as a delegation. Mr. Bailey expressed his thoughts on now being the time for due diligence. Mr. Bailey raised concerns with the amended agreement and associated costs to the Township taxpayers. Mr. Bailey also expressed concern regarding the costs associated with the educational components and staff time associated with project. He suggested that the resources provided by the University of Nipissing does not allow for a fulsome educational component. Mr. Bailey asked the Director of Information and Legislative Services if there was a redaction to the agreement as there appears to be a missing page. The Director of Information and Legislative Services advised that nothing in the document has been hidden, other than the redaction of signatures of documents in the public facing document has been removed. Mr. Bailey raised concerns regarding the structure of the committee and questioned why there has been no information available to the public on the committee activities.

Members of Council noted concerns with the missing portion of the agreement and determined that a deferral of the report was needed for staff to confer with Createscape Waterloo Region and the Township solicitor.

Council asked for further details on the arrangement with the University for the educational resources and associated costs. The Director of Information and Legislative Services advised she was not aware of an agreement with the University or any associated costs.

11.2 PARKS, FACILITIES AND RECREATION SERVICES

11.2.1 REPORT NO. PFR 2020-11

RFP Award Constitution Park Playground

Resolution No. 2020-155

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

THAT RFP 2020-22 be awarded to Play Power LT Canada, Inc., for the design, supply and installation of phase two of the playground replacement at Constitution Park, New Hamburg, as per their proposal dated September 23, 2020, in the amount of \$47,336 including HST.

CARRIED.

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

The Parks and Facilities Project Coordinator advised that the playground will be installed by December 11, 2020.

11.2.2 REPORT NO. PFR 2020-12

RFP Award Youth Optimist Park Playground

Resolution No. 2020-156

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

THAT RFP 2020-23 be awarded to Open Space Solutions Inc. for the design, supply and installation and the removal of the existing playground equipment at Youth Optimist Park, New Hamburg, as per their proposal dated September 23, 2020, in the amount of \$98,168 including HST.

CARRIED.

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

12. CORRESPONDENCE

12.1 Letter from Robert Roth

Resolution No. 2020-157

Moved by: Councillor B. Fisher

Seconded by: Councillor J. Gerber

THAT Item 12.1 be received for information.

CARRIED.

Mr. John Bailey appeared as a delegation and noted that the author of the letter is not a Wilmot resident and should not have a voice on this matter in his opinion.

13. BY-LAWS

13.1 BY-LAW NO. 2020-36

To Amend the Rules of Order and Procedure

Resolution No. 2020-158

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Pfenning

THAT By-law No. 2020-36 be read a first, second, and third time and finally passed in Open Council.

CARRIED. AS AMENDED.

14. NOTICE OF MOTIONS

15. ANNOUNCEMENTS

15.1 Councillor B. Fisher noted that the Rotary Wilmot and Interfaith Counselling have a fundraising calendar for 2021 at a cost of \$25 each with weekly draws of \$50.

15.2 Councillor A. Hallman noted today is World Teacher Day and expressed her appreciation to teachers providing online and in person learning.

- 15.3** Councillor A. Hallman wished a Happy Thanksgiving to those that celebrate and noted that the Region of Waterloo has guidelines on having a safe and smaller Thanksgiving.
- 15.4** Councillor J. Pfenning accepted Chair Karen Redman's challenge on donating to the Waterloo Region Foodbank and that all of Council will be participating in that challenge. Councillor J. Pfenning noted that each person that can should help out neighbours in need this Thanksgiving and support local business where possible. Councillor J. Pfenning thanked Sobey's in New Hamburg for the support to the community and the Foodbank.

16. BUSINESS ARISING FROM CLOSED SESSION

17. CONFIRMATORY BY-LAW

17.1 By-law No. 2020-38

Resolution No. 2020-159

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

THAT By-law No. 2020-38 to Confirm the Proceedings of Council at its Meeting held on October 5, 2020 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

18. ADJOURNMENT (9:06 PM)

Resolution No. 2020-160

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

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

CARRIED.