



## **Council Meeting Minutes**

**Monday, March 27, 2017**

**Regular Council Meeting**

**Council Chambers**

**7:00 P.M.**

**Members Present:** Mayor L. Armstrong, Councillors A. Junker, P. Roe, B. Fisher, J. Gerber and M. Murray

**Staff Present:** Chief Administrative Officer G. Whittington, Director of Clerk's Services B. McLeod, Deputy Clerk D. Mittelholz, Director of Public Works G. Charbonneau, Director of Facilities and Recreation Services S. Nancekivell, Director of Development Services H. O'Kafka, Director of Finance P. Kelly, Planner/EDO A. Martin

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

None disclosed.

**6. MINUTES OF PREVIOUS MEETINGS****6.1 Council Meeting Minutes March 6, 2017.****Resolution No. 2017-49****Moved by: B. Fisher****Seconded by: A. Junker**

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

Council Meeting March 6, 2017.

CARRIED, AS AMENDED.

Mayor L. Armstrong advised that the creator of Flat Stanley noted in Item 13.3 is a female, grade three student from Calgary, Alberta, not male.

**7. PUBLIC MEETINGS****7.1 REPORT NO. DS 2017-05****Zone Change Application 03/17****Jason Droppert****Part of Lot 5 and 6, Concession South of Erb's Road****1601 Erb's Road, St. Agatha****Resolution No. 2017-50****Moved by: P. Roe****Seconded by: A. Junker**

THAT Council approve Zone Change Application 03/17 made by Jason Droppert, affecting Part of Lot 5 and 6, Concession South of Erb's Road to change the zoning and reduce the minimum lot width and frontage requirements for a portion of the property to Zone 2 and 4.6m respectively, and to reduce the required lot area and frontage of a separate portion of the lands to 15.3ha and 115m respectively.

CARRIED.

Mayor 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 Ontario Municipal Board, the Board 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 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 Planner/EDO highlighted the report.

Mayor L. Armstrong asked if there were questions of a technical nature from Council. There were none.

Mayor L. Armstrong asked if the applicant wished to address Council on this matter. The applicant did not address Council.

**Jason Droppert, 1601 Erb's Road**

Mr. Droppert advised Council that the intention for the severance is to provide a nearby residence for his wife's parents.

Mayor L. Armstrong asked twice if anyone else wished to address Council on this matter, and in the absence of any comments declared the public meeting to be closed.

**7.2 REPORT NO. DS 2017-06**

**Zone Change Application 04/17**

**Heidi Faul**

**Part of Lots 143 – 145 and Part of James St. (closed), Plan 532A**

**Part 1, Plan 58R-12297**

**320 Waterloo Street, New Hamburg**

**Resolution No. 2017-51**

**Moved by: M. Murray**

**Seconded by: B. Fisher**

THAT Report DS 2017-06 be received for information.

CARRIED.

Mayor 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 Ontario Municipal Board, the Board 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 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 Planner/EDO highlighted the report.

Mayor L. Armstrong asked if there were questions of a technical nature from Council. There were none.

Mayor L. Armstrong asked if the applicant wished to address Council on this matter. The applicant did not address Council.

Mayor L. Armstrong asked if anyone wished to address Council on this matter.

### **Les Fleiszig, 15 Williams Street**

Mr. Fleiszig expressed to Council his concerns regarding this development. He reiterated the comments noted in his letter to staff. He noted that the photo of the proposed development makes the building look closer to three stories than two stories, he suggested that no new buildings should be built higher than the buildings around it nor should they be built closer to the property line than the closest building. He restated his concerns for the increase in traffic on Williams Street and the width of the road not allowing for two cars to pass if two cars are parked on both sides of the road. He questioned how large the individual units would be, how many bedrooms would be in each unit and how many people could be living in each unit. He noted the loss of greenspace and mature trees that would occur with the proposed development. He suggested that a four unit development would blend into the surrounding neighbourhood better than a six unit development. He advised that he felt the applicant should have asked the current residents about the proposed development and that a development such as this would have made more sense being built on the other side of Waterloo Street. He concluded his presentation by asking what he should do if his other neighbour decided to build a similar development.

**Max Bentz, 43 Williams Street**

Mr. Bentz thanked Council for the recent works completed on Williams Street and added that it would have been better if the road was widened as well. He noted that the street is too narrow for parking on both sides of the road and that this development may cause more on-street parking. He confirmed that he would be in favour of the development if it was for four units as opposed to six units and the number of off-street parking spaces remained at ten.

**Janina Holita, 24 Williams Street**

Ms. Holita stated that she has lived on Williams Street since 1955. She expressed her concerns for loss of greenspace, removal of mature trees and the potential for increased noise from garbage removal and snow removal. She reiterated earlier comments, that a four unit development would be preferred to a six unit development.

**Jeremy Wagler, 11 Williams Street**

Mr. Wagler also suggested that a four unit development would be preferred for this development. He advised Council of his concerns for his children playing in the front yard or driveway and how the increase in traffic combined with the narrow street could create a safety hazard.

Mayor L. Armstrong asked twice if anyone else wished to address Council on this matter, and in the absence of any comments declared the public meeting to be closed.

The Planner/EDO confirmed for Councillor J. Gerber that the parking on William Street currently allows for parking on both sides of the road.

In response to Councillor J. Gerber, the Planner/EDO clarified that the maximum allowable height for this development would be 10.5 metres and that a basement is not considered to be the first story if the ceiling is less than six feet above grade.

The Planner/EDO confirmed for Councillor J. Gerber that the photo included in the report is a photograph of an existing building to show conceptually what materials are planned for use in this development but that the layout may not be exactly as shown.

Councillor J. Gerber asked the Planner/EDO for guidelines on what best practices Council might use for determining when approval of changes in setbacks and increase in number of residential units would be justified. The Planner/EDO advised that he will be reporting

back to Council on this application and that he would provide such details at that time including what setbacks are consistent with other infilling developments in Wilmot.

The Planner/EDO confirmed for Mayor L. Armstrong that a subsequent report on this application would be brought to Council following a response from the Region on the noise study and the circulation to all parties who have expressed interest in this application.

## **8. PRESENTATIONS/DELEGATIONS**

## **9. REPORTS**

### **9.1 CAO – no reports**

### **9.2 CLERK'S SERVICES**

#### **9.2.1 REPORT NO. CL 2017-11**

**Consideration of Drainage Engineer's Report**

**For the Cressman and Don Myers Municipal Drains 2017**

**Parts of Lots 25 and 26, Concession 1 Block A**

**Parts of Lots 23 to 26, Concession 2 Block A**

**Parts of Lots 23 to 26, Concession 3 Block A**

**Township of Wilmot, Regional Municipality of Waterloo**

## **Resolution No. 2017-52**

**Moved by: M. Murray**

**Seconded by: A. Junker**

THAT the Drainage Engineer's Report dated March 22, 2017 for the Cressman and Don Myers Municipal Drains 2017, to provide a subsurface outlet for tile drainage waters within the watershed for Parts of Lots 25 and 26, Concession 1 Block A; Parts of Lots 23 to 26, Concession 2 Block A; Parts of Lots 23 to 26, Concession 3 Block A, Township of Wilmot, Regional Municipality of Waterloo, be received, and further;

THAT the date for the Consideration of the Report be scheduled for Monday, April 10th, 2017 at 7:00 pm.

**CARRIED.**

The Deputy Clerk highlighted the report.

**9.3 FINANCE**

**9.3.1 REPORT NO. FIN 2017-16**

**Honorariums and Expenditures of Council Members and  
Council Appointees for the Year Ended December 31, 2016**

**Resolution No. 2017-53**

**Moved by: M. Murray**

**Seconded by: P. Roe**

THAT Report FIN 2017-16, prepared by the Director of Finance, outlining honorariums and expenditures of Council and Council appointees for the 2016 fiscal year, be adopted.

CARRIED.

The Director of Finance highlighted the report.

**9.3.2 REPORT NO. FIN 2017-17**

**Treasurer's Statement – Development Charges Reserve  
Funds**

**Resolution No. 2017-54**

**Moved by: P. Roe**

**Seconded by: B. Fisher**

THAT the Development Charges Statement for the year ended December 31, 2016, prepared by the Director of Finance, be received for information purposes.

CARRIED.

The Director of Finance highlighted the report.

**9.3.3 REPORT NO. FIN 2017-18****Treasurer's Statement – Cash-in-Lieu of Parkland Reserve Fund****Resolution No. 2017-55****Moved by: A. Junker****Seconded by: M. Murray**

THAT the Cash-in-Lieu of Parkland Statement for the year ended December 31, 2016, be received for information purposes, to comply with changes to the Planning Act, resulting from the proclamation of the Smart Growth for Our Communities Act (Bill 73).

CARRIED.

The Director of Finance highlighted the report.

In response to Councillor J. Gerber, the Director of Finance confirmed that the funds from this Reserve Fund have historically been used for significant building projects such as the Wilmot Recreation Complex. He noted that senior levels of government will monitor the Township's ability to match funding dollars for projects when evaluating applications for grant funding and that it would be prudent to allow this Reserve Fund to grow. He further noted that some monies in this Reserve Fund have been earmarked for a potential future third ice pad.

The Director of Finance advised Councillor J. Gerber that he does not know the amounts of other municipalities' Cash-in-lieu of Parkland Reserve Funds for comparison purposes. He did note that the Township of Wilmot's current financial situation would indicate that all of the reserve funds would be considered strong.

Mayor L. Armstrong concurred that the Township's reserve funds are reasonably healthy.

The Director of Development Services clarified for Councillor J. Gerber that the intent of this Reserve Fund is to improve parklands and recreational facilities.

In response to Councillor J. Gerber, the Director of Finance expressed caution in using Reserve Funds to meet an immediate need as the purpose of the Reserve Funds are to accumulate monies for long term planning needs.

Mayor L. Armstrong clarified for Councillor P. Roe that funding for a project such as an opera house would not come from the Cash-in-lieu of Parkland Reserve Fund which is intended for recreational projects, not cultural.

Councillor P. Roe noted his opinion that recreation and culture are connected as many residents would attend cultural events or facilities for recreation.

#### **9.3.4 REPORT NO. FIN 2017-20**

##### **Voice Radio Upgrade Project**

##### **Resolution No. 2017-56**

**Moved by: B. Fisher**

**Seconded by: M. Murray**

THAT Council authorize the Region of Waterloo to place an order on behalf of the Township of Wilmot for the supply, delivery and installation of the P25 Voice Radio System for the Wilmot Fire Service and Public Works Departments; and further,

THAT all necessary radios and equipment be supplied by Motorola Solutions Canada Inc., for the estimated cost of \$300,000, plus applicable taxes, as outlined in Region of Waterloo Report COR-TRY-17-21.

**CARRIED.**

The Director of Finance highlighted the report.

The Director of Finance confirmed for Councillor M. Murray that a breakdown of what equipment will be used where compared to what is currently deployed will be circulated to Council for their information.

In response to Councillor B. Fisher, the Director of Finance clarified that the maintenance term of the contract is for fifteen years.

**9.4 PUBLIC WORKS****9.4.1 REPORT NO. PW-2017-03****Culvert Replacement on the Wilmot-Easthope Road****Resolution No. 2017-57****Moved by: P. Roe****Seconded by: B. Fisher**

THAT the tender submitted by Theo Vandenberk Construction Inc. for the replacement of a concrete culvert located on the Wilmot-Easthope Road 230 metres north of Christner Road (Structure No. 42/B-ESH) , in the amount of \$321,995.00, plus applicable taxes, be accepted.

CARRIED.

The Director of Public Works highlighted the report.

The Director of Public Works clarified for Councillor B. Fisher that Perth East will be contributing a portion of the cost as agreed. He further explained that negotiations took place as to the type of work to be undertaken and what each municipality was prepared to contribute based on the lifespan of the replacement culvert.

**9.4.2 REPORT NO. PW-2017-04****Request for Speed Reduction on Perth Street, New Hamburg****Resolution No. 2017-58****Moved by: M. Murray****Seconded by: P. Roe**

THAT report PW-2017-04 be received for information purposes.

CARRIED.

The Director of Public Works highlighted the report.

The Director of Public Works responded to Councillor J. Gerber's inquiry about the decreasing traffic counts by stating that he is not aware of any recent road works that

would compel drivers to avoid Perth Street but that the bridge may be considered a deterrent to using Perth Street for some drivers.

At the suggestion of Mayor L. Armstrong, the Director of Public Works noted that Perth Street could be considered as a location for the speed monitoring sign. He did reiterate that his findings do not indicate speed to be an issue on Perth Street.

The Director of Public Works clarified for Councillor A. Junker that he does not know the traffic count data for Christner Road and that he cannot confirm if there has been an increase. He did note that Christner Road ends outside of New Hamburg whereas Shade Street and Perth Street would take drivers towards downtown New Hamburg.

**9.5 DEVELOPMENT SERVICES – no additional reports**

**9.6 FACILITIES AND RECREATION SERVICES – no reports**

**9.7 FIRE – no reports**

**9.8 CASTLE KILBRIDE – no reports**

**10. CORRESPONDENCE**

**10.1 Grand River Conservation Authority – GRCA Current, March 2017**

**10.2 Buckingham Palace – Letter of Thanks on behalf of Her Majesty Queen Elizabeth II**

**Resolution No. 2017-59**

**Moved by: B. Fisher**

**Seconded by: P. Roe**

THAT Correspondence Items 10.1 and 10.2 be received for information.

CARRIED.

**11. BY-LAWS**

**11.1 By-law No. 2017-15 – Zone Change Application 03/17, Jason Droppert, Part of Lot 5 and 6, Concession South of Erb's Road, 1601 Erb's Road, St. Agatha**

**Resolution No. 2017-60****Moved by: M. Murray****Seconded by: J. Gerber**

THAT By-law No. 2017-15 be read a first, second and third time and finally passed in Open Council.

CARRIED.

**12. NOTICE OF MOTIONS****13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS**

13.1 Councillor J. Gerber advised Council of a concern from downtown New Hamburg businesses with regards to garbage not being picked-up consistent with the posted schedule from the Region.

Mayor L. Armstrong clarified that the downtown business have full pick-up every week and that the issue is being discussed with Regional staff and the contractor. He suggested that the error may have occurred due to driver misunderstanding during this transition period. He recommends that businesses and residents continue to bring their garbage and bins to the curb as scheduled as the drivers will become accustomed to the new schedule.

Councillor M. Murray noted that downtown garbage receptacles were not emptied recently but that it has been reported and that drivers will be reminded to do so. He suggested that time will be required for all parties to become accustomed to the new program.

Mayor L. Armstrong confirmed for Councillor J. Gerber that buildings are classified as residential for this program for up to six units. He noted that the confusion at Nithview has been reported and will be clarified.

Councillor A. Junker reiterated the comments from residents in New Dundee who would like green bins available at the community centre and other institutional properties. The

feedback he has received suggests that this exclusion from the green bin program provides mixed messages on the importance of composting.

**14. BUSINESS ARISING FROM CLOSED SESSION****15. CONFIRMATORY BY-LAW****15.1 By-law No. 2017-16****Resolution No. 2017-61****Moved by: M. Murray****Seconded by: P. Roe**

THAT By-law No. 2017-16 to Confirm the Proceedings of Council at its Meeting held on March 27, 2017 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

**16. ADJOURNMENT****Resolution No. 2017-62****Moved by: J. Gerber****Seconded by: P. Roe**

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

CARRIED.

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Mayor

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Clerk