



TOWNSHIP OF WILMOT

Council Meeting Agenda

Monday, February 11, 2019

Regular Council Meeting

Council Chambers

7:00 P.M.

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

6.1 Council Meeting Minutes January 14, 2019

Recommendation

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

Council Meeting January 14, 2019

7. PUBLIC MEETINGS

7.1 REPORT DS 2019-03

(Page 25)

Zone Change Application 01/19

Saturn Power Inc. / Ray Roth

Part Lots 2 – 8, Plan 18

**Being Part 3, Plan 58R-11508
140 Foundry Street, Baden**

Recommendation

THAT Council approve Zone Change Application 01/19 made by Saturn Power Inc. / Ray Roth, affecting Part Lots 2 – 8, Plan 18, being Part 3, Plan 58R-11508, to change a portion of the property from Zone 11 (Open Space) to Zone 5f (Commercial).

7.2 REPORT DS 2019-04

(Page 28)

Wilmot Employment Lands

Draft Plan of Subdivision Applications 30T-19601 and 30T-19602

Zone Change Application 02/19 and 03/19

MHBC Planning

Part of Lot 20, Concession South of Snyder's Road

Part of Lot 19 and 20, Concession North of Bleams Road

Hamilton Road, Nafziger Road, Highway 7/8, New Hamburg

Recommendation

THAT Report DS 2019-04 be received for information.

Registered Delegations

Pierre Chauvin, MHBC Planning

8. PRESENTATIONS/DELEGATIONS – no presentations

9. REPORTS

9.1 CAO – no reports

9.2 CLERKS

9.2.1 REPORT CL 2019-04

(Page 42)

**Updating Private Property Parking By-Law
By-law # 89-103**

Recommendation:

THAT report CL2019-04 regarding the updating of the By-law and set fines, be approved for the Township of Wilmot Private Parking bylaw.

9.2.2 REPORT CL 2019-05

(Page 44)

**Township of Wilmot Integrity Commissioner
2018 Annual Report**

Recommendation:

THAT the Integrity Commissioner's Annual Report for 2018, be received for information purposes.

9.2.3 REPORT CL 2019-06

(Page 47)

**Waterloo Area Municipal Ombuds Office
2017-18 Annual Report
Township of Wilmot**

Recommendation:

THAT the Waterloo Area Municipal Ombuds Office Annual Report for 2017-2018, be received for information purposes.

9.3 FINANCE

9.3.1 REPORT FIN 2019-11

(Page 63)

2019 Municipal Budget

Recommendation

THAT the 2019 Municipal Budget dated February 4, 2019, as recommended by the Ad Hoc Budget Advisory Committee, be approved; and further,

THAT the Director of Finance / Treasurer be authorized to prepare the necessary levying by-law to raise \$7,976,555 for Township purposes from general taxation.

9.4 PUBLIC WORKS

9.4.1 REPORT PW 2019-02

(Page 80)

2018 Annual and Summary Water Distribution Report

Recommendation

THAT report PW-2019-02 be received for information purposes;

AND THAT Council continue to commit to providing the resources for the implementation, maintenance and continual improvement of the DWQMS as outlined in this report;

AND THAT Council endorse the intent of the Drinking Water Quality Management System for the Township of Wilmot Municipal Drinking Water Systems.

9.5 DEVELOPMENT SERVICES

9.5.1 REPORT DS 2019-05

(Page 92)

By-law to deem a block not to be part of a plan of subdivision

Capital Homes (HH) Inc.

Block 99, Plan 58M-414

Forrest Avenue East and Astor Crescent, New Hamburg

Recommendation

THAT Township of Wilmot Council, by by-law, designate Registered Plan 58M-414, as it applies to Block 99, not to be a registered plan of subdivision.

9.6 FACILITIES AND RECREATION SERVICES – no reports

9.7 FIRE – no reports

9.8 CASTLE KILBRIDE – no reports

10. CORRESPONDENCE – no correspondence

11. BY-LAWS

(Page 95)

- 11.1 By-law No. 2019-10 - Zone Change Application 01/19, Saturn Power Inc. / Ray Roth, Part Lots 2 – 8, Plan 18, Being Part 3, Plan 58R-11508, 140 Foundry Street, Baden**
- 11.2 By-law No. 2019-11 - By-law to deem a block not to be part of a plan of subdivision, Capital Homes (HH) Inc., Block 99, Plan 58M-414, Forrest Avenue East and Astor Crescent, New Hamburg**
- 11.3 By-law No. 2019-12- Private Parking By-law**
- 11.4 By-law No. 2019-13 - Water and Sanitary Rates By-law**

Recommendation:

THAT By-Law Nos. 2019-10, 2019-11, 2019-12 and 2019-13 be read a first, second and third time and finally passed in Open Council.

12. NOTICE OF MOTIONS

12.1 Sustainability Working Group, Councillor J. Pfenning

Recommendation

THAT staff prepare draft Terms of Reference for the Township of Wilmot Sustainability Working Group for approval by Council;

THAT the membership of the Sustainability Working Group expands to include an appointed Member of Council and two expert community members;

THAT Councillor Jennifer Pfenning be appointed to the Sustainability Working Group; and,

THAT following the approval of the Terms of Reference, recruitment commence for two expert community members.

12.2 Wilmot Trails Advisory Committee, Councillor J. Pfenning

Recommendation

THAT staff prepare draft Terms of Reference for a Wilmot Trails Advisory Committee for approval by Council;

THAT the membership of the Committee consists of two staff liaison members, up to two Members of Council and up to three members of the community;

THAT the mandate of the committee includes an advising role to the Township of Wilmot Trails Staff Working Group; and

THAT follow the approval of the draft Terms of Reference, recruitment commence for committee members and they be evaluated on expertise, background and interest in active transportation.

12.3 Community Safety and Crime Prevention Engagement Committee, Councillor A. Hallman

Recommendation

THAT staff prepare draft Terms of Reference for a Community Safety and Crime Prevention Engagement Committee for approval by Council;

THAT the draft mandate for the Committee includes a solutions focused approach to create safe communities by being an engaged community; and

THAT the Waterloo Regional Police Services be circulated the draft Terms of Reference for comment

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

14. BUSINESS ARISING FROM CLOSED SESSION

15. CONFIRMATORY BY-LAW

15.1 By-law No. 2019-14

Recommendation

THAT By-law No. 2019-14 to Confirm the Proceedings of Council at its Meeting held on February 11, 2019 be introduced, read a first, second, and third time and finally passed in Open Council.

16. ADJOURNMENT**Recommendation**

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



TOWNSHIP OF WILMOT

Council Meeting Minutes

Monday, January 14, 2019

Council Meeting

Council Chambers

7:00 P.M.

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

Staff Present: Chief Administrative Officer G. Whittington, Director of Clerk's Services D. Mittelholtz, Deputy Clerk T. Murray, Director of Public Works J. Molenhuis, Director of Facilities and Recreation Services S. Nancekivell, Director of Development Services H. O'Krafka, Fire Chief R. Leeson, Director of Finance P. Kelly, Director/Curator Castle Kilbride T. Loch, Municipal Law Enforcement Officer E. Merritt, Manager of Planning/EDO A. Martin, Manager of Accounting A. Romany, Financial Analyst J. Vincent,

1. **MOTION TO CONVENE INTO CLOSED SESSION (IF NECESSARY)**
2. **MOTION TO RECONVENE IN OPEN SESSION (IF NECESSARY)**
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 November 19 and December 3, 2018

Resolution No. 2019-001

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

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

Council Meetings November 19 and December 3, 2018.

CARRIED.

7. PUBLIC MEETINGS

7.1 REPORT NO. CL 2019-01

**Legalization of Cannabis in Ontario and Municipal Authority
Regarding the Opting-in/out of Retail Sales**

Resolution No. 2019-002

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

THAT Council opt-in for allowing retail cannabis stores in the Township of Wilmot; and,

THAT staff be directed to consult with local agencies and community groups that focus on health, wellbeing, social services and vulnerable populations in Wilmot to develop a Municipal Cannabis Retail Policy Statement for Council's approval; and,

THAT Council delegates commenting authority to the Clerk's Services Department relative to applications circulated by the Alcohol and Gaming Commission of Ontario for proposed locations in Wilmot based on the aforementioned Municipal Cannabis Retail Policy Statement, as approved by Council; and further,

THAT the provincial government grant municipalities the power to pass bylaws defining specific conditions for our community thus ensuring that we can make reasonable management decisions to protect the interest of our residents.

CARRIED, AS AMENDED

The report discusses the Township's ability to allow Retail Cannabis Stores and the development of the Township's Municipal Cannabis Retail Policy Statement.

Mayor Armstrong declared the public meeting open.

The Director of Clerk's Services outlined the report.

Chief Bryan Larkin and Acting Deputy Chief Shirley Hilton were in attendance to provide a presentation on the Waterloo Region Police Services opinion on allowing retail cannabis locations. Chief Larkin advised that they are in support of and recommend that Wilmot Council opt in. He advised that from a policing perspective, consumers can continue to purchase on-line and their primary concern is ensuring citizens have a safe source of cannabis. He advised that in partnership with the Alcohol and Gaming Commission of Ontario, Municipal By-law and the Regional Police would have the oversight to ensure a safe retail operation and product as well as access to proper training. He advise that statistics show Canadian youth are the largest consumers of cannabis, and as a result, legalization was implemented; however, illicit sales are still on going often through organized crime, and opting out allows for potential illegal dispensaries. He advised that the west region, which we are part of, will have one dedicated law enforcement personnel to lead the overview of the illegal market. Chief Larkin asked Council to think of the work that we can all do on prevention of the illegal market, and what work we can do as community leaders to ensure safe use.

Mayor Armstrong thanked Chief Larkin.

Mayor Armstrong asked if anyone else would like to address Council on this matter.

Mr. Glen Mathers of 40 Scheller Court, Baden. Mr. Mathers addressed Council and advised that research has shown in Colorado, that if stores are within two miles of schools, there is an increase in use and criminal activity, and that where there were no store there were no increased activity. He advised that also in Denver they have seen a decrease in student grades. Mr. Mathers presented the Deputy Clerk with a packet of reports and statistical information.

Mayor Armstrong thanked Mr. Mathers for his comments.

Mayor Armstrong asked 3 times if anyone else would like to address council.

Councillor J. Pfenning advised that she had read all responses from the survey and thanked staff for their efforts. She advised that there are a number of valid concerns and stated that Council is not here to debate cannabis use, the question is whether or not the Township will have cannabis retail outlets. Councillor Pfenning proposed to Council that

an additional resolution be amended to lobby the Province to allow the Township to pass additional By-laws relative to our community.

Councillor B. Fisher advised that he agrees with Councillor Pfenning and that one of his concerns is if we are able to limit the number of outlets, Mayor Armstrong advised that the Township is not able to limit the number of outlets.

Councillor J. Gerber advised that actual bricks and mortar outlets are not a guarantee based on the current system. He advised that he believes residents will have access to many retail outlets outside of Wilmot Township. He suggested opting in or out is with our control.

Mayor Armstrong advised that the likelihood of a retail outlet in the Township is not in the near future; however, having a retail outlet brings with it safe monitored product.

8. PRESENTATIONS/DELEGATIONS

8.1 REEP Green Solutions

Mary Jane Patterson, Executive Director and Patrick Gilbride, Manager

REEP Green Solutions provided a presentation to Council on their organization. They outlined the work they are currently doing as well as providing background information on what they have done previously.

Mr. Gilbride advised of a project that is currently being developed called Depave Paradise. He advised that this project is intended to remove unused asphalted areas and transform them into greenspace. He advised that the next Depave project is for downtown New Hamburg, where they will be removing some of the interlocking bricks and replacing them with greenery, as well as a potential crosswalk. He advised that Township staff along with Regional staff are developing a plan which will include community consultation.

Councillor C. Gordijk asked for clarification on the project and if it is at this one location. Ms. Patterson advised that this is a pilot project for 2019 and the Board of Trade is interested in doing more, but it is unclear at this point if REEP would be involved in future projects.

8.2 Hold the Line re: Bill 66

Sean Campbell

Mr. Campbell provided Council with a background on who Hold the Line is, advising that they have interests in protecting farmland and drinking water and are advocating against Bill 66. He advised the group has presented to all Council's in the Region to ask for support and to lobby the Province against passing Bill 66/Section 10.

Council thanked Mr. Campbell for his presentation.

8.3 REPORT DS 2019-01

**Bill 66 – Restoring Ontario's Competitiveness Act, 2018
Response to Proposed Amendments to the Planning Act**

Resolution No. 2019-003

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

THAT Report DS 2019-01 be received for information; and,

THAT Report DS 2019-01 be forwarded to the Ministry of Municipal Affairs & Housing as the Township of Wilmot's comment on Bill 66 and the draft regulation implementing same prior to the January 19, 2019 deadline for comments.

CARRIED.

This report outlines the Township's comments on Bill 66.

The Director of Development Services outlined the report.

Councillor J. Gerber thanks the Director of Development Services for the detailed overview of Bill 66 and that colleagues have commented on the quality of the report and praised the content.

Councillor J. Pfenning echoed Councillor Gerber's comments and advised that Schedule 10 of Bill 66 claims an open for business strategy; however, this is not business the community may want in the Township, Region or Province and she is strongly supporting the removal of Schedule 10 from Bill 66.

Councillor C. Gordijk put forward the following additional recommendation, seconded by Councillor A. Hallman:

Moved by: Councillor C. Gordijk

Seconded by: Councillor A. Hallman

- 1. Whereas, Report DS2019-01 has given us ample logic and evidence to oppose schedule 10 of Bill 66,**
- 2. Therefore be it resolved that, we send this report along with notification to the provincial government that Wilmot Township opposes this schedule in its entirety and request that the government removes this in its entirety before it passes.**
- 3. Furthermore be it resolved that, a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs, The Honourable Andrea Horwath, Leader of the Opposition and New Democratic Party and all MPP's in the Province of Ontario; and**
- 4. Be it resolved that, a copy of this motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration; and**
- 5. Be it resolved that, notwithstanding the future adoption of Bill 66, The Township of Wilmot commits to adhering to continued open consultations and proven land use strategies based on science. And respect for environmental protections within all applicable Planning Land Use and Environmental Acts**
- 6. Be it further resolved that, as input into re-consideration, the Township of Wilmot reaffirms its support for the principles of the Countryside Line and the Protected Countryside designation to appropriately manage growth through comprehensive planning review, analysis and community consultation.**

CARRIED.

Mayor Armstrong asked if anyone wished to address Council.

Mr. Andrew Wilson 26 Eby Cres, New Hamburg expressed his concerns with Bill 66 and potential liability to the Township if something went wrong.

9. REPORTS

9.1 CAO

9.1.1 REPORT FIN 2019-05

Strategic Plan Update – Consultant Selection

Resolution No. 2019-004

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

That RFP 2018-31 be awarded to WCM Consulting Inc. to provide consulting services for the Strategic Plan Update, as per their proposal dated November 16, 2018 for the fee of \$22,560, plus HST; and further,

That Mayor Les Armstrong, Councillor Angie Hallman, and Councillor Jeff Gerber be appointed to the Strategic Plan Steering Committee.

CARRIED.

The Strategic Plan Update is done every 4 years through working with Council, staff and a consultant as well as community input.

The Director of Financial Services outlined the report.

9.2 CLERKS

9.2.1 REPORT CL 2019-03

Volunteer Advisory Committee Appointments:

Heritage Wilmot and Castle Kilbride

Quasi-Judicial Committee Appointments:

**Property Standards, Dangerous Dog Designation Appeal and
Committee of Adjustment**

Resolution No. 2019-005

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

1. THAT Councillors B. Fisher and J. Pfenning be appointed as Council representatives and the following individuals be appointed to the Heritage Wilmot Advisory Committee effective January 1, 2019 to December 31, 2022:

Nick Bogaert

Patty Clarke

Rene Eby

Al Junker

Stephanie Massel

Marg Rowell

Elisia Scagnetti

Artem Voytsekhovskiy

Scott Williams

Yvonne Zyma

2. THAT Councillors A. Hallman and J. Gerber be appointed as Council representatives and the following individuals be appointed to the Castle Kilbride Advisory Committee effective January 1, 2019 to December 31, 2022:

Teresa Brown

Evelyn Gascho

Colleen Herner

Leonard Kuehner

Marlene Miller

Peter Roe

Jim Veitch

Artem Voytsekhovskiy

Scott Williams

3. THAT the following individuals be appointed under By-law to the Committee of Adjustment effective January 1, 2019 to December 31, 2022:

Tyler Bowman

Louise Lalonde

Steve Miller

Peter Roe

Wayne Roth

4. THAT the following individuals be appointed under By-law to the Property Standards Committee effective January 1, 2019 to December 31, 2022:

Blain Bechthold

Dennis Mighton

Julie Molenaar

Darlene Vorstenbosch

Artem Voytsekhovskiy

Scott Williams

Brian Wolfe

5. THAT the following individuals be appointed under By-law to the Dangerous Dog Designation Appeal Committee effective January 1, 2019 to December 31, 2022:

Blain Bechthold

Natalie Mechalko

Dennis Mighton

Darlene Vorstenbosch

Artem Voytsekhovskiy

Brian Wolfe

6. THAT Councillors C. Gordijk and J. Pfenning be appointed to the Wilmot Healthy Communities Coalition effective January 1, 2019 to December 31, 2022.

CARRIED.

The Township of Wilmot has citizen committees that are appointed for the same term as Council.

The Director of Clerk's Services outlined the report.

9.2.2 REPORT NO. CL 2019-02

By-law Enforcement Quarterly Activity Report

October 1st to December 31, 2018

Resolution No. 2019-006

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

THAT the Enforcement Activity Report for October 1, 2018 to December 31, 2018 be received for information purposes.

CARRIED.

This report summarizes the activities of the By-law Enforcement Office from October 1, 2018 to December 31, 2018

The Senior Municipal Law Enforcement Officer outlined the report.

Councillor C. Gordijk asked for clarification as to why the parking inquiries went from 47 to 87 and the Senior By-Law Enforcement Officer advised there was a change in how staff categorized inquiries.

Councillor A. Hallman asked for clarification on what a discharge of firearms entails and the Senior By-Law Enforcement Officer advised that those calls were hunters asking for clarification where they can legally hunt in the Township.

9.3 FINANCE – no reports

9.4 PUBLIC WORKS

9.4.1 REPORT NO. PW-2019-01

Public Works 4th Quarter Operations Activity Report

October – December 2018

Attachment 1 – Operations Activity Report (UT)

Attachment 2 – Operations Activity Report (RDS)

Resolution No. 2019-007

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

THAT the Public Works Operations 4th Quarter Activity Reports for the months of October, November and December 2018 be received for information.

CARRIED.

This report summarizes the activities of the Public Works Department from October 1, 2018 to December 31, 2018.

The Director of Public Works outlined the report.

Councillor J. Pfenning asked for clarification on why the water main breaks are happening, is it due to age or other conditions and the Director of Public Works advised that the ones noted in the report were age related.

Councillor J. Pfenning asked for clarification on the schedule for the digital speed sign and the Director of Public Works advised that the season runs from May to the end of October.

Councillor J. Gerber asked if the new digital speed signs that are anticipated to be approved through this year's budget process will be all season units. The Director of Public Works advised that they would not be an all season product due to added expense of all-season units.

Councillor C. Gordijk asked why the units do not work in the winter and the Director of Public Works advised that it is unclear; however, it has been staffs experience that they malfunction in the colder months.

9.5 DEVELOPMENT SERVICES

9.5.1 REPORT DS 2019-02

Zone Change Application 02/18

Dixie Developments Inc.

Lot 1, Plan 637

164 Waterloo Street, New Hamburg

Resolution No. 2019-008

Moved by: Councillor C. Gordijk

Seconded by: Councillor A. Hallman

THAT Council approve Zone Change Application 02/17 made by Dixie Developments Inc., affecting Lot 1, Plan 637, to:

1. permit a residential building containing twelve dwelling units
2. reduce the minimum left side yard setback from 2.0m to 1.8m,

3. to permit required off-street parking to be provided in front of the building line;
4. to establish a minimum rear yard setback of 30m for a residential building; and,
5. to place an “H” symbol on the property to identify that the property may not be developed until such time as the Region of Waterloo has cleared its condition with respect to completion of a record of site condition.

CARRIED.

This report outlines a zone change application for a potential 12 unit residential building.

The Manager of Planning / EDO outlined the report.

Councillor C. Gordijk asked if there are plans for a safety wall between the parking lot and the train tracks and The Manager of Planning / EDO advised that through the site plan process, CN Rail advised they do not require fencing; however, staff are anticipating fencing will be installed

Councillor C. Gordijk asked if there are requirements to replace the trees that will be removed and she was advised that there is not a process in place that requires tree replacement on private property; however boulevard trees are anticipated.

9.6 FACILITIES AND RECREATION SERVICES

9.6.1 REPORT 2019-01

Facilities & Recreation Services Quarterly Activity Reports

Resolution No. 2019-009

Moved by: Councillor C. Gordijk

Seconded by: Councillor B. Fisher

THAT the Facilities & Recreation Services Activity Reports for the fourth quarter of 2018 be received for information.

CARRIED.

This report summarizes the activities of the Facilities & Recreation Services Department from October 1, 2018 to December 31, 2018

The Director of Facilities and Recreation Services outlined the report.

Councillor B. Fisher asked if statistics are kept on where the non-resident swimming registrations are coming from and The Director of Facilities and Recreation Services advised that he will have staff provide that information.

9.7 FIRE

9.7.1 REPORT NO. FD 2019-01

Quarterly Activity Report

Resolution No. 2019-010

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

That the Fire Department Activity Report for the fourth quarter of 2018 be received for information purposes.

CARRIED.

This report summarizes the activities of the Fire Department from October 1, 2018 to December 31, 2018.

The Fire Chief outlined the report.

9.7.2 REPORT FD 2019-02

Alert Waterloo Region (Mass Notification System – Everbridge)

Resolution No. 2019-011

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

THAT Council authorizes the Mayor and Clerk to execute the agreement with the Region of Waterloo for the system known as Alert Waterloo Region.

CARRIED.

This report outlines an agreement between the Township & the Region for the new Alert Waterloo Region Emergency Notification System.

The Fire Chief outlined the report.

Councillor J. Pfenning asked for a brief description of the key features of this system and the Fire Chief advised this is a more secure reliable system, that is capable to accommodate growth and it is a more effective communication system.

Councillor A. Hallman asked if the agreement includes a communications plan and the Fire Chief advised that the Region is arranging all of the marketing / communications and the Township is developing a smaller scale plan as well.

9.8 CASTLE KILBRIDE

9.8.1 REPORT NO. CK 2019-01

Quarterly Activity Report – October, November & December 2018

Resolution No. 2019-012

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

THAT the Castle Kilbride Activity Report for the months of October, November & December of 2018 be received for information purposes.

CARRIED.

This report summarizes the activities of Castle Kilbride from October 1, 2018 to December 31, 2018.

The Curator / Director of Castle Kilbride outlined the report.

Councillor A. Hallman asked if Remembrance Day is celebrated at Castle Kilbride and the Curator / Director advised that she has worked with some of the local schools on commemoration projects.

10. CORRESPONDENCE

10.1 Grand River Accessibility Advisory Committee – November 22, 2018 Minutes

Resolution No. 2018-013

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

THAT Correspondence Item 10.1 be received for information.

CARRIED.

11. BY-LAWS

- 11.1 By-Law No. 2019-01 - Being a by-law to provide for an interim tax levy and to provide for the payment of taxes by instalments**
- 11.2 By-law no. 2019-02 - Being a consolidated By-law to provide for fees and charges for the Township of Wilmot**
- 11.3 By-law No. 2019-03 - By-law to appoint a Municipal Law Enforcement Officer for the Township of Wilmot**
- 11.4 By-law No. 2019-04 – Zone Change Application 02/18, Lot 1, Plan 637, 164 Waterloo Street, New Hamburg**
- 11.5 By-law No. 2019-05 – Authorize the Execution of an Agreement with the Regional Municipality of Waterloo for the Purpose of the Alert Waterloo Region System**
- 11.6 By-law No. 2019-06 – To Establish a Committee of Adjustment for the Township of Wilmot and to Provide for the Appointment of Members to the Committee of Adjustment**
- 11.7 By-law No. 2019-07 – To Establish the Members of the Property Standards Committee**
- 11.8 By-law No. 2019-08 – To Establish the Members of the Dangerous Dog Designation Appeal Committee**

Resolution No. 2019-14

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

THAT By-Law Nos. 2019-01, 2019-02, 2019-03, 2019-04, 2019-05, 2019-06, 2019-07 and 2019-08 be read a first, second and third time and finally passed in Open Council.

CARRIED.

12. NOTICE OF MOTIONS

- 12.1** Councillor J. Pfenning put forward a motion to implement a Trail Committee and a Sustainability Committee and offered to sit as a member.
- 12.2** Councillor A. Hallman also put forward a motion to propose a Community Safety and Crime Prevention Committee.

The Director of Clerks Services advised that a motion will come forward at the next meeting.

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

- 13.1** Councillor A. Hallman commented on the memo that was sent to Council from staff regarding public meetings / town halls and she wanted to clarify that her advertisement was not intended to suggest that management participation is mandatory and she apologized for the miscommunication. She advised that her intention is to have all questions received ahead of time and a moderator will be in attendance to facilitate the meeting.

Councillor J. Pfenning advised that during her campaign period, constituents expressed interest for less formal opportunities to interact with Council.

Mayor L. Armstrong suggested that the community may not understand that staff are available to answer any questions they may have since they are experts in their fields.

Councillor J. Gerber expressed his opinion that town hall meetings are what an elected representative holds to answer questions and agreed that staff are not expected to attend. The opportunity to schedule Town Hall Meetings throughout the year is there and would allow Council to raise concerns with staff.

Councillor A. Hallman advised that in her experience the community appreciates a less formal environment for Council engagement.

Councillor J. Gerber advised he appreciates the less formal engagement opportunities; however, they need to be done regularly and pre-scheduled.

Council directed staff to review opportunities for further discussion surrounding Community Engagement and main user groups of Township facilities to identify user group needs.

- 13.2** Councillor A. Hallman requested clarification from staff with regards to an article in the Ayr news referencing funding from the Region relative to Township land. The Director of Development Services advised that the Township submitted an application to the Region and that documentation will be forwarded to Council for their information, he also advised that this will be brought forward through the Capital Budget process as well.

14. BUSINESS ARISING FROM CLOSED SESSION

15. CONFIRMATORY BY-LAW

15.1 By-law No. 2019-09

Resolution No. 2019-15

Moved by: Councillor J. Gerber

Seconded by: Councillor A. Hallman

THAT By-law No. 2019-09 to Confirm the Proceedings of Council at its Meeting held on January 14, 2019 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

16. ADJOURNMENT (10:15 p.m.)

Resolution No. 2019-016

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

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

CARRIED.

Mayor

Clerk



Township of Wilmot REPORT

REPORT NO. DS 2019-03
TO: Council
PREPARED BY: Andrew Martin, Manager of Planning/EDO
DATE: February 11, 2019
SUBJECT: Zone Change Application 01/19
Saturn Power Inc. / Ray Roth
Part Lots 2 – 8, Plan 18
Being Part 3, Plan 58R-11508
140 Foundry Street, Baden

Recommendation:

That Council approve Zone Change Application 01/19 made by Saturn Power Inc. / Ray Roth, affecting Part Lots 2 – 8, Plan 18, being Part 3, Plan 58R-11508, to change a portion of the property from Zone 11 (Open Space) to Zone 5f (Commercial).

Background:

Notice of the Public Meeting was given to property owners within 120 metres of the subject lands on January 17, 2019. The following is a summary of comments received prior to the Public Meeting.

Public: none

Agencies:

WRDSB: no comments or concerns

GRCA: no objections, but indicating permit requirements as well as permit/review fees

Discussion:

The subject lands are designated Urban Core in the Township Official Plan, and are zoned Zone 5f (Commercial) and Zone 11 (Open Space) within the Township Zoning By-law.

The present open space zoning boundary on the property follows the north wall of the existing office building. The existing building is zoned Zone 5f, the “f” suffix indicating that the lands are flood susceptible and require further approval from the Grand River Conservation Authority (GRCA).

The applicant is proposing to construct a small sunroom addition at the back of the office and as such proposes to expand the Zone 5f zoning boundary to encompass the proposed addition.

The GRCA has indicated that the addition, being 15m from the Baden pond, is outside of the regulated allowance to the watercourse, but that it appears the addition is with the floodplain of Baden Pond. However, given the addition is not anticipated to affect flood flows, no basement is proposed, and the addition is less than the maximum size permitted, the GRCA is satisfied the proposal is in conformance with GRCA floodplain policies.

The “f” suffix appended to the zone will continue to identify that GRCA regulations are applicable to the addition.

Strategic Plan Conformity:

Development approvals such as Zone Changes and Site Plan Control serve to preserve our quality of life through ensuring people’s safety and to protect our natural environment.

Financial Considerations:

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

Conclusion:

The open space zoning boundary was original established in consultation with the GRCA. Given the GRCA has no opposition to the proposed zoning amendment, staff support approval of the application to facilitate a minor addition to the existing office building.

Andrew Martin, MCIP RPP
Prepared by Manager of Planning/EDO

Harold O’Kafka, MCIP RPP
Submitted by Director of Development Services

Grant Whittington
Reviewed by Chief Administrative Officer

Zone Change Application 01/19
140 Foundry Street, Baden

Baden pond

Foundry Street

Area of proposed change from
Zone 11 to Zone 5f

Proposed addition
21' x 15'-6"
approximately 4.5m from
property line

Zone 11

Existing office

Zone 5f



Township of Wilmot REPORT

REPORT NO.	DS 2019-04
TO:	Council
PREPARED BY:	Andrew Martin, Manager of Planning/EDO
DATE:	February 11, 2019
SUBJECT:	Wilmot Employment Lands Draft Plan of Subdivision Applications 30T-19601 and 30T-19602 Zone Change Application 02/19 and 03/19 MHBC Planning Part of Lot 20, Concession South of Snyder's Road Part of Lot 19 and 20, Concession North of Bleams Road Hamilton Road, Nafziger Road, Highway 7/8

Recommendation:

That Report DS 2019-04 be received for information.

Background:

Notice of the Public Meeting was given to property owners within 120 metres of the subject lands on January 17, 2019. The following is a summary of comments received prior to the Public Meeting.

Public: (full written comments are attached to this report)

Neil and Dolores Hofstetter, 289 Maurice Street – indicating no objections, but requesting clarification on drainage, setback and maintenance concerns relative to a proposed berm, as well as identifying parking and traffic concerns at the intersections of Marvin Street and Boullee Street at Hamilton Road.

Susan and Alex Davidson, 301 Maurice Street – opposed to applications and specifically expressing concerns with noise, impact on view, odour, airborne particulate, lighting, security, storm water management, and traffic.

Agencies:

Bell Canada: requesting standard easements/agreements as a condition of subdivision approval

CN: no comments or concerns

Union Gas: requesting standard easements/agreements as a condition of subdivision approval

Discussion:

The Township of Wilmot is in receipt of two applications for approval of Draft Plans of Subdivision and two applications for changes to the Township Zoning By-law.

The lands to which these applications apply are presently undeveloped and located between Hamilton Road and Nafziger Road, north of Highway 7/8. Although presently farmed these lands have been contemplated and designated for industrial and light industrial uses for more than 25 years.

In June 1992, the Township adopted Official Plan Amendment 27 (OPA 27) which implemented the recommendations of the New Hamburg Land Use Servicing Study (May 1992) and designated the subject lands industrial and light industrial. A copy of the New Hamburg settlement map from OPA 27 is attached. Following the approval of a new Regional Official Plan in 1994, OPA 27 was repealed pending the completion of further servicing studies. In 2003, the Township adopted the current Official Plan which once again designated the lands industrial and light industrial. The lands continue to be designated as such within the recently adopted Official Plan Amendment 9 (currently pending Regional approval). A copy of the current and adopted New Hamburg urban area maps are attached.

In 2005, the east half of the Badenview lands, along with the New Hamburg lands, were zoned Zone 10 (Industrial). Holding provisions were placed on the properties until such time as there was adequate municipal water and sewer capacity for the development and until such time as any concerns from the Grand River Conservation Authority had been addressed.

Although designated light industrial in the Official Plan, the west half of the Badenview lands were not pre-zoned in 2005 given the necessity to review and design mitigation measures for any potential impacts of light industrial uses on abutting residential lands. The current application proposes to implement the Official Plan designation and documents prepared in support of the application were required to complete the necessary review and to provide recommendations for necessary mitigation measures to ensure compatibility. Specifically an Air Quality and Noise Compatibility Study was prepared and includes recommendations for a berm and, depending on the ultimate land use, an acoustic barrier on top of the berm. This report is still under review and more discussion will be provided on this matter in a subsequent report.

Summary of Applications

Draft plan of subdivision application 30T-19601, filed on behalf of Badenview Developments Inc. is comprised of approximately 42ha and proposes the creation of six separate blocks to accommodate industrial and light industrial uses, a stormwater management block and a municipal street network ultimately linking Hamilton Road and Nafziger Road.

Zone change application 02/19 applies to the Badenview lands and involves two components:

1. Remove the holding symbols from the east half of the Badenview lands that are presently zoned Zone 10 (Industrial) and add the list of light industrial uses proposed in item two to the existing industrial zoning.
2. The west side of the Badenview Lands are presently zoned Zone 1 (Agricultural). This application proposes to re-zone the lands Zone 10a (Light Industrial) and to specify the light industrial uses to be permitted on the property. A complete list of proposed uses is attached to this report.

Draft plan of subdivision application 30T-19602, filed on behalf of New Hamburglrs Inc. is comprised of approximately 9.9ha and proposes the creation of thirteen separate blocks to accommodate industrial uses, an emergency access block, and a municipal street network connecting to Nafziger Road and to Hamilton Road through the abutting Badenview Developments subdivision.

Zone change application 03/19 applies to the New Hamburglrs lands and proposes to remove the holding symbols and add the list of light industrial uses proposed in item two of ZCA-02/19 to the existing industrial zoning.

The reports prepared in support of the zone change and subdivision applications are presently being reviewed by agencies including the Region of Waterloo, Grand River Conservation Authority, and the Ministry of Transportation as well as internally by the Public Works Department.

Strategic Plan Conformity:

Holding public meetings to gain input on planning matters promotes an engaged community.

Financial Considerations:

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

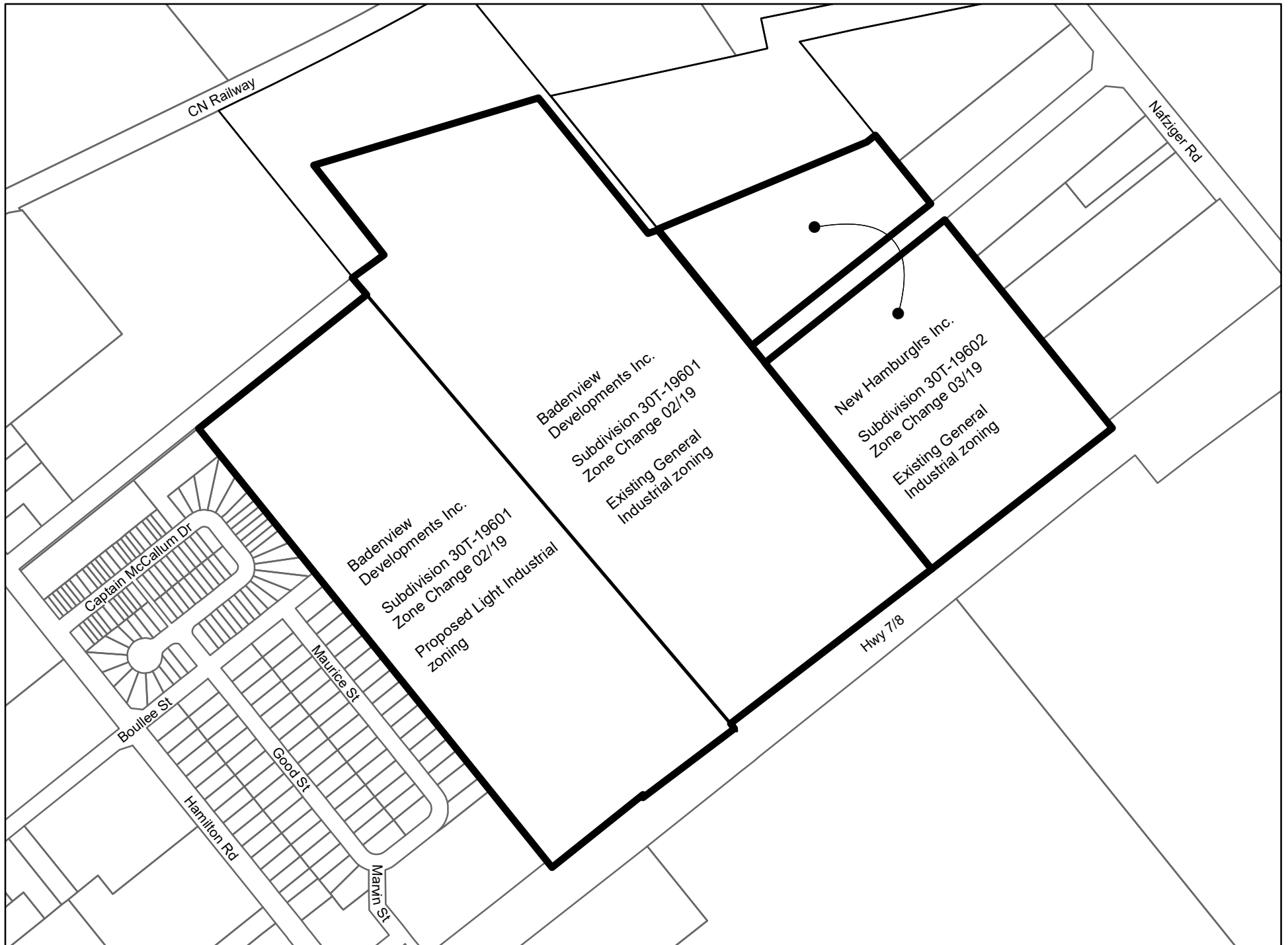
Conclusion:

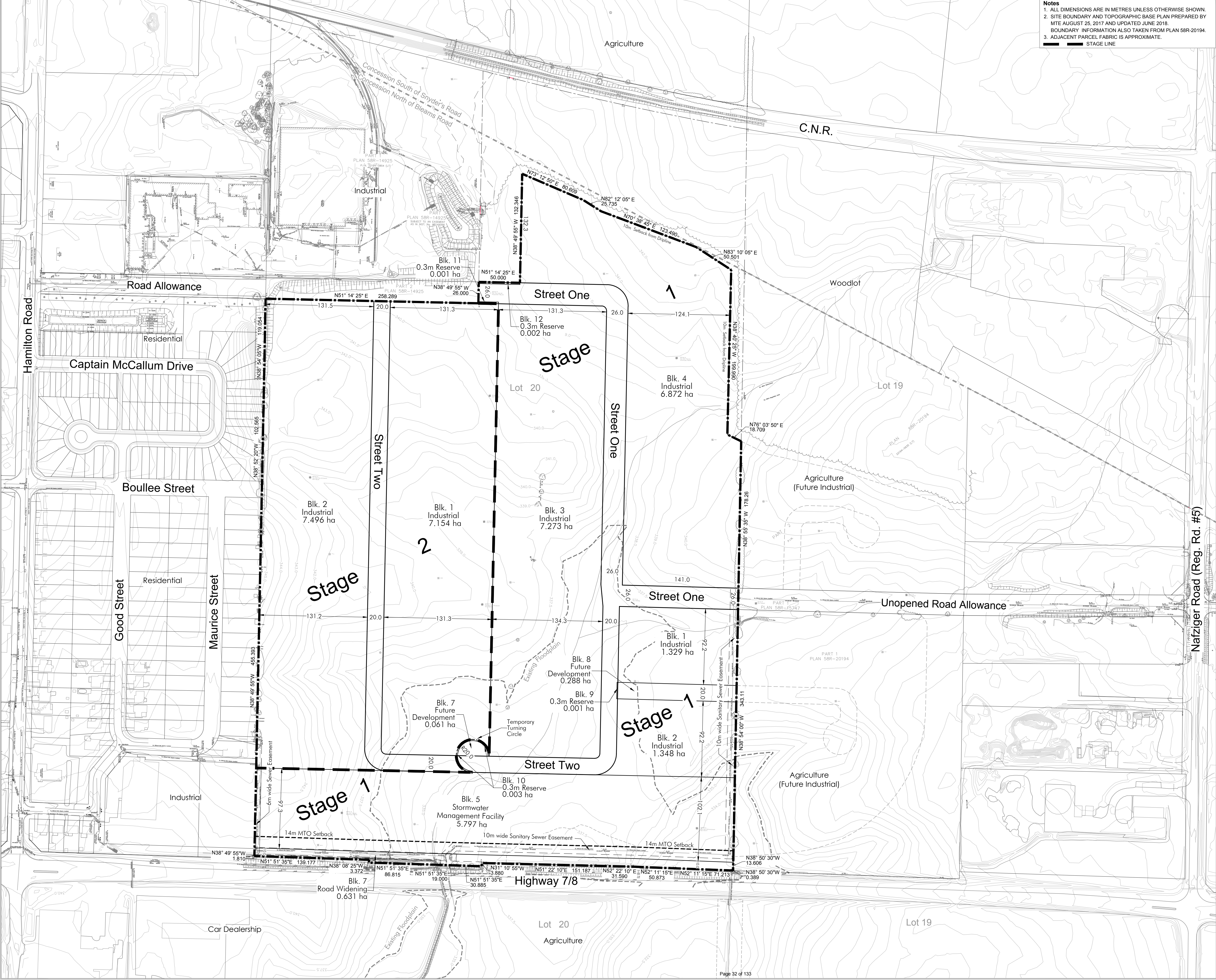
The purpose of this report is to summarize the nature of the applications and to provide some background on the properties that has led to the current applications being filed. This report does not explicitly respond to concerns received to date. After having considered any additional comments received through the public meeting as well as obtaining and reviewing outstanding agency comments, staff will return to Council with a detailed report and recommendation on the applications.

Andrew Martin, MCIP RPP
Prepared by Manager of Planning/EDO

Harold O’Krafka, MCIP RPP
Submitted by Director of Development Services

Grant Whittington
Reviewed by Chief Administrative Officer





Notes
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SHOWN.
2. SITE BOUNDARY AND TOPOGRAPHIC BASE PLAN PREPARED BY MTE AUGUST 25, 2017 AND UPDATED JUNE 2018.
3. ADJACENT PARCEL FABRIC IS APPROXIMATE.
STAGE LINE

DRAFT PLAN OF SUBDIVISION

Legal Description
PART OF LOT 20, NORTH OF BLEAMS ROAD
PART OF LOT 20, SOUTH OF SNYDERS ROAD
TOWNSHIP OF WILMOT
REGIONAL MUNICIPALITY OF WATERLOO

Figure 5

Owner's Certificate
I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

DATE: *December 4, 2018* *David George*
BADENVIEW DEVELOPMENTS INC. (OWNER)

Surveyor's Certificate
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: *Nov. 22, 2018* *Trevor D.A. McNeil*
TREVOR D.A. McNEIL, OLS
(MTE OLS LTD.)

Key Plan

SCALE: NTS
Source: Region of Waterloo SLRN

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

A. AS SHOWN	B. AS SHOWN	C. AS SHOWN
D. INDUSTRIAL, STORMWATER MANAGEMENT	E. AS SHOWN	F. AS SHOWN
G. AS SHOWN	H. MUNICIPAL WATER SUPPLY	I. SILTY CLAY LOAM
J. AS SHOWN	K. ALL SERVICES AS REQUIRED	L. AS SHOWN

Area Schedule **30T**

Description	Stage 1		Stage 2	
	Blocks	Area (ha)	Blocks	Area (ha)
Industrial	1-4	16.822	1,2	14.650
Stormwater Management Facility	5	5.797		
Road Widening	6	0.631		
Future Development	7,8	0.349		
0.3m Reserve	9-12	0.007		
Roads		2.501		1.317
Sub-Total	12	26.107	2	15.967

Description	Total	
	Blocks	Area (ha)
Industrial	6	31.472
Stormwater Management Facility	1	5.797
Road Widening	1	0.631
Future Development	2	0.349
0.3m Reserve	4	0.007
Roads		3.818
	14	42.074

2.	Nov. 22, 2018	For submission to Region:	DGS
1.	Nov. 5, 2018	For review by surveyor and client:	DGS
Revision No.	Date	Issued / Revision	By

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
203-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9 | P: 519.576.3690 F: 519.576.0121 | WWW.MHBCPLAN.COM

Approval Stamp	Date November 22, 2018
File No.	1159A
Plan Scale	1:2,000 (24x36)
Drawn By	D.G.S.
Project Wilmot Employment Lands	Checked By P.C.

Applicant
Badenview Developments Inc.
P.O. Box 249 Breslau, ON
N0B 1M0
P: 519.648.2285

File Name **DRAFT PLAN** **Dwg No.** 1 of 1

Scale Bar
0 10 25 50 75 100 125 150m

DRAFT PLAN OF SUBDIVISION

Figure 5

Legal Description
PART OF LOT 19, NORTH OF BLEAMS ROAD
TOWNSHIP OF WILMOT
REGIONAL MUNICIPALITY OF WATERLOO

Owner's Certificate
I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.
DATE: Nov 22/18
NEW HAMBURGLRS INC. (OWNER)

Surveyor's Certificate
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.
DATE: Nov. 22, 2018
TREVOR D.A. McNEIL, OLS (MTE OLS LTD.)

Key Plan

Source: Region of Waterloo SLRN

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

A. AS SHOWN	B. AS SHOWN	C. AS SHOWN
D. INDUSTRIAL	F. AS SHOWN	E. AS SHOWN
G. AS SHOWN	H. MUNICIPAL WATER SUPPLY	I. SILTY CLAY LOAM
J. AS SHOWN	K. ALL SERVICES AS REQUIRED	L. AS SHOWN

Area Schedule 30T

Description	Stage 1		Stage 2	
	Blocks	Area (ha)	Blocks	Area (ha)
Industrial	1-7	5.546	1-6	3.373
Emergency Access	8	0.092		
Roads		0.456		0.432
Sub-Total	8	6.094	6	3.805

Description	Total	
	Blocks	Area (ha)
Industrial	13	8.919
Emergency Access	1	0.092
Roads		0.888
	14	9.899

Notes
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SHOWN.
2. SITE BOUNDARY AND TOPOGRAPHIC BASE PLAN PREPARED BY MTE, AUGUST 25, 2017 AND UPDATED JUNE 2018. BOUNDARY INFORMATION ALSO TAKEN FROM PLAN 58R-20194.
3. ADJACENT PARCEL FABRIC IS APPROXIMATE.

2.	Nov. 22, 2018	For submission to Region;	DGS
1.	Nov. 5, 2018	For review by surveyor and client;	DGS
Revision No.	Date	Issued / Revision	By

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
200-540 BINGEVANS CENTRE DR. KITCHENER, ON N2B 3X9 | P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

Approval Stamp	Date November 22, 2018
	File No. 18157A
	Plan Scale 1:1,250 (24x36)
	Drawn By D.G.S.
	Checked By P.C.
	Other

Project Highway 7 and Nafziger Road	
Applicant New Hamburglrs Inc. 675 Riverbend Dr. Kitchener, ON N2K 3S3 P: 519.571.8800	
File Name DRAFT PLAN	
Scale Bar 0 10 25 50 75 100 125 150m	Dwg No. 1 of 1



The current by-law does not provide detail regarding the uses permitted in the light industrial zone. To ensure an appropriate transition from the residential to industrial uses, and overall land use compatibility, the following uses are proposed to be permitted in the Light Industrial Zone (10a):










- Audio-visual or medical laboratory
- Beverage-Making Equipment Sales
- Biotechnological Establishment
- Building Material and Decorating Supply Sales
- Canine or Feline Grooming or Training
- Computer, Electronic and Data processing business
- Financial Establishment
- Health Clinic
- Health Office
- Laboratory
- Office
- Private club or lodge, Union Hall
- Repair service
- Research and Development Establishment
- Sale of Monuments
- Sale, Rental or Service of Business Machines and Office Supplies
- Sale, Rental or Service of Tools and Industrial, Farm or Catering Equipment
- Sale of Pets and Pet Supplies
- Sale of Sporting Goods
- Scientific, Technological or Communications Establishment
- Security or Janitorial Services
- Studio
- Surveying, Engineering, Planning or Design Business
- Tradesman or Contractor's Establishment
- Veterinary Services
- Warehouse
- Wholesaling

To create consistency across the entire subdivision, it is requested that the permitted uses proposed above for Zone 10a also be permitted in Zone 10. This will ensure future purchasers are not limited based on their location of land within the future development.

SCHEDULE "A"

AMENDMENT No.27 TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF WILMOT

LEGEND

-  Residential & Ancillary Use Area
-  Restricted Land Use Area
-  Open Space Land Use Area
-  Neighbourhood Commercial Land Use Area
-  Highway Commercial Land Use Area
-  Industrial Land Use Area
-  Light Industrial Land Use Area
-  Service Area Limits
-  Potential School Site

NOTE:

THIS SCHEDULE FORMS PART OF AMENDMENT No. 27 TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF WILMOT AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT.

THIS IS SCHEDULE 'A' TO
OFFICIAL PLAN AMENDMENT
No. 27 PASSED THIS 29th
DAY OF JUNE, 1992.

MAYOR

CLERK

J.L. Cox Planning Consultants Inc.

Urban, Regional and Rural Planning

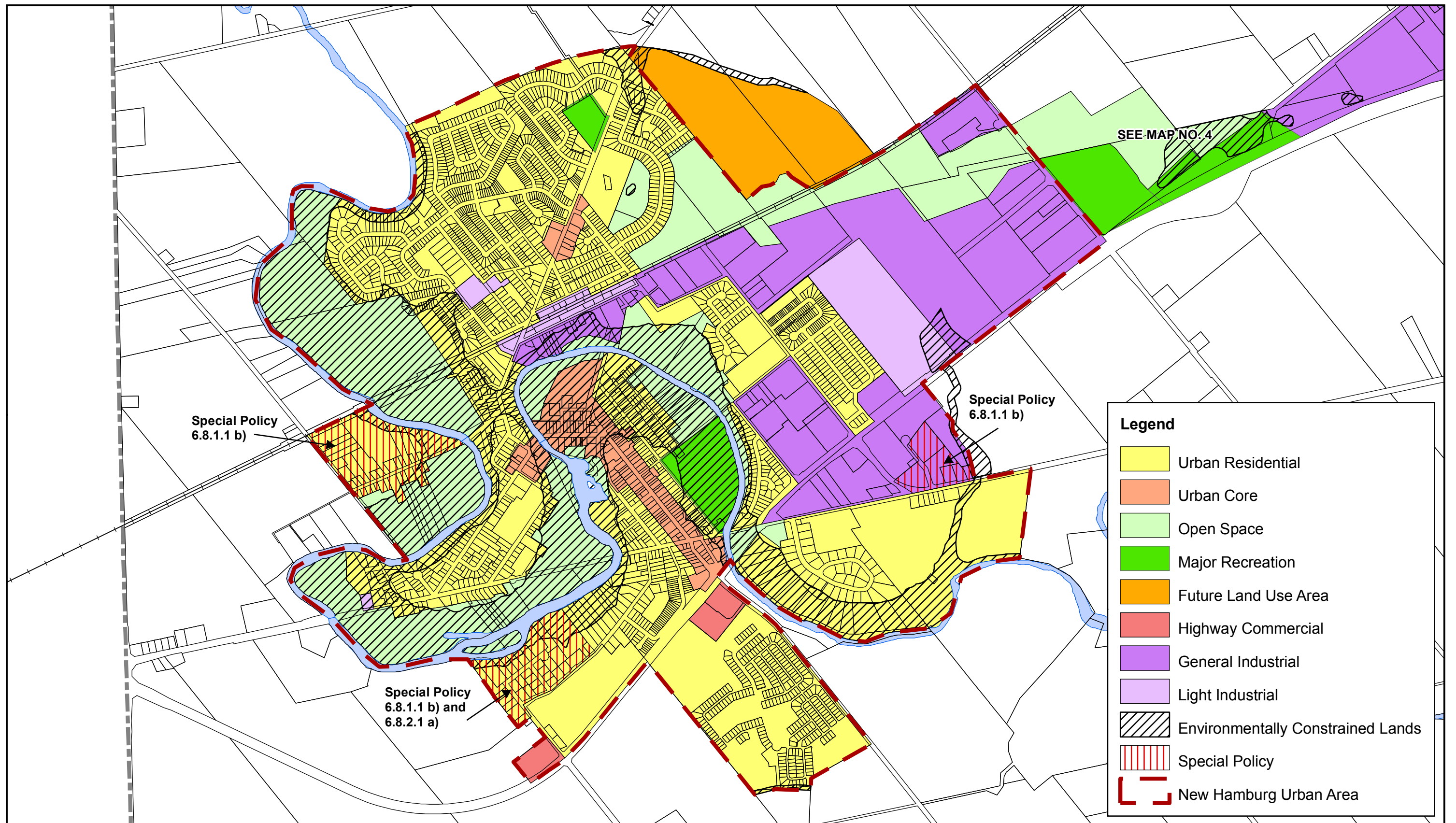
48 Speedvale Avenue East
Scarborough, Ontario
M1H 1M1

 Telephone (416) 291-0022 Fax (416) 291-1170

Project No. 9102

29/7/92

File # 9102-28.dwg
Date: 11-11-92



TOWNSHIP OF WILMOT OFFICIAL PLAN
MAP NO. 5 NEW HAMBURG URBAN AREA

0 0.3 0.6 Kilometers



June 2012
 Incorporates Modification No. 101, OP#1 and OPA#6
 Note:
 This map forms part of the Official Plan of the Township of Wilmot and must be read in conjunction with the other maps and policies of this Plan.



TOWNSHIP
OF WILMOT

Official Plan

Map 4.2 New Hamburg Urban Area

Legend

-  Urban Area Boundary
-  Special Policy Area 2.5.10
-  Special Policy Areas
-  Environmentally Constrained Lands
-  Urban Residential
-  Urban Core
-  General Industrial
-  Light Industrial
-  Highway Commercial
-  Open Space
-  Major Recreation

2017

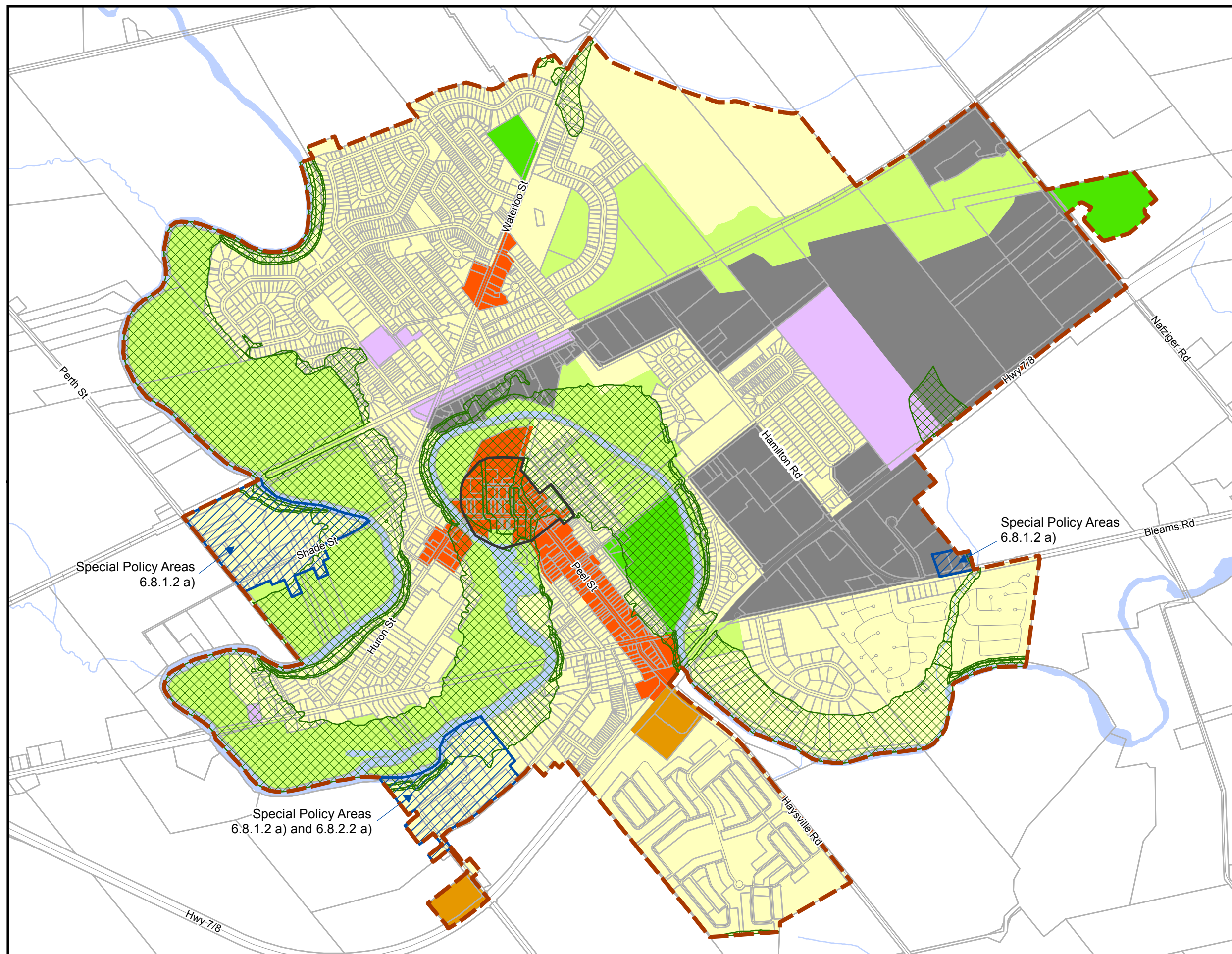


0 250 500
Meters

This map forms part of the Township of Wilmot
Official Plan and must be read with the other
maps and policies of this Plan.

Produced by:
Township of Wilmot
Development Services

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and its licensors, 2017
May not be reproduced without permission
THIS IS NOT A PLAN OF SURVEY



February 2, 2019

Township of Wilmot
60 Snyder's Road West
Baden, Ontario
N3A 1A1
Attn: Andrew Martin
Manager of Planning

Please be advised that while I do not object to the draft plan and zone change applications for the Wilmot Employment Lands between Hamilton Road, Nafziger Road and Highway 7/8, I request clarification and remedy to the following matters.

- 1 a) With respect to the 2.5 meter berm on the west side of the property, I want assurance that drainage will be addressed for my house at 289 Maurice Street (lot 79 plan 982). I request either a storm drain outlet or swale between my property and the subject lands.
- b) Information on the elevation and location of said berm including width depth and capacity.
- c) Information on who will maintain the said berm.
- d) Whether the swale or the drain will be contained within an easement.
- e) I would like to know when the berm and drainage will be constructed. Will it before construction servicing and grading starts?
- 2 As per the proposed minimum distance separation from my property (20 meters) I would like clarification on whether the berm and drainage is within this area.
- 3 I request that the Township address the traffic problems that exist at both Marvin Street and Boullee Street intersecting at Hamilton Road.

Exiting out of Hamilton Heights subdivision at Marvin Street at times is almost impossible and exiting out of Boullee Street is dangerous if parking is allowed on Hamilton Road south of the intersection.

- 4 I further would like to know if hunting is allowed within the urban area as shown in figure 6 map 3 C. In the past years hunting for turkey, deer, coyotes, rabbit and geese has occurred on these lands.

Respectfully submitted,

Neil & Dolores Hofstetter

289 Maurice Street

New Hamburg, Ontario

N3A 2H8

519-662-1582

Andrew Martin

From: Alex Davidson
Sent: Sunday, February 3, 2019 9:59 PM
To: Andrew Martin
Cc: Les Armstrong; Jeff Gerber; Jennifer Pfenning
Subject: Wilmot Employment Lands - Draft Plan of Subdivision Applications 30T-19601 & 30T-19602 and Zone Change Applications 02/19 & 03/19

This correspondence is submitted in response to your letter dated January 17, 2019 and received via Canada Post January 28, 2019.

Let the record reflect that we are opposed to the matters of these applications. Specifically, our property backs onto the lands described as the western half of the Badenview Development Lands. The Badenview Development Lands were used for agriculture by a dairy farmer long before we purchased our property in 1999 and have continued to be used for such from that time until present.

The agricultural use of the Badenview Development Lands have afforded us quiet enjoyment of our property which over the last 20 years we have become accustom to. We are concerned that a change in use of these lands from agricultural will adversely impact our quite enjoyment of our property. Things that might change and adversely impact our quite enjoyment of our property due to a change in the use of the land include, but may not be limited to:

a) noise - currently there is some machinery in the field from time to time. The machinery is generally quiet and is close to our house for only brief periods of time. Further, the farmer is respectful of the impact to the residences and schedules his work accordingly. A change in land use may bring new and intolerable noises.

b) view - the agricultural use of the property provides a pleasant view and does not obscure or distract from the more distant view of Highway 7&8 and the woodlot in the distance. A change in land use may obstruct or distract from this view. Further, the December 19, 2018 Novus report recommends a 2.5 meter high berm along the western portion of Stage 2. In addition, it informs that, pending the local land use, additional height of noise wall could be constructed on the berm. This would destroy the view to the east that we currently enjoy.

c) odour - there generally is no odour from the agricultural lands and when it is there it is generally not offensive and does not last long. A change in land use may bring new and intolerable odours.

d) air borne particulate - while there is some dust from the agricultural operation from time to time it is minimal and when it does occur it is for brief periods of time during planting season and harvest season whereas non-agricultural uses could have ongoing inconvenient or health related particulate discharge.

e) lighting - there is currently no artificial lighting in the lands at the rear of our house. Development is likely to bring artificial lighting for safety and security of the new uses of the land. This could be disturbing.

f) security - we have experienced no concerns with security with things in the current state. We are concerned that a change in land use may attract undesirables and nefarious activity.

g) storm water management - historically the basement of many houses on Maurice St. have been subject to flooding during significant rain storms. This seems to have been repaired. Changes in nearby land use or the utilities installed to service the land use may adversely affect the utilities on Maurice St.

h) traffic - the Draft Plan of Subdivision is sans a connection of street network to an easterly extension of Boullee St. This is appropriate as increasing traffic on Boullee St would be incompatible with the residential land use on either side of Boullee St. The residents in the area often walk. Adults are often accompanied by their pets or young children. There are also elderly in the area that walk in this locale. These walks include traversing along Boullee St. Accommodating additional traffic increases the risk to pedestrians and their pets. Further, many of these young children will soon be out-of-doors on their own. Increased traffic in the area will increase the risk to their safety.

i) biological contamination - the list of potential land uses includes veterinary services, health clinic, health office and laboratories. These uses bring risks that require control.

There may be other items of concern that will become apparent as time progresses. We will comment on them as we become aware of them.

Unfortunately, due to a prior commitment, we cannot attend the Public Meeting on February 11, 2019. Please see that these concerns are brought to the attention of the decision makers and inform us of information received at the meeting and of any decisions made. Also, please continue to keep us informed of information and activity related to these applications.

Further, we are greatly confused as to who is in charge of this process and who we should be communicating with. Specifically, we do not understand the respective roles of the Township of Wilmot and the Region of Waterloo regarding this matter. Your January 17, 2019 letter appears to be solely from the Township of Wilmot and suggests that any comments prior to the public meeting should be directed to you - apparently a Township employee. Also, Section 6.0 *Public Consultation Strategy* of the December 2018 MHBC Planning Justification Report describes activities and tasks that include the Township of Wilmot only. This section of the Planning Justification Report is silent wrt the Region of Waterloo. There is however information later in your letter that describes that we must also direct communication to the Region of Waterloo. Please help us understand the process. Also, who at the Region of Waterloo should the correspondence be directed to?

Regards,
Susan and Alex Davidson
301 Maurice Street
New Hamburg, ON, N3A 2H9

WILMOT EMPLOYMENT LANDS

Badenview Developments Inc.
Draft plan of Subdivision 30T-19601
Zone Change Application 02/19

New Hamburglrs Inc.
Draft Plan of Subdivision 30T-19602
Zone Change Application 03/19



Woodlot

Woodlot

30T-19601

30T-19602



Woodlot

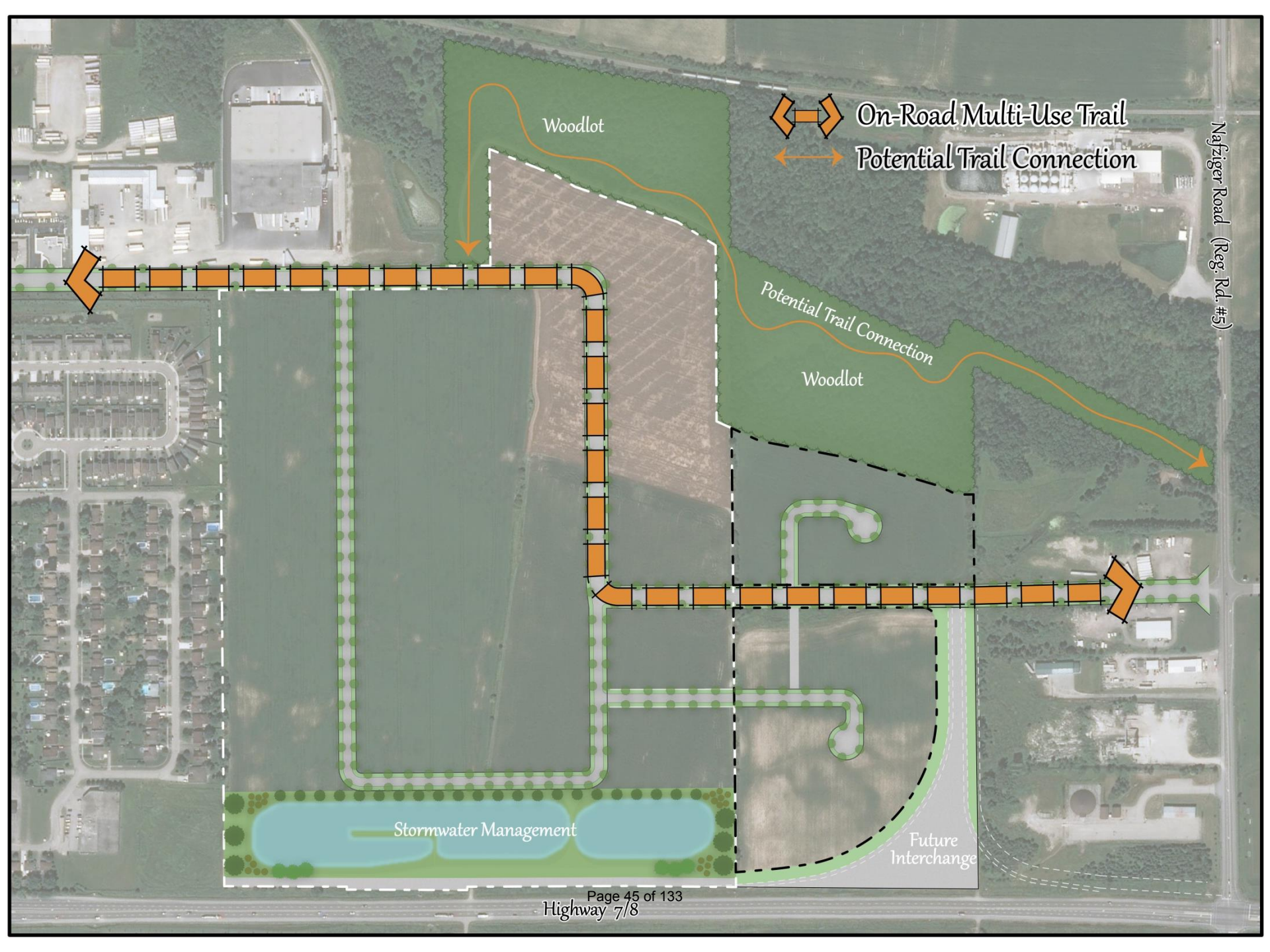


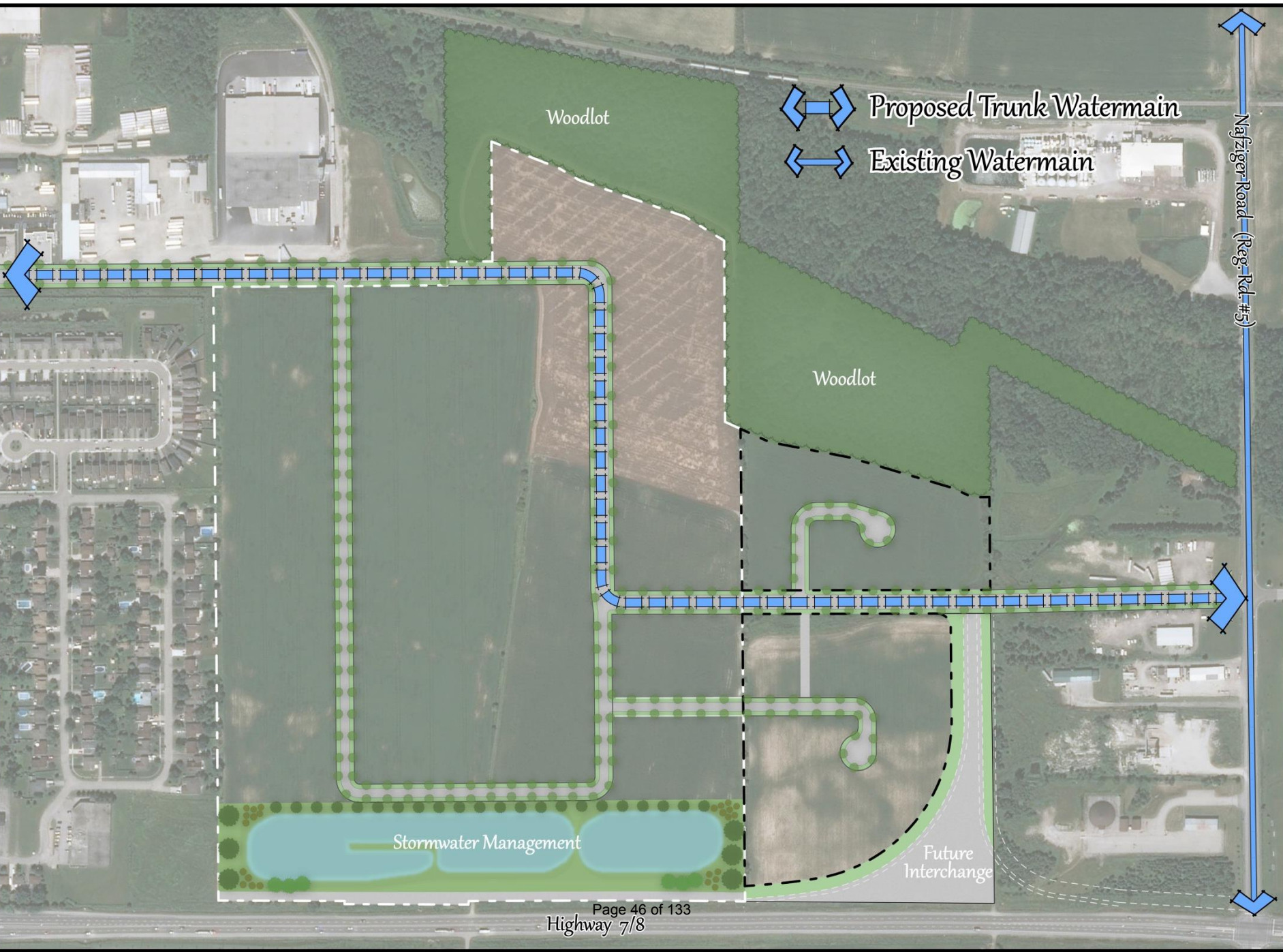
On-Road Multi-Use Trail
Potential Trail Connection

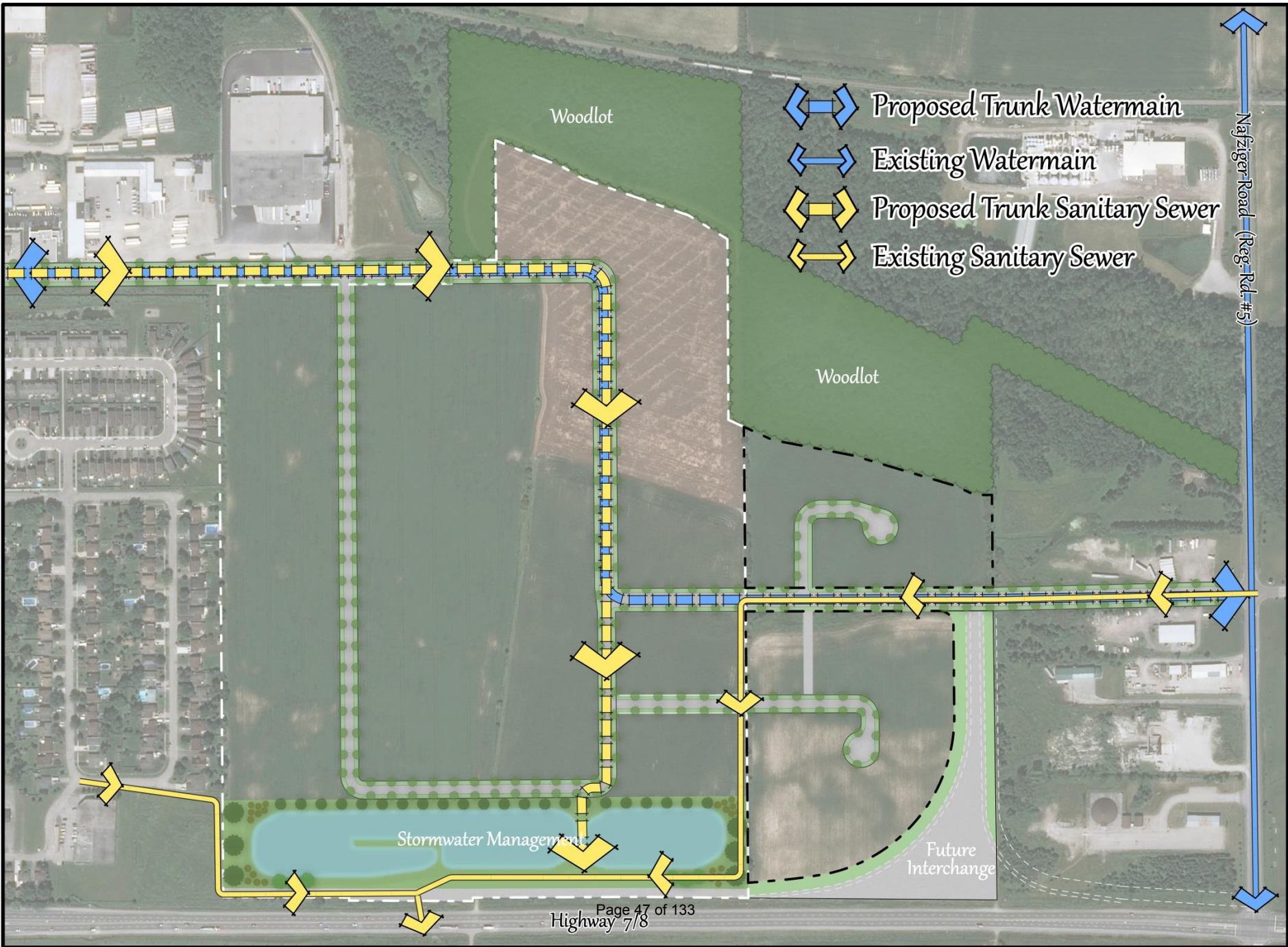
Potential Trail Connection
Woodlot

Stormwater Management

Future Interchange









REPORT NO. CL2019-04
TO: Council
PREPARED BY: Erin Merritt, Municipal Law Enforcement Officer
DATE: February 11, 2019
SUBJECT: Updating Private Property Parking by-law
By-law # 89-103

Recommendation:

That report CL2019-04 regarding the updating of the By-law and set fines, be approved for the Township of Wilmot Private Parking bylaw.

Background:

As required from time to time, staff reviews current By-Laws and suggests amendments to better facilitate the enforcement of such By-Laws. Therefore, staff is recommending By-Law 89-103 be repealed and recommend the approval of a new By-Law (Attachment A). The new By-Law has updated language and set fines that will match more recent traffic and parking fines.

Discussion:

While researching area by-laws of a similar nature, staff suggest an update to the set fine to \$25, as it would then be in line with all other parking and traffic fines for the Township. The updating of the language of the By-Law is warranted to make the By-law easier for the public to understand and easier for staff to enforce.

Currently, the By-law division has been contacted by four private property owners to assist with enforcing this Private Parking By-law. The set fine is currently \$10 and 7 tickets were issued in 2018.

Strategic Plan Conformity:

Upon approval, the Private Property Parking Bylaw will be subsequently posted on the Township website, thereby communicating current municipal matters and further facilitating future communications for residents and other interested parties. The Private Property Parking By-law also conforms to the Strategic Plan by ensuring people's safety, enhancing mobility and providing recreational opportunities for everyone.

Financial Considerations:

The set fine schedules associated with the by-law will be updated following the set fine schedules approval.

Conclusion:

Staff recommends that the Report outlining the proposed update of the Township's Private Property Parking By-law be endorsed and further that By-law 2019-12 be brought forward for adoption.

Prepared by
Erin Merritt, Senior MLEO

Submitted by
Dawn Mittelholtz, Director of Clerk's Services

Reviewed by CAO

REPORT NO. **CL2019-05**

TO: **Council**

PREPARED BY: **Dawn Mittelholtz, Director of Clerk's Services**

DATE: **February 11, 2019**

SUBJECT: **Township of Wilmot Integrity Commissioner
2018 Annual Report**

Recommendation:

THAT the Integrity Commissioner's Annual Report for 2018, be received for information purposes.

Background:

The Township of Wilmot Integrity Commissioner position has been in place since April of 2009. The Integrity Commissioner is an independent and impartial position that reports directly to Council and whose powers and duties are set out in the Municipal Act, 2001 as amended by the Modernizing Ontario's Municipal Legislation Act, 2017:

Responsibilities of the Integrity Commissioner:

- Investigate complaints and alleged breaches of the Code of Conduct for Members of Council.
- Review the Code of Conduct for Members of Council and make recommendations on an annual basis.
- Serve as an advisor to individual Members of Council and members of local boards in relation to the Code of Conduct, Municipal Conflict of Interest Act, any procedures, rules and policies of the municipality governing ethical behaviour, and act as an educator for Council, members of local boards, the municipal staff and the public.
- Provide reports to Council, summarizing his/her activities.
- Provide individual investigative reports, as required, which will include background concerning a complaint and recommendations to Municipal Council with respect to a complaint.

Discussion:

Robert Williams was appointed to the position of Integrity Commissioner for The Township of Wilmot in March of 2013. The annual report is for Council's information, reflects the activities in 2018 and meets the legislative requirement of the Municipal Act, 2001.

Strategic Plan Conformity:

The report is in conformity with the Township's Strategic Plan by communicating municipal matters. By retaining the services of an Integrity Commissioner, the Township is strengthening customer service.

Financial Considerations:

An annual retainer is provided to the Integrity Commissioner for services and funding has been allocated towards an educational session for Council in 2019 with respect to Council education and training.

Conclusion:

The Integrity Commissioner is required to provide a report on the activities of the office directly to The Township of Wilmot Council on an annual basis. His report is attached as Appendix A to staff's report.

The annual report is for information purposes and provides a breakdown of inquiries received by the Commissioner in 2018.

Dawn Mittelholtz

Prepared / Submitted by
Director of Clerk's Services

Grant Whittington

Reviewed by Chief Administrative Officer

Robert J. Williams, Ph.D.
Public Affairs Consultant
Waterloo, Ontario
January 2, 2019

Annual Report 2018
Township of Wilmot
Integrity Commissioner

I was appointed Integrity Commissioner for the Township of Wilmot in March 2013 (By-law 2013-16) in conformity with Section 223.2 of the *Ontario Municipal Act, 2001*. One of the requirements for the Integrity Commissioner is to provide an annual report to Council for review on investigations completed and underway.

I am happy to report that no formal enquiries and complaints were filed with me during the calendar year 2018 although I responded to an enquiry from Township staff in relation to potential conflicts of interest in relation to two candidates in the municipal election.

As a result of the implementation of Bill 68 ("*Modernizing Ontario's Municipal Legislation Act, 2017*"), a number of features of the municipal accountability framework will change. I am working with staff to prepare a comprehensive orientation presentation for Council on accountability in general and conflict of interest in particular, as well as possible amendments to the present Code of Conduct and its administration so that it complies with revised legislation.

I continue to engage in professional development activities through maintaining regular contact with other Municipal Integrity Commissioners across Ontario to discuss the application of Codes of Conduct, the *Municipal Conflict of Interest Act* and other integrity-related questions.

Respectfully submitted,

Robert J. Williams, Ph.D.
Integrity Commissioner
Township of Wilmot

REPORT NO. CL2019-06
TO: Council
PREPARED BY: Dawn Mittelholtz, Director of Clerk's Services
DATE: February 11, 2019
SUBJECT: Waterloo Area Municipal Ombuds Office
2017-18 Annual Report
Township of Wilmot

Recommendation:

THAT the Waterloo Area Municipal Ombuds Office Annual Report for 2017-2018, be received for information purposes.

Background:

Pursuant to Section 223 of the Municipal Act, 2001, municipalities may appoint an Ombudsman who reports to Council and whose function is to investigate in an independent manner, any decision or recommendation made or act done or omitted in the course of the administration of the municipality.

The Ombudsman Act was amended effective January 1, 2016 to expand the jurisdiction of the Ontario Ombudsman to include municipalities, municipal boards and their agencies. Further to the expanded area of jurisdiction bestowed on the Ontario Ombudsman, municipalities are also able to appoint a local ombudsman.

In the spring of 2016, Council approved the appointment of Agree Inc., who acts as the Ombudsman on behalf of The Township of Wilmot, the Region of Waterloo, the Cities of Cambridge and Waterloo and the Township of Woolwich. An extension of the agreement was approved by Council in June, 2018. The 'Waterloo Area Municipal Ombuds Office' is the name that has been established for the joint service and is one of the first of its kind across the Province in forming a joint partnership of municipalities in the Region.

Discussion:

The annual report prepared by the Ombuds Office is provided under the terms of the agreement and is attached to this report as Appendix A. The report covers the period June 1, 2017 to May 31, 2018. Staff received the report in November of 2018 and felt it was prudent to have the report received in the new term Council.

Strategic Plan Conformity:

The report is in conformity with the Township's Strategic Plan by communicating municipal matters. By retaining the services of the Waterloo Area Municipal Ombuds Office, the Township is strengthening customer service.

Financial Considerations:

An annual retainer is provided to the Ombuds Office for their services, this retainer is shared with the participating partners and is based on population count. Wilmot's portion is approximately \$300 annually. In addition, the annual report and inquiry costs are budgeted based upon anticipated activity levels.

Conclusion:

The Ombuds report is for information purposes and provides a breakdown of inquiries received by the Municipal Ombudsman for the period of June 1, 2017 to May 31, 2018.

Dawn Mittelholtz

Prepared / Submitted by
Director of Clerk's Services

Grant Whittington

Reviewed by Chief Administrative Officer

A photograph of a large yellow sign for the Township of Wilmot. The sign features a central illustration of a building with a clock tower. Text on the sign includes 'TOWNSHIP OF WILMOT' at the top, 'CASTLE BRIDGE' in the middle, and 'AND ADMINISTRATION' at the bottom. To the left of the sign are several flagpoles with Canadian flags. In the foreground, there are green plants with red and white flowers. The entire image is overlaid with a semi-transparent green filter.

Annual Report

Township of Wilmot – June 1, 2017 to May 31, 2018



Waterloo Area
Municipal Ombuds Office

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THE OMBUDSMAN'S MESSAGE

This Report is the second we have made to Council in Wilmot. The Waterloo Area Municipal Ombuds Office began operation on September 1, 2016 and provides service to the Region, the Cities of Cambridge and Waterloo and the Townships of Wilmot, Woolwich and Wellesley. This reporting period runs from June 1, 2017 to May 31, 2018, a period of twelve (12) months.

The Ombuds Advisory Committee meets periodically when there are business issues to discuss or to receive the Annual Report.

The office received one (1) inquiry and two (2) complaints between June 1, 2017 and May 31, 2018. An inquiry is where the office determines either that it lacks jurisdiction or refers a matter back to the Township because it is premature. A complaint is where the initial view of the matter indicates it is within jurisdiction and the Complainant files a Complaint, Consent and Confidentiality Form, allowing us to take the matter up with a municipal official.

There is a small increase in use of the office over the last reporting period, when Wilmot had one (1) inquiry and one (1) complaint. This growth is quite normal and is what Rose Bowden and I anticipated. Typically, as people use the office word gets out and we see volume build over time. I do not feel that this increase is caused by more concerns, but rather that the Office is becoming known.

The inquiry was from a resident who was having concerns about the Township's recreational department.

Two (2) matters were subject of formal complaints. One was brought by a property owner who felt the Township was being needlessly officious in requiring that a washroom be installed in a building. The other complaint related to the Township cancelling a meeting with a Resident.

The cases we intervened in were sometimes resolved through establishing lines of communication. In some instances Rose Bowden, the Early Resolution Consultant, or I were able to facilitate agreement, in others we provided an Initial View letter which set out how we saw the matter based on the evidence. This provided the parties with an objective frame of reference and assisted in resolving some matters.

Looking forward for the upcoming year, I will be meeting with the Ombuds Advisory Committee (the municipal Clerks) about how we can increase awareness of the Office. We will also make various municipalities aware of complaint resolution skills and strategies that can assist managers and front line employees to resolve issues at their level.

We will continue to find ways to keep the office relevant and useful to the residents of this colourful and pastoral Township.

A handwritten signature in cursive script, reading "Richard A. Russell". The signature is written in dark ink on a light-colored background.

Richard A. Russell B.A., LL.B., C. Med. C. Arb.
Ombudsman, Waterloo Area Municipal Ombuds Office

ABOUT OUR OFFICE

Waterloo Area Municipal Ombuds Office

What is an Ombudsman?

An ombudsman is an Officer of Council responsible for looking into whether administrators are properly applying the by-laws and policies of the municipal corporation. While the ombudsman has no power to overturn decisions, they do make recommendations and can bring matters to the highest levels of the Region for consideration.

The ombudsman has the authority to consider complaints that administrators are misusing their power, failing to use their discretion or acting unfairly. They will conduct a thorough and fair investigation and make findings based on evidence.

An ombudsman will also provide information and guidance to citizens and work between Regional administration and individuals to solve problems informally when possible.

An ombudsman provides an Annual Report to Council with recommendations for any changes to policies or practices that he or she feels are needed.

Jurisdiction

The Waterloo Area Municipal Ombuds Office derives its legal authority from the Ombudsman Act of Ontario, which under section 14 (4.3) sets out the jurisdiction of the municipal Ombudsman. In effect the Municipal Ombudsman has all of the same rights to investigate as would the Provincial Ombudsman.

Our Philosophy

“Partnering With”, rather than “Oversight Of” is the service orientation that we have sold. We view Complaints as a Resource that municipalities can learn and grow from. We are remedial and not punitive in our orientation toward the institutional clients.

Scope of Services

Matters that ARE within the Ombuds' Mandate to Investigate are:

1. Where the Region/City or Township has not followed appropriate procedures in arriving at a decision;
2. Where the Region/City or Township has acted in a way that is contrary to its own rules, procedures or By-laws;
3. Where the Region/City or Township has made a decision that is outside of its powers to make;
4. Where the Region/City or Township has failed to take a specific action that it is required to under its rules, procedures or By-laws;
5. Any decision or recommendation made, act done or omitted to be done in the course of the administration of the Region/City or Township, so long as it does not fall under the list of matters that are *not within our mandate to investigate* (see below).

Matters that are NOT within the Ombuds' Mandate are:

1. Any Region/City or Township decision, recommendation, act or omission in respect of which there is a right of appeal, review or objection to any court or tribunal, until that right of appeal, review or objection has been exercised, or the time for the exercise of that right has expired;
2. Cases where the inquirer has not taken their complaint to the Region/City or Township first;
3. Decisions, recommendations, acts or omissions of a legal advisor or counsel to the Region/City or Township;
4. Complaints regarding closed meetings of Council;
5. Complaints that are within the mandate of the Integrity Commissioner;
6. Complaints where the subject matter is deemed to be trivial, frivolous, vexatious or an abuse of the Ombuds Office process or which are not made in good faith, in the opinion of the Ombuds Office;
7. Cases *where more than one (1) year has passed* since the inquirer learned of the facts on which the complaint or inquiry is based, unless special circumstances exist.
8. Issues related to labour and employment matters.

Process

Inquirers must provide (within one year as above) a completed and signed Complaint Form with consent to disclose such evidence and information as is necessary to conduct a full, fair and impartial inquiry or investigation. Complaints and Inquiries **must** originate with the affected party; the Ombuds does not accept complaints from interested, but unaffected third parties.

Initial Review

An Initial Review is conducted to decide whether a file may be investigated. During the Review, the following questions are considered:

- Did the inquirer already go through the Region/City or Township's internal complaint process? If not, the inquirer will be referred to the appropriate Region/City or Township office;
- Is the complaint or concern within the Ombuds Office's mandate?

Inquirers and the respondent, where appropriate, are advised of the outcome of the Initial Review.

An Initial Review may result in the inquirer and the Region/City or Township being advised that the issue may be investigated. It may also result in an Initial Review Letter advising the Inquirer (and respondent if appropriate) that the file is being closed because the inquiry is not within the Ombuds Office mandate, together with a referral to the appropriate body to lodge a complaint, wherever possible.

Early Resolution

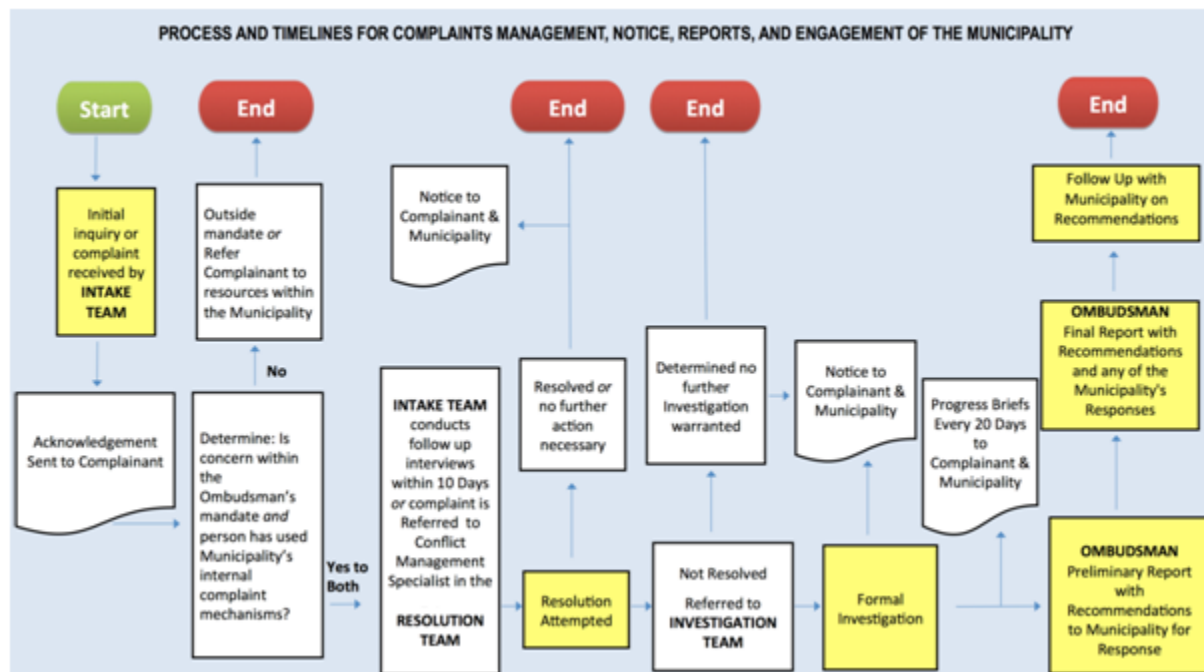
For inquiries that proceed, the Investigator will review all of the documentation that was provided by both the inquirer and the Region/City or Township. If the Investigator believes that the issue(s) may be able to be resolved consensually, the matter may be referred for early resolution through a Conflict Management Professional.

Investigation

If a resolution is not possible, the matter will be referred back to the Investigator who will continue investigating the complaint and who may contact the inquirer and the Region/City or Township to schedule interviews and gather information.

The Report will contain the Investigator's findings, either recommending a remedy for the concern to the Region/City or Township or rejecting the complaint. In either case, the Report will contain reasons for the decision. Ombuds Offices cannot order a municipality or an inquirer to take any steps, but may make recommendations with persuasive reasons. Such recommendations are often followed.

Process Flowchart



Privacy at Waterloo Area Municipal Ombuds Office

Waterloo Area Municipal Ombuds Office collects personal information from Inquirers and Member Regions, Cities or Townships for the purpose of resolving disputes. Waterloo Area Municipal Ombuds Office ensures that the personal information of our clients remains confidential and secure. This Privacy Policy ("Policy") describes the ways Waterloo Area Municipal Ombuds Office is committed to ensuring that all private and confidential information is protected for both the Inquirer and the Member Region, City or Township. This Policy is intended to ensure that the privacy of individuals is protected in the use, collection, disclosure, and storage of personal and/or confidential information by Waterloo Area Municipal Ombuds Office. This Policy complies with and supplements the guidelines and mandates of Canada's federal private sector privacy law, the Personal Information Protection and Electronic Documents Act.

Waterloo Area Municipal Ombuds Office will manage personal information in an open and transparent way. This Policy will be available to anyone free of charge.

Waterloo Area Municipal Ombuds Office Commitment

Waterloo Area Municipal Ombuds Office is committed to keeping all personal information private and confidential. With written consent, we will collect personal information from the Member Region, City or Township and the Inquirer in order to investigate the complaint. Any and all information collected from the Member Region, City or Township and the Inquirer will only be used for the purpose of determining the proper resolution and/or recommendations. Waterloo Area Municipal Ombuds Office is committed to protecting the security of the files it maintains and there are security measures implemented in order to maintain the security.

Information Collected

While the personal information that Waterloo Area Municipal Ombuds Office collects depends on the nature of the complaint, the personal information may include your home address and telephone number, and any and all personal and identifiable information that is obtained by the region, city or town about the Inquirer. We collect personal information from the Inquirer, the Member Region, City or Town, and others as necessary, to facilitate the investigation and resolution of a complaint. We will limit the amount and type of personal information we collect by ensuring we only collect such information that is reasonably necessary and directly related with the complaint in dispute. All personal information will be collected by lawful and fair means.

Accountability

Waterloo Area Municipal Ombuds Office is accountable for all personal information in its possession or control. Policies and procedures have been established to comply with this Policy.

Consent Required

We will not collect, use, or disclose any personal information without first obtaining consent, except where required or permitted by law. Consent may be withdrawn at any time. Further assistance in resolving the complaint may not be available if consent is withdrawn.

Use of Personal Information

Waterloo Area Municipal Ombuds Office will only use or disclose your personal information for the intended and identified purposes and reasons for which the information was collected, except where required and permitted by law. Waterloo Area Municipal Ombuds Office will take such reasonable steps as necessary to ensure that the personal information collected is accurate, complete, relevant, and up to date. We will inform individuals of the purpose for which personal information will be used before or when they consent to its collection.

Access to Personal Information

A person may access their personal information held by Waterloo Area Municipal Ombuds Office that has been provided to us and is in our possession. Parties should contact their region, city or town directly to access their personal information provided to us by that Member Region, City or Town in the course of our dispute resolution process.

Website

Our online website www.civcombuds.ca is hosted on servers that are owned and managed by a third party.

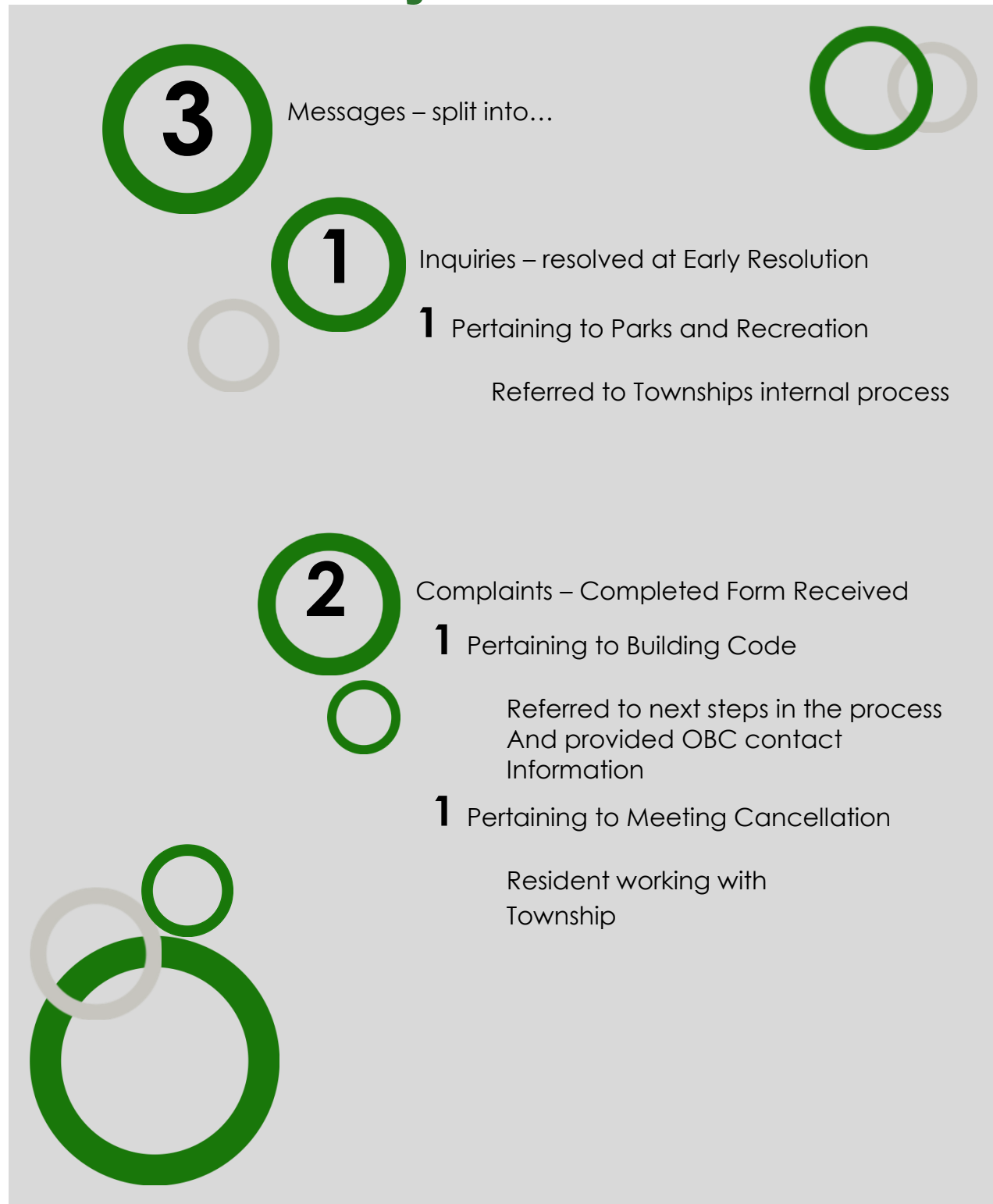
Security

Waterloo Area Municipal Ombuds Office has taken the proper and necessary steps to ensure all information pertaining to our clients' files is secured and protected against theft, unauthorized use, modification, and loss. Security-protected databases are used to store online files, and specific security measures are used to ensure the files are monitored through multiple security scans of the online content as well as numerous checks to prevent common website hacks like cross-site scripting, SQL injection, brute-force password attacks, etc.

Breach of Privacy

A complaint about a breach of privacy must be in writing, and directed to Waterloo Area Municipal Ombuds Office. The individual making the privacy complaint must give Waterloo Area Municipal Ombuds Office sixty (60) days to respond.

Wilmot Summary



Township of Wilmot :

Inquiries: One (1)

The Ombuds Office defines an inquiry as a contact with a person about an issue which may or may not fall within the Office's jurisdiction. These are often in the nature of "touches" where we act as a conduit from the Inquirer to the appropriate resource to resolve their issue(s). The threshold is that with inquiries the individual is not asked to provide a Complaint, Consent and Confidentiality Submission Form which permits us to talk with persons on the other side of a complaint. Typically these are dealt with by our Intake & Early Resolution Consultant with little input from the Ombudsperson.

1. A resident called our office to discuss concerns with the Township's recreational department. During our discussion we were able to determine that the Citizen was in the process of reviewing their concerns with the Township. We advised them our office was an office of last resort and that we do not deal with matters that are in the process of being handled by the Township. We provided her with recommendations on moving forward in working with the Township to address her concerns.

Complaints: Two (2)

A Complaint is defined by the Ombuds Office as an allegation that may or may not be within the jurisdiction of the Waterloo Area Municipal Ombuds Office but which requires further fact finding to determine in what way the Office may assist. It usually involves the completion of the Complaint, Consent and Confidentiality Submission Form outlining in writing the nature of the complaint, and giving the Office permission to begin to gather information, disclose information to civic officials, facilitate discussions, make suggestions and recommendations, as well as to investigate as required.

1. We received a completed on-line Complaint, Consent and Confidentiality form regarding a complaint about the Township Building Inspectors. The Complainants started a storage company in the back of a building on their property and felt that the Township was needlessly insisting they install a bathroom in the building, as customers do not access the building. Our office contacted the Township of Wilmot and we were provided with dates and details of the Chief Building Officials (CBO) involvement in the situation. The Township advised our office that they received a complaint in August of 2016 that a business had been moved to the property of the Complainant. The Township had an Inspector visit the property and discovered that a new unit had been created in the rear of the existing building without a building permit. In January of 2017, the CBO issued an Order to Comply instructing the Owner to provide a complete permit application. The Township's Chief Building Official worked with the Owners of the property and their Engineer's reports over the next five months. The Owner was aware of The Township's position on that matter and that they were following the guidelines of the Ontario Building Code.

We advised the Complainant that our office is an office of last resort and if they wished to file an appeal, they could contact the Ontario Building Code (OBC), which provides an appeal process where applicants can apply to the Building Code Commission (BCC). We provided the contact information to file an appeal and our file was closed.

2. A completed Complaint, Consent and Confidentiality form was received outlining a complaint about a meeting that was cancelled by the Director of Public Works. We received further background from the Township and the Complainant requested the file be held in abeyance and they were working with the Township on this issue.



Waterloo Area
Municipal Ombuds Office

Contact Information

<http://www.civcombuds.ca>

36 Dundas Street, Dundas, ON L9H 1A2

Local: 905-627-2033 | Toll Free: 1-888-224-2488

Fax: 905-627-5362

Email: ombuds@civcombuds.ca

REPORT NO. **FIN 2019-11**

TO: **Council**

PREPARED BY: **Patrick Kelly CPA, CMA, Director of Finance / Treasurer**
 Ashton Romany CPA, Manager of Finance / Deputy Treasurer

DATE: **February 11, 2019**

SUBJECT: **2019 Municipal Budget**

Recommendation:

That the 2019 Municipal Budget dated February 4, 2019, as recommended by the Ad Hoc Budget Advisory Committee, be approved; and further

That the Director of Finance / Treasurer be authorized to prepare the necessary levying by-law to raise \$7,976,555 for Township purposes from general taxation.

Background:

The Ad Hoc Budget Advisory Committee held meetings on December 17, 2018, January 14, January 31, and February 4, 2019 to consider the following aspects of the proposed 2019 Municipal Budget:

- Taxation Policy and User Fees
- Municipal Grant and Discover Your Wilmot Program for 2019
- Capital Program & Infrastructure Reserve Funds Allocations
- 10-Year Capital Forecast
- Service Level Requests
- Departmental Operating Budgets
- User-Pay Operating Budgets
- Water and Wastewater Operating Budget and Rates Analysis

Discussion:

The Committee directed staff that the 2019 Budget be prepared to reflect an inflationary levy increase of 2.0%. Based on the review and analysis of departmental budget proposals, and the input of Committee Members and staff during these meetings, the

Committee has achieved the target levy increase, and have recommended approval of the proposed 2019 Municipal Budget.

Budget Highlights:

- Tax Levy Increase of 2.0% (2018 – 1.95%)
- General Tax Levy set at \$7,976,555 (2018 - \$7,709,930)
- Operating Expenditures of \$10,365,810 (2018 - \$9,920,980)
- Capital Program valued at \$6,694,840 (2018 - \$5,874,248)
- Capital Expenditures funded from taxation of \$1,742,617 (2018 - \$1,744,061)
- Minor Capital Initiatives of \$226,550 (2018- \$231,930)
- Additional staff resource allocations for Corporate Communications, Fire Prevention and Recreation Programming
- Infrastructure Reserve Funds Allocations \$348,938 (2018 - \$490,529)
- New Water and Sanitary Rates effective January 1, 2019, with an average increase of 5.72% (based on 31m³ consumption)

Strategic Plan Conformity:

This report is aligned with the strategic plan in providing quality of life through offering recreational opportunities for everyone (WRC Programming, Trails and Playground Enhancements); engaging community through communicating municipal matters (Communications Specialist Position); building a prosperous economy by reviewing long term capital planning to ensure adequate funding exists to maintain our infrastructure (Asset Management Roadmap, Road Reconstruction Works); and protecting our natural environment through using resources responsibly (LED Lighting / Carbon Sink).

Financial Considerations:

The tax rate calculations will be completed based upon the levy requirement and will be incorporated into the final property tax bills to be distributed in early June/July. The impact of 2.0% levy increase will be \$13.48, based on an average assessment of \$386,000.

Conclusion:

Over the past several months, staff from all departments worked collaboratively to achieve the target levy increase of 2.0%, as proposed by the Committee on December 17, 2018. Upon endorsement from the ad hoc Budget Advisory Committee, the 2019 Municipal Budget will be presented to Council for full approval on February 11, 2019.

Patrick Kelly CPA, CMA
Prepared/ Submitted by
Director of Finance / Treasurer

Ashton Romany CPA
Prepared/ Submitted by
Manager of Finance / Deputy Treasurer

Grant Whittington
Reviewed by Chief Administrative Officer



TOWNSHIP OF WILMOT



2019 MUNICIPAL BUDGET

The Corporation of the Township of Wilmot Council



Mayor Les Armstrong Councillors

Ward 1	Angie Hallman
Ward 2	Cheryl Gordijk
Ward 3	Barry Fisher
Ward 4	Jeff Gerber
Ward 4	Jenn Pfenning

The Corporation of the Township of Wilmot

Township Officials



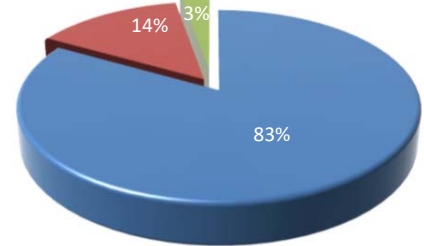
Chief Administrative Officer	Grant Whittington
Director of Finance	Patrick Kelly
Director of Public Works/Engineering	Jeff Molenhuis
Director of Castle Kilbride/Curator	Tracy Loch
Director of Clerk's Services	Dawn Mittelholtz
Director of Facilities and Recreation Services	Scott Nancekivell
Director of Development Services	Harold O'Krafka
Fire Chief	Rod Leeson

Township of Wilmot

2019 Municipal Budget

Total Expenditures (excluding user-pay)

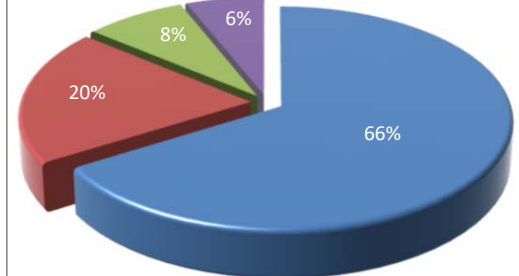
Operating Expenditures	\$ 10,365,810
Capital Expenditures Funded from General Levy	1,742,617
Transfer to Infrastructure Reserve Funds	348,938
Total Expenditures	<u>\$ 12,457,365</u>



■ Operating Expenditures
■ Transfer to Capital
■ Transfer to Infrastructure Reserves

Total Revenues (excluding user-pay)

Taxation	
2018 General Levy	\$ 7,709,930
Assessment Growth (1.43%)	110,225
Tax Increase (2.00%)	156,400
2019 General Levy	<u>\$ 7,976,555</u>
Payment in Lieu of Taxes	188,585
Supplementary Taxes (net of write-offs)	<u>77,900</u>
Total Taxation	<u>\$ 8,243,040</u>
Operating Revenues	2,470,580
Ontario Municipal Partnership Fund	985,745
Investment Income	758,000
Total Revenues	<u>\$ 12,457,365</u>



■ Taxation
■ Operating Revenues
■ Provincial Funding
■ Investment Income

Township of Wilmot

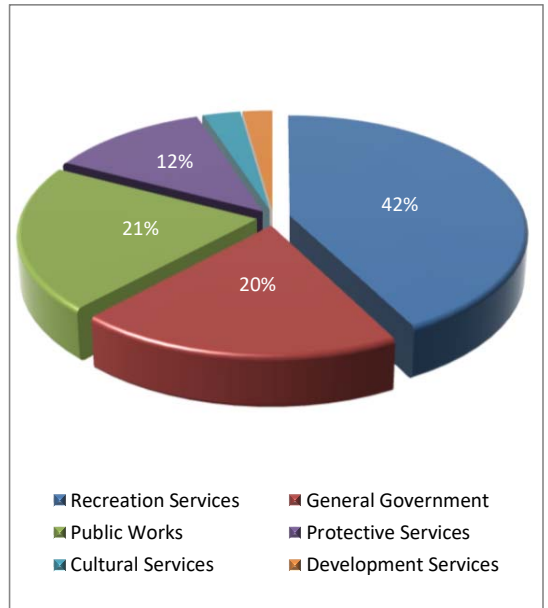
2019 Municipal Budget

Operating Expenditures

General Levy Operations	
General Government	\$ 2,043,910
Protection to Persons and Property	1,266,540
Transportation Services	2,140,130
Recreation Services	4,384,260
Cultural Services	296,550
Planning and Development Services	234,420
	<u>\$ 10,365,810</u>

User-pay Operations	
Cemetery	\$ 106,100
Water and Sanitary	5,849,533
Building	662,330
	<u>\$ 6,617,963</u>

Total Operating Expenditures \$ 16,983,773



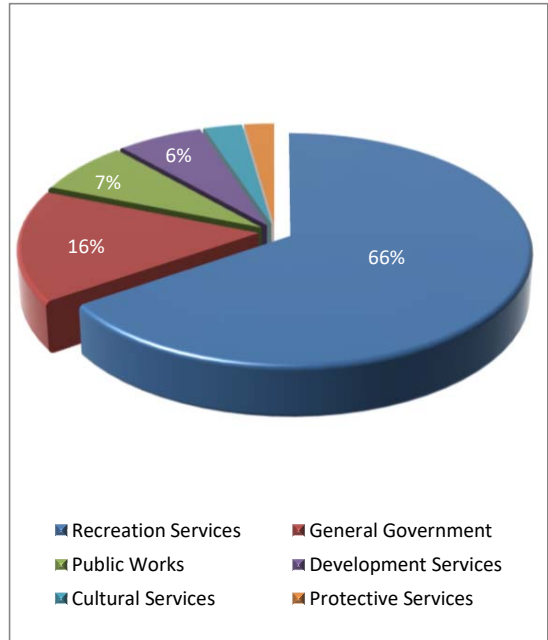
Operating Revenues

General Levy Operations	
General Government	\$ 385,710
Protection to Persons and Property	55,660
Transportation Services	180,900
Recreation Services	1,617,480
Cultural Services	71,180
Planning and Development Services	159,650
	<u>\$ 2,470,580</u>

User-pay Operations	
Cemetery	\$ 106,100
Water and Sanitary	5,849,533
Building	662,330
	<u>\$ 6,617,963</u>

Total Operating Revenues \$ 9,088,543

Net Operating Expenditures \$ 7,895,230



Township of Wilmot

2019 Operating Budget

GENERAL GOVERNMENT

Revenues		
Administration Fees/Sale of Surplus Assets	\$	53,240
Licenses and Fines		82,470
Penalties & Interest Revenue		250,000
	\$	385,710
Expenses		
Council	\$	166,060
CAO, Clerk's		619,490
Insurance		294,180
Municipal Law Enforcement/Animal Control		161,430
Municipal Election		22,500
Financial Services		537,030
Information Technology Services		243,220
	\$	2,043,910

PROTECTIVE SERVICES

Revenues		
Fire Services	\$	55,660
Expenses		
Fire Department Administration	\$	944,160
Fire Department Operating Expenses		322,380
	\$	1,266,540

Township of Wilmot

2019 Operating Budget

TRANSPORTATION SERVICES

Revenues

Roads/Engineering Service Charges	\$	58,400
Aggregate Resource Fees		80,000
Grant Funding - Public Works		42,500
	\$	<u>180,900</u>

Expenses

Engineering Administration	\$	217,050
Roads Administration		629,010
Roads Operating Expenses		581,100
Winter Control Operating Expenses		486,420
Municipal Drainage Operating Expenses		25,000
Street Lighting Operating Expenses		145,000
Crossing Guards Operating Expenses		56,550
	\$	<u>2,140,130</u>

PARKS, FACILITIES AND RECREATION SERVICES

Revenues

Wilmot Recreation Complex Revenues	\$	1,456,450
Park, Facility and Community Centre Rental Income		161,030
	\$	<u>1,617,480</u>

Expenses

Recreation Administration	\$	803,660
Wilmot Recreation Complex Administration		1,528,850
Wilmot Recreation Complex Operating Expenses		919,820
Parks and Facilities Administration		647,770
Parks and Community Centre Operating Expenses		343,440
Municipal Facilities Operating Expenses		137,720
Abandoned Cemetery Operating Expenses		3,000
	\$	<u>4,384,260</u>

Township of Wilmot

2019 Operating Budget

CULTURAL SERVICES

Revenues

Castle Kilbride Admissions & Events	\$	44,930
Castle Kilbride/Heritage Wilmot Grant Funding		26,250
	\$	<u>71,180</u>

Expenses

Castle Kilbride Administration	\$	225,650
Castle Kilbride Operating Expenses		58,910
Archives Operating Expenses		1,550
Heritage Wilmot Operating Expenses		10,440
	\$	<u>296,550</u>

PLANNING AND DEVELOPMENT SERVICES

Revenues

Planning Application Fees	\$	155,650
Business Licensing		4,000
	\$	<u>159,650</u>

Expenses

Planning	\$	179,420
Economic Development		55,000
	\$	<u>234,420</u>

Township of Wilmot

2019 User-Pay Budget

CEMETERY OPERATIONS

Revenues	
Cemetery User Fees	\$ 98,600
Cemetery Investment Income	7,500
	<u>\$ 106,100</u>
Expenses	
Cemetery Administration	\$ 19,840
Cemetery Operating Expenses	41,430
Transfer to Reserve Fund	44,830
	<u>\$ 106,100</u>

WATER AND SANITARY OPERATIONS

Revenues	
User Fees	\$ 5,782,783
Utilities Sales, Service Charges	66,750
	<u>\$ 5,849,533</u>
Expenses	
Water/Sanitary Administration	\$ 580,592
Water/Sanitary Operating Expenses	913,578
Regional Water Charges	1,482,000
Regional Sanitary Charges	1,991,640
Transfer to Reserve Funds	881,723
	<u>\$ 5,849,533</u>

BUILDING SERVICES

Revenues	
Building Permit Fees	\$ 662,330
	<u>\$ 662,330</u>
Expenses	
Building Administration	\$ 403,880
Building Operating Expenses	197,890
Transfer to Reserve Fund	60,560
	<u>\$ 662,330</u>

Township of Wilmot

2019 Capital Budget

CAPITAL FUNDING

Capital Grants	
Kitchener Wilmot Hydro Grant	\$ 45,000
Federal Gas Tax	623,258
Ontario Community Infrastructure Fund	1,241,235
	<u>\$ 1,909,493</u>
Contributions from Other Municipalities	
Region of Waterloo	\$ 7,500
Township of Perth-East	32,200
	<u>\$ 39,700</u>
Other	
Contribution Benefitting Landowners	\$ 80,000
Donations	1,000
Trails Trust Fund	21,250
	<u>\$ 102,250</u>
Capital Transfers	
Development Charges	<u>\$ 1,105,800</u>
Infrastructure Reserve Fund - Facilities	\$ 307,500
Infrastructure Reserve Fund - Equipment	309,500
Infrastructure Reserve Fund - Transportation	309,500
Infrastructure Reserve Fund - Water	571,280
Infrastructure Reserve Fund - Sanitary	222,950
Parkland Dedication Reserve Fund (Cash in-lieu)	21,250
Infrastructure Reserve Fund - Cemetery	15,000
	<u>\$ 1,756,980</u>
Sale of Surplus, Redundant Assets	<u>\$ 38,000</u>
2019 Capital Financing Provided	<u>\$ 4,952,223</u>
Capital Expenditures Financed from General Levy	<u>\$ 1,742,617</u>
TOTAL CAPITAL FUNDING	<u>\$ 6,694,840</u>

Township of Wilmot

2019 Capital Program

GENERAL GOVERNMENT

Clerk's Services	
Strategic Plan Update	\$ 30,000
Financial Services	
Asset Management Roadmap (Phase II)	\$ 35,000
Development Charges Background Study	28,500
	\$ 63,500
Information Technology	
IT Hardware and Software Upgrades	\$ 31,000
Physical Security Enhancements (Admin Complex)	35,000
Office 365 Migration	20,000
	\$ 86,000
Total General Government	\$ 179,500

PROTECTION TO PERSONS AND PROPERTY

Studies	
Fire Master Plan / Community Risk Assessment (O Reg 378/18)	\$ 70,000
Facilities	
Station 3 Renovations	\$ 495,400
Other Equipment	
Thermal Imaging Cameras	\$ 30,000
Water/Ice Rescue Equipment (incl. Training)	46,000
Supply/Install of Commercial Washers/Dryers	90,000
SCBA Replacement /Upgrades	150,000
Mounted Apparatus Pressure Washers	20,000
Coveralls and Safety Boots	40,000
	\$ 376,000
Total Protection to Persons and Property	\$ 941,400

Township of Wilmot

2019 Capital Program

TRANSPORTATION & ENVIROMENTAL SERVICES

Roads - Facilities	
Snow Storage Review	\$ 15,000
LED Lighting Upgrades (Works Yard)	10,325
	<u>\$ 25,325</u>
Water/Sanitary - Facilities	
LED Lighting Upgrades (Works Yard)	<u>\$ 10,325</u>
Roads - Vehicles & Equipment	
Replace 2009 Tandem Axle Dump (305-09)	\$ 300,000
Replace 2007 Sidewalk Tractor (SW1)	140,000
Radar Speed Display Signs	15,550
Mid-Size Pickup Truck (Engineering Services)	45,000
Mounted Pressure Washer System (Natural Gas Heated)	11,000
	<u>\$ 511,550</u>
Water/Sanitary - Vehicles & Equipment	
Replace 2009 Service Vehicle (402-10)	\$ 63,000
Mounted Pressure Washer System (Natural Gas Heated)	11,000
	<u>\$ 74,000</u>
Public Works - Studies	
Bridge Inspections (OSIM)	\$ 35,000
Sanitary System Infiltration Study	70,000
	<u>\$ 105,000</u>
Engineering and Reconstruction c/w Underground	
Hannah Street (Waterloo St.-Milton St.)	\$ 428,100
Lewis Street (Hannah Street-End)	482,600
Church Street (Wilmot St.-Peel St.)	526,800
Wilmot Street (Bleams Rd-Church St)	734,400
Wilmot Street (Church St.-Kirkpatrick Park)	70,820
Wilmot Street (Kirkpatrick Park-Huron Street)	93,070
	<u>\$ 2,335,790</u>
Watermain / Sanitary Sewer Network	
St. Agatha Watermain Looping	\$ 18,000
Morningside Trunk Sanitary Sewer	400,750
	<u>\$ 418,750</u>
Watermain / Sanitary Sewer Network	
Richardson Drain Maintenance	\$ 40,000
Krampien Drain Maintenance	30,000
Doering Drain Maintenance	30,000
	<u>\$ 100,000</u>

Township of Wilmot

2019 Capital Program

TRANSPORTATION & ENVIROMENTAL SERVICES

Roads - Hot Mix Paving Program

Sandhills Road (Huron Rd-Witmer Rd)	\$	159,500
Sandhills Road (Witmer Rd-Bleams Rd)		160,300
	\$	319,800

Roads - Surface Treatment Program

Hallman Road (Bridge Road to Bethel Road)	\$	33,500
Hallman Road (Bethel Road to Huron Road)		33,800
Holland Mills Road (Bleams Road to Bridge)		45,100
Holland Mills Road (Bridge to Huron Road)		347,800
Wilmot-Easthope Rd (Erb's Road to Line 41)		6,700
Wilmot-Easthope Rd (Line 41 to Line 40)		27,200
Wilmot-Easthope Rd (Line 40 to Christner Road)		30,500
	\$	524,600

Roads - Active Transportation

Sidewalk Repairs and Replacement Program	\$	70,000
	\$	70,000

Roads - Gravel Pit

Gravel Crushing	\$	50,000
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Roads - Structures

Guiderail Program	\$	50,000
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Total Transportation & Environmental Services

\$	4,595,140
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Township of Wilmot

2019 Capital Program

RECREATION AND CULTURAL SERVICES

Studies	
Smith's Creek Flats Carbon Sink Design Study	\$ 50,000
Vehicles and Equipment	
Replace NH Parks Utility Vehicle (4x2 w dump)	\$ 15,000
Replace Riverside Cemetery Utility Vehicle (4x2 w dump)	15,000
	\$ 30,000
Wilmot Recreation Complex	
Automatic Irrigation System (Soccer Fields)	\$ 38,000
Parking Lot Repairs	12,000
	\$ 50,000
New Hamburg Arena & Community Centre	
CC - Kitchen Upgrades	\$ 30,000
Wilmot Administration Complex	
Convert Interior Lighting to LED	\$ 22,500
Boiler Replacement	35,000
Parking Lot Design	32,000
	\$ 89,500
Baden Community Parks and Facilities	
Playground Component Addition (Beck Park)	\$ 20,000
New Dundee Community Parks and Facilities	
Kitchen Renovation	\$ 30,000
New Hamburg Community Parks and Facilities	
Kirkpatrick Park Lot Reconstruction	\$ 491,300
St Agatha Community Parks and Facilities	
Replace Flooring	\$ 40,000
Kitchen Renovations	25,000
	\$ 65,000
Library Facilities	
Rooftop HVAC Unit (New Hamburg Library)	\$ 12,000
Trails and Reforestation	
Employment Lands Woodlot Trail Design	\$ 40,000
Annual Tree Planting Program	45,000
	\$ 85,000
Castle Kilbride	
Chimney Repairs	\$ 26,000
Total Recreation & Cultural Services	\$ 978,800
TOTAL CAPITAL EXPENDITURES	\$ 6,694,840



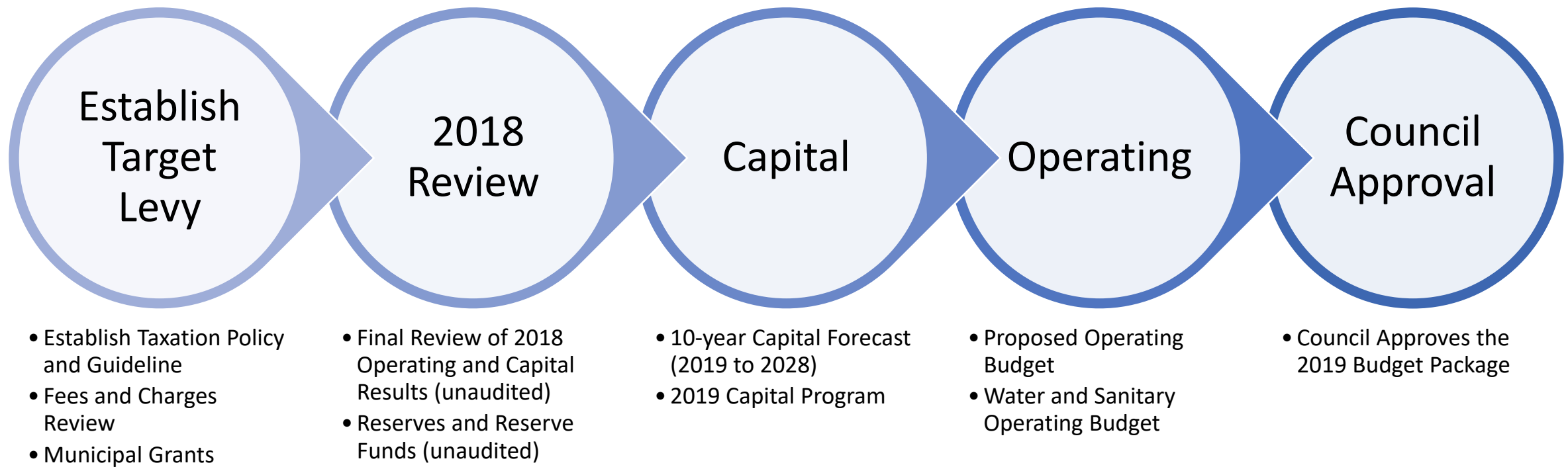
TOWNSHIP
OF WILMOT

2019 Municipal Budget

Township of Wilmot

Wilmot is a cohesive, vibrant and welcoming countryside community.

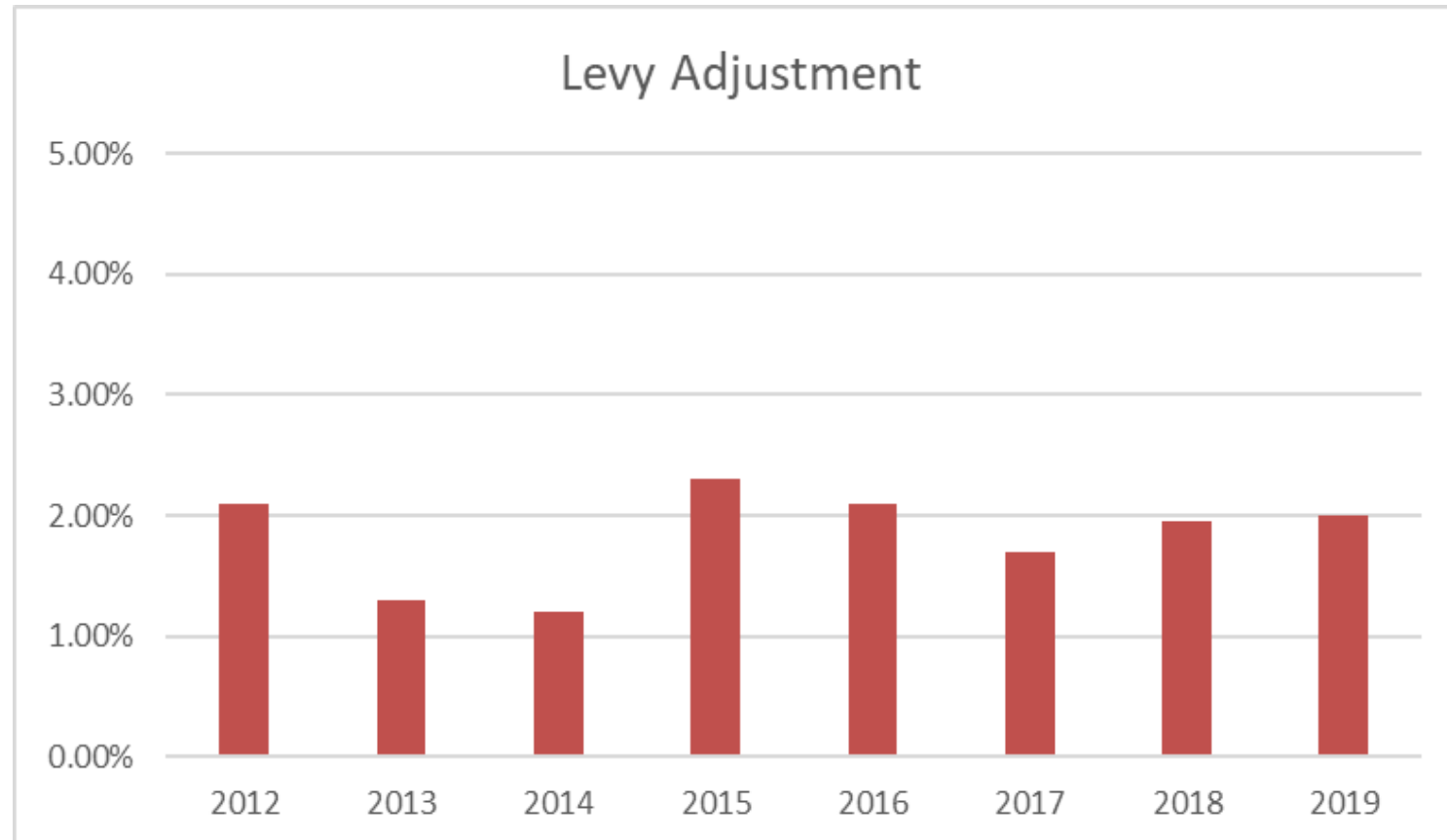
Budget Process - 2019



Taxation Policy & Guidelines

- Target Levy Adjustment based on Core CPI – Median (2.0%)
- Ontario Municipal Partnership Fund (OMPF)
- Assessment Growth of 1.43%
- Net additional levy of \$266,655

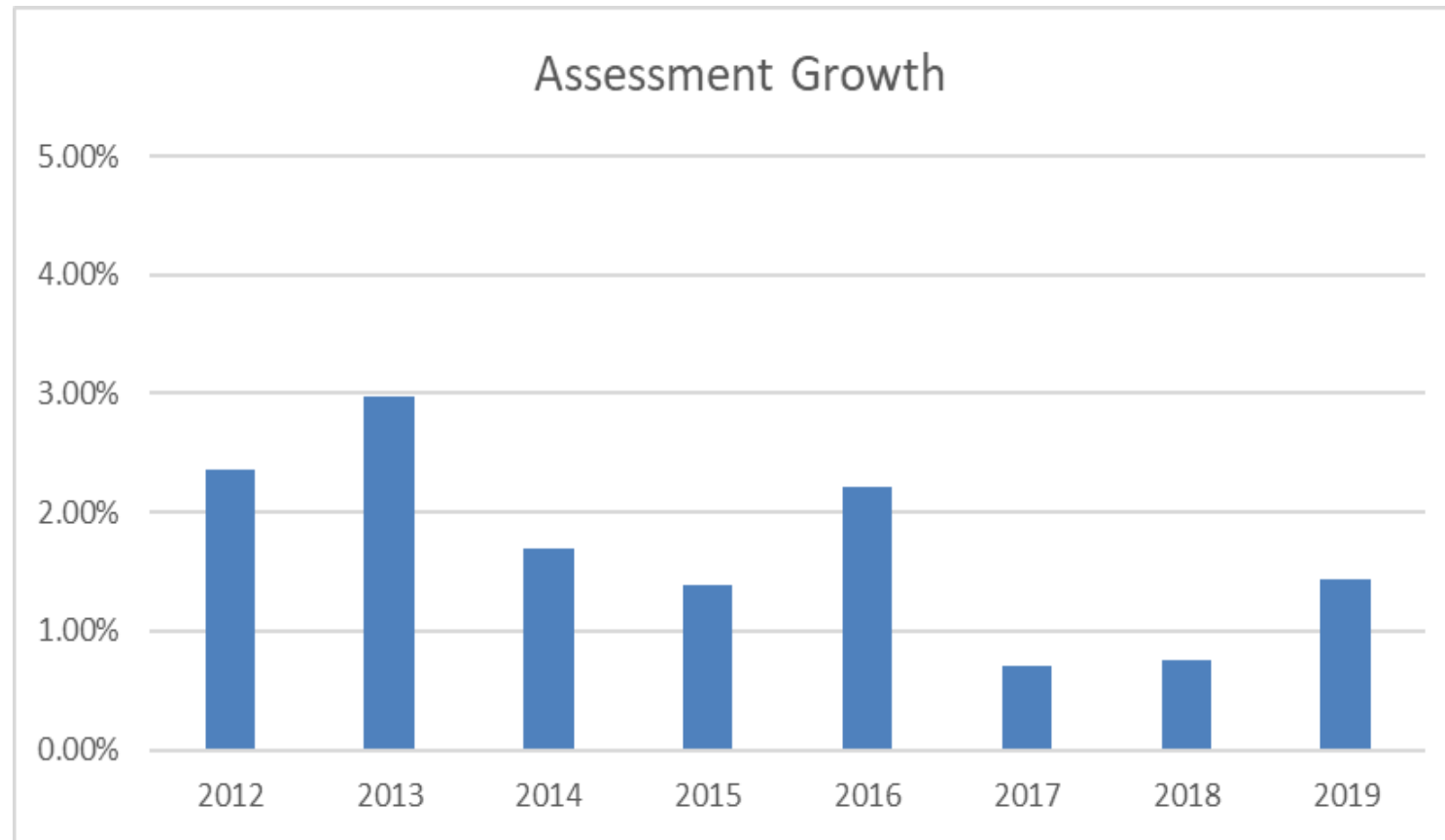
Historical Levy Adjustment (%)



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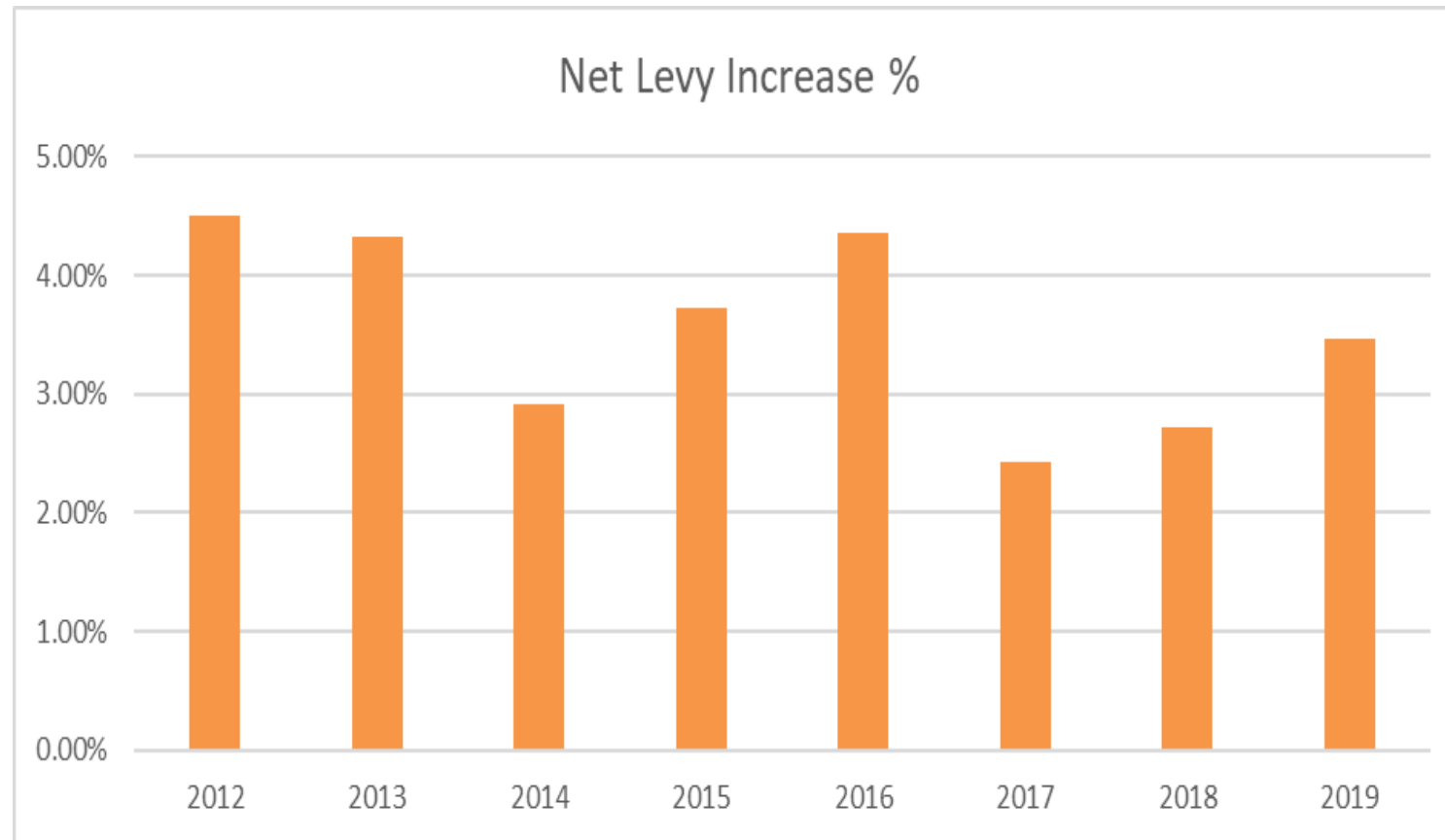
Historical Assessment Growth (%)



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Historical Net Levy Increase (\$)



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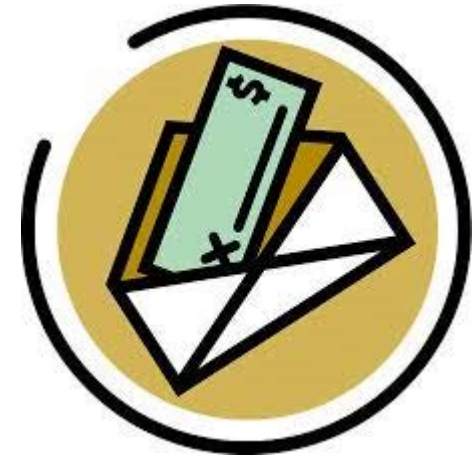
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Fees and Charges Highlights - 2019

- Comprehensive Rate Review
- 2.0% COLA Adjustment to Township Fees (where applicable)
- Revised Fees (outside of COLA):
 - Cemetery
 - Development Services
 - Recreation (Facility Rental Costs)
- New Fees:
 - Applications/Permits (Service Connection, Review Fees etc. – Public Works)

Municipal Grants Program

- Total funding under the 2019 Municipal Grants Program - \$46,504
- Key Projects
 - Wilmot Family Resource Centre
 - Interfaith Community Counselling
 - Community Care Concepts
 - Recreation/Culture Financial Assistance Program
 - Wilmot Terry Fox Run
 - Wilmot Healthy Communities Coalition (New)
 - New Hamburg Studio Tour (New)
- Cheque presentation: March 18, 2019 Council Meeting



Discover your Wilmot Matching Grant Program

- Total funding under the 2019 Program - \$5,000
- Awarded Projects
 - First Annual Wilmot Treasure Hunt
 - Community Quest Treasure Hunts
 - Greening the Glen
 - Forest Glen Public School
 - Parent Support Project
 - Interfaith Community Counselling Centre
 - A Night to Inspire
 - Wilmot Terry Fox Run
 - Coffee House Growth Initiative
 - Wilmot Healthy Communities Coalition
- Cheque presentation: March 18, 2019 Council Meeting

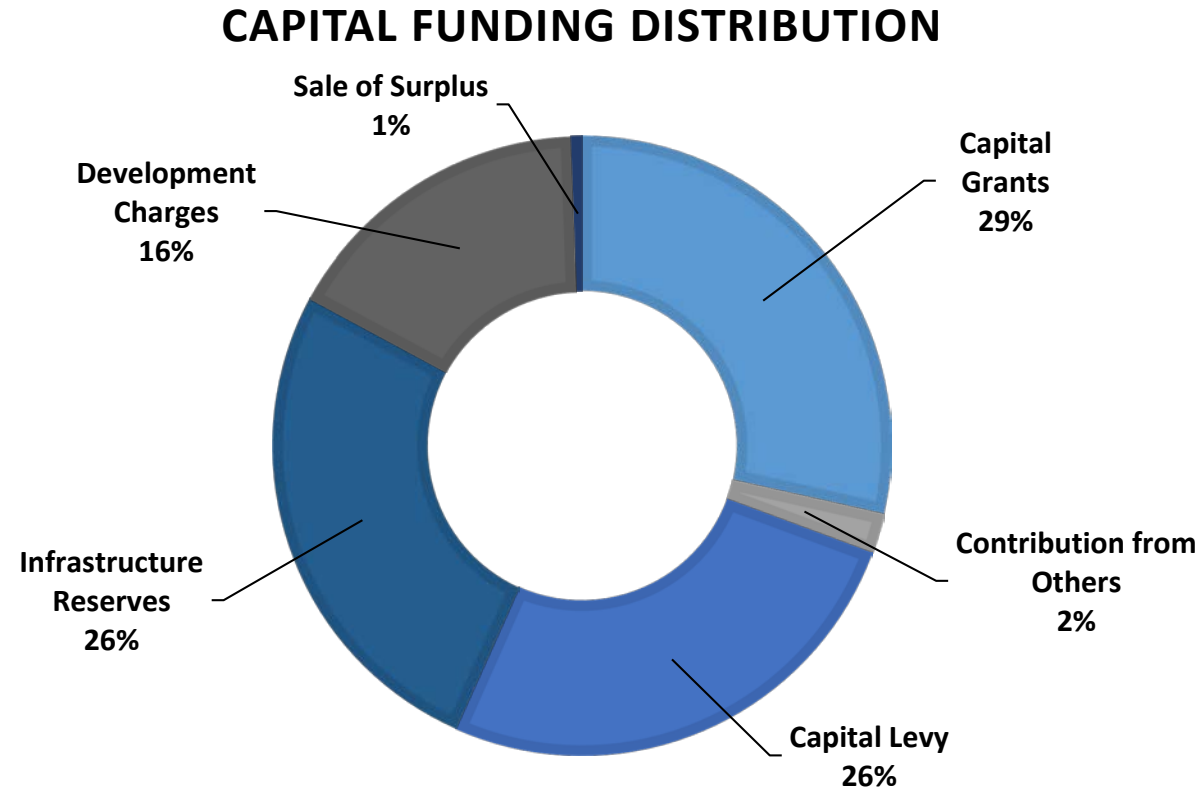


2019 Capital Program

- Total Program Value - \$6.69M
- Key Projects
 - Water/Ice Rescue Equipment
 - Radar Speed Display Signs
 - Asset Management Roadmap
 - Sanitary Infiltration Study
 - LED Lighting Upgrades
 - Smith's Creek Flats Carbon Sink Design Study
 - Hannah & Lewis Street Reconstruction



Capital Program Funding



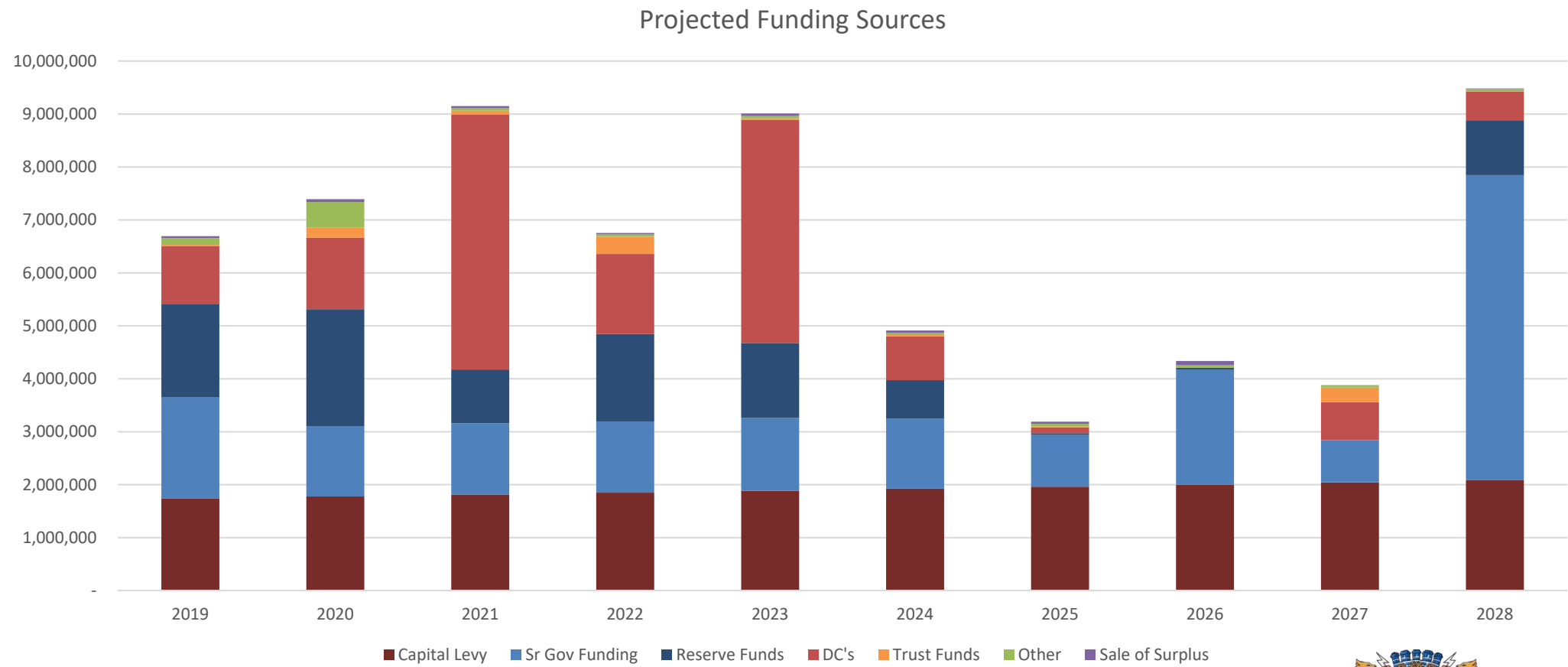
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10-Year Capital Forecast

- Long-term Infrastructure Planning and Asset Management Practice
- Key Inputs
 - Fire Master Plan
 - Trails Master Plan
 - Parks, Facilities and Recreation Services Master Plan
 - Asset Management Plan
 - Strategic Plan
 - Arts and Culture Master Plan
- Total Projected Cost - \$64.8M
- Living document – updated annually

10-Year Capital Funding Projections



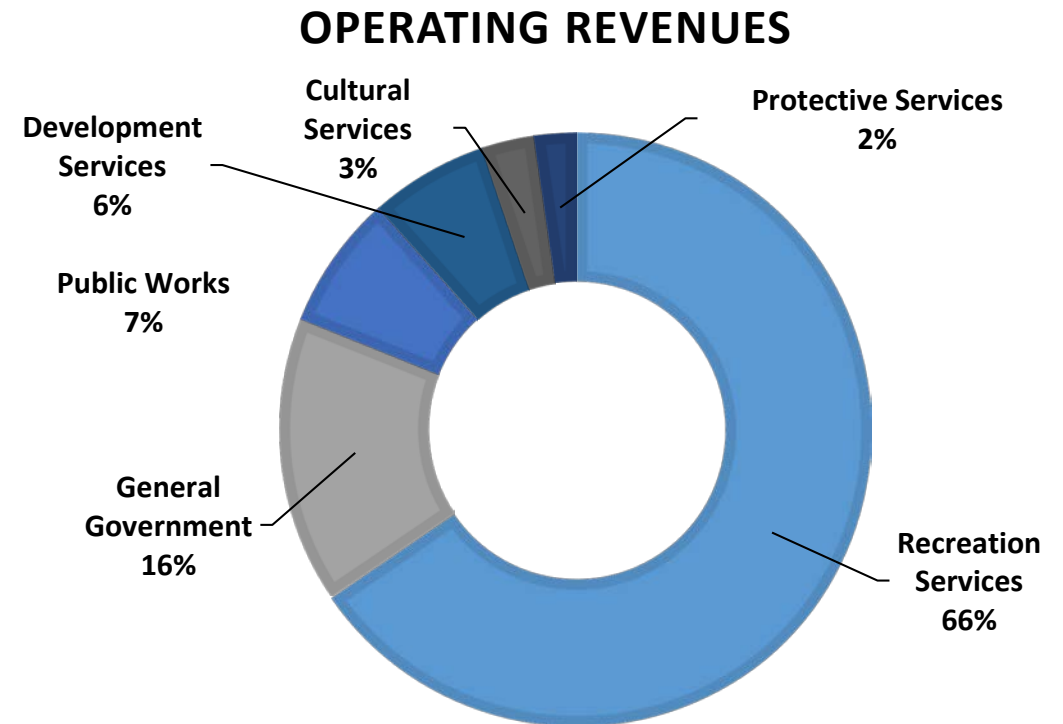
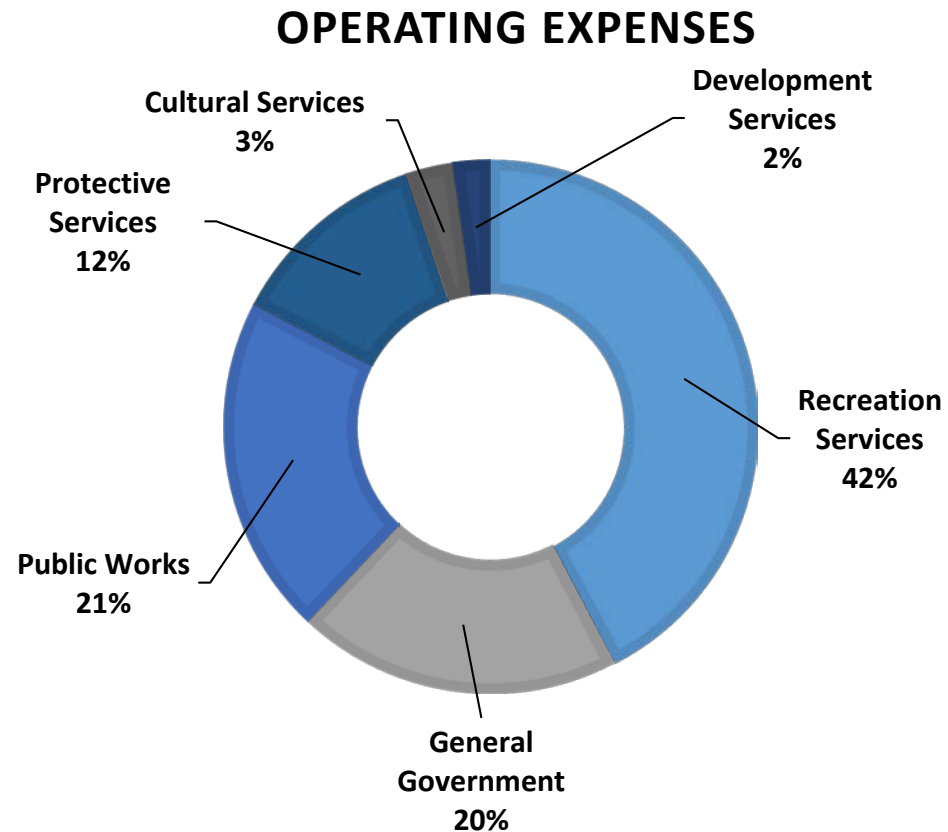
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Operating Budget

- OMPF
- Transfer to Infrastructure Reserve Funds
- Levels of Service
- Legislative Requirements
- Commodity Pricing Contracts
- Minor Capital Initiatives (\$207,950)
- Health and Safety
- Asset Management Data Collection

Operating Expenses and Revenues



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User Pay Divisions – Building and Cemetery

- Cemetery

- Gross Revenue: \$106,100
- Gross Expenditures: \$61,270
- Transfer to Reserves: \$44,830
- Reserve transfer will improve current reserve status

- Building

- Building Permit Fees: \$662,330
- Gross Expenses: \$624,270
- Transfer to Reserves: \$38,060
- Reserve transfer will improve current reserve status

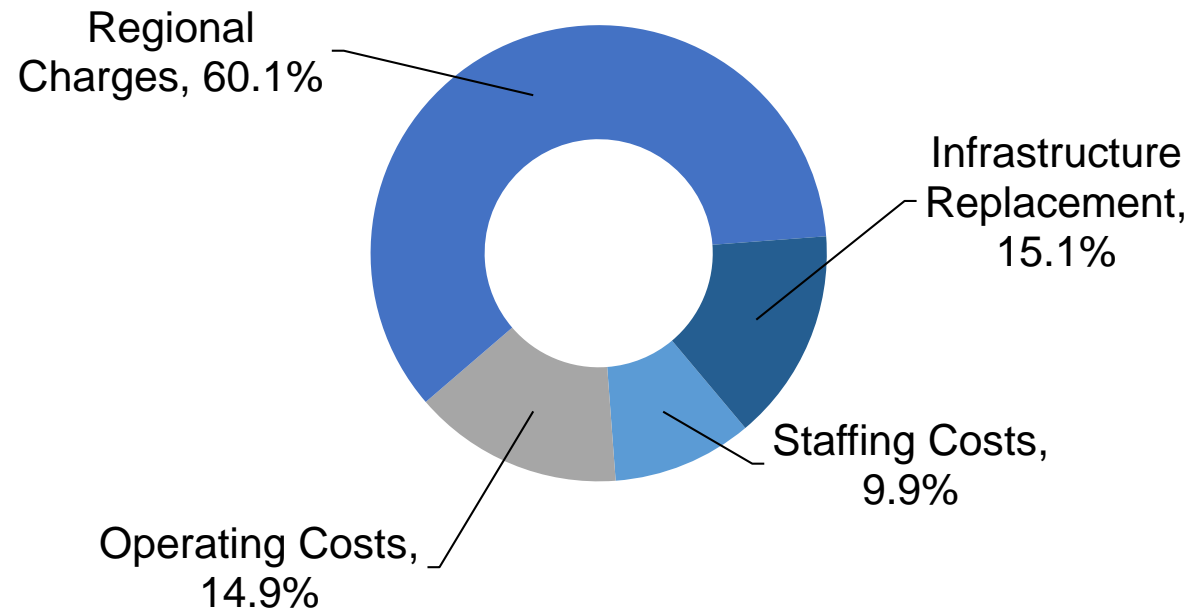


User Pay Divisions – Water and Sanitary

- Budgeted 2018 Gross Revenue: \$5.85M (\$5.41M – 2018 Actual)
- Budgeted 2018 Gross Expenses: \$4.97M (\$4.57M – 2018 Actual)
- Budgeted Transfer to Reserves: \$882K (\$843K – 2018 Actual)
- Rate Increases:
 - 2.9% Water - \$1.9936m³ to \$2.0514m³
 - 7.9% Sanitary - \$2.3445m³ to \$2.5297m³
 - Service Charges
- Average Residential Water Bill (both water and sanitary services):
 - \$166.48 to \$176.01 or \$9.53 (5.72%)

User Pay Divisions – Water and Sanitary

2019 Operating Budget Breakdown

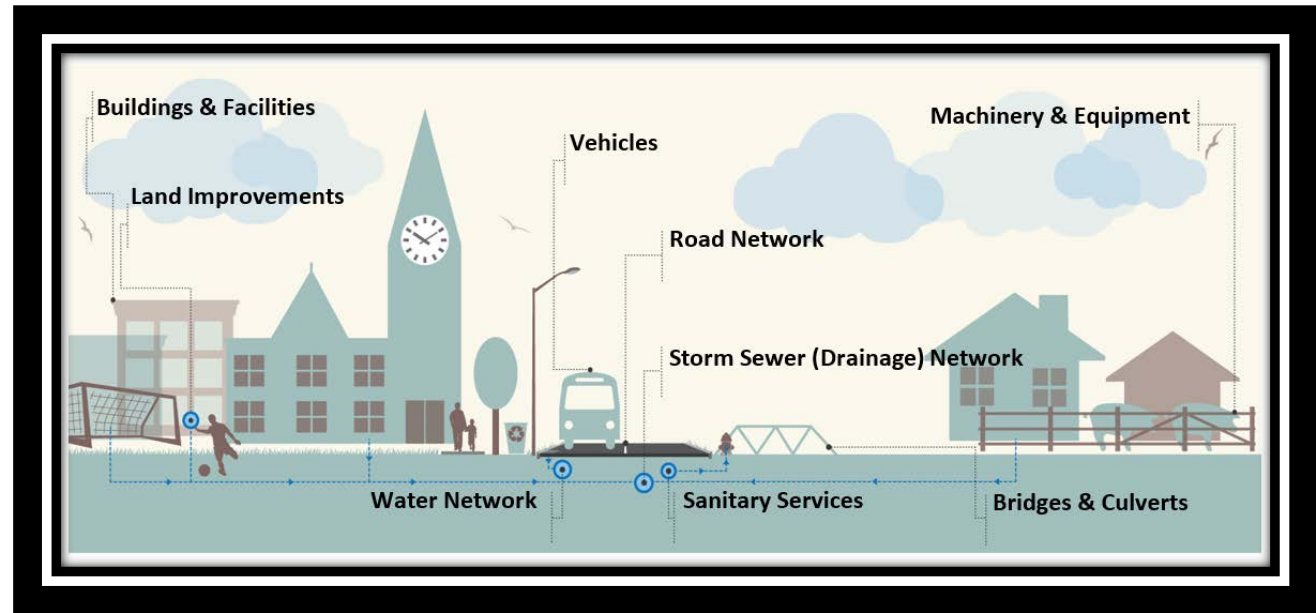


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Planning for the future...

- Budgeted Transfer to Infrastructure Reserve Funds
 - Levy Funded Reserve Funds
 - Roads - \$116,333
 - Equipment - \$116,333
 - Facilities - \$116,333
 - Street Lighting - \$56,000
 - User Pay Reserve Funds
 - Water - \$541,620
 - Water Meter - \$94,286
 - Sanitary - \$245,817
 - Building - \$38,060
 - Cemetery - \$44,830



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REPORT NO. PW-2019-02

TO: Council

PREPARED BY: Sean Montgomery, Operations Supervisor, Water/Wastewater

DATE: February 11, 2019

SUBJECT: 2018 Annual and Summary Water Distribution Report

ATTACHMENT 1 – 2018 Water Usage
ATTACHMENT 2 – 2018 Management Review

Recommendation:

THAT report PW-2019-02 be received for information purposes;

AND THAT Council continue to commit to providing the resources for the implementation, maintenance and continual improvement of the DWQMS as outlined in this report;

AND THAT Council endorse the intent of the Drinking Water Quality Management System for the Township of Wilmot Municipal Drinking Water Systems.

Background:

The municipality is required under the Safe Drinking Water Act (SDWA), 2002 - O. Reg. 170/03 – Section 11 and Schedule 22 to provide Council and the public with an Annual Report and a Summary Report for the water systems owned by the Municipality. The report must include any orders against the systems as well as information regarding the quantity of water supplied to the systems. The Township owns the following distribution systems:

- New Hamburg/Baden Distribution system – Large Municipal Residential
- Mannheim Distribution system – Large Municipal Residential
- St Agatha Distribution System - Large Municipal Residential
- New Dundee Distribution System – Large Municipal Residential

Discussion:

2018 Summary Report

This report satisfies the requirements of both the Safe Drinking Water Act (SDWA) and Ontario Regulation 170/03: Schedule 22, Summary Report. Further reporting details can be found on the Township website, and includes:

- list the requirements of the Safe Drinking Water Act, the regulations, the system's approval, Drinking Water Works Permit (DWWP), MDWL, and any orders applicable to the system that were not met at any time during the period covered by the report; and
- a summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows.

The information in the attached chart, summarizing the quantities of water used, has been gathered using Region of Waterloo pumpage reports attached to monthly invoices sent to the Township. Baden and New Hamburg are considered one system; however, they are shown separately based on the Regional reports. As noted, this report can be found online on the Township website, or a hard copy is available at the Township Public Works yard for public review

2018 Annual Report

This report satisfies the requirements of both the Safe Drinking Water Act (SDWA) and Ontario Regulation 170/03: - Section 11, Annual Reports. Further reporting details can be found on the Township website, and includes:

- a brief description of the drinking water systems;
- a list of water treatment chemicals used;
- a summary of the most recent water test results;
- a summary of adverse test results and other issues reported to the Ministry of the Environment and Climate Change (MOECC) including corrective actions taken;
- a description of major expenses incurred to install, repair or replace required equipment, if any; and
- the locations where this report is available for review and inspection

There were no orders issued against any of the systems in 2018. There was one adverse water quality incident in 2018 within the Township system. The other two reported in the DWQMS Management minutes refer to Regional system incidents that originate in their system.

Date:	Adverse condition	Corrective Action
May 30, 2018	Total Coliform present	Flushed and sampled

All adverse test results were remediated by flushing and re-sampling according to OReg.170/03.

Drinking Water Quality Management System (DWQMS)

The Ontario Government implemented the Municipal Drinking Water Licensing Program in 2007 as recommended by Justice O'Connor as a result of the Walkerton Inquiry. The Ministry of the

Environment developed the Drinking Water Quality Management System standard (“DWQMS”) that applies to owners and operating authorities for municipal drinking water systems. The implementation of the DWQMS is mandated by the provincial government through the Safe Drinking Water Act, 2002.

Under the Safe Drinking Water Act, 2002 and Ontario Regulation 188/07, the Township of Wilmot is required to maintain licensing to operate the water distribution systems. The reporting required for this management system is available upon request, and a hard copy is located at the Township Public Works yard for public review. The Township has drinking water permits and licenses to operate each of the Township’s water distribution systems in compliance with the Safe Drinking Water Act 2002, Regulation 170/03, Regulation 169/03 and Regulation 188/07. The licenses and permits are posted for information on the Township website for public review. The DWQMS is an Operational document that is available for viewing in hard copy only due to the requirements of document and version control. It is not directly subject to Council approval; rather, the intent of the quality management system, to provide clean, safe drinking water, is subject to Council endorsement. The details of the Operational Plan are how Management and Staff structure, process and document their activities to achieve the goal of clean, safe drinking water.

The Drinking Water Quality Management Standard (DWQMS) requires the operating authority to develop Operational Plans that explain how the Township should operate the drinking water systems. This operational plan follows Ministry guidelines in the form of 21 elements. The 21 elements are based on a “plan, do, check”, and continuous improvement principles. The DWQMS is a system that provides an understanding of the drinking water system, the roles and responsibilities associated with the system, and a commitment and endorsement by the owner to provide safe drinking water. The Operational Plan is a controlled administrative document that is available for viewing in hard copy only at the Township Public Works administrative building. The DWQMS is largely an operational document, but has two specific elements requiring Council consideration.

- Element 20 of the DWQMS states that the results of the management review be communicated to the Owner. As such, the minutes from the December 14, 2018 Management review is attached; and
- Element 3 of the DWQMS requires commitment and endorsement from Owner’s and Top Management when a change in personnel occurs.

Element 3 – Commitment and Endorsement

Element 3 for Commitment and Endorsement requires that Top Management and Council demonstrates and provide evidence of its commitment to an effective quality management system to doing the following:

- Ensure that a Drinking Water Quality Management System (DWQMS) is in place and meets the requirements of the DWQMS;
- Ensure that the Operating Authority is aware of all applicable legislation and regulatory requirements; and
- Determine, obtain or provide the resources necessary to maintain and continually improve the DWQMS.

Top Management, represented by management and senior staff, provide proof and commitment to the Operational Plan in the form of a signed commitment statement, to provide the following:

- Ensure DWQMS is in place and operational;
- Endorse and lead the development, implementation and maintenance of the DWQMS;
- Identify and obtain necessary resources to support the DWQMS and the operation and maintenance of the drinking water system;
- Ensure the system is operating in accordance with all applicable legislation and regulations;
- Review the DWQMS annually; and
- Communicate with Council about the DWQMS and the water distribution system.

The Owner, represented by Council, can provide proof of commitment to and endorsement of the Operational Plan in the form of a resolution. This is evidence of its commitment to provide the resources for the implementation, maintenance and continual improvement of the DWQMS. To achieve these goals, the Owners of Township of Wilmot's Water Systems commit to:

- Establish, implement, maintain and continually improve the DWQMS for the Water Systems in the Township of Wilmot;
- Provide safe, high quality water to the consumer;
- Comply with all applicable legislation and regulations;
- Providing resources to maintain the infrastructure of the water system and DWQMS; and
- Communicate openly and effectively to the Operating Authority, personnel and the public on the DWQMS and matters of drinking water quality.

Strategic Plan Conformity

This report is aligned with the Strategic Plan goal of being an engaged community through the communication of municipal matters.

Financial Considerations:

There are no financial considerations as a result of this report.

Conclusion:

That Report PW-2019-02, 2018 Annual and Summary Water Distribution Report be received for information, and that Council commit to providing the resources for the implementation, maintenance and continual improvement of the DWQMS, and endorse the DWQMS in order to comply with the regulations of the system.

Sean Montgomery, ORO
Prepared/Submitted by Operations Supervisor,
Water/Wastewater

Jeff Molenhuis, P. Eng.
Submitted by Director of Public Works &
Engineering

Grant Whittington
Reviewed by Chief Administrative Officer

2018 Flows to Region

WATER	January	February	March	April	May	June	July	August	September	October	November	December
Baden/NH	94,039	79,752	95,402	88,822	98,541	101,613	103,306	89,128	98,687	87,607	79,907	85,375
Baden	32,914	27,913	33,391	31,088	34,489	35,565	36,157	31,195	34,540	30,662	27,967	29,881
New Hamburg	61,125	51,839	62,011	57,734	64,052	66,048	67,149	57,933	64,147	56,945	51,940	55,494
New Dundee	5,437	4,511	5,049	4,993	6,223	7,596	7,344	5,737	5,372	5,074	4,882	5,371
St Agatha	2,842	2,496	2,873	2,927	3,450	3,843	4,031	3,158	3,087	3,041	2,857	3,212
SEWER	January	February	March	April	May	June	July	August	September	October	November	December
NH/Baden System	139,463	148,176	120,615	175,500	118,412	93,095	95,533	120,365	94,783	109,973	134,419	123,906

¹Meeting Date:	Dec 14 2018	Next Meeting: TBD
Attendees:	Jeff Molenhuis, Seam Montgomery, Chris Thorne	
Absent:	None	
Minutes by:	Chris Thorne	

MEETING TOPICS AT A GLANCE

- a) Incidents of regulatory non-compliance:
- b) Incidents of adverse drinking water tests:
- c) Deviations from critical control point limits and response actions:
- d) The effectiveness of the risk assessment process:
- e) Results of internal and 3rd party audits:
- f) Results of relevant emergency response testing:
- g) Operational performance :
- h) Water quality trends:
- i) Follow-up on actions items from previous management reviews:
- j) Status of management action items (if any) identified between reviews:
- k) Changes that could affect the QMS:
- l) Consumer feedback:
- m) The resources needed to maintain the QMS:
- n) The results of the infrastructure review:
- o) Operational Plan currency, content and updates:
- p) Staff suggestions:

Item	Discussed	Action By	Timing
A	<p>Incidents of regulatory non-compliance:</p> <ul style="list-style-type: none"> No incidents of regulatory noncompliance as inspected by the Ministry of the Environment, November 22 2018. 		
B	<p>Incidents of adverse drinking water tests:</p> <ul style="list-style-type: none"> There were 3 incidents of adverse drinking water quality tests thus far in 2018. The first was a Total Coliform presence in the New Dundee DWS on May 30th. The second was a low chlorine adverse resulting from a failed booster pump at the New Dundee well. The third was the result of a power outage at the New Dundee well. All three adverse were remedied by flushing and resampling. 		
C	<p>Deviations from critical control point limits and response actions:</p> <ul style="list-style-type: none"> There were no deviations from critical control limits in 2018 		
D	<p>The effectiveness of the risk assessment process:</p> <ul style="list-style-type: none"> On August 15th a full reassessment of all risks was conducted. During this review assigned values for likelihood, severity and detectability were reviewed. Changes to contractor & Human error sections were made based on current events and past experiences. The risk assessment is considered to be effective. 		
E	<p>Results of internal and 3rd party audits:</p> <ul style="list-style-type: none"> The internal audit was conducted throughout the year by the QMS representative and the Manager of Finance. The report was finalized and all corrective actions and opportunities for improvement have been responded to. A total of 5 corrective actions and 5 opportunities for improvement were identified in the internal audit they are; <ul style="list-style-type: none"> CAR-2018-01. "SOP WD1.15 Valve Maintenance and Inspections, requires operators to "Ensure that there are measurements from an upstream or downstream valve or hydrant". No measurements were created for any valves and no previous measurements could be located. <ul style="list-style-type: none"> Due to time restrictions on operations and changes in technology the requirement to create measurements for the purpose of locating infrastructure was removed. Policy was updated to reflect current operations. CAR-2018-02, "Step 11 of operating procedure WD1.2 states "Ensure that the discharge waters are being de-chlorinated using sodium sulfate pucks according to Water Quality Standards – discharge to environment chlorine residual shall be 0.002mg/l)." Although the discharge water was dechlorinated no reading was taken and no documentation could be found to verify that the proper level of de-chlorination was achieved. <ul style="list-style-type: none"> This requirement was not completed due to a lack of available field equipment capable of testing to the required level. The Policy was adjusted to state "As 		

	<p>there are no field equipment capable of reading low parameters as 0.002mg/l industry standards are to add DPD to cell with discharged water and if DPD turns pink the discharge water is to be de-chlorinated further.”</p> <ul style="list-style-type: none"> ○ CAR-2018-03, “Element 6 of the DWQMS states “The Operating Authority shall ensure that the description of the Drinking Water System is kept current.” A required update regarding the operation of a pressure reducing valve was found to be missing. The valve was listed as “currently Non-operational”. The valve had been brought online prior to the completion of the audit. <ul style="list-style-type: none"> ▪ Due to a delay in the project which resulted in the valve being installed but not operational for several years, an update was made to drinking water system description to reflect this. An oversight on the part of the QMS rep due to this delay in the project resulted in the required update being missed. ○ CAR-2018-04, “Non-Conformance to Element 19 – Internal Audit & Element 20 Management Review. Documentation regarding four (4) OFIs from the previous year’s audit were not signed by the QMS rep or Management. Without these documents signed does not indicate that any of these were accepted/received by appropriate staff. <ul style="list-style-type: none"> ▪ Due to an oversight the required signatures indicating that the OFI’s had been completed and verified effective were missed. Section 5.10 of the Corrective action procedure – Changed completion sign off from Top Management to QMS Rep. Section 5.11 of the Corrective action procedure – Changed “at least 30 days after” to “during the management review” ○ CAR-2018-05 “Non-Conformance to Element 19 – Internal Audit, Element 21 Continual Improvement & Element 5 Document and Records Control. Out of date QMS documents were utilized to conduct the internal audit. Appropriate training and updates must be circulated to internal auditors and users of the Township’s QMS. <ul style="list-style-type: none"> ▪ Due to an oversight out of date reference material was used when conducting the internal audit. Added statement to section 5.6 of the internal audit procedure stating “The QMS representative will create an audit package that includes; the current versions of the Drinking Water Quality Management Standard, the internal audit procedure, the corrective action procedure, and the current draft audit report. This package will be returned to the QMS representative upon the completion of the audit.”] 		
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	<ul style="list-style-type: none"> ○ OFI-2018-01, “An opportunity for improvement exists for the essential supplies inventory. The requirement to stock a minimum quantity of valves, for repair or replacement of defective valves identified during the Valve Maintenance program, should be included. <ul style="list-style-type: none"> ▪ This opportunity for improvement has been accepted based on continual improvement. Revised essential supplies & inventory list and monthly checklist. Revision 15, Dec 3 2019. ○ OFI-2018-02, An Opportunity for improvement exists to create a separate policy detailing the steps that are required to follow to call in a hydrant that is out of service. <ul style="list-style-type: none"> ▪ This opportunity for improvement has been accepted based on continual improvement. A new policy was created WD 1.35 Fire Hydrant Call Out Of Service Procedure. ○ OFI-2018-03, “Step 24 of operating procedure WD1.2 states “If fire hydrant does not drain, pump out and listen to hydrant insuring that the hydrant does not fill back up.” During the observation period of this procedure no hydrants were pumped out. Operators were instructed to replace the hydrant caps without draining them, as the hydrants were scheduled to be used again at a later date for water main flushing. <ul style="list-style-type: none"> ▪ This Opportunity for improvement was accepted based on continual improvement and to more accurately describe the processes being implemented. “Unless otherwise instructed” was added to the end of the step in question to allow for changes that streamline processes. ○ OFI-2018-04, “OFI – to Element 19 – Internal Audit. OFI and CAR from the previous audit should be incorporated in the audit package. Under element 19 mentions to consider previous internal and external audit results. In order to conform with these, it is recommended to include the previous year’s CAR and OFIs to assist in considering these items. <ul style="list-style-type: none"> ▪ This opportunity for improvement was accepted based on continual improvement. “The Audit report shall include copies of the previous year’s corrective actions and opportunities for improvement with objective evidence.” Was added to section 5.11 of the internal audit procedure. ○ OFI-2018-05, “OFI – to Element 21 – Continual Improvement. This procedure to include dialogue on ensuring staff are sufficiently trained and have the appropriate competencies to conduct internal audits. An example, of this should include internal audit staff should attend DWQMS Audit training once every two years. 		
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	<ul style="list-style-type: none"> ▪ This opportunity for improvement is being rejected based on budgetary restrictions. Future training needs regarding internal auditing will be assessed on an as needed basis. • A total of 1 corrective actions and 7 opportunities for improvement were identified in the internal audit they are; <ul style="list-style-type: none"> ○ J2940959-1, 20. Management Review PLAN - The Operational Plan shall document a procedure for management review that evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System and that includes consideration of: ... f) results of emergency response testing... There is no evidence available to demonstrate that the results of emergency response testing were reviewed at the December 8, 2017 management review meeting. <ul style="list-style-type: none"> ▪ Due to the Emergency testing being completed after the management review this requirement was missed. Emergency management procedure was amended to state "It is the desired intention to have this testing completed prior to the management review, in order to review the results as required by the management review procedure." ○ Ext-OFI-2018-01, The current version of the DWQMS policy was found to be posted on the website. An opportunity exists to use consistent names of drinking water distribution names systems listed on the website. <ul style="list-style-type: none"> ▪ This OFI was accepted based on clarity of information for resident information. The names of the drinking water systems were adjusted and a link to an additional QMS policy was removed. ○ EXT-OFI-2018-02, DWQMS endorsement requirements were found to be effectively addressed. Consideration could be given to providing Standard of Care training to new council members. <ul style="list-style-type: none"> ▪ This opportunity for improvement has been accepted based on due diligence. Information on the Standard of Care training has been provided to council during the orientation session on December 4th 2018. ○ EXT-OFI-2018-03, Infrastructure review requirements were found to be effectively addresses. An opportunity exists to ensure records of infrastructure reviews are retained (e.g. dates, participants, outcomes) <ul style="list-style-type: none"> ▪ A dedicated annual infrastructure review meeting will be set up to address this requirement. Minuets of this meeting will be kept for documentation purposes. ○ EXT-OFI-2014-04, Calibration and verification processes were found to be effectively implemented. An opportunity 		
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	<p>exists to review / update appendix 14 to reflect current practices. (e.g. annual external calibration of pocket colorimeters) and to clearly distinguish between calibration and verification processes.</p> <ul style="list-style-type: none"> ▪ This opportunity for improvement is accepted based on continual improvement. Updated 5.2 & 5.3 to more closely reflect operations. Removed 5.5 regarding calibration of pocket colorimeters as this requirement was added to 5.2. Changed 5.7 to read “The Verification / Calibration schedule shall identify; the type of equipment and the frequency of verification / Calibration checks. <ul style="list-style-type: none"> ○ EXT-OFI-2018-05, Emergency Management processes were found to be overall effectively implemented. Consideration could be given to: 1. Clearly distinguishing between emergency training and emergency testing. 2. Expanding on details of emergency scenarios, discussion points and resulting actions when performing emergency tabletop exercises. <ul style="list-style-type: none"> ▪ This OFI is accepted based on continual improvement. Statements were added to section 5.5 & 5.6 of the emergency management procedure to help define testing & training as well as expand on details of emergency testing. ○ EXT-OFI-2018-06, Continual improvement /corrective action processes were found to be overall effectively implemented. Consideration could be given to recording comments when evaluating corrective action effectiveness. In addition, consideration could be given to reviewing / updating the corrective action procedure to clearly address “potential” non-conformities. <ul style="list-style-type: none"> ▪ This opportunity for improvement is accepted based on continual improvement. Added statement to section 5.11 “Comments may be made to address the effectiveness.” Added section 5.13 to address “Potential Non-conformities. ○ EXT-OFI-2018-07, The Internal audit process was found to be overall effectively implemented. An opportunity exists to expedite follow-up on audit findings as they arise, instead of waiting until all internal audits have been completed. This opportunity for improvement has been accepted based on continual improvement. Added to section 5.5 of the internal audit procedure, “Corrective actions and Opportunities for improvement identified will be brought forward as processes are audited.” 		
F	<p>Results of relevant emergency response testing:</p> <ul style="list-style-type: none"> • 2017 emergency response testing/training was completed on December 20th. Presentations on the emergency procedure were given and table top training scenarios were discussed. 		

	<ul style="list-style-type: none"> 2018 Emergency response training was conducted on December 7th. Staff were trained on policies regarding Terrorism/vandalism, Adverse results reporting, and Power outage. Additional testing scenario's will be completed at a later date 	Sean	ASAP
G	<p>Operational performance:</p> <ul style="list-style-type: none"> Valve turning and hydrant maintenance have been completed for all systems. Flushing of dead ends and known trouble spots were completed periodically throughout the year. A full flush of the New Hamburg/Baden system was completed in August. There were 12 water main breaks, and 0 frozen services thus far in 2018. 		
H	<p>Water quality trends:</p> <ul style="list-style-type: none"> No relevant water quality trends noted. Low pressure and Dirty water comprise the majority of complaints. 		
I	<p>Follow-up on actions items from previous management reviews:</p> <ul style="list-style-type: none"> All Action items from the 2017 Management review have been followed up upon and completed. Including emergency response training/testing that was completed on December 20th. 		
J	<p>Status of management action items (if any) identified between reviews:</p> <ul style="list-style-type: none"> No action items were identified between management reviews. 		
K	<p>Changes that could affect the QMS:</p> <ul style="list-style-type: none"> A written agreement with the Region of Waterloo regarding Township staff operating and maintaining regionally owned infrastructure will affect the QMS. 		
L	<p>Consumer feedback:</p> <ul style="list-style-type: none"> No trends have been noted from customer complaints or feedback. 		
M	<p>The resources needed to maintain the QMS:</p> <ul style="list-style-type: none"> The external audit for 2019 is scheduled to be an onsite audit. Additional funds will be required to support this requirement. 		
N	<p>The results of the infrastructure review:</p> <ul style="list-style-type: none"> The results of the infrastructure review consist of the Manager's reports and the 10 year capital plan. An annual meeting will be set up in 2019 to address future requirements. 	Sean/Jeff	2019
O	<p>Operational Plan currency, content and updates:</p> <ul style="list-style-type: none"> The operational plan and all appendices currently meet the updated standard DWQMS 2.0. 		
P	<p>Staff suggestions:</p> <ul style="list-style-type: none"> All staff suggestions regarding policy & procedure have been completed as required on an ongoing basis. 		



Township of Wilmot **REPORT**

REPORT NO.	DS 2019-05
TO:	Council
PREPARED BY:	Andrew Martin, Manager of Planning/EDO
DATE:	February 11, 2019
SUBJECT:	By-law to deem a block not to be part of a plan of subdivision Capital Homes (HH) Inc. Block 99, Plan 58M-414 Forrest Avenue East and Astor Crescent, New Hamburg

Recommendation:

That Township of Wilmot Council, by by-law, designate Registered Plan 58M-414, as it applies to Block 99, not to be a registered plan of subdivision.

Background:

Block 99 is a presently vacant parcel of land at the corner of Forrest Avenue East and Astor Crescent in New Hamburg. Through draft approval of the subdivision that was registered as Plan 58M-414, Block 99 and the abutting vacant parcel, Lot 12 Registered Compiled Plan 1366, were anticipated to be developed together with townhomes. Capital Homes (HH) Inc. wishes to now proceed with that development.

Discussion:

Block 99 is a whole block on registered plan of subdivision, whereas Lot 12 is on a complied plan, which is merely a description plan and not considered a registered plan of subdivision. The Planning Act sets out that nothing may prevent a whole lot or block on a plan of subdivision from being separately conveyed. In this respect, in order to allow the property to be developed as one lot, Block 99 needs to merge together with Lot 12 such that there is not a property line between the parcels and that one cannot be sold without the other.

Section 50(4) of the Planning Act allows the council of a local municipality to, by by-law, designate any part of a plan of subdivision that has been registered for eight years or more, not to be a registered plan. Plan 58M-414 was registered more than eight years ago (in 2006). Given Lot 12, is not on a registered plan of subdivision, upon de-registering Block 99, the two parcels will merge together.

The applicant therefore requests that Council pass a by-law to deem Block 99 not to be a lot on a plan of subdivision.

Strategic Plan Conformity:

Creating proper lot configuration ensures logical and orderly development of the community, to protect our natural environment and enjoyment of quality of life.

Financial Considerations:

The application fees, established by the Township of Wilmot Fees and Charges By-law, were collected at the time of application. All associated costs with registration of the by-law will be assumed by the applicant.

Conclusion:

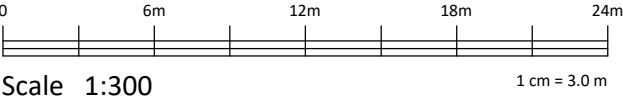
De-registration of Block 99 will allow the logical development of Block 99 and Lot 12 together as a townhome block as was anticipated at the time of subdivision registration.

Andrew Martin, MCIP RPP
Prepared by Manager of Planning/EDO

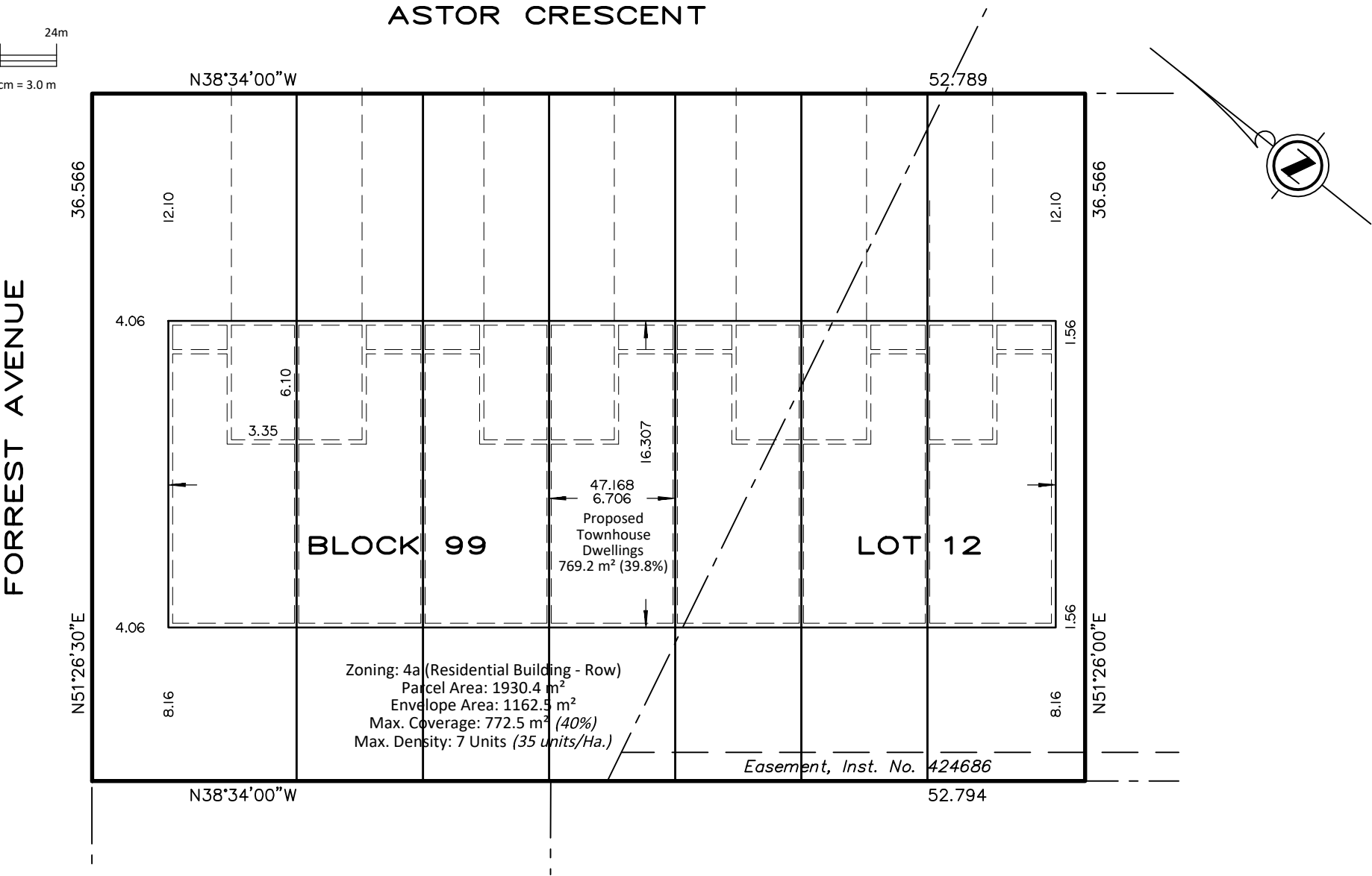
Harold O’Krafka, MCIP RPP
Submitted by Director of Development Services

Grant Whittington
Reviewed by Chief Administrative Officer

Sketch prepared to illustrate Building Envelope
Block 99 Plan 58M-414 & Lot 12 Registered Plan 1366
Township of Wilmot



METRIC:
DISTANCES HEREON ARE IN METRES.
TO CONVERT TO FEET DIVIDE BY 0.3048.



CAUTION:
THIS IS NOT A PLAN OF SURVEY AND
SHALL NOT BE USED FOR MORTGAGE
OR TRANSACTION PURPOSES.

NOTE:
LOT DIMENSIONS ARE AS SHOWN ON PLAN 58M-414
AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED
BUILDING POSITIONED BY CALCULATION, NOT BY SURVEY.

ACI SURVEY CONSULTANTS INC.
Lot Area:
GFA: m²
Coverage: %
Builder: Capital Homes Inc.
File: WIL-58M414-PL-17249
November 2, 2016

TOWNSHIP OF WILMOT

BY-LAW NO. 2019-04

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

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

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

1. Notwithstanding the provisions of By-law 83-38, as amended, the lands described on Schedule 'A' and illustrated as "Addition Area" on Schedule "B" attached to and forming part of this By-law, are hereby removed from Zone 11 (Open Space) and placed within Zone 5f (Commercial).
2. Notwithstanding the provisions of By-law 83-38, as amended, the map forming Part 2A of Schedule 'A' to By-law 83-38 shall be amended as necessary to adjust the boundary of Zone 11 and Zone 5f and refine the boundary limits that identify Section 22.146 to implement Clause 1 of this By-law..
3. Except as amended by the preceding regulations, the lands described on Schedule "A" attached to and forming part of this by-law and shown on Schedule "B" attached to and forming part of this by-law, shall be subject to all other applicable regulations as set down in By-law No. 83-38, as amended.
4. This by-law shall come into effect on the final passing thereof by the Council of The Corporation of the Township of Wilmot subject to compliance with the provisions of The Planning Act, R.S.O., 1990 and amendments thereto.

READ a first and second time on the 11th day of **February, 2019**.

READ a third time and finally passed in Open Council on the 11th day of **February, 2019**.

MAYOR

CLERK

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Wilmot, in the Regional Municipality of Waterloo and Province of Ontario being composed of Part of Lots 2 to 8, Plan 18, being Part 3, Plan 58R-11508 in the said Township of Wilmot.

This is Schedule "A" to By-law No. 2019-10.

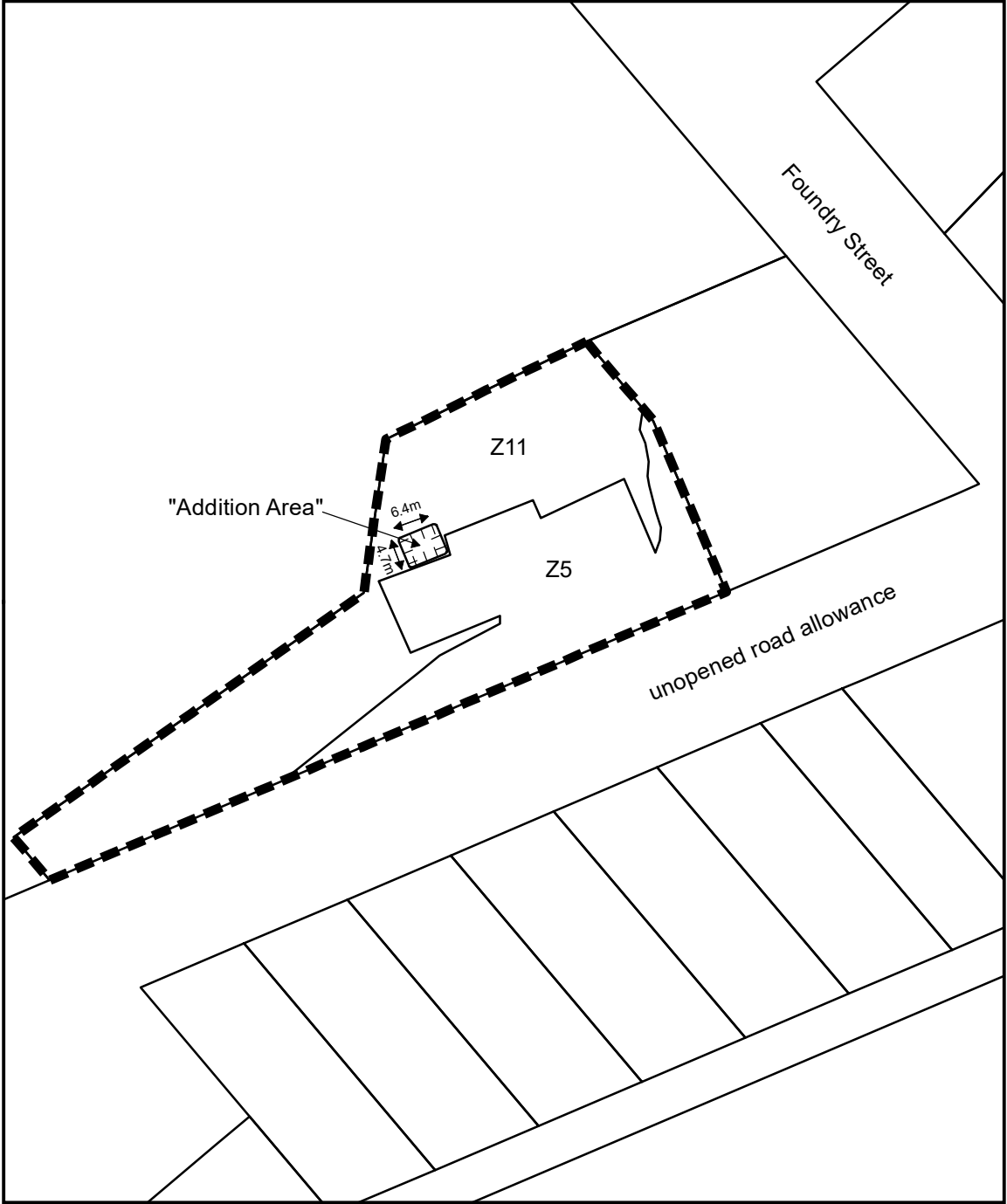
PASSED this 11th day of February, 2019.

MAYOR

CLERK

SCHEDULE "B"
PART OF LOTS 2 - 8, PLAN 18
PART 3, PLAN 58R-11508
TOWNSHIP OF WILMOT

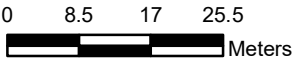
SUBJECT LANDS OUTLINED THUS: - - - - -



THIS IS SCHEDULE "B" TO BY-LAW NO. 2019-10
PASSED THIS 11TH DAY OF FEBRUARY, 2019.

MAYOR

CLERK



TOWNSHIP OF WILMOT
BY-LAW NO. 2019-11

BY-LAW TO DEEM PART OF REGISTERED PLAN 58M-414 NOT TO BE A REGISTERED PLAN

WHEREAS Subsection (4) of Section 50 of the Planning Act, R.S.O., 1990, c.P.13, as amended, authorizes a local municipality to designate any plan of subdivision, or part thereof, that has been registered for eight years or more as not being a plan of subdivision for the purposes of Subsection (3) of Section 50 of the Planning Act, as amended.

AND WHEREAS it is deemed expedient, in order to control adequately the development of certain lands in the Township of Wilmot, that a By-law be passed pursuant to the said Subsection (4) of Section 50.

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

- 1. That part of Registered Plan 58M-414 in the Township of Wilmot described as follows shall be deemed not to be a registered plan of subdivision for the purposes of Subsection (3) of Section 50 of the Planning Act, as amended:

Block 99, Registered Plan 58M-414
- 2. This By-law shall not become effective until the requirements of Subsection (28) of Section 50 of the Planning Act, as amended, have been complied with.
- 3. The Clerk is hereby authorized and directed to proceed with registering a certified copy of this By-law in the Land Registry Office and the giving of notice of the passing of this By-law in accordance with the requirements of the Planning Act, as amended.

READ a first and second time on the 11th day of February, 2019.

READ a third time and finally passed in Open Council on the 11th day of February, 2019.

MAYOR

CLERK

TOWNSHIP OF WILMOT
BY-LAW NUMBER 2019-12
A BY-LAW FOR ESTABLISHING THE PARKING
OF MOTOR VEHICLES ON PRIVATE PROPERTY

WHEREAS Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes municipalities to regulate parking on highways as well as parking, except on highways;

AND WHEREAS Sections 100 and 100.1 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorize municipalities to regulate or prohibit parking or leaving of motor vehicles without the owner's consent on land not owned or occupied by the municipality;

AND WHEREAS Sections 170(15) of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended and Section 101(1) of then *Municipal Act, 2001* S.O. 2001, c.25, as amended, authorizes the removal and storage of any motor vehicle left in contravention of a municipal by-law;

NOW THEREFORE THE COUNCIL FOR THE COPORATION OF THE TOWNSHIP OF WILMOT ENACTS AS FOLLOWS:

1. Where used herein, the following words and phrases shall be deemed to have the following meanings:
 - a) "Motor Vehicle" includes an automobile, a motorcycle, a motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power.
 - b) "Park" of "Parking" shall mean the standing of a vehicle, whether the vehicle is occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.
 - c) "Parking Lot" means an area or structure or a portion of an area of a structure intended for the parking of motor vehicles off the street or highway which may include private property.
 - d) "Private Property" means land not owned or occupied by the Township.
 - e) "Stop" or "Stopping", when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or of a traffic control sign or signal.
 - f) "Officer" means a Police Officer, and Municipal Law Enforcement Officer
 - g) "Township" means the Corporation of the Township of Wilmot
2. No person shall park or leave a motor vehicle on private property without authority from the owner or occupant of such property.
3. No person shall park or leave a motor vehicle on private property within the limits of The Corporation of the Township of Wilmot without the consent of the owner or occupant of such property.
4. No person shall park or leave a motor vehicle on property owned or occupied by The Corporation of the Township of Wilmot thereof without the consent of the Municipality as the case may be.
5. Where an owner or occupant of property affected by this By-law has posted a sign prohibiting the parking or leaving of a motor vehicle on the property, a motor vehicle parked or left on the property contrary to such in contravention of Section 2 of this By-law shall not be liable to any penalty hereinafter described or to have the vehicle

removed from such property and impounded except upon the complaint of the owner or occupant of the property given to the officer appointed for the provisions of the By-law.

6. An officer upon discovery of any motor vehicle parked in contravention this by-law, may cause it to be moved or taken to and placed or stored in a suitable place. All costs and charges for the removal, care and storage of the motor vehicle, if any, are in lien upon the motor vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act. 2005, c. 26, Sched. A s. 28 (2).
7. Where a motor vehicle has been parked in contravention of this by-law, the owner of the motor vehicle, even if the owner was not the driver of the motor vehicle at the time of the contravention of the by-law, is guilty of an offence and is liable to the fine prescribed for the offence.
8. An Officer engaged in enforcing the provisions of this or other municipal by-laws, or laws is exempt from such provisions of this by-law as reasonably necessary for the performance of such enforcement.
9. Should any section or provision of this by-law be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or in part thereof other than the part which was declared to be invalid.
10. Nothing in this by-law shall be construed to allow parking on private property in contravention of the Township's Zoning By-law even where the owner's consent is obtained.
11. This By-law may be referred to as the Private Parking By-law
12. By-law Number 89-103 dated the 27th day of November, 1989, as amended, is hereby repealed upon final approval of the Set Fine Schedule of By-law Number 2019-12 by the Ministry of the Attorney General.
13. This By-Law shall come into force and effect upon final approval of the Set Fine Schedule by the Ministry of the Attorney General.

READ a first and second time this 11th day of February, 2019.

READ a third time and finally passed this 11th day of February, 2019.

Mayor

Clerk

THE CORPORATION OF THE TOWNSHIP OF WILMOT

BY-LAW NO. 2019-13

BEING A BY-LAW TO ESTABLISH WATER AND SANITARY
FEES AND CHARGES TO USERS OF THE TOWNSHIP OF
WILMOT'S WATER DISTRIBUTION SYSTEMS AND SANITARY
COLLECTION SYSTEM

WHEREAS Section 11(3) and (4) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended (the "Act"), allows municipalities to pass by-laws respecting public utilities;

AND WHEREAS the term "public utility" includes systems that are used to provide water and sewage services for the public;

AND WHEREAS section 391(1)(b) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it;

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

Definitions

1. In this by-law:

- (a) "Appurtenance" includes a valve, valve chamber, hydrant, hydrant lead, flow meter, curb stop, maintenance access point, maintenance hole, manhole, grate, catch basin, catch basin lead, ditch inlet chamber or other minor accessory part of the Water Distribution System;
- (b) "AWWA" means American Water Works Association;
- (c) "Consumer" means an Owner, occupant, lessee or tenant of a property or any other person purchasing Services from the Township;
- (d) "Control valve" means a valve for controlling the flow of water within the distribution system;
- (e) "Council" means the municipal council of The Corporation of the Township of Wilmot;
- (f) "Curb stop" means an apparatus installed by the Township outside of a building, normally on the Property Line, used for controlling the flow of water supplied to a property;
- (g) "Highway" means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway;
- (h) "Meter" means an apparatus for measuring the quantity of water used;
- (i) "Owner" means the registered owner of a property, or their agent/designate;
- (j) "Person" means an individual, sole proprietorship, partnership or corporation;
- (k) "Property Line" means the line or demarcation between properties;
- (l) "Region" means The Regional Municipality of Waterloo;
- (m) "Reservoir" means a place where water is stored or accumulated;
- (n) "Service Pipe" means the conduit for transporting water from the Watermain to a property;

- (o) "Services" means all water services supplied by the Township via the Water Distribution System and all Sanitary services provided by the Sanitary Collection System;
- (p) "Sewage" means Sanitary.
- (q) "Township" means The Corporation of the Township of Wilmot;
- (r) "Sanitary Collection System" includes all collection mains, lift/pump stations, and all appurtenances thereto;
- (s) "Water Distribution System" includes all Reservoirs, Service Pipes, Watermains and all appurtenances thereto; and,
- (t) "Watermain" means any system of pipes and appurtenances used for the transmission or distribution of potable water, but does not include plumbing to which the *Building Code Act, 1992* applies or a pumping facility.

Township Property

- 2. All appurtenances and other equipment between the Watermain and the Property Line, and all Meters, are, and shall remain, the property of the Township.
- 3. Township property that is used for, or in connection with, the supply of the Services is exempt from seizure:
 - (a) against the Owner or occupant of the property under the *Execution Act*, R.S.O. 1990, c. E.24; and,
 - (b) against a person with a leasehold interest in property for overdue rent.

Meters

- 4. All Meters shall be located in a safe and convenient place, so as to facilitate access by the Township.
- 5. All Meters shall be located as close as possible to the entrance of the Service Pipe into a building.
- 6. No Meter shall be enclosed or sufficiently inaccessible so as to prohibit it from being read, examined or removed by the Township.
- 7. The Township may, at reasonable times, enter on land to which it supplies Services in order to:
 - (a) inspect, repair, alter or disconnect the Services, machinery, equipment and other works used to supply the Services; or,
 - (b) inspect, install, repair, replace or alter a Meter.
- 8. The Township may charge a fee to the Owner, pursuant to the attached **Schedule "A"**, for denying or otherwise prohibiting access to a Meter, which would represent the reasonable costs incurred by the Township. The Township may add this fee to the tax roll for the relevant property and collect the fee in the same manner as municipal taxes.
- 9. An Owner shall be liable for any damage to a Meter, other than normal wear and tear, as determined by the Township, and should a Meter be damaged, the Township may charge the Owner the cost of repairing or replacing the Meter pursuant to the attached **Schedule "A"**.
- 10. No person, other than an employee or agent of the Township, shall be permitted to remove, inspect or tamper with a Meter or other equipment of the Township.
- 11. No person shall alter any Meter, either inside or outside of any building or other place, so as to lessen or alter the amount of water registered on the Meter.

12. Any Consumer having doubt as to the accuracy of a Meter may request that the Meter be removed and tested by notifying the Township and submitting a deposit to the Township in accordance with the attached **Schedule "A"**. If the Meter is found to meet the applicable AWWA standards for accuracy, the deposit shall be forfeited to the Township. However, if the Meter is found to not conform to the applicable AWWA standards, the deposit shall be returned to the Consumer and appropriate adjustments shall be made to the subject account.

Water Supply

13. As the Region is the sole supplier of water to the Township, the Township cannot guarantee the supply, quality or pressure of water to Consumers and failure to supply water shall not be construed as negligence on the part of the Township.

Fees and Charges

14. Fees or charges imposed upon Consumers for their use of the Services, including the consumption of water, as measured by the Meters, and any sanitary fees or charges, are all outlined in the attached **Schedules "A", "B" and "C"**.
15. Payments for all fees or charges imposed by the Township on a Consumer are due and payable by a Consumer on the date noted on the bill and there shall be a one-time seven and a half percent (7.5%) charge for late payment.

Non-Payment of Fees and Charges

16. If, after fourteen (14) days past the due date, fees or charges are still not paid, the Township may advise the Consumer that unless the fees or charges are paid within seven (7) days, the Township may discontinue the Services to the property upon which the fees or charges are due, and in the event the Services are turned off, they shall not be turned on again until such time as all arrears are paid together with the fees/charges and costs incurred on behalf of the Township for turning any of the Services off and on. The aforesaid fees/charges and costs for turning any of the Services off and on shall be at the rates outlined in the attached **Schedule "A"**.
17. If fees or charges are not paid to the Township by the Consumer in accordance with the provisions of this by-law, the Township may add the outstanding fees or charges to the tax roll for the relevant property and collect the fees or charges in the same manner as municipal taxes.

Billing Errors

18. Where billing errors have resulted in over-billing, the Consumer shall be credited with the amount erroneously billed for the relevant period, but not exceeding six (6) years.
19. Where billing errors have resulted in under-billing, the consumer shall be charged the amount erroneously not billed for a period not exceeding:
 - (a) two (2) years, in the case of a residential Consumer who was not responsible for the error; and,
 - (b) six (6) years in all other cases.

Exemption

20. Four properties shall be exempt from this by-law as their Services are provided by The Corporation of the City of Kitchener. The four properties include:
 - 57 Trussler Road
 - 109 Trussler Road
 - 121 Trussler Road
 - 131 Trussler Road

Severability

21. If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having

persuaded or influenced Council to pass the remainder of this by-law and it is hereby declared that the remainder of this by-law shall be valid and shall remain in full force and effect.

Repeal

22. By-law 2018-08 is hereby repealed.

Coming Into Force

23. This by-law shall come into force and effect on January 1, 2019.

READ a first and second time in Open Council this 11^h day of February, 2019.

READ a third time and finally passed in Open Council this 11th day of February, 2019.

Mayor

Clerk

Schedule "A"
Utility Service Fees

	2019 Rate	Criteria	Effective Date
Water Meters			
½" & ¾" Meters (Standard Residential) – plus HST	\$ 155.00	per Meter	01/01/2019
Other Size Meters – plus HST	Actual Cost	per Meter	01/01/2019
MXU Device (includes installation) – plus HST	\$ 170.00	per MXU	01/01/2019
Security Tag Replacement (Meter Sealing) – plus HST	\$ 50.00	per Meter	01/01/2019
Tail Pieces – plus HST	\$ 15.00	per Meter	01/01/2019
Remote/Mounting Bracket Assembly – plus HST	\$ 30.00	per Meter	01/01/2019
Meter Accuracy Deposit	Actual Cost	per Test	01/01/2019
Meter Installation Fee	Actual Cost	per Install	01/01/2019
Water Meter Repairs	Actual Cost	per Repair	01/01/2019
Remote Re-Wiring	Actual Cost	per Repair	01/01/2019
Water/Sanitary Services			
Service Inspections	Actual Cost	per Inspection	01/01/2019
Water Service Line Repairs	Actual Cost	per Repair	01/01/2019
Sanitary Service Line Repairs	Actual Cost	per Repair	01/01/2019
Water Main Line Repairs	Actual Cost	per Repair	01/01/2019
Sanitary Main Line Repairs	Actual Cost	per Repair	01/01/2019
Water Sampling/Testing	Actual Cost	per Test	01/01/2019
Water/Sanitary Services Administration – plus HST	10%		01/01/2019
Materials	Actual Cost		01/01/2019
Labour Charges			
Regular Working Hours – plus HST	\$ 40.00	per Hour	01/01/2019
After Working Hours (Monday – Saturday) – plus HST	\$ 60.00	per Hour	01/01/2019
After Working Hours (Sunday & Holidays) – plus HST	\$ 80.00	per Hour	01/01/2019
Vehicle Rates			
Flusher/Vacuum Truck – plus HST	\$ 190.00	per Hour	01/01/2019
Stake Truck – plus HST	\$ 40.00	per Hour	01/01/2019
Service Truck – plus HST	\$ 40.00	per Hour	01/01/2019
Pickup Truck – plus HST	\$ 35.00	per Hour	01/01/2019
Miscellaneous Services			
Water Disconnect/Reconnect	\$ 75.00	Each	01/01/2019
Camera Inspection – plus HST	\$ 155.00	per Hour	01/01/2019
Hydrant Use Permit	\$ 75.00	per Day	01/01/2019
Tapping Machine (minimum \$100) – plus HST	\$ 35.00	per Hour	01/01/2019
Sidewalk Clearing	\$ 120.00	per Hour	01/01/2019
Non-Radio Reading Charge	\$ 75.00	per Bill	01/01/2019
Valve Turning Machine Attachment	\$ 15.00	per Hour	01/01/2019

Schedule "B" Water Rates and Charges			
	2019 Rate	Criteria	Effective Date
Consumption Rates			
Water Rate	\$ 2.0514	per cubic metre	01/01/2019
Water Rate – Foxboro Green	Current RoW Wholesale Rate	per cubic metre	01/01/2019
Service Charges (Annual)			
½" & ¾" Meters (Standard Residential)	\$ 102.00	per Meter	01/01/2019
1" Meter	\$ 109.59	per Meter	01/01/2019
1½" Meter	\$ 172.79	per Meter	01/01/2019
2" Meter	\$ 224.98	per Meter	01/01/2019
3" Meter	\$ 362.00	per Meter	01/01/2019
4" Meter	\$ 530.41	per Meter	01/01/2019
6" Meter	\$ 1,171.75	per Meter	01/01/2019
Other Annual Charges (if applicable)			
Flat Rate Water Charge (non-metered properties)	\$ 1,161.22	per Service	01/01/2019
Foxboro Green Administration Charge	\$ 788.75		01/01/2019
Additional Meter Fee – ½" & ¾" Meters	\$ 18.00	per Meter	01/01/2019
Additional Meter Fee – 1" Meter	\$ 27.00	per Meter	01/01/2019
Additional Meter Fee – 1½" Meter	\$ 49.00	per Meter	01/01/2019
Additional Meter Fee – 2" Meter	\$ 60.00	per Meter	01/01/2019
Additional Meter Fee – 3" Meter	\$ 122.00	per Meter	01/01/2019
Additional Meter Fee – 4" Meter	\$ 208.00	per Meter	01/01/2019
Additional Meter Fee – 6" Meter	\$ 725.00	per Meter	01/01/2019
Other Annual Charges (if applicable)			
Account Setup Fee	\$ 30.00	per Setup	01/01/2019
Additional Water Meter Reading	\$ 30.00	per Reading	01/01/2019

Water Rates and Charges Descriptions:

Water Rates and Charges are only applicable if a property is connected to one of the Township's Waste Distribution Systems.

Consumption Rates are applied based on a consumer's consumption of water as measured by the installed meter.

Service Charges are applied based on the size of the meter measuring the water service at each property.

Other Charges and Fees are applied to a consumer only as necessary. Annual Fees are prorated based on the number of days within a billing period.

- The Flat Rate Water Charge is applied to any consumer whose property is connected to a Township Water Distribution Systems and whose consumption is not measured by a meter.
- An Additional Meter Fee is applied only if there is an additional Township owned meter located at a property.
- The Account Setup Fee is applied to the first bill of all "newly created" Wilmot Water Accounts.
- An Additional Water Meter Reading Fee is applied to an account for all readings not associated with the regularly scheduled bi-monthly reading.

Schedule "C" Sanitary Rates and Charges			
	2019 Rate	Criteria	Effective Date
Consumption Rates			
Sanitary Rate	\$ 2.5297	per cubic metre	01/01/2019
Sanitary Rate – Morningside	\$ 1.8929	per cubic metre	01/01/2019
Sanitary Rate – Foxboro Green	Current RoW Wholesale Rate	per cubic metre	01/01/2019
Service Charges (Annual)			
½" & ¾" Meters (Standard Residential)	\$ 102.00	per Meter	01/01/2019
1" Meter	\$ 109.59	per Meter	01/01/2019
1½" Meter	\$ 172.79	per Meter	01/01/2019
2" Meter	\$ 224.98	per Meter	01/01/2019
3" Meter	\$ 362.00	per Meter	01/01/2019
4" Meter	\$ 530.41	per Meter	01/01/2019
6" Meter	\$ 1,171.75	per Meter	01/01/2019
Other Annual Charges (if applicable)			
Foxboro Green Administration Charge	\$ 788.75		01/01/2019

Sanitary Rates and Charges Descriptions:

Sanitary Rates and Charges are only applicable if a property is connected to the Township's Sanitary Collection System.

- Discharge Rates are applied based on a consumer's consumption of water as measured by the installed meter.
- Service Charges are applied based on the size of the meter measuring the water service at each property.
- Other Annual Charges are applied to a consumer only as necessary and are prorated based on the number of days within a billing period.