



# 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 Manger 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.

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Mayor

\_\_\_\_\_  
Clerk