



TOWNSHIP OF WILMOT

Council Meeting Agenda

Monday, February 25, 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 February 11, 2019

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Recommendation

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

Council Meeting February 11, 2019

- 7. PUBLIC MEETINGS – no public meetings**
- 8. PRESENTATIONS/DELEGATIONS**

8.1 Christine Lefebvre

Land Acknowledgment Statements and Smudging

8.1.1 REPORT NO. CL2019-08

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Community Acknowledgement**Recommendation**

THAT Council adopts the inclusion of the following community acknowledgement at Council Meetings:

As we gather, we are reminded that Wilmot is situated on land that is steeped in rich history and is home to many different cultures and peoples. We acknowledge the First Peoples on whose traditional territory we are now meeting.

As a Township we have a responsibility for the stewardship of the land on which we live and work and a responsibility to embrace the diversity of all people who form our local and global community.

Today we acknowledge our past while working towards a future built on mutual respect, embracing our differences and coming together as municipal leaders.

9. REPORTS**9.1 CAO – no reports****9.2 CLERKS****9.2.1 REPORT CL 2019-07**

Page 22

Council-Staff Professional Relations Policy**Recommendation:**

THAT Council approve Corporate Policy #CA-007, Council – Staff Professional Relations Policy in accordance with Bill 68, Modernizing Ontario's Legislation Act.

9.2.2 REPORT CL 2019-09

Page 28

Pregnancy and Parental Leave for Council Policy**Recommendation:**

THAT Council adopt the Pregnancy and Parental Leave for Council Policy attached as Appendix A to Report CL2019-09.

9.2.3 REPORT CL 2019-10

Page 32

Code of Conduct for Local Boards**Recommendation:**

THAT Council adopt the Code of Conduct for Local Boards attached as Appendix A to Report CL2019-10.

9.3 FINANCE – no reports**9.4 PUBLIC WORKS – no reports****9.5 DEVELOPMENT SERVICES****9.5.1 REPORT DS 2019-06**

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Township of Wilmot Response**Proposed Amendment No. 1 to the Growth Plan for the
Greater Golden Horseshoe (2017)****Recommendation**

THAT Report DS 2019-06 be received for information; and,

THAT Report DS 2019-06 be forwarded to the Minister of Municipal Affairs and Housing as the formal Township of Wilmot response to Proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe (2017).

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 – no by-laws****12. NOTICE OF MOTIONS**

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

14. BUSINESS ARISING FROM CLOSED SESSION

15. CONFIRMATORY BY-LAW

15.1 By-law No. 2019-08

Recommendation

THAT By-law No. 2019-08 to Confirm the Proceedings of Council at its Meeting held on February 25, 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, February 11, 2019

Regular Council Meeting

Council Chambers

7:00 P.M.

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

Staff Present: Chief Administrative Officer G. Whittington, Director of 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'Kafka, Fire Chief R. Leeson, Director of Finance P. Kelly, Manager of Planning / EDO A. Martin, SMLEO E. Merritt, Manager of Accounting A. Romany

- 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**

Councillor C. Gordijk declared a pecuniary interest regarding Item 9.3.1, specifically the Church Street and Wilmot Street Engineering and Reconstruction programs in the 2019 Capital Program and the Municipal Grant and Discover Your Wilmot Program for 2019.

6. MINUTES OF PREVIOUS MEETINGS**6.1 Council Meeting Minutes January 14, 2019****Resolution No. 2019-17**

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

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

Council Meeting January 14, 2019

CARRIED, AS AMENDED.

With regards to Item 12.2, Councillor A. Hallman advised she offered to sit on that committee as well. The Director of Clerk's Services confirmed that Councillor A. Hallman was referencing the Community Safety and Crime Prevention Committee, Councillor C. Gordijk advised she also wanted to be on that committee as well.

7. PUBLIC MEETINGS**7.1 REPORT DS 2019-03**

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

Resolution No. 2019-18

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

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).

CARRIED.

Proposes to change an existing zoning boundary to permit a small addition to the existing building on the property.

Mayor L. Armstrong declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Land Planning Appeal Tribunal, the Tribunal has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor L. Armstrong stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website along with email addresses, if provided.

The Manager of Planning / EDO outlined the report.

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

7.2 REPORT DS 2019-04

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

Resolution No. 2019-19

Moved by: Councillor A. Hallman

Seconded by: Councillor C. Gordijk

THAT Report DS 2019-04 be received for information.

CARRIED.

This public meeting deals with four applications for proposed industrial subdivisions between Hamilton Road and Nafziger Road in New Hamburg. Two subdivision applications for which the Region of Waterloo is the approval authority and two zone change applications for which the Township is the approval authority.

Mayor L. Armstrong declared the public meeting open and stated that Council would hear all interested parties who wished to speak. He indicated that if the decision of Council is appealed to the Land Planning Appeal Tribunal, the Tribunal has the power to dismiss an appeal if individuals do not speak at the public meeting or make written submissions before the by-law is passed.

Mayor L. Armstrong stated that persons attending as delegations at this meeting are required to leave their names and addresses which will become part of the public record and advised that this information may be posted on the Township's official website along with email addresses, if provided.

The Manager of Planning / EDO outlined the report.

Mayor L. Armstrong asked if Council had any questions of a technical nature.

Councillor C. Gordijk asked for clarification regarding the plan for road development on the side road that backs on to the Pestell property and extending to Hamilton Road past the butcher. The Manager of Planning / EDO advised that the delegation will outline those details in their presentation; however, through the process a traffic impact study was completed that is presently being reviewed by the Region, MTO and the Township Public Works Department and comments will be provided prior to any recommendations on the applications.

Delegation / Applicant Presentation:

Mr. Pierre Chauvin, MHBC Planning, was in attendance to provide an overview presentation on the zone change application.

Councillor B. Fisher advised this is great news for the Township to allow for live and work opportunities. He asked for clarification regarding general industrial and light industrial zoning. Mr. Chauvin advised that the zoning allows for general industrial which provides for a broad range of uses and the zone change applications is asking to add light industrial uses as well.

Councillor J. Pfenning asked if as the development progresses, will there be opportunity for residents to provide feedback in terms of noise mitigation? It was advised that this meeting is the public meeting to allow for comments on the application, it was also noted that the site plan approval process is not typically a public process rather a staff process; however, it was noted that this will be taken into consideration as part of that process. The Manager of Planning / EDO also noted that a subsequent report to Council will outline noise mitigation recommendations.

Councillor C. Gordijk asked for clarification with regards to the trails and if there has been any consideration for a parking lot close to the trail heads. Mr. Chauvin advised that there is potential opportunities; however, nothing has been considered at this time.

Councillor J. Gerber thanked Mr. Chauvin for his presentation and asked if there would be a boulevard or curb for separation from the road to the trail and the Director of Development Services advised that that would be part of the design to allow for a safe trail system.

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

Ms. Dolores Hofstetter, 289 Maurice St. New Hamburg. Ms. Hofstetter did not object to the application; however, voiced concerns regarding noise and the berm. She advised they have issued a written submission to Council and asked that she be kept informed as the process proceeds.

Mr. Aaron Fewkes, 46 Ritz Cres., New Hamburg. Mr. Fewkes asked what the timeline is for the noise study. The Manager of Planning /EDO advised that the noise study is currently available on the website for review and the Region of Waterloo is reviewing the study and prior to final approvals, the noise study will be approved by the Region of Waterloo.

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

8. PRESENTATIONS/DELEGATIONS

9. REPORTS

9.1 CAO – no reports

9.2 CLERKS

9.2.1 REPORT CL 2019-04

Private Parking By-Law

Resolution No. 2019-20

Moved by: Councillor J. Pfenning

Seconded by: Councillor J. Gerber

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

CARRIED.

The report outlined updates to the Private Parking By-law, easier language, updated fines and updating to be more in line with other Township By-laws.

The Senior Municipal Law Enforcement Officer outlined the report.

Councillor C. Gordijk asked for clarification on where the four private parking lots were where assistance with parking issues was requesting. The Senior Municipal Law Enforcement Officer advised they were Forest Glen Public School, a retail location on Webster Street, the building beside Petro Canada on Waterloo Street and the variety store in Baden. Councillor C. Gordijk asked if there are more private parking lots and it was advised that any business that has a parking lot is considered a private lot and those businesses can receive advice for signage.

9.2.2 REPORT CL 2019-05

Township of Wilmot Integrity Commissioner 2018 Annual Report

Resolution No. 2019-21

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

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

CARRIED.

This is the annual report from the Integrity Commissioner.

The Director of Clerk's Services outlined the report.

Councillor A. Hallman noted that at the recent council training through AMO, it was suggested that the budget for the integrity commissioners be increased. The Director of Clerk's Services advised that many municipalities have lawyers who serve as integrity commissioners therefore those fees are higher; however, through the budget process for 2020 staff will review.

9.2.3 REPORT CL 2019-06**Waterloo Area Municipal Ombuds Office
2017-18 Annual Report
Township of Wilmot****Resolution No. 2019-22****Moved by: Councillor C. Gordijk****Seconded by: Councillor A. Hallman**

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

CARRIED.

This is the annual report from the Waterloo Area Ombuds Office.

The Director of Clerk's Services outlined the report.

9.3 FINANCE**9.3.1 REPORT FIN 2019-11****2019 Budget Package****Resolution No. 2019-23****Moved by: Councillor J. Gerber****Seconded by: Councillor J. Pfenning**

THAT the 2019 Municipal Budget dated February 4, 2019, as recommended by the Ad Hoc Budget Advisory Committee, excluding the Church Street and Wilmot Street Engineering and Reconstruction Project and the Municipal Grant and Discover Your Wilmot Program for 2019, be approved.

CARRIED, AS AMENDED

Resolution No, 2019-24**Moved by: Councillor J. Pfenning****Seconded by: Councillor J. Gerber**

THAT the Church Street and Wilmot Street Engineering and Reconstruction Project and the Municipal Grant and Discover Your Wilmot Program for 2019 portion of 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.

CARRIED, AS AMENDED.

The report outlined the 2019 budget for the Township.

Councillor C. Gordijk, have declared a pecuniary interest in the Wilmot Street Engineering and Reconstruction Project and the Municipal Grant and Discover Your Wilmot Program for 2019 portion of the 2019 Municipal Budget did not participate in the discussion for Resolution 2019-24 or the subsequent voting thereof.

The Director of Finance / Treasurer outlined the report.

Councillor C. Gordijk thanked staff for helping Council through the budget process.

Councillor J. Pfenning echoed those comments and complimented staff for their professionalism when answering all the questions during the budget process.

Councillor A. Hallman also thanked staff for their cooperation during the budget process and staffs assistance in ensuring the new members understood the process.

Mayor L. Armstrong echoed those comments and agreed that Council provided good questions and a solid process. Mayor L. Armstrong agreed that staff showed their professionalism for answering the questions.

9.4 PUBLIC WORKS

9.4.1 REPORT PW 2019-02

2018 Annual and Summary Water Distribution Report

Resolution No. 2019-25

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Pfenning

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.

CARRIED.

The report outlined the Township drinking water systems maintenance.

The Director of Public Works outlined the report.

Councillor C. Gordijk asked for clarification regarding the system in New Dundee and asked if this is a normal occurrence for the system to have an adverse sample. The Director of Public Works advised that the adverse conditions in New Dundee may occur once or twice a year and that it is not a cause for concern since they are often caused by handling during or after the sample was taken and appropriate follow-up is undertaken. The Director of Public Works advised that it is challenging to guarantee quality; however, Council can support staff in providing the best quality we can.

9.5 DEVELOPMENT SERVICES

9.5.1 REPORT DS 2019-05

**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**

Resolution No. 2019-26

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

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.

CARRIED.

The report allows for approval of a

The Manager of Planning / EDO outlined the report.

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**

11.1 By-law No. 2019-04 - 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. 2019-05 - 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. 2019-06- Private Parking By-law

Resolution No. 2019-27

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

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

CARRIED.

12. NOTICE OF MOTIONS

12.1 Sustainability Working Group, Councillor J. Pfenning

Resolution No. 2019-28

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

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.

CARRIED.

12.2 Wilmot Trails Advisory Committee, Councillor J. Pfenning

Resolution No. 2019-29

Moved by: Councillor J. Pfenning Seconded by: Councillor A. Hallman

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.

CARRIED.

Councillor J. Gerber asked when community members would be chosen and the Director of Clerk's Services advised that the process would be the same as appointments to other advisory committees.

Councillor J. Pfenning noted that she had expressed her interest to sit on this committee.

Mayor L. Armstrong asked for Council members to advise him of their interest on these committees.

Mr. Ted Derry, 89 Snyder's Road West, Baden, appeared as a delegation in support of the trail committee. He advised that he is a member of the Avon Trail Association and advised that there are opportunities for collaboration and support.

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

Resolution No. 2019-30

Moved by: Councillor C. Gordijk

Seconded by: Councillor B. Fisher

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.

CARRIED.

Councillor A. Hallman read two letters of support from residents for this committee.

13. QUESTIONS/NEW BUSINESS/ANNOUNCEMENTS

- 13.1** Councillor A. Hallman advised that the Wilmot Thunder Ball tickets for the February 23 fundraiser at the New Hamburg Arena are available for purchase.

Councillor A. Hallman noted that on February 16, 2019 from 2:00 to 5:00 the Legion will have music in the lounge.

Councillor A. Hallman advised that the 100 Women of Wilmot group is always taking new members.

- 13.2** Councillor C. Gordijk thanked the Optimist Club of Petersburg for hosting the Valentine's Dinner.

Councillor C. Gordijk noted the upcoming event at the Wilmot Family Resource Centre on February 23 for the Coldest Night of the Year event. She asked that the information also be posted on the Township website.

13.3 Councillor J. Gerber advised that the 100 Men of Wilmot are having their first meeting.

13.4 Councillor J. Pfenning noted that Interfaith Community Counselling is offering a happy life and healthy relationships seminar.

Councillor J. Pfenning noted that there is family skating and swimming at the Recreation Complex for Family Day.

13.5 Councillor B. Fisher advised the Baden Community Association will have free snacks and entertainment at the Wilmot Recreation Complex on Family Day.

13.6 Mayor L. Armstrong noted that Heritage Day is February 23 at the New Dundee Community Centre.

14. BUSINESS ARISING FROM CLOSED SESSION

15. CONFIRMATORY BY-LAW

15.1 By-law No. 2019-07

Resolution No. 2019-31

Moved by: Councillor B. Fisher

Seconded by: Councillor C. Gordijk

THAT By-law No. 2019-07 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.

CARRIED.

16. ADJOURNMENT (8:31 P.M.)

Resolution No. 2019-32

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

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

CARRIED.

Mayor

Clerk



Township of Wilmot **REPORT**

REPORT NO. **CL2019-08**

TO: **Council**

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

DATE: **February 25, 2019**

SUBJECT: **Community Acknowledgement**

Recommendation:

THAT Council adopts the inclusion of the following community acknowledgement at Council Meetings:

As we gather, we are reminded that Wilmot is situated on land that is steeped in rich history and is home to many different cultures and peoples. We acknowledge the First Peoples on whose traditional territory we are now meeting.

As a Township we have a responsibility for the stewardship of the land on which we live and work and a responsibility to embrace the diversity of all people who form our local and global community.

Today we acknowledge our past while working towards a future built on mutual respect, embracing our differences and coming together as municipal leaders.

Background:

At the December 3, 2018 Inaugural Council Meeting for the Township of Wilmot an Indigenous Territorial Acknowledgement was read near the beginning of the meeting. Traditional land acknowledgement statements are increasingly being used in Canada by governments, schools, post-secondary institutions, non-governmental organizations, and other civil institutions as a practice of reconciliation aimed at recognizing the traditional or treaty territories of Indigenous peoples. Staff was directed to prepare a report and make a recommendation for such an Acknowledgement.

Discussion:

Staff met with Christine Lefebvre, a Haudenosaunee woman who is an educator on the traditions of First Nations people. During discussions with her, staff was introduced to the

possibility of an Indigenous Territorial Acknowledgments that is more inclusive to include all people. She suggested that the Township examines the intention of the Acknowledgement and what values it should reflect. Staff agrees with the basic premise that the Acknowledge would not be meeting its intention if it is not genuine or is said simply to say we have done it.

Reconciliation is a vast topic that many people do not fully understand. Asking ourselves “what are we reconciling” will undoubtedly produce as many different answers as the number of people you ask. An online search of the definition of the word reconciliation yields the following results:

1. The restoration of friendly relations.
2. The action of making one view or belief compatible with another.

These definitions illustrate that reconciliation and acknowledgement statements can have a much larger effect on our community and ourselves if we choose to be inclusive of all peoples. The use of word “compatible” suggests that identical views and beliefs are not the goal, only that they can work together in a harmonious fashion. As a community, Wilmot has already shown their commitment to inclusivity through the “Wilmot Says Welcome” and “Wilmot Responds” initiative. Further, the vision statement of the Township “Wilmot is a cohesive, vibrant and welcoming countryside community” embodies a similar sentiment.

The population of Wilmot has become more diverse over the years and the importance of communities coming together under a sense of belonging to the global community is becoming increasingly important. The statement must be tailored to the needs of the local and global community while adhering to principles and ideals reflected in a genuine Territorial Acknowledgement.

Staff used the Acknowledgement spoken at the Inaugural Council Meeting as a template and re-wrote it to be a more inclusive statement. Each section has an intended meaning. The first section acknowledges the First Peoples and their traditional territory plus all of the people who now call this land home. The second section addresses the responsibility of the Township. The third section again acknowledges our history while expressing the values of the community moving forward.

Strategic Plan Conformity:

Discussing a community acknowledgement statement promotes our rich cultural heritage, communicates municipal matters and strengthens our customer service by acknowledging our past and affirming the diverse population in Wilmot

Financial Considerations:

None.

Conclusion:

Staff have prepared a proposed Community Acknowledgment Statement and have provided context for Council to determine if the reading of the statement is appropriate for Wilmot.

Dawn Mittelholtz
Prepared and Submitted by
Director of Clerk's Services

Grant Whittington
Reviewed by Chief Administrative Officer



Township of Wilmot **REPORT**

REPORT NO. CL2019-07

TO: Council

PREPARED BY: Tracey Murray, Deputy Clerk

DATE: February 25, 2019

SUBJECT: Council-Staff Professional Relations Policy

Recommendation:

THAT Council approve Corporate Policy #CA-007, Council – Staff Professional Relations Policy in accordance with Bill 68, Modernizing Ontario’s Legislation Act.

Background:

In accordance with Bill 68, every municipality is required to pass a Council-Staff relations policy by March 1, 2019. The Township of Wilmot currently has separate policies for Code of Conduct for Council and employees and Violence and Harassment in the Workplace policy. This policy is not intended to replace these existing policies.

Discussion:

The Township of Wilmot will promote a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the Township. This policy provides guidance on how the Township of Wilmot ensures a respectful, tolerant and harassment-free workplace environment.

Strategic Plan Conformity:

We are an engaged community through communicating municipal matters and strengthening our customer service.

Financial Considerations:

No impact.


Conclusion:

Staff recommend approval and support of the Council-Staff Professional Relations Policy.

Tracey Murray
Prepared by Deputy Clerk

Dawn Mittelholtz
Submitted by
Director of Clerk's Services

Grant Whittington
Reviewed by Chief Administrative Officer

	Corporate Policy Manual
	Section: CORPORATE ADMINISTRATION
	Policy # CA-007 Pg. 1 of 4 COUNCIL – STAFF PROFESSIONAL RELATIONS POLICY
Revision Date:	Issue Date: February 25, 2019
Approved by: Council	Review Date: February 25, 2022

PURPOSE

The Township of Wilmot will promote a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the Township, guided by the Code of Conduct for Members of Council, the Employee Code of Conduct, Conflict of Interest Policy, Violence and Harassment in the Workplace Policy and the Procedural By-law.

SCOPE

This policy applies to all members of Council and Township of Wilmot employees.

1. The Procedural By-law

Section 10. of the Procedural By-law 2007-63, titled “Conduct of Members in Council” states:

10.1 No member shall:

- i) speak disrespectfully of the Reigning Sovereign, the Governor General, the Lieutenant Governor of any province, or any person administering the Government of Canada or this Province;
- ii) use offensive words or unparliamentary language in or against the Council or against any member;
- iii) speak on any subject other than the subject in debate;
- iv) criticize any decision of Council except for the purpose of moving in accordance with the provisions of Section 12 that the question be reconsidered.
- v) disobey the rules of Council, or a decision of the Mayor or presiding officer, or of Council on questions of order or practice, and upon the interpretation of the rules of Council, and in the case where a member persists in any such disobedience after having been called to order by the Mayor or presiding officer, the Mayor or presiding officer may forthwith put the question, no amendment, adjournment or debate being allowed, "that such member be ordered to leave his/her seat for the duration of the meeting of Council", but if the member apologizes he/she may, by vote of Council, be permitted to retake his/her seat.

- 10.2 No charge shall be made which involves the character, conduct or language of a member of Council unless such member is present to reply or unless due notice has been given to such member to be present to offer a defence.
- 10.3 A question put to a member may not contain imputations, epithets, ironical expressions or hypothetical cases, nor may a question refer to debates or answers to questions in the same meeting. A question may not be put which publishes the names of persons, or contains statements not strictly necessary to render the question intelligible, or contains charges which the member who asks the question is not prepared to substantiate. The solution of an abstract legal case may not be sought by a question. A question cannot be made a pretext for a debate, and when a question has been fully answered it cannot be renewed.
- 10.4 When a member has been called to order by the Mayor or presiding officer for breach of parliamentary decorum, it is the member's duty to defer at once to the decision of the Mayor or presiding officer and to make apology by explaining that there was no intent to infringe on any rule of debate, or by immediately withdrawing the offensive or unparliamentary language which may have been used. However, if a member persists in unparliamentary conduct, the Mayor or presiding officer shall be compelled to name such member and submit such conduct to the decision of Council. In such a case, the member whose conduct is in question should explain and withdraw and it shall be for Council to decide what action to take.

2. Violence and Harassment in the Workplace Policy

The Violence and Harassment in the Workplace Policy States:

- The Township of Wilmot is committed to providing a safe and healthy working environment, including a violence and harassment-free workplace for its employees. The Township is committed to providing the appropriate tools to aid in the prevention of, and to provide a framework for handling any incidence of workplace violence and harassment that may arise. In support of the Township of Wilmot's pledge to provide a safe and healthy working environment, the Township will provide, maintain and enforce policies, procedures and practices that will aid in the prevention of potential incidents of violence, harassment, bullying or the like, to the best of its ability. The Township of Wilmot is committed to taking immediate action in the event of any act of violence or harassment occurring against any employee while the employee is carrying out his or her duties on behalf of the Township. The Township of Wilmot will not tolerate behaviours of violence or harassment at any of its workplaces and the Township will take appropriate disciplinary or legal actions as deemed necessary to deter such behavior.

3. Employee Code of Conduct

The Code of Conduct Policy states:

The Township expects employees to:

- conduct themselves in a friendly, courteous and professional manner with all co-workers;
- maintain the highest ethical standards and refrain from gossip;
- contribute to the efforts of the team and offer your assistance wherever required, whether or not such assistance falls within the normal duties of their job;
- be honest, trustworthy, reliable and dependable in fulfilling all of their duties;
- take direction from and work cooperatively with their Department Head.

4. Council Code of Conduct

The Code of Conduct for Members of Council establishes the ethical behavior expected of Members of Council.

Schedule A of By-law 2007-66, Being a By-law to Establish a Code of Conduct for the Township of Wilmot states:

Harassment of another member of Council, staff or any member of the public is misconduct. It is the policy of the Township of Wilmot that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

5. Responsibilities

Members of Council and Employees are required to adhere to this policy and its governing provisions, including the Code of Conduct for members of Council, the Employee Code of Conduct, the Violence and harassment in the Workplace Policy and the Procedural By-law.

6. Procedures

The Director of Clerk's Services shall be responsible for receiving complaints and / or concerns related to this policy. Upon receipt of a complaint and / or concern, the Director of Clerk's Services shall notify:

1. In the case of employees, the CAO; or
2. In the case of Council, the Integrity Commissioner.

Where there is a discrepancy between the Council-Staff Relations Policy and the Code of Conduct for Members of Council or the Employee Code of Conduct, the language of the Code prevails.

DEFINITIONS

Members of Council: means persons elected to Township Council
Employee(s): means persons employed by the Township of Wilmot

COMMUNICATION

This Procedure is communicated through:

- orientation of members of Council and employees
- Council and/or employee discussions
- coaching of employees found to have contravened this procedure

EVALUATION

- This Policy will be reviewed every four (4) years.

LEGISLATIVE REQUIREMENTS

- Section 270 of the Municipal Act 2001, as amended, requires Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the Township. The Council-Staff Relations Policy identifies the legislation, policies, procedures and practices that the Township complies with in order to promote a respectful relations between Members of Council and the officers and employees of the Township of Wilmot.

See also:

Code of Conduct for Members of Council
Code of Conduct for Township employees
Violence and Harassment in the Workplace Policy
Procedural By-law



Township of Wilmot **REPORT**

REPORT NO. CL2019-09

TO: Council

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

DATE: February 25, 2019

SUBJECT: Pregnancy and Parental Leave for Council Policy

Recommendation:

THAT Council adopt the Pregnancy and Parental Leave for Council Policy attached as Appendix A to Report CL2019-09.

Background:

Ontario Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, requires all municipalities in Ontario to adopt a Pregnancy and Parental Leave for Council Policy by March 1, 2019.

Discussion:

As Council is aware, Clerk's Services staff routinely meet with Area Clerks to discuss matters of common interest and, typically, arrive at a consensus approach to various legislative matters. This approach creates unity among municipal staff when communicating to Councils, the media and the general public on provincial requirements.

The Pregnancy and Parental Leave for Council Policy attached as Appendix A is based on the Policy created by the Region of Waterloo which has acted as a template for most of the other seven municipalities within the Region.

The policy is consistent with the requirements of the *Municipal Act, 2001*.

Strategic Plan Conformity:

Sharing this policy as part of Council Agenda Package communicates municipal matters.

Financial Considerations:

None.

Conclusion:


The attached Pregnancy and Parental Leave Policy for Council satisfies the requirements of Bill 68. Staff recommends Council adopt the Policy as presented.

Dawn Mittelholtz

Prepared and Submitted by
Director of Clerk's Services

Grant Whittington

Reviewed by Chief Administrative Officer

 TOWNSHIP OF WILMOT	Corporate Policy Manual	
	Section: Council	
	Policy # CL-15.1	Pg. 1 of 2
	PREGNANCY AND PARENTAL LEAVE FOR COUNCIL POLICY	
Revision Date:	Issue Date: February 25, 2019	
Approved by: Council	Review Date: February 25, 2019	

PURPOSE

To recognize a Member of Council's right to take leave for the Member's pregnancy, the birth of the Member's child or the adoption of a child by the Member in accordance with the Municipal Act, 2001.

SCOPE

Township Council supports a Member of Council's right to pregnancy and/or parental leave in keeping with the following principles:

1. A Member of Council is elected to represent the interests of his or her constituents.
2. A Member's pregnancy and/or parental leave does not require Council approval and his or her office cannot be declared vacant as a result of the leave.
3. Legislative and administrative matters requiring action during a Member's pregnancy and/or parental leave should be addressed in a manner that is consistent with the Member's wishes.
4. A Member of Council on pregnancy and/or parental leave shall continue to be paid and continue to have expenses paid in accordance with any Council expense policy.
5. A Member of Council on pregnancy and/or parental leave shall receive electronic copies of all agendas and minutes during the duration of the leave.

DEFINITIONS

Member: shall mean any elected representative to Wilmot Township Council including the Mayor.

STANDARDS AND PROCEDURES

Pregnancy and/or Parental Leave is an absence of 20 consecutive weeks or less as a result of member's pregnancy, the birth of a member's child or the adoption of a child by the member in accordance with Section 259 (1.1) of the Municipal Act, 2001.

Where a Member of Council will be absent due to a pregnancy and/or a parental leave the Member shall provide written notice to the Director of Clerk's Services outlining:

- expected duration of leave including a potential start date and return date;
- anticipated intention to attend meetings of Council, ad hoc Committees, Advisory Committees, Steering Committees or other meetings or activities that the Member may have as a Township Council representative; and

- if the Member wishes to have Township Council appoint a replacement Councillor to any ad hoc Committees, Advisory Committees, Steering Committees or other meetings or activities on their behalf.

It is understood that under emergent circumstances, a Member may not be able to submit the appropriate notice before the leave commences. Each Member shall nonetheless endeavor to provide the appropriate notice in advance of any leave or as soon as possible after commencing the leave of absence.

The Director of Clerk's Services will provide the Mayor with a copy of any written notice. If the Mayor is taking the leave, a copy of the notice shall be provided to the Acting Mayor.

In accordance with the Procedural By-law, the Mayor will make appointments to fill any vacancies of the Member to any ad hoc Committees, Advisory Committees, Steering Committees or other meetings or activities of the Member.

Notwithstanding, at any point in time during a Member's pregnancy or parental leave, the Member shall provide written notice to the Director of Clerk's Services of their intent to change their return date and the Council-approved, temporary appointments may be altered accordingly.

RESPONSIBILITIES

Members of Council and Township Staff are responsible for adhering to the parameters of the policy.

COMMUNICATION

This policy shall be included in Council Orientation and form part of the Corporate Policy Manual.

EVALUATION

The Director of Clerk's Services shall be responsible for monitoring the application of this policy and for receiving complaints and concerns related to this policy. A review of the policy shall be completed after its first use.

LEGISLATIVE REPORTING REQUIREMENTS

None.



Township of Wilmot **REPORT**

REPORT NO. **CL2019-10**

TO: **Council**

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

DATE: **February 25, 2019**

SUBJECT: **Code of Conduct for Local Boards**

Recommendation:

THAT Council adopt the Code of Conduct for Local Boards attached as Appendix A to Report CL2019-10.

Background:

Ontario Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017, requires all municipalities in Ontario to adopt a Code of Conduct for Local Boards by March 1, 2019.

Discussion:

The Township of Wilmot has had a Code of Conduct for Township Council since 2007 when the Municipal Act, 2001 introduced it as an option for municipalities in Ontario. Since then, the Code has been updated periodically for housekeeping purposes only. The Code, as it stands today, meets the requirements of Bill 68 with the exception of the inclusion of Local Boards. That being said, staff is currently updating the Code of Conduct for Council but is not required to be adopted by the March 1, 2019 deadline.

The attached Code of Conduct for Local Boards is a modified version of the Code of Conduct for Council. Staff's approach to this Code was to ensure members of Local Boards were held to a high standard of ethical conduct as required in legislation while removing any requirements that would be unnecessary for what are largely volunteer positions. It is staff's opinion that if the Code of Conduct seems unnecessarily bureaucratic there will be a decrease in the number of residents wanting to join Township of Wilmot Advisory and Quasi-Judicial Committees. The resulting Code is the basics of what a Code of Conduct should contain: acceptance of gifts, confidentiality, use of municipal resources for personal use, representing the municipality and local board, treatment of others, and how complaints are handled. The proposed Code is a balance

between legislative requirements and the desire to continue a positive and productive working relationship with Township volunteers.

Strategic Plan Conformity:

Sharing this policy as part of Council Agenda Package communicates municipal matters.

Financial Considerations:

None.

Conclusion:

The attached Code of Conduct for Local Boards satisfies the requirements of Bill 68 and staff recommends Council adopt the Code as presented.

Dawn Mittelholtz

Prepared and Submitted by
Director of Clerk's Services

Grant Whittington

Reviewed by Chief Administrative Officer

TOWNSHIP OF WILMOT
CODE OF CONDUCT
FOR MEMBERS OF LOCAL BOARDS

Effective Date: **March 1, 2019**

Subject: **CODE OF CONDUCT FOR MEMBERS OF LOCAL
BOARDS**

Authority: **Approved by Council**

STATEMENT OF PRINCIPLE

A written Code of Conduct helps to ensure that the members of Local Boards share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that The Township of Wilmot's appointed representatives operate from a base of integrity, justice and courtesy.

Members of Local Boards are responsible for making honest statements. No member shall make a statement when they know that statement is false. No member shall make a statement with the intent to mislead Council, other Local Board members or the public. The Township of Wilmot's Local Board Code of Conduct is a general standard that augments the provincial laws, municipal policies and by-laws that govern their conduct. It is not intended to replace personal ethics. This Code of Conduct is consistent with the existing statutes governing the conduct of members. Three pieces of provincial legislation govern the conduct of members of Local Boards those being:

- *the Municipal Act as amended, and the Procedural By-law passed under section 238 of that Act;*
- *the Municipal Conflict of Interest Act as amended; and*
- *the Municipal Freedom of Information and Protection of Privacy Act.*

All members to whom this Code of Conduct applies shall serve the community in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

ADMINISTRATION

The Code of Conduct shall apply to all members of the Castle Kilbride Advisory Committee, Committee of Adjustment, Community Safety and Crime Prevention Engagement Committee, Dangerous Dog Designation Appeal Committee, Heritage Wilmot Advisory Committee, Property Standards Appeal Committee, Sustainability Working Group, and Wilmot Trails Advisory Committee of The

Corporation of The Township of Wilmot and any other Local Board that may be formed by resolution or by-law approved by Council. The Code of Conduct will be in effect each term and will be circulated to each member for their review. Members of Local Boards will be expected to sign two copies of the Code of Conduct (one for themselves and one for the Clerk's Office) to convey to each other and all stakeholders that they have read, understand and accept it. Failure to sign does not absolve the member from following the Code.

APPLICATION

Protocol for Complaint Process-Code of Conduct-Formal

The formal portion of the Complaint Process requires that a complaint be made in writing, setting out the grounds for the belief that there is an alleged contravention. Each complaint shall include any supporting evidence. The complaint shall be filed through the Clerk or Deputy Clerk.

Acceptance of Gifts and Benefits Prohibited

Members of Local Boards shall not solicit, accept, offer or agree to accept, a commission, reward, gift, advantage or benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance of his or her duties as a member of a Local Board, unless permitted by the exceptions listed below.

For these purposes, a fee or advance paid to or a gift or benefit provided with the member's knowledge to a member's spouse, child or parent or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member.

Members of Local Boards are not precluded from accepting:

- personal gifts, benefits, rewards, commissions or advantages from any person or organization not connected directly or indirectly with the performance or duties of office;
- political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- services provided without compensation by persons volunteering their time;
- token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the Corporation at an event; and
- Food, lodging transportation and entertainment provided by other levels of governments or by other local governments, boards or commissions;
- Communication to the offices of a member, including subscriptions to newspapers and periodicals;
- A reimbursement of reasonable expenses incurred in the performance of duties or office
- Gifts that are received as an incident of protocol or social obligation that normally and reasonable accompany the responsibility of office.

Members of Local Boards shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of public duties in the public interest.

CONFLICTS OF INTEREST

It is the responsibility of individual members of Local Boards to ensure that they are aware and trained in the application of the Municipal Conflict of Interest Act. The onus is on the member to identify a conflict of interest, and he/she shall take the appropriate action to disclose/identify the existence of a conflict in favour of his/her public duty.

- A conflict exists when an individual is, or could be, influenced, or appear to be influenced by a personal interest, financial (pecuniary) or otherwise, when carrying out their public duty. Personal interest can include direct or indirect pecuniary interest, bias, prejudgement, close mindedness or undue influence.
- Council members must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their public or professional duties in accordance with statutory requirements. When considering whether or not a conflict exists, it is important to consider whether there are any grounds for a reasonable person to think that a conflict exists.
- Members of Local Boards are required to fill out a Declaration of Interest Form when declaring a pecuniary interest during a Meeting. The form is available at the Clerk's Office or from staff liaisons to the Local Board.
- The Township of Wilmot Integrity Commissioner is available to consult or educate members of Local Boards on potential conflicts. Such requests must be received in writing.

Recognizing that it is impossible to anticipate all possible conflicts that may arise during a member's term and, those conflicts may not be only pecuniary in nature, it is generally advisable to be as open as possible. It is not enough that a conflict not exist, it must also be seen by taxpayers not to exist.

It is the responsibility of individual members of Local Boards to obtain independent legal advice or advice of the Integrity Commissioner with respect to any situation that might arise whereby there is a potential for a conflict of interest and to not require or attempt to burden staff members to assist in the determination of a conflict of interest for individual members of Council.

CONFIDENTIALITY

All information, documentation or deliberation received, reviewed or taken in closed meetings or portions of a closed meeting of the Local Board is confidential.

Members of Local Boards have a duty to hold in strict confidence, all information concerning matters dealt with at closed meetings or portions thereof that are determined to be confidential by the CAO, Clerk, staff liaisons, chair of the Local Board or as specifically declared by Council. A Member of a Local Board shall not, either directly or indirectly, release, make public or in any way divulge any such information or any aspect of the closed meeting to anyone, unless expressly authorized by the CAO, Clerk, staff liaisons, chair of the Local Board, Council or required by law (Court or Judge's Order) to do so.

Members of Council shall not release information in contravention of the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M. 56.

The following matters are deemed confidential:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman appointed by the Township, or a closed meeting investigator.

This list is provided as an example and is not exclusive. Requests for information should be referred to appropriate staff to be addressed as either an informal request for access to municipal records or as a formal request under the Municipal Freedom of Information and Protection of Privacy Act.

COMMUNICATIONS AND MEDIA RELATIONS

Members of Local Boards will accurately and adequately communicate the attitudes and decisions of Wilmot Council and the Local Board, even if they disagree with a majority decision so that;

- there is respect for the decision-making process of Council and the Local Board
- official information related to decisions and resolutions made by Council and the Local Board will normally be communicated in the first instance to the community and the media in an official capacity by the Mayor or Township staff;
- information concerning adopted policies, procedures and decisions of the Council or Local Board is conveyed openly and accurately; and
- confidential information will be communicated only when and after determined by Council

USE OF MUNICIPAL PROPERTY, SERVICES AND OTHER RESOURCES

No member shall use for personal purposes any municipal property, equipment, services, supplies or services of consequence other than for purposes connected with the discharge of duties or associated community activities of which the Township has been advised.

No member shall obtain financial gain from the use of municipally developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Township of Wilmot.

No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

WORK OF A PERSONAL NATURE

No member shall use municipal facilities, services or property for his or her personal or business use unless in accordance with township procedures and fee schedules.

No member shall use the services of municipal employees for his or her personal or personal-business during the hours in which the employees are in the paid employment of the municipality.

CONDUCT AT COUNCIL / COMMITTEE MEETINGS

Members shall conduct themselves with decorum at meetings in accordance with the provisions of the Procedural By-law. Respect for delegations and for fellow members and staff requires that all members show courtesy and not distract from the business of the Council during presentations and when other members have the floor. Use of mobile devices is discouraged for this reason. Members are encouraged to turn devices off or to silent or airplane mode during meetings.

USE OF MUNICIPAL TECHNOLOGY RESOURCES

The Township of Wilmot is the sole owner of all municipal hardware, software and licensing, and reserves the right to examine all files, e-mail directories and other information stored on Township computers, tapes and disks. Software is normally copyrighted, and no individual may copy or distribute the software unless expressly permitted to do so under the applicable licence.

BUSINESS RELATIONS

No member shall borrow money from any person who regularly does business with the municipality or Local Board unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No member shall act as a paid agent before Council or a committee of Council or any agency.

EXPENSES

Members shall comply with the provisions of the Township of Wilmot Policy No. 8-3.1 Compensation/Mileage Allowance, and 6-3.2 Expense Allowance - Conferences, Conventions, Seminars, Training Courses and Workshops. These policies are available from any Township staff.

REPRESENTING THE MUNICIPALITY

Members shall make every effort to participate diligently in the activities of the Local Boards to which they are appointed.

INFLUENCE ON STAFF

Members shall be respectful of the fact that staff work for the municipality as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group or members of a Local Board.

In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the municipality, and are required to do so without any undue influence from any individual member or group of members of Council.

The Council directs the business of the municipality and passes by-laws, or resolutions as appropriate, for decisions adopted by Council. Council has delegated responsibility to the Chief Administrative Officer for the administration of the affairs of the municipality in accordance with the by-laws adopted. This means that under the direction of the CAO, staff have the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy.

Accordingly, staff establishes the appropriate administrative policies, systems, structures and internal controls to implement the goals and objectives of Council, and to manage implementation within the resources at their disposal. Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions.

ENCOURAGEMENT OF RESPECT FOR THE MUNICIPALITY. ITS BY-LAWS AND POLICIES

Members shall encourage public respect for the municipality and its bylaws and policies.

HARASSMENT or BULLYING (Psychological Harassment)

Harassment of another member of a Local Board, Council, staff or any member of the public is misconduct. It is the policy of the Township of Wilmot that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

Harassment may be defined as any behaviour / activity by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status and any other grounds under the provisions of the Ontario Human Rights Code.

Bullying (ongoing health or career-endangering mistreatment) of another member of Council, staff or any member of the public is misconduct. Unlikely to involve physical violence, it usually takes the form of psychological abuse. Often, verbal and strategic insults are intended to prevent targets from being successful in their job/position.

INTERPRETATION

Members seeking clarification of any part of this Code should consult with the Integrity Commissioner.

INTEGRITY COMMISSIONER

An Integrity Commissioner shall be appointed by by-law and will act in an independent manner. The Commissioner and every person acting under the

instructions of the Commissioner shall preserve confidentiality with respect to all matters that come to his or her knowledge in the course of his/her duties, in accordance with the Municipal Act, as amended. The Integrity Commissioner will investigate formal written complaints and may at his/her discretion conduct investigations in accordance with the Public Inquiries Act. The Integrity Commissioner may refuse to investigate allegations that the Integrity Commissioner deems to be frivolous or vexatious or beyond his jurisdiction.

The Integrity Commissioner Shall:

1. Investigate within 30 days of receipt of a formal written request and prepare a written report and recommendation for Council. Additional time, if justifiable, may be authorized by a resolution of Council;
2. Determine if a member or members have committed a breach of the code;
3. Recommend disciplinary action as set out in the Municipal Act;
4. Provide an annual report to Council for review. This report shall provide a list of investigations completed and underway.

The Integrity Commissioner may consult with legal counsel as may be required in determining points of law.

AMENDMENTS TO THE CODE

Council may, from time to time, make amendments to the documents referenced in this Code of Conduct. Also, the Province of Ontario may make amendments to Provincial legislation referenced in this Code of Conduct. Such amendments shall not void this Code or absolve any member from their responsibilities as noted in the Code.

If such amendments occur, members of Local Boards will be advised accordingly by Township staff.



Township of Wilmot **REPORT**

REPORT NO. **DS 2019-06**

TO: **Council**

PREPARED BY: **Harold O'Krafka, Director of Development Services**

DATE: **February 25, 2019**

SUBJECT: **Township of Wilmot Response
Proposed Amendment No. 1 to the Growth Plan for the
Greater Golden Horseshoe (2017)**

Recommendation:

That Report DS 2019-06 be received for information; and,

That Report DS 2019-06 be forwarded to the Minister of Municipal Affairs and Housing as the formal Township of Wilmot response to Proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe (2017).

Background:

As Council is aware the Province of Ontario introduced the Growth Plan for the Greater Golden Horseshoe in 2006 to provide direction to the municipalities within the Greater Golden Horseshoe on matter of Provincial interest.

More recently, the Province overhauled and updated the Growth Plan in July of 2017 and requires that municipalities review and bring their Official Plans into conformity with it within 5 years (2022). Due to the timing of the release of the 2017 plan during the Townships Official Plan review, many of the requirements were addressed through OPA #9, save and except those amendments that require action on the part of the Region of Waterloo through a Municipal Comprehensive Review (MCR) prior to Township action.

Proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe (2017) was released by the Province of Ontario on January 15, 2019 for public input and feedback prior to February 28, 2019.

The Amendment would further modify the current Growth Plan which came into effect on July 1, 2017 and to a large extent addresses some of the implementation issues raised by municipalities in response to the 2017 Plan.

Specifically the Growth Plan is a policy document that attempts to implement smart growth and healthy complete communities by curbing urban sprawl, increasing densities and housing options, protecting employment lands, protecting farmland and protecting the natural environment.

As indicated previously, the release of the 2017 Growth Plan generated a number of concerns respecting the implementation and in response the Province held a number of stakeholder sessions on various aspects of the plan to discuss how implementation might best be achieved.

Amendment 1 to the Growth Plan would appear to be intended to address the concerns raised and simplify and streamline the implementation of the Plan and for the most part Township staff are supportive of the amendment. There are a couple areas of concern however which staff believe should be highlighted to the Province as part of the Township's formal response.

Discussion:

The changes proposed by Amendment No 1 in general relate to clarifying intensification targets, clarifying density targets, establishing a new level of protection for "Provincially Significant" employment zones; modifying the limitations on some employment land conversions, allowing for net zero settlement boundary rationalizations, allowing for rounding out of rural settlements and allowing for lower tier settlement boundary expansions prior to the completion of an upper tier Municipal Comprehensive Review (MCR).

A brief synopsis of the more significant proposed modifications is as follows:

Clarifying Intensification Targets

The 2017 Growth Plan required that intensification targets for Waterloo Region as a whole were required to hit a target of 50% by the year 2031 and 60% thereafter. The proposed amendment moves the benchmark to 60% beginning when the Regional Plan is brought into conformity with the Growth Plan (ie prior to 2022) and the Region has expressed some concerns with its ability to achieve the 60% percent target prior to 2031.

From the Township's perspective our respective share of the intensification was increased through OPA 9 from our historical average of 17% to a target of 30% and we do not anticipate this requirement being modified within the Regional context. Other Townships have targeted a more conservative 20% intensification rate and it is conceivable that the Region may require more significant increases to these targets as part of achieving the 60% Regional target.

In general the expectation of the Growth Plan is that municipalities 'do better' and in that regard staff are of the opinion that OPA 9 requires just that – an approximate doubling of historical intensification rates in Wilmot Township represents a commitment to 'do better'.

Clarifying Density Target

The Growth Plan set the density target for 'outer ring' municipalities (of which Waterloo Region is part) to be 80 residents and jobs per hectare as an aggregate target across the Region of Waterloo. The proposed amendment lowers that requirement to 60 residents and jobs per hectare.

Township staff have no concerns with the reduction to the overall density target which will still dramatically intensify the nature of greenfield development within the Township and which will still result in achieving a range of housing types on less land.

Rural Settlement Definition

The amendment to the Growth Plan also proposes to modify the definition of what constitutes Designated Greenfield Areas (DGA) in order to remove rural settlements as forming part of the DGA and thus removing their impact from the calculation of density. Having said that, only those rural settlements on private services would be removed if the amendment proceeds as written. The Region of Waterloo has proposed, and Township staff concur, that all rural settlements including those with partial services should be removed from the calculation.

The calculation of average density across all residential neighbourhoods is significantly lowered if large lot rural residential lots on private septic systems are included in the average. The impact is that to achieve the required density new greenfield developments would need to 'make up the difference' which is particularly burdensome in rural municipalities throughout the Greater Golden Horseshoe.

By eliminating the large lot, low density development in rural settlements and focusing only on the density of our fully serviced urban settlements of Baden and New Hamburg the impact of "density compensation" (RMOW term) is an increase in existing average density and a more reflective measurement of progress.

Provincially Significant Employment Zones

Through the proposed amendment the Province introduces the concept of Provincially Significant Employment Zones. The amendment identifies 29 zones of employment lands throughout the Province which are considered key and which cannot be converted to non-employment uses outside of a Municipal Comprehensive Review.

While 3 of the zones are within Waterloo Region, none them are within Wilmot Township and as such Township staff have no concerns with the creation of this policy environment.

Employment Land Conversions

Under current Growth Plan policies the conversion of employment lands to other non-employment uses cannot be completed outside of a MCR by an upper tier. As such, two areas of proposed conversion are effectively frozen within Wilmot Township until such time as the Region completes its MCR: the Creamery site in New Dundee, and the Mill District in Baden.

Under the proposed amendment the Township would be permitted to consider the conversion of employment lands prior to the completion of the MCR provided the conversion maintains a significant number of jobs.

This may benefit the consideration of the Baden Mill District / Urban Growth Centre as the intent of the designation is to maintain employment within the district while providing an opportunity for the incorporation of residential intensification projects as well.

The Creamery lands would not benefit from the proposed amendment as the expectation is that the conversion would be to strictly residential uses.

Settlement Boundary Rationalizations

The proposed amendment also introduces permission for net zero settlement boundary rationalizations outside of an MCR in similar fashion to the process completed by Wilmot Township under the policies of the Regional Official Plan.

Township staff support allowing municipalities to rationalize their residential greenfield designations in a 'net zero' fashion based on the positive outcome of the OPA 9 exercise.

Effectively it a policy which encourages municipalities to 'use what they have' before 'planning for more' and in so doing promotes a culture of minimizing the impact of growth on the agricultural resource.

As Council is aware the result of the rationalization exercise in Wilmot was a net return of lands to agricultural designation. While the benefit could be argued to be a 'paper' benefit only it is fair to say that the exercise did not create a greater impact on agriculture lands and indeed a consolidated impact if any rather than the widespread multi-faceted impact throughout the Township prior to OPA 9.

While this direction is supported by Township staff the following two proposed allowances would seem to undermine the value of introducing the rationalization tool.

Settlement Boundary Expansions

The proposed amendment also introduces a framework for settlement boundary expansions of up to 40ha prior to the completion of an MCR.

Regional staff have expressed concerns with the proposed policy and in general Township staff would support that concern inasmuch as it has the potential to undermine the intent of not only the MCR process but also to negate the value of introducing the Settlement Boundary Rationalization.

The rationalization process suggests using what you have before planning for more. The settlement boundary expansion allowance suggests add some land now and then incorporate it into comprehensive plans later – a “residential lands pay-day loan” if you will.

Staff do not believe that the policy lends itself to the overall goal of the Growth Plan.

Rounding Out of Rural Settlements

A further policy to provide for the rounding out of Rural Settlements is also introduced within the proposed amendment is of questionable value again inasmuch as it negates the value of the Boundary Rationalization process.

The Township, and Region have spent the better part of 30 years refining and reducing the boundaries of Rural Settlements with a goal to minimizing the development of new housing on large lots and private services in an attempt to minimize the impact of growth on the agricultural lands surrounding our rural settlements.

The policy has the potential to reintroduce residential development pressures throughout the rural areas of the Township and to that extent undermines the principle of Smart Growth in Wilmot Township and throughout the rural areas of the Greater Golden Horseshoe.

Strategic Plan Conformity:

Commenting on the planning policies proposed by Amendment No 1 to the Growth Plan for the Greater Golden Horseshoe (2017) allows the Township to promote the four goals of its strategic plan namely: We enjoy our quality of life, We are an engaged community, We protect our natural environment, and We have a prosperous economy.

Financial Considerations:

There are no financial impacts as a result of providing comments to the Province on the proposed amendment.

Conclusion:

In conclusion staff recommend that Report DS 2019-06 be forwarded as the comment of the Township of Wilmot on Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe (2017).

Many of the proposed amendment are supportive of the planning process the Township has undertaken with OPA 9 in recent years and to that extent staff support the amendment.

Having said that there are some components of the amendment which seem to contradict and undermine smart growth in rural municipalities and to that extent staff recommend that the Province give consideration to further modifications or elimination of policies related to boundary expansions in the absence of an MCR and minor rounding out of rural settlements.

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Prepared / Submitted by Director of Development Services

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Reviewed by Chief Administrative Officer