



Council Meeting Agenda Regular Council Meeting

Monday, December 6, 2021

7:00 p.m.

Virtual Location

This meeting is open to the public and is available through an online platform. Please subscribe to the Township of Wilmot You Tube Channel to watch the live stream or view after the meeting. Delegations must register with the Information and Legislative Services Department. The only matters being discussed at this meeting will be those on the Agenda.

Pages

1. MOTION TO CONVENE INTO CLOSED MEETING

RECOMMENDATION

THAT a Closed Meeting of Council be held on Monday, December 6, 2021, at 4:45 P.M. in accordance with Section 239(2), for the purposes of:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

2. MOTION TO RECONVENE IN OPEN MEETING

RECOMMENDATION

THAT Council reconvenes in Open Session at 7:00 p.m.

3. MOMENT OF SILENCE

4. TERRITORIAL ACKNOWLEDGEMENT

Councillor J. Pfenning

5. ADDITIONS TO THE AGENDA

6. ADOPTION OF THE AGENDA

RECOMMENDATION

That the Agenda as presented for December 6, 2021 be adopted.

**7. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL
CONFLICT OF INTEREST ACT**

8. MINUTES OF PREVIOUS MEETINGS

8

RECOMMENDATION

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

Regular Council Meeting November 22, 2021

9. PUBLIC MEETINGS

9.1. REPORT NO. DS 2021-032

38

Official Plan Amendment Application 01/21

Zone Change Application 08/21

Skyline Commercial Real Estate Holdings Inc. / GSP Group Inc.

66 Hincks Street, New Hamburg

Registered Delegations:

1. Mike Lucas

2. Chris and Emily Wilkinson

RECOMMENDATION

THAT Report DS 2021-032 be received for information.

10. PRESENTATIONS

10.1. Project Grand River

10.1.1. REPORT NO. COR 2021-041

61

Project Grand River

RECOMMENDATION

WHEREAS on October 4, 2021 Council of The Corporation of the Township of Wilmot approved the Memorandum of Understanding (MOU) between The Corporation of the Township of Wilmot, The Corporation of the City of Kitchener, The Corporation of the City of Waterloo, The Corporation of the Township of Woolwich, The Corporation of the Township of Wellesley, Kitchener Power Corp. (KPC), and Waterloo North Hydro Holding Corporation (WNH), regarding the proposed merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their subsidiaries Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc.;

AND WHEREAS The Corporation of the Township of Wilmot is the beneficial and registered owner of 7.75% of the issued and outstanding shares in the capital of KPC and The Corporation

of the City of Kitchener is the beneficial and registered owner of 92.25% of the issued and outstanding shares in the capital of KPC;

AND WHEREAS the Corporation of the City of Waterloo is the beneficial and registered owner of 73.2% of the issued and outstanding shares in the capital of WNH, the Corporation of the Township of Woolwich is the beneficial and registered owner of 20.2% of the issued and outstanding shares in the capital of WNH, and The Corporation of the Township of Wellesley is the beneficial and registered owner of 6.6% of the issued and outstanding shares in the capital of WNH;

AND WHEREAS KPC owns all of the issued and outstanding shares in the capital of Kitchener-Wilmot Hydro Inc. ("KWHI") (an OEB-regulated electricity distributor) and Kitchener Energy Services Inc. ("KESI"), and has minority interest in Grand River Energy Solutions Inc.;

AND WHEREAS WNH owns all of the issued and outstanding shares in the capital of Waterloo North Hydro Inc. ("WNHI") (an OEB-regulated electricity distributor) and Alliance Metering Solutions Inc. ("AMS"), and has a minority interest in Grand River Energy Solutions Inc. and Eyedro Green Solutions Inc.;

AND WHEREAS the conditions set out in the MOU have been satisfied and incorporated into a more detailed "Merger Participation Agreement" (MPA), to be signed by all parties;

AND WHEREAS KPC and WNH recently completed a public input process related to the proposed merger, referred to as "Connecting Local Power", with no major concerns being raised by members of the public that would prevent the parties from proceeding with the proposed transaction;

AND WHEREAS all parties agree that it is beneficial for KPC and WNH to proceed with a proposed merger to amalgamate KPC and WNH and related subsidiaries under a new municipally owned corporation (Amalco Holdco) with municipal ownership share as follows (rounded):

- City of Kitchener 53.4%
- City of Waterloo 30.8%
- Township of Woolwich 8.5%
- Township of Wilmot 4.5%
- Township of Wellesley 2.8%

AND WHEREAS a Unanimous Shareholders' Agreement (USA) has been prepared, to be signed by all parties after the merger has been approved by the Ontario Energy Board, that outlines governance and other corporate considerations for the newly formed entity;

NOW THEREFORE IT BE RESOLVED that the Council of The Corporation of the Township of Wilmot hereby grants its approval as Shareholder, to proceed with the proposed merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their subsidiaries Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc.; in accordance with the provisions of the MPA and USA Agreements; and further,

THAT the Mayor and Clerk be authorized to execute the MPA and USA agreements as well as any incidental documentation determined to be necessary, by their Legal Counsel in consultation with the Township's Director of Corporate Services / Treasurer, to complete this merger; said agreements /documentation to be to the satisfaction of the Township Solicitor; and further,

THAT an application (MAADs application) under the Ontario Energy Board Act 1998 be submitted jointly by KWHI and WNHI to seek approval of the merger and related relief from the Ontario Energy Board.

10.2. Shop Local Bingo
Lilliane Dunstall

10.2.1. REPORT NO. DS 2021-037
Shop Local Bingo

107

RECOMMENDATION

THAT Report DS 2021-037 be received for information.

11. CONSENT AGENDA

11.1. REPORT NO. DS 2021-035

111

Billboard Sign Renewals

RECOMMENDATION

THAT Report No. DS 2021-035 be approved.

12. REPORTS**12.1. DEVELOPMENT SERVICES****12.1.1. REPORT NO. DS 2021-033**

115

Zone Change Application 06/21

Concept Development Group Inc. / MHBC

Part of Lot 14, Concession North of Snyder's Road

Parts 1 and 2, Plan 58R-1966

162 Snyder's Road East, Baden

Registered Delegations:

1. Andrea Sinclair, MHBC

2. Jen Zielman

RECOMMENDATION

THAT Council approve Zone Change Application 06/21 made by Concept Development Group

Inc. / MHBC, affecting Part of Lot 14, Concession North of

Snyder's Road being Parts 1 and 2,

Plan 58R-1966, to:

1. permit multiple residential units without a commercial use on the main floor,

2. reduce the parking ratio for apartment units from 1.5 spaces per unit to 1.2 spaces per unit,

3. reduce the minimum rear yard setback for the building from 7.5m to 4.6m, and

4. reduce the exterior side yard setback for the building from 6.0m to 5.2m.

12.1.2. REPORT NO. DS 2021-034

126

Telecommunication Tower Protocol Review

RECOMMENDATION

THAT Report DS 2021-034 be received for information.

12.1.3. REPORT NO. DS 2021-30

152

Metrolinx / GO Transit

Planning for Access to Higher Order Transit

RECOMMENDATION

THAT Report DS 2021-030 be received for information; and,

THAT staff be directed to initiate discussions with Metrolinx to discuss both short term and long term opportunities for the residents of the Township of Wilmot to conveniently access GO train service, ideally within the future development corridor between Baden and New Hamburg.

12.2. PARKS, FACILITIES AND RECREATION SERVICES**12.2.1. REPORT NO. PFRS 2021-18**

160

Third Ice Pad Location Study - Preliminary Findings Summary Report

RECOMMENDATION

THAT the Third Ice Pad Public Consultation Summary Report be received;

AND FURTHER THAT staff be directed to proceed with a conceptual design and order of magnitude costing for a third ice pad at the Wilmot Recreation Complex site as recommended by consultants Monteith Brown Planning Consultants Ltd. and supported by public consultation;

AND FURTHER THAT staff be directed to present the conceptual design and order of magnitude costing to Council in Q1 of 2022.

12.3. FIRE SERVICES**12.3.1. REPORT NO. FR 2021-06**

168

Emergency Management Program By-law, Terms of Reference and IMS Emergency Response Plan

RECOMMENDATION

THAT Council approve the updated Emergency Response By-law;

AND FURTHER THAT Council adopts both the new IMS Emergency Response Plan and the Emergency Management Program Committee Terms of Reference attached.

13. CORRESPONDENCE**RECOMMENDATION**

That Correspondence Item No. 13.1 be received for information.

13.1. Integrity Commissioner Report Nos. IC-2021-03 and IC-2021-07

207

14. BY-LAWS**RECOMMENDATION**

THAT By-law Nos. 2021-57 and 2021-58 be read a first, second and third time and finally passed in Open Council.

14.1. By-law No. 2021-57

Emergency Management Plan By-law

14.2. By-law No. 2021-58

Zone Change Application 162 Synder's Road East

224

15. NOTICE OF MOTIONS**16. ANNOUNCEMENTS****17. BUSINESS ARISING FROM CLOSED SESSION****18. CONFIRMATORY BY-LAW****RECOMMENDATION**

THAT By-law No. 2021-59 be introduced, read a first, second, and third time and finally passed in Open Council.

19. ADJOURNMENT**RECOMMENDATION**

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



Council Meeting Minutes

Monday, November 22, 2021

Closed Council Meeting

5:15 P.M.

Regular Council Meeting

Virtual

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 S. Chambers, Director of Information and Legislative Services / Municipal Clerk D. Mittelholtz, Director of Corporate Services / Treasurer P. Kelly, Director of Parks, Facilities and Recreation S. Jackson, Director of Public Works and Engineering J. Molenhuis, Director of Development Services H. O’Krafka, Manager of Information and Legislative Services / Deputy Clerk T. Murray.

1. MOTION TO CONVENE INTO CLOSED MEETING

Resolution No. 2021-249

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

THAT a Closed Meeting of Council be held on Monday, November 22, 2021, at 6:00 P.M. in accordance with Section 239(2), for the purposes of:

CARRIED.

2. MOTION TO RECONVENE IN OPEN MEETING

Resolution No. 2021-250

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

THAT Council reconvene in Open Session at 7:00 P.M.

CARRIED.

3. MOMENT OF SILENCE

4. TERRITORIAL ACKNOWLEDGEMENT

4.1. Councillor B. Fisher read the Territorial Acknowledgement.

5. ADDITIONS TO THE AGENDA

5.1 CORRESPONDANCE – Item 13.1 Prioritization of OHIP Covered Eye Care be added to the Agenda.

Resolution No. 2021-251

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

THAT Item 13.1 be added to the agenda under CORRESPONDANCE as **Prioritization of OHIP Covered Eye Care be added to the Agenda.**

CARRIED.

6. ADOPTION OF THE AGENDA

Resolution No. 2021-252

Moved by: Councillor A. Hallman Seconded by: Councillor B. Fisher

THAT the Agenda, as presented, for November 22, 2021, be adopted.

CARRIED.

7. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

7.1 None Disclosed

8. MINUTES OF PREVIOUS MEETINGS

8.1 Council Meetings Minutes Monday November 8, 2021

Resolution No. 2021-252

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

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

Regular Council Meeting November 8, 2021.

CARRIED.

9. PUBLIC MEETINGS

10. PRESENTATIONS

10.1 Grand River Transit Service Enhancement

Blair Allen

10.1.1 REPORT NO. COR 2021-039

GRT Route 77 Service Expansion

Resolution No. 2021-253

Moved by: Councillor C. Gordijk

Seconded by: Councillor J. Pfenning

THAT the Township of Wilmot support a service expansion for Route 77 Wilmot commencing in September 2022, as recommended in Region of Waterloo 2022 Proposed Budget Issue Papers, at an estimated increase of \$80,000 which will form part of the Regional tax levy to the Township.

CARRIED.

The Director of Corporate Services outlined the report and introduced Blaine Allen. Mr. Allen provided an overview presentation, attached as Appendix A.

The Director of Corporate Services advised that the 2021 Levy for Route 77 allocated \$171,000, the proposed service starting in September of 2022 would increase the levy by approximately \$80,000. He advised that once the service is running for a full year the costs would be approximately \$230,000 excluding any revenues generated.

Mr. Allen clarified that new services are typically introduced in September of each year and that the budget outlined for 2022 allocates approximately 1/3 of the budget and to move that timeline would require further budget requirements and potential vehicle and staffing scheduling.

Mr. Allen advised that they are aware of additional service requests for evenings and weekends. He noted that budget does factor into the current service allotment and there are additional mid-day service and a small evening increase, noting that weekends require more resources.

Mr. Allen advised that the spike in ridership in 2019, some service changes and addition of ION did impact the entire network due to the awareness of transit. He noted that the decrease in ridership following that was due to the strike and then the impact of COVID.

Mr. Allen advised that expansion to the rural areas of the Townships are expected to be tested in 2022 in Breslau for on demand transit, which would then use that pilot project to determine how to be serve the rural areas.

Mr. Allen advised that bus shelter criteria is being updated and expected to be complete in early 2022. He advised that moving forward with technology, locations for bus shelters will be easier to identify. He advised that estimated costs, based on historical installations, are approximately \$15,000 for each location. He advised that the life expectancy of a bus shelter could potentially be 15 years, noting the glass and vandalism are a factor.

10.2 Snyder Drain Engineer Report

Joel Miller, K. Smart

10.2.1 REPORT NO. ILS 2021-42

Consideration of Drainage Engineer's Report

For the Snyder Drain, South Part of Lot 18, Concession North of Bleams Road, Township of Wilmot

Resolution No. 2021-254

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

THAT the Drainage Engineer's Report dated September 22, 2021 for the Snyder Drain requiring drainage for the South Part of Lot 18, Concession North of Bleams Road, Township of Wilmot, be received, and further;

THAT the Provisional By-law be given a first and second reading; and further,

THAT the date for the Court of Revision be scheduled and that Mayor L. Armstrong and Councillors B. Fisher, A. Hallman be appointed to the Court of Revision.

CARRIED.

The Manager of Information and Legislative Services / Deputy Clerk outlined the report and introduced Mr. Joel Miller, who provided an overview of the Engineer's Report. Mr. Miller showed a map of the proposed drain, advising that the proposed drain would

replace a privately maintained ditch and incorporating some existing piping, noting that the total service area is approximately 700 acres with an estimated cost of \$622,000. He advised that a standard requirement to screen for species at risk, which was done in part of preparing the report, and there were no species at risk identified for this particular service area.

Mr. Miller explained the benefits of below ground pipe installations can assist with erosion control, and making the most of the available land for agricultural uses. He noted that for this particular drain, there would be no negative environmental impacts.

Mr. Stewart Snyder appeared as a delegation, he advised that he is one of the 3 petitioners of this drain. He thanked K. Smart for the work they have done on this drain, noting that the only concern he has is that the Drainage Act references data for tile drains based on old information and he is concerned that with time a larger pipe will be required to adjust for the future developments in the area.

Mr. Miller explained that the approach taken on the pipe sizing is based on the guideline recently produced by OMAFRA, noting that the pipes are sized to allow for water to move downstream. Mr. Miller advised that the current practice has been in place since approximately 2010. He noted that at the time of tendering, a provisional option could be included to allow for quotes on other pipe sizes and that there are options to look at, at the time of construction.

Mr. Miller advised the drain is designed to allow for proposed developments and good stormwater management. Mr. Miller advised that the design also takes into consideration that the soccer fields remain as such and the Director of Parks, Facilities and Recreation advised that any potential developments at the Wilmot Recreation Complex would at this point it would be premature to consider at this time.

Mr. Ross Steckley appeared as a delegation on behalf of Mr. and Mrs. Wicker. He advised of their desire to stay on their farm and that they will be asking for deferral of their assessments at a future time.

10.3 Years of Service Recipients – Staff and Volunteer Fire Fighters

Mayor L. Armstrong

Mayor L. Armstrong provided a presentation to recognize Years of Service milestones for staff and volunteer firefighters. His presentation is attached as Appendix B.

11. CONSENT AGENDA

11.1 REPORT NO. ILS 2021-43 Volunteer Member Appointment

Community Safety and Crime Prevention Engagement Committee

Resolution No. 2021-255

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

THAT Report No. ILS 2021-43 be approved.

CARRIED.

12. REPORTS**12.1 CORPORATE SERVICES****12.1.1 REPORT NO. COR 2021-038****Drain Maintenance Levy****Resolution No. 2021-256**

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

THAT Report COR 2021-038, prepared by the Manager of Finance / Deputy Treasurer, regarding Municipal Drain Levies be received for information purposes.

The Director of Corporate Services / Treasurer outlined the report.

12.2 INFORMATION AND LEGISLATIVE SERVICES**12.2.1 REPORT NO. ILS 2021-44****Encroachment Agreement****Tye Road Private Culvert Crossing****966565 Oxford Waterloo Road****Resolution No. 2021-257**

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

THAT Council authorize the Mayor and Director of Information and Legislative Services to execute an agreement permitting an encroachment under Tye Road for the purposes of a private culvert crossing; and,

THAT any and all costs incurred by the Township in preparing, reviewing and executing the encroachment agreement be borne by the owner of 966565 Oxford Waterloo Road.

CARRIED.

13. CORRESPONDENCE

13.1 Prioritization of OHIP Covered Eye Care

Resolution No. 2021-258

Moved by: Councillor J. Pfenning

Seconded by: Councillor A. Hallman

WHEREAS routine eye care is critical in early detection of eye diseases like glaucoma, cataracts, and macular degeneration, and the health of eyes is critical to overall health and quality of life;

WHEREAS Conditions that may be detected with an annual eye exam include Diabetes mellitus, Glaucoma, Cataract, Retinal disease, Amblyopia (lazy eye), Visual field defects (loss of part of the usual field of vision), Corneal disease, Strabismus (crossed eyes) Recurrent uveitis (an inflammation of the uvea, the middle layer of the eye that consists of the iris, ciliary body and choroid), Optic pathway disease;

WHEREAS payments from OHIP have only increased 9% over the last 30 years, which has not come close to matching inflation of costs (which include rent, staff, utilities, equipment, taxes and supplies);

WHEREAS the lack of funding makes it difficult to invest in modern technology, and newer technology means earlier detection of eye disease;

WHEREAS the Provincial government refusal to formally negotiate with Optometrists for more than 30 years has forced the Optometrists to absorb approximately 173 million dollars annually in the cost to deliver eye care to Ontarians;

WHEREAS the 2021 Ontario Budget did not address OHIP-insured eye care, Ontario Optometrists took action and voted to withdraw OHIP services starting September 1, 2021, unless the government agrees to legally-binding negotiations to fund these services at least to the cost of delivery;

WHEREAS this job action will jeopardize good eye care for those who need the care of an optometrist the most and will have the greatest impact on the most vulnerable groups. Children—whose lifetime ability to learn and develop depends on good vision—to the elderly, who are at the greatest risk for vision-threatening ocular diseases.

THEREFORE, BE IT RESOLVED THAT the Township of Wilmot requests that the Provincial government recognize the value that access to quality eye care brings to all Ontarians and act now to protect it;

THAT the Provincial government address the OHIP-insured eye care immediately and enter into legally-binding negotiations with Ontario Optometrists to fund these services at least to the cost of delivery, prior to any job action taking place;

AND THAT a copy of this resolution be forwarded to Premier Ford, Ontario Minister of Health Christine Elliot, MPP Mike Harris, MP Tim Louis, and the Ontario Association of Optometrists to seek their support and be made publicly available.

CARRIED.

14. BY-LAWS

14.1 By-law No. 2021-52 Drain Maintenance Levy By-law

14.2 By-law No. 2021-53 Alpine Drain Actual Cost By-law

14.3 By-law No. 2021-54 Glen Shantz Drain Actual Cost By-law

Resolution No. 2021-259

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

THAT By-law Nos. 2021-52, 2021-53, and 2021-54 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

14.4 By-law No. 2021-55 Synder Municipal Drain Provisional By-law

Resolution No. 2021-260

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

THAT By-law No. 2021-55 Synder Municipal Drain Provisional By-law be introduced, and read a first and second time in Open Council.

CARRIED.

15. NOTICE OF MOTIONS**16. ANNOUNCEMENTS**

16.1 Councillor A. Hallman advised that the Santa Claus Reverse Parade will be happening at the New Dundee Community Centre on Saturday December 4, 2021 from 11:00 am to 1:00 pm.

16.2 Councillor B. Fisher advised that the Santa Claus Parade will be on December 4, 2021 from 12:00 pm to 3:00 pm in Baden including a Food Bank drive.

17. BUSINESS ARISING FROM CLOSED SESSION**18. CONFIRMATORY BY-LAW****18.1 By-law No. 2021-56****Resolution No. 2021-261**

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

THAT By-law No. 2021-56 to Confirm the Proceedings of Council at its Meeting held on November 22, 2021 be introduced, read a first, second, and third time and finally passed in Open Council.

CARRIED.

19. ADJOURNMENT**Resolution No. 2021-262**

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

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

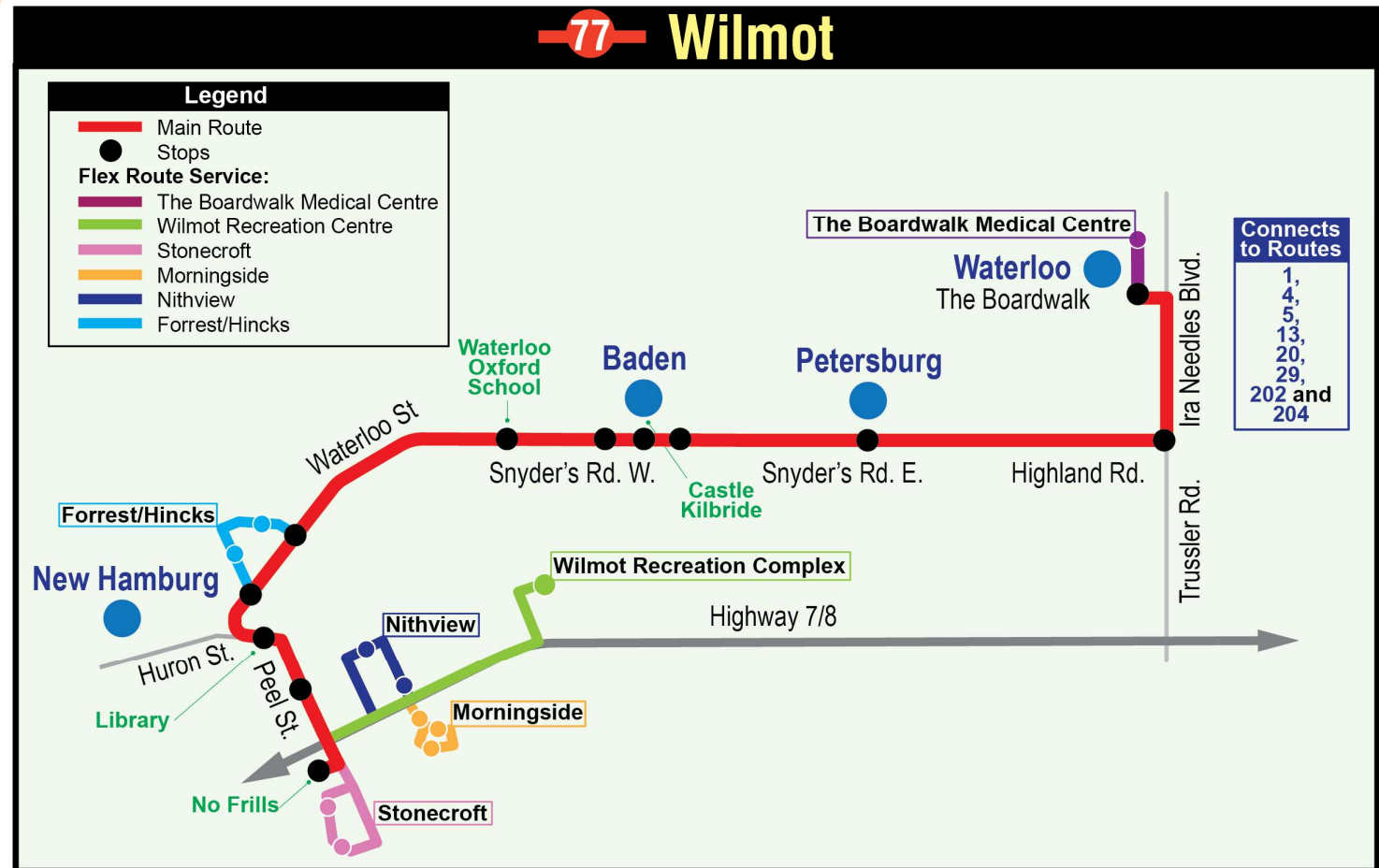
CARRIED.



Route 77 Wilmot

November 22, 2021

Route Overview



Route History

April 2016
MTO awards
funding. Route
77 pilot begins.



March 2017
Route becomes
permanent,
funded through
Region's
budget.



June 2017
Additional
funds from
MTO allow
extension of
service hours.



**September
2020**
Potential
frequency
improvements
deferred.

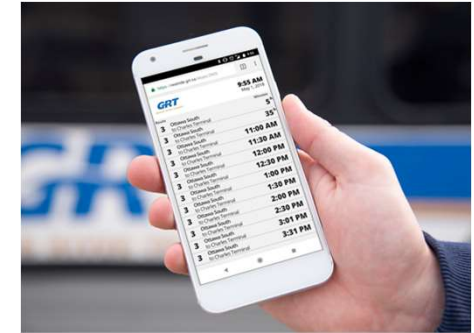


**September
2021**
Pending
approval,
implement
deferred
frequency
improvements.

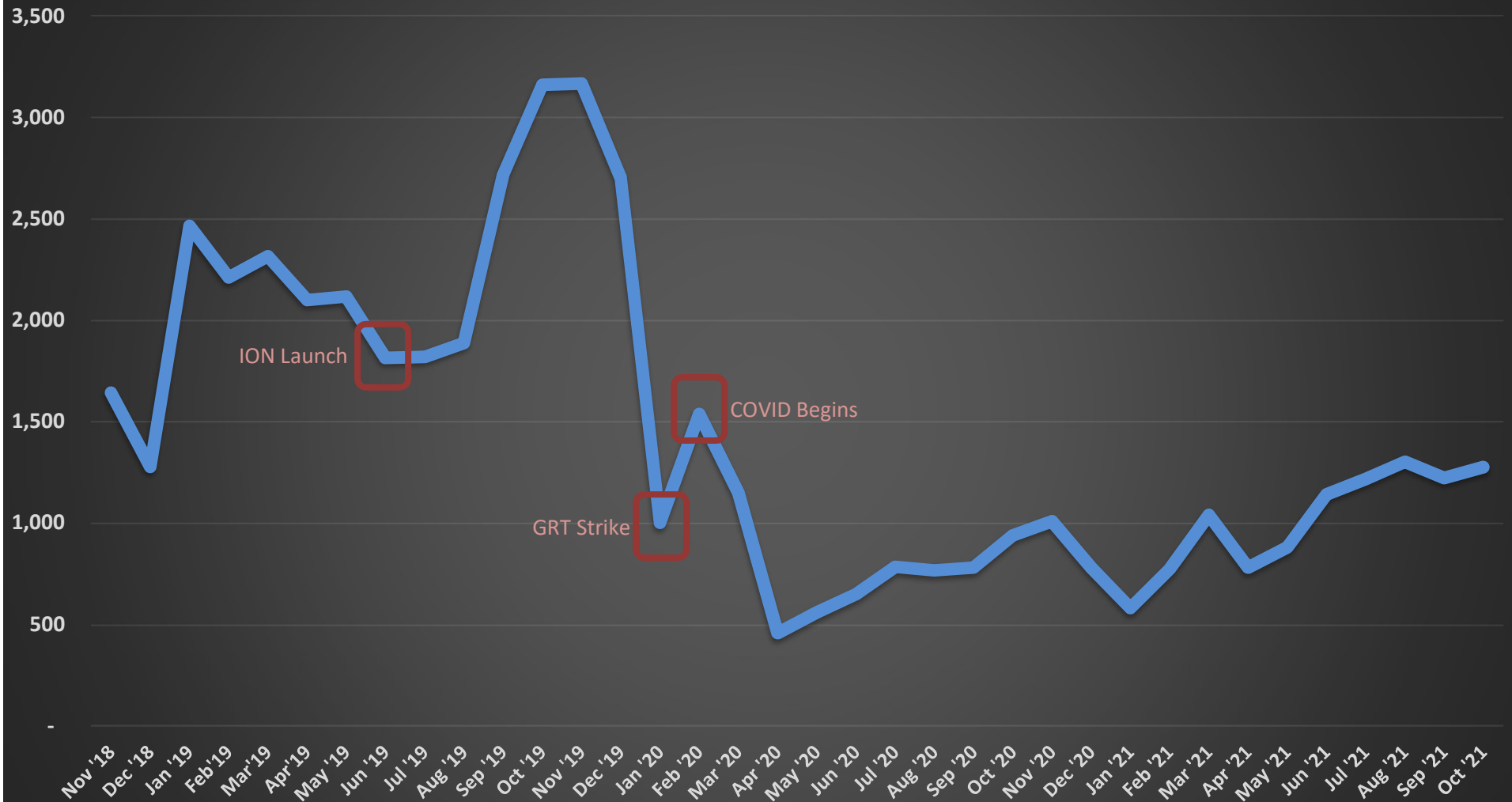


Updates

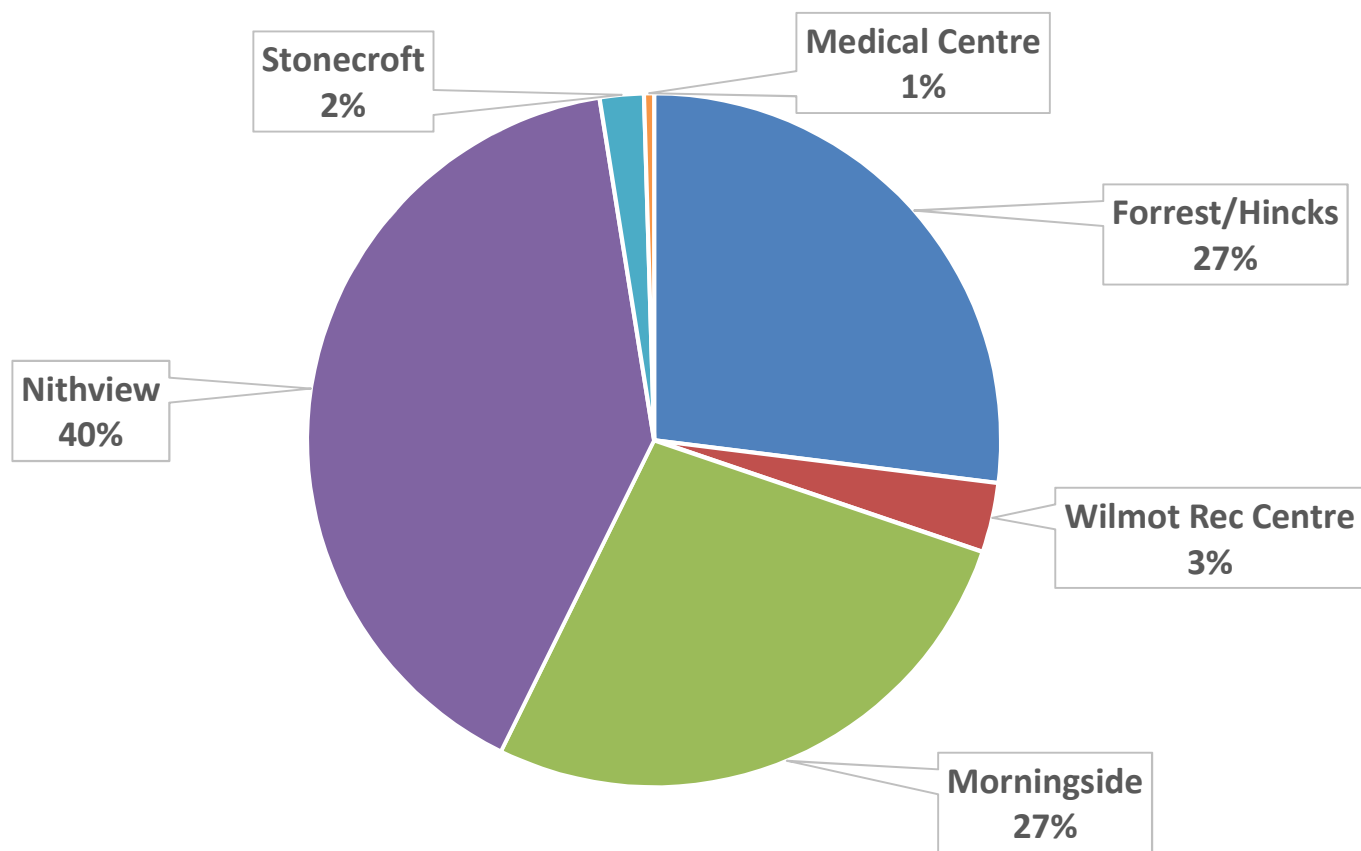
- Real time update:
 - Equipment required is on site
 - Installation plan delayed due to COVID
- Electronic fare systems update:
 - High priority
 - Next step: first units to be installed in December/January



Route 77 Boardings



Pre-Pandemic Flex Route Usage



Flex route usage has changed during COVID.

Feedback

- Top requests continue to be:
 - Frequency improvements
 - Extended service hours
 - Weekend service
- Waterloo Oxford DSS bell times
- Additional running time for schedule adherence

Proposed 2022 Improvements

Weekday Only							
To New Hamburg				To The Boardwalk			
The Boardwalk (Depart)	Snyder's / Notre Dame	Waterloo Oxford D.S.S.	No Frills Grocery (Arrive)	No Frills Grocery (Depart)	Waterloo Oxford D.S.S.	Snyder's / Notre Dame	The Boardwalk (Arrive)
A	B	C	D	D	C	B	A
7:00	7:07	7:15	7:24	6:30	6:40	6:48	6:56
8:00	8:07	8:15	8:24	7:30	7:40	7:48	7:56
9:15	9:22	9:30	9:39	8:45	8:55	9:03	9:11
10:30	10:37	10:45	10:54	10:00	10:10	10:18	10:26
11:45	11:52	12:00	12:09	11:15	11:25	11:33	11:41
3:15	3:22	3:30	3:39	2:34	2:44	2:52	3:00
4:30	4:37	4:45	4:54	4:00	4:10	4:18	4:26
5:45	5:52	6:00	6:09	5:15	5:25	5:33	5:41
7:00	7:07	7:15	7:24	6:30	6:40	6:48	6:56

1. Add a second vehicle to Route 77
2. Increase frequency to 40-45 min (currently 75 min)

Additional Route 77 Service*

The Boardwalk	Snyder's/ Notre Dame	Waterloo Oxford	No Frills Grocery	No Frills Grocery	Waterloo Oxford	Snyder's/ Notre Dame	The Boardwalk
625a	632a	640a	649a	630a	641a	649a	700a
705a	712a	720a	729a	710a	721a	729a	740a
745a	752a	800a	809a	750a	801a	809a	820a
825a	832a	840a	849a	830a	841a	849a	900a
905a	912a	920a	929a	910a	921a	929a	940a
945a	952a	1000a	1009a	950a	1001a	1009a	1020a
1025a	1032a	1040a	1049a	1030a	1041a	1049a	1100a
1105a	1112a	1120a	1129a	1110a	1121a	1129a	1140a
1145a	1152a	1200p	1209p	1150a	1201p	1209p	1220p
225p	232p	240p	249p	230p	241p	249p	300p
305p	312p	320p	329p	310p	321p	329p	340p
345p	352p	400p	409p	350p	401p	409p	420p
425p	432p	440p	449p	430p	441p	449p	500p
505p	512p	520p	529p	510p	521p	529p	540p
545p	552p	600p	609p	550p	601p	609p	620p
625p	632p	640p	649p	630p	641p	649p	700p
705p	712p	720p	729p	715p	726p	734p	745p

*Draft Schedule. Subject to consultation and further changes

Frequency Improvement Benefits

- Tend to have a higher rate of return & ridership
- Address schedule adherence issues
- Additional time for flex stops
- Address W-O High School requests
- Evaluate additional stop requests along existing route for new developments
- Match better with urban busPLUS routes
- Evaluate flex routes as permanent



Recommendation

THAT the Township of Wilmot support a service expansion for Route 77 Wilmot commencing in September 2022, as recommended in Region of Waterloo 2022 Proposed Budget Issue Papers, at an estimated increase of \$80,000 which will form part of the Regional tax levy to the Township.



Region of Waterloo

Thank You

Chantelle Thompson

Principal Planner

cthompson@regionofwaterloo.ca

Blair Allen

Supervisor Transit Development

ballen@regionofwaterloo.ca



Years of Service Recognition

2021

5 Years of Service

Reese Kowalik
Christi Lichti
Shelby Ingold
Troy Wagner
Sam Murray
Dillon Dick



10 Years of Service

Jason Zehr
Greg Mudford
Shane Bowman
Dominique Trottier
Doug Holst



15 Years of Service

David Tomlinson
Marzena Kutnik
Dawn Mittelholtz
Manny O'Krafka
Derek Heimpel
Brock Dixon



20 Years of Service

Andrew Martin
Lincoln Kuntz
Mike Gilmore
Warren Dammeier



25 Years of Service

Terry Gerber
David Beaver



30 Years of Service

Angela Bylsma
Dale Clements
Russell Strickler



35 Years of Service

Wayne Zehr



Thank you





DEVELOPMENT SERVICES

Staff Report

REPORT NO: DS 2021-032

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning and Economic Development

REVIEWED BY: Sharon Chambers, CAO

DATE: December 6, 2021

SUBJECT: Official Plan Amendment Application 01/21
Zone Change Application 08/21
Skyline Commercial Real Estate Holdings Inc. / GSP Group Inc.
66 Hincks Street, New Hamburg

RECOMMENDATION:

THAT Report DS 2021-032 be received for information.

SUMMARY:

The Township of Wilmot is in receipt of an application for an amendment to the Township Official Plan and an application for changes to the Township Zoning By-law. The lands to which these applications apply are presently developed with a mixed used industrial/commercial building and parking area. The lands are currently designated Light Industrial in the Township Official Plan and are zoned Zone 10 (Industrial) within the Township Zoning By-law 83-38, as amended.

This report provides a summary of the applications that have been filed for the subject property along with comments received to date.

BACKGROUND:

Notice of a Public Meeting was given to property owners within 120 metres of the subject lands on November 4, 2021. The following is a summary of comments received prior to the Public Meeting.

Public

(complete comments included as Attachment B)

Patrick DeLay, New Hamburg – concerned with traffic and population impact.

Mike Lucas and Katherine Shaughnessy, New Hamburg – concerned with impact on retail businesses if converted to residential, not compatible with height and density of neighbourhood, impact on sunshine and privacy, traffic, lighting impacts, and lowered property values. Provided petition against application.

Michael Hayes, New Hamburg – expressing traffic concerns both present and as a result of the proposed development.

Lincoln Kuntz, New Hamburg – concerned with loss of commercial space, lack of proposed parking, and traffic.

K. Bender, New Hamburg – concerned with type of development, property values, appropriateness of setbacks, parking and snow removal.

Tanner Pitel, New Hamburg – requesting traffic study for Queen Mary Street due to increased traffic.

Agencies

GRCA: Property is not regulated, so no comments.

WCDSB: Requesting standard conditions through a future development agreement.

Canada Post: Requesting standard conditions through a future development agreement.

Region of Waterloo: outstanding at the time of writing of this report.

REPORT:

The Township of Wilmot is in receipt of an application for an amendment to the Township Official Plan and an application for changes to the Township Zoning By-law. The lands are currently designated Light Industrial in the Township Official Plan and are zoned Zone 10 (Industrial) within the Township Zoning By-law 83-38, as amended.

The subject property is presently developed with a mixed used industrial/commercial building and parking area. Until 2003 the property was part of an active industrial operation, Magnussen Furniture, including transport truck traffic and a 10,000 square foot warehouse in the area of the

current parking lot. While the industrial zoning remains in place, the use of the property transitioned into lighter warehousing uses, office space and personal service related commercial uses since demolition of the larger warehouse in 2003.

Official plan amendment application 01/21 proposes to change the designation of the property to Urban Residential and zone change application 08/21 proposes to rezone the lands to Zone 4a (Residential). Together the applications would facilitate residential redevelopment of the property.

The zoning application specifically proposes the following:

1. to allow 66 townhome units in the form of cluster, street fronting and back-to-back units;
2. to reduce the front yard setback (Hincks Street) from 7.6m to 3.9m; and
3. to reduce the rear yard setback (Catherine Street) from 7.6m to 4.0m.

The purpose of this report is to summarize the applications that have been filed, and to include comments received through the public circulation process preceding the public meeting.

At such time as any additional comments received at the Public Meeting are considered and review of all technical documents provided in support of the applications has been completed and accepted by internal departments and external agencies, staff will return to Council with a detailed report and recommendation on the application including a summary of all comments received and how they have been addressed.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

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

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

GOAL 17: Partnerships to achieve the Goal – holding public meetings to gather community input on planning matters acts as a partnership between residents and government to achieve goals.

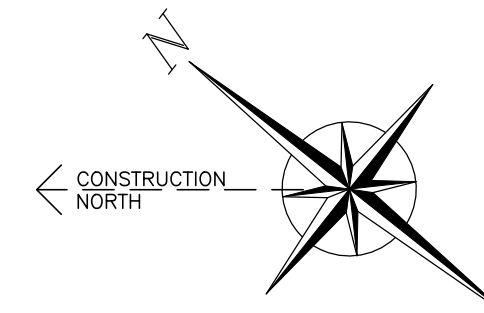
FINANCIAL CONSIDERATIONS:

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

ATTACHMENTS:

- | | |
|--------------|-----------------|
| Attachment A | Site Plan |
| Attachment B | Public comments |

Attachment A: Report DS 2021-32



REGULATION	REQUIRED	PROPOSED
LOT AREA	740 sq.m.	12,199.75 sq.m. (1.22ha)
DENSITY (MAXIMUM)	35 Upha = 42.7 UNITS	51.7 Upha
LOT FRONTAGE (MINIMUM)	30.00 m	114.05 m
LOT WIDTH (MINIMUM)	30.00 m	114.05 m
EXTERIOR SIDE YARD (MINIMUM)	6.0 m	4.06 m
FRONT YARD (MINIMUM)	7.60 m	3.93 m
SIDE YARD (MINIMUM)	3m OR 1/2 HGT. (5.20m)	5.20 m
REAR YARD (MINIMUM)	7.50 m	N/A
LOT COVERAGE (MAXIMUM)	40% (4,879.90 sq.m.)	36.47% (4,448.99sq.m.)
BUILDING HEIGHT (MAXIMUM)	10.5 m	10.20 m

<u>PARKING DATA</u>	
<u>PARKING REQUIRED</u>	
2.5 SPACES / UNIT	- 63x2.5 = 158 SPACES
<u>PARKING PROVIDED</u>	-
	63 GARAGE SPACES
	63 DRIVEWAY SPACES
	32 VISITOR SPACES
	<u>158 SPACES</u>

Attachment B

Public comments

Andrew Martin

From: Pat55
Sent: Monday, November 8, 2021 4:14 PM
To: Andrew Martin
Subject: Skyline commercial real estate holdings

Hello

We received a letter about our townships plans to add all new row housing in our neighborhood. I have to say you folks are out to lunch on traffic and population impact.

Have you already done this deal like the pet project going on in the old farmer's field off Smith's Creek.

This will greatly change our neighborhood. How do you guys come up with this decision and not consult us who live here. 66 units right on top of us. Disappointed in your work and decision making.

Sincerely

--

Patrick DeLay

Andrew Martin

From: Mike Lucas
Sent: Saturday, November 20, 2021 12:20 PM
To: Planning; Andrew Martin; Les Armstrong; Jennifer Pfenning; Jeff Gerber; Cheryl Gordijk; Barry Fisher; Angie Hallman; news@kitchener.ctv.ca; Tim.Louis@parl.gc.ca; Jon Lambert
Subject: 66 Hincks st

Mike Lucas
 Katherine Shaughnessy
 Hincks st
 New Hamburg

November 20 2021

Township of Wilmot

Township of Wilmot Council

Development Services Department

To all this concerns.

I am sending this correspondence to express my opposition to the proposal before you for 66 Hincks st in New Hamburg.
 ZCA-08-21

Reference: Official plan amendment application 01/21

Zone change application 08/21

As well as the attached site plan

My spouse and I are the current owners of [REDACTED] Hincks st which is directly adjacent to the property of 66 Hincks st named in the proposal. We bought our property as our forever home knowing that we had a light industrial commercial zoned property next door. That building is quiet and adds security and privacy to our property, particularly our backyard. It is very convenient to have a gym right next door and centrally located in a residential area that surrounds it. New Hamburg is already short on commercial buildings to keep or even attract new businesses. One of the tenants of 66 Hincks st is already looking out of the area for space if this proposal should happen to be approved. There are also rumors that other commercial retail locations are not going to renew leases to enable them to also get into residential. If the precedent is set at 66 Hincks st that this is ok it has the potential to very negatively impact the retail businesses in New Hamburg. I am sure that the Hincks st property could be severed and zoned appropriately leaving intact the commercial space we need to keep business here.

I have read the entire proposal put forward by Skyline and the Zehr group. I firmly believe the proposal is worded to help you approve it. However the proposal does not fit into the surrounding neighborhood at all. I have attached my own supporting photos. In these photos you will see the majority of adjacent and surrounding properties are single story dwellings in a mature and private neighborhood. Placing towering three story townhomes next to these single story dwellings will impact our sunshine as well as our privacy. I would invite everyone involved in making the decision on this proposal to visit the site and neighborhood. It is very quite clear that an intensified towering three story complex does not fit the fabric of surrounding properties. This project is much better suited for big city living or in a new subdivision of its own. Not in our quiet ,private and mature welcoming countryside community as stated in the strategic plan.







I would like to continue to the traffic study that was performed. I encourage anyone to explain how installing 63 townhomes with 2.5 parking spots per will only cause 39 extra cars at peak hours. As everyone knows the Waterloo st and Steinmann st intersection already has its own issues. Could be explained as frustrating and a nightmare in the morning rush when school is in. With the crossing guard and train tracks with a full flow of traffic on Waterloo st another 100 cars in my opinion will absolutely cause chaos. I would also like to point out those additional vehicles returning in the evening to the very poorly lit intersection of Waterloo and Queen Mary. I know the residents of Queen Mary and James st are already not happy with the extra traffic after the no left turn at Steinmann st was introduced.

Traffic at the James and Hincks st intersection already ignores the traffic laws and blatantly has no concern for pedestrians. Adding another 100 vehicles will be a disaster.

Next I would like to bring your attention to the site plans submitted. I have taken the time to measure out and understand how the buildings, lighting and roadways are going to affect our property as well as the neighborhood. In the last photo that is attached you can see our open back yards. We all enjoy our yards in the evening. The yards are perfect for stargazing and just hanging out with friends. There is a light and roadway going to be placed right behind where I took the picture from. This will light our rear yards and blind us when cars pull into the complex at night. Destroying our quiet, private dark backyards. Not at all the conditions that we bought our home on. We are here for small town living not the city.



The next point I would like to bring to your attention is our vegetable garden. Building towering three story townhomes where proposed is going to shade our entire garden from approximately 1:30 pm till dark. This will absolutely render our garden pretty much useless, cutting our sun by 4 hours. Having very little afternoon sun is not very encouraging for family fun times and water fights.

This proposal is going to affect our ability to enjoy our own property and especially our privacy and that of the neighborhood. This proposal is going to lower property values. I am sure you are not going to lower our taxes if this proposal is approved. I invite anyone involved to visit the site.

In closing I would like to thank you for your time and Strongly encourage you to not approve the 66 Hincks st proposal in any form.

Mike Lucas

PETITION TO KEEP MAGNUSSEN BUILDING

(BECAUSE THERE IS NOTHING WRONG WITH IT AND ITS GOING TO END UP IN THE LANDFILL)

THIS IS TO PETITION AGAINST THE APPLICATION OF ZONE CHANGE OF 66 HINCKS ST.

(they could sever lot and build on other side of building) THANKS

Official Plan Amendment Application 01/21 Zone Change Application 08/21

DATE:

NAME:

TOWN:

EMAIL/PHONE #

DATE	NAME	TOWN	EMAIL/PHONE #
November 22nd 2021	Nicole Gole	New Hamburg	
NOV 22/21	PATTY INGOLD	Plattsburgh	
Nov 22/21	Debra Wideman	New Hamburg	
NOV 22/21	Lynne NUNSON	NEW HAMBURG	
NOV 23	2nd Avenue	New Hamburg	
NOV 23/21	amy OAKMAN	Baden	
Nov. 22/21	Brenda Denton	Baden	
"	J. Ross	New Hamburg	
"	Chantelle Stettin	New Hamburg	
Nov 22/21	DENISE BECKER	NEW HAMBURG	
Nov. 22/21	Christine Huyter	Wellesley	
"	PAWNA Speers	new HAMBURG	
Nov 27/21	VAL NIOBOLDS	NEW HAMBURG	
NOV 22	Brenda Smerchinski	New Hamburg	
NOV 22	RENAE & DENIS	NEW HAMBURG	
Nov. 22	Jean C. Maine	R.#1 Wellesley	
NOV 22	Liana Hogan	Taunton	
11/22/21	C. ZUMER	BRISTOL ONTARIO	
NOV 22/21	Angela Wilson	New Hamburg	
NOV 22/21	Jammy Smerchinski	New Hamburg	
11/22/21	Klaus Skowron	Baden	
NOV. 22/21	Stacey Benkema	Baden	
NOV 22/21	Alisha Williams	New Hamburg	
"	Karen Schott	New Hamburg	
"	IKEN BOWLER	"	

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DATE:

NAME:

TOWN:

EMAIL/PHONE #

	Barbara Richmond	Bright
	Sharon Johnson	New Hamburg
	Bartley Cates	New Hamburg
	Wadele Bell	Kearney
	Maxine Penney	Truckee
	Debbie Richardson	New Hamburg
	Brenda Jahn	Baden
	Linda Ballantyne	New Hamburg
	Pamela McKenzie	New Hamburg
	Taylor Morgan	New Hamburg
	Isabel Rose	Waterloo
	Mandy Wilde	New Hamburg
	Steve Hodge	Cambridge
	Josh Vagabond	New Hamburg
Nov 23rd	Jon + Scott Koebel	Kitchener
	Melissa Langmuir	New Hamburg
	Avery Brown	Baden
	Stefanie Rudnik	Plattsville
	Angie Brown	New Hamburg
	Dorothy Gasling	New Hamburg
	Marilyn Walker	New Hamburg
	Bob	New Hamburg
	Kelly Workman	New Hamburg
	Gise Yontzi	Shakespeare
	W. Belter	NAB 6

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DATE:

NAME:

TOWN:

EMAIL/PHONE #

Nov 24	Terre Tietton	New Hamburg
	Pennie Meinema	New Hamburg
NOV 24	T Butler	St Catharines
Nov 24	C Ricketts	New Hamburg
Nov 24	Joseph Brink	New Hamburg
Nov 24	Michael Homer	New Hamburg
Nov 24	Whitney Simons	N.H.
Nov 24	Lisa Yeatts	N.H.
Nov 24	L. Dunsall	New Hamburg
NOV 24	Kristy Beaton	New Hamburg
NOV 24	Josh Shilliner	New Hamburg
"	Lori Crouse	New Hamburg
"	John Campbell	New Hamburg
Nov 24/21	Dawn Heupel	New Hamburg
Nov 24/21	Bruce Moore	"
Nov 24/21	J. Michelson	"
"	Lori Petrie	New Hamburg
"	Gayle Ostrom	Plattsville
"	Hal Hackenbauer	"
"	Ana Hackenbauer	"
"	Orla Clark	New Hamburg
"	Jenny Neubauer	"
"	Kather Rayner	Tavistock
"	Dianne Habel	New Hamburg
	BUNNY REGER	BRIDEN

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DATE:	NAME:	TOWN:	EMAIL/PHONE #
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Nov 23/21	Hayme Beaupre	New Hamburg	504-444-1000
Nov 23/21	Sandy Steenbach	New Hamburg	504-444-1000
Nov 23/21	Jacqueline Jume	New Hamburg	212-222-2222
NOV 23/21	Lisa Machan	Baden	212-222-2222
"	Theresa	New Hamburg	504-444-1000
"	David Shea	Dumfries	504-444-1000
"	Helen Salas	Dumfries	504-444-1000
"	Robin Chereuka	New Hamburg	504-444-1000
"	Tommy Anderson	New Hamburg	313-444-1000
Nov 23/21	Sandi McCarra	New Hamburg	504-444-1000
"	S.D. Bowring	Baden	504-444-1000
"	ASHLEY HARR	St. Agatha	
"	Patty Rempel	New Hamburg	
"	Ten Budu	Wellesley	
"	BUTHAUNE BENSEE	"	
"	Rebecca Robinson	New Hamburg	
"	Marie Zehr	New Hamburg	
Nov 23	Alexis Walker	New Hamburg	
Nov 23	Deb Egli	Philipsburg	
Nov 23/201	Johanna Balw	Wellesley	
Nov 23/21	Mance L	Baden	
Nov 24	Dave + Darlene Stuart	Richmond Hill	
"	AUDRY KRAUSKOPF	STRATFORD	
"	Sandra Parslow	New Hamburg	
"	Mark + Doreen Lurges	Listowel ONTARIO	
"	(DIANNE + GARRY)		

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Nov 23/21	Aagie Yorke	New Hamburg
Nov 23/21	Shirley Jack	New Hamburg
Nov 23	Deanne Reed	Shelburne
Nov 23	Donna Cornish	New Hamburg
NOV 23	Margaret Wolf	New Hamburg
Nov 23	Lisa Fanning	New Hamburg
Nov 23	James Evans	New Hamburg
Nov 23	Jamie Bell	New Hamburg
Nov 23	BEV LEONARD	BADEN
Nov 23	Shirley Frenette	Baden
Nov 23	Sabrina Bowman	New Hamburg
Nov 23	Eileen	New Hamburg
Nov 23	Dave Rodan	Plattsville
Nov 23	William Bonner	New Hamburg
Nov 23	Kim Sayles	New Hamburg
Nov 23	R. Helgeson	New Hamburg
Nov 23	Norm Wagoner	Jonestown
Nov 23	Carolyn Quinn	Wilketon
Nov 23	Karen Schmidt	Stratford
Nov 23	Sharon Hayes	New Hamburg
Nov 23	Karen BERG	New Hamburg
Nov 23	Brandy Ireland	New Hamburg
Nov 23	Dee Salvo	Baden
Nov 23	Don Tully	New Hamburg

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DATE:

NAME:

TOWN:

EMAIL/PHONE #

	Barbara Rickard	Bright	519 684-7112
	Sharon Johnson	New Hamburg	
	Betty Gentry	New Hamburg	
	Harold Bell	Kitchener	
	Maxine Penney	Ironbridge	
	Dottie Richardson	New Hamburg	
	Brenda Jahn	Baden	
	Linda Ballantyne	New Hamburg	
	Patricia McKenzie	New Hamburg	
	Taylor Morgan	New Hamburg	
	Denise Rose	Waterloo	
	Mandy Wilde	New Hamburg	
	Steve Hodge	Cambridge	
	Josh Vaergeren	New Hamburg	
Nov 23rd	Jon + Scott Koebel	Kitchener	
	Melissa Langmuir	New Hamburg	
	Amy Hovath	Baden	
	Stefanie Rudnik	Plattsville	
	Anna Hovath	New Hamburg	
	Dorothy Hagelberg	New Hamburg	
	Maureen Walker	New Hamburg	
	Art	New Hamburg	
	Kelly Workman	New Hamburg	
	Gise Yontzi	Shakespeare	
	W. B. B. B.	NHBG	

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DATE:	NAME:	TOWN:	EMAIL/PHONE #
NOV 24	Renee Lightfoot	New Hamburg	
"	Linda Roy	New Hamburg	
"	Sonya Scholtz	Kitchener	
11	Andrea Spalter	New Hamburg	
24	Brenda Bruchel	NEW HAMBURG	
24	Linda Wettkamp	TAVISTOCK	
24	Joe Warrick	NEW HAMBURG	
24	Rosalind Wilding	NEW HAMBURG	
"	Jessica Thom	New Hamburg	
"	Ann House	Baden	
"	Jim Mc	New Hamburg	
"	W. Gallagher	New Hamburg	
"	Maria Gumpel	New Hamburg	
"	Emmanuel	Baden	
"	Liz Kuo	NEW HAMBURG	
"	Steph Doran	New Hamburg	
"	Shelby Mackay	New Hamburg	
"	Colin Mackay	New Hamburg	
Nov. 24	Ma Gyles	Baden	
Nov 29	Muriel O'haughnessy	New Hamburg	
Nov 24	Sarah Ziolkowski	New Hamburg	
Nov 24	KATHERINE STAGNUSY	60 HINCKS STREET	
Nov 24	Tracy Starn	60 Hinc Ks street	

(BECAUSE THERE IS NOTHING WRONG WITH IT AND ITS GOING TO END UP IN THE LANDFILL)

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Official Plan Amendment Application 01/21 Zone Change Application 08/21

EMAIL/PHONE #

Nov 24	MARK ENTZ	BADEN
Nov 24	CAROL ENTZ	BADEN
Nov 24	Lincoln Kentz	New Hamburg
Nov 24	MIKE GILMORE	NEW HAMBURG
Nov 24	Dean Steckley	TAVISTOCK ON
Nov 24	MaryAnn Ruxby	WELLSLEY, ONT
Nov 25	leslie Radford	New Hamburg
Nov 24	NORM COBURN	New Hamburg
Nov. 24	Ben Coker	New Hamburg
Nov 24	JOSIE COBURN	NEW HAMBURG
Nov. 24	SHIRLEY GOFF	New Hamburg
Nov 24	COOY LANTO	NEW HAMBURG

Andrew Martin

From: noreply@esolutionsgroup.ca on behalf of michael Hayes
Sent: Monday, November 22, 2021 2:10 PM
To: Planning
Subject: 66 Hincks St. New Hamburg On

This Email is intended for Andrew Martin. I am writing in concern for the traffic issues surrounding the development of 66 Hincks St. In reviewing the traffic study there is no mention of the 50 plus cars that use the parking lot of 66 Hincks St. as an extension of James St. The proposed entrance and exit of this new development is and will be another invitation for cars to cut through the development. When the cars come down James St. they will see Catherine St. and the temptation will be to cut through the complex. The no left turn issue on Waterloo St. has caused this problem and it will continue unless some revision is made to deter thru traffic in this development. Further to this issue there will be more left turns from Waterloo St as well as U turns into the Daycare property on Waterloo St. This practice is also dangerous as this is a blind spot for some drivers. Drivers will also soon discover that you can drive through the Daycare and exit onto Hincks St. More needs to be done to restrict the left turn. And Finally I would like to lodge a complaint about the SPEEDING problem on Hincks St. That will surely increase with the population increase. Thanks you for this opportunity to voice my thoughts.

Michael Hayes Hincks St. New Hamburg

Origin: <https://www.wilmot.ca/en/doing-business/Development-and-Planning.aspx>

This email was sent to you by michael Hayes through <https://www.wilmot.ca>.

Andrew Martin

From: lincoln kuntz
Sent: Wednesday, November 24, 2021 9:16 AM
To: Angie Hallman; Barry Fisher; cherly.gordijk@wilmot.ca; Jeff Gerber; Jennifer Pfenning; Les Armstrong; Andrew Martin; Planning
Subject: 66 Hincks street rezoning

To whom it may concern

The property at 66 Hincks Street, New Hamburg has an application for rezoning from commercial to residential. This email is to state that I'm against the rezoning.

I think that it is important to maintain our commercial space. With less commercial space in Wilmot, would also mean less jobs and possible less people visiting our community.

Parking on the side streets is also an issue. The proposed development has very little parking. It counts a garage as a parking spot, which sounds good but very few people use it as intended. Also the garages are not large enough for majority of vehicle driven today.

The region has also put a no left turn from Waterloo street to Steinman Street a few years ago. With more homes in that area traffic will be affected. It is already a difficult corner most times.

I have lived in that part of town for eleven years now. In the planning justification study on page 20 my street is not even on there. How can this study be true?

For these reasons and many more I'm opposed

Lincoln Kuntz
 Walter Perry Place

Andrew Martin

From: noreply@esolutionsgroup.ca on behalf of K. Bender
Sent: Wednesday, November 24, 2021 7:59 PM
To: Andrew Martin
Subject: 66 Hincks Street, New Hamburg

To: Andrew Martin

With regards to the development at 66 Hincks Street I have some concerns with the development of the 66 cluster units.

I am concerned with the amount of units being purposed with this development. I am troubled by the units being back-to-back. I worry about losing New Hamburg's small town feel with such a large development. I would like to see more variety of housing and not just attached units in clusters, a mix of attached units and detached housing with adequate yards and 2 stories in height. I understand that New Hamburg needs more housing; however I feel that this is not the way to achieve such a goal. I worry about the value of my house being affected by this build. I am concerned about traffic at Hincks Street and Steinman Street.

The property at 66 Hincks street is large. The application asks that front yards and rear yard setbacks to be reduced significantly. This is not about 1 foot difference, but 3.7 Meters, 3.6 Meters. Multiple units that would need this allowance. For such a large development, they should be able to follow the municipal guidelines.

I am concerned that there is not enough adequate parking. A single car garage very rarely houses a vehicle. In the plan many units don't have backyards, so they will only have their garage for storage. The amount of overflow parking is small. Not even enough for each resident to have a spot for visitors, or for the households second vehicle. I also worry about snow removal for this purposed development.

Thank-you

I wish to be notified of the decision of the township of Wilmot on the proposed zoning by-law amendment

Sincerely,
 K. Bender

 Origin: <https://www.wilmot.ca/Modules/contact/search.aspx?s=rKJmm1wnArkgHd8LKy6WMweQuAleQuAl>

This email was sent to you by K. Bender through <https://www.wilmot.ca>.

Andrew Martin

From: Tanner Pitel
Sent: Wednesday, November 24, 2021 9:31 PM
To: Planning
Subject: Plan amendment @ 66 Hincks street comments

To whom it may concern,

My name is Tanner Pitel and I live at [REDACTED] Queen Mary Street, New Hamburg. After discussions with other members of the community we feel as though Queen Mary St. should have had a traffic study completed. It is the main road to get over to Hincks St. since you cannot turn left onto Steinman St. off of Waterloo st. We already experience drivers flying onto our street and rapidly turning past mine and my neighbour's house. My wife has already had her car hit once last year. This will only add to the traffic. Younger family's are starting on this street including my own, and we feel this could be a safety issue in the coming years.

Something should be done to take some volume off this street.

Thank you,

Tanner Pitel



CORPORATE SERVICES *Staff Report*

REPORT NO: COR 2021-041

TO: Council

SUBMITTED BY: Patrick Kelly CPA, CMA Director of Corporate Services / Treasurer

PREPARED BY: Patrick Kelly CPA, CMA Director of Corporate Services / Treasurer

REVIEWED BY: Sharon Chambers, Chief Administrative Officer

DATE: December 6, 2021

SUBJECT: Project Grand River

RECOMMENDATION:

WHEREAS on October 4, 2021 Council of The Corporation of the Township of Wilmot approved the Memorandum of Understanding (MOU) between The Corporation of the Township of Wilmot, The Corporation of the City of Kitchener, The Corporation of the City of Waterloo, The Corporation of the Township of Woolwich, The Corporation of the Township of Wellesley, Kitchener Power Corp. (KPC), and Waterloo North Hydro Holding Corporation (WNH), regarding the proposed merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their subsidiaries Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc.;

AND WHEREAS The Corporation of the Township of Wilmot is the beneficial and registered owner of 7.75% of the issued and outstanding shares in the capital of KPC and The Corporation of the City of Kitchener is the beneficial and registered owner of 92.25% of the issued and outstanding shares in the capital of KPC;

AND WHEREAS the Corporation of the City of Waterloo is the beneficial and registered owner of 73.2% of the issued and outstanding shares in the capital of WNH, the Corporation of the Township of Woolwich is the beneficial and registered owner of 20.2% of the issued and outstanding shares in the capital of WNH, and The Corporation of the Township of Wellesley is the beneficial and registered owner of 6.6% of the issued and outstanding shares in the capital of WNH;

AND WHEREAS KPC owns all of the issued and outstanding shares in the capital of Kitchener-Wilmot Hydro Inc. ("KWHI") (an OEB-regulated electricity distributor) and Kitchener Energy Services Inc. ("KESI"), and has minority interest in Grand River Energy Solutions Inc.;

AND WHEREAS WNH owns all of the issued and outstanding shares in the capital of Waterloo North Hydro Inc. ("WNHI") (an OEB-regulated electricity distributor) and Alliance Metering Solutions Inc. ("AMS"), and has a minority interest in Grand River Energy Solutions Inc. and Eyedro Green Solutions Inc.;

AND WHEREAS the conditions set out in the MOU have been satisfied and incorporated into a more detailed "Merger Participation Agreement" (MPA), to be signed by all parties;

AND WHEREAS KPC and WNH recently completed a public input process related to the proposed merger, referred to as "Connecting Local Power", with no major concerns being raised by members of the public that would prevent the parties from proceeding with the proposed transaction;

AND WHEREAS all parties agree that it is beneficial for KPC and WNH to proceed with a proposed merger to amalgamate KPC and WNH and related subsidiaries under a new municipally owned corporation (Amalco Holdco) with municipal ownership share as follows (rounded):

- City of Kitchener 53.4%
- City of Waterloo 30.8%
- Township of Woolwich 8.5%
- Township of Wilmot 4.5%
- Township of Wellesley 2.8%

AND WHEREAS a Unanimous Shareholders' Agreement (USA) has been prepared, to be signed by all parties after the merger has been approved by the Ontario Energy Board, that outlines governance and other corporate considerations for the newly formed entity;

NOW THEREFORE IT BE RESOLVED that the Council of The Corporation of the Township of Wilmot hereby grants its approval as Shareholder, to proceed with the proposed merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation and their subsidiaries Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc.; in accordance with the provisions of the MPA and USA Agreements; and further

THAT the Mayor and Clerk be authorized to execute the MPA and USA agreements as well as any incidental documentation determined to be necessary, by their Legal Counsel in consultation with the Township's Director of Corporate Services / Treasurer, to complete this merger; said agreements /documentation to be to the satisfaction of the Township Solicitor; and further

THAT an application (MAADs application) under the Ontario Energy Board Act 1998 be submitted jointly by KWHI and WNHI to seek approval of the merger and related relief from the Ontario Energy Board.

SUMMARY:

This report provides Council with a summary of the potential merger between Kitchener Power Corp. and Waterloo North Hydro Holding Corporation. This project is referred to as Project Grand River (PGR). The purpose of this report is to share results of the public consultation and obtain Council approval for the Mayor and Clerk to execute the necessary agreements.

Presentations will be made at the meeting by Jerry Van Ooteghem, President and CEO of Kitchener-Wilmot Hydro (KWH), Jim Phillips, Chair of the KWH Board.

BACKGROUND:

Kitchener Wilmot Hydro (KWH) and Waterloo North Hydro (WNH) have been in discussions regarding a path forward for a proposed merger of the two local utilities. A public announcement regarding the proposed merger was made on October 1, 2021. The Township of Wilmot is currently a minority shareholder of KWH with a 7.75% ownership share.

Township Council approved the Memorandum of Understanding (MOU) under Report COR 2021-035, which outlined the main elements of the proposed transaction. Under the proposed merger the Township of Wilmot would continue to be a minority shareholder of the larger newly formed entity with a 4.49% ownership share.

REPORT:

Since signing of the Memorandum of Understanding (MOU), legal representatives for KWH and WNH have been working collaboratively on the outstanding legal agreements to complete the proposed merger. The agreements include the Merger Participation Agreement (MPA) and the Unanimous Shareholders Agreement (USA). Municipal shareholders were engaged throughout the process, as any merger involving both parties would require approval of all municipal shareholders.

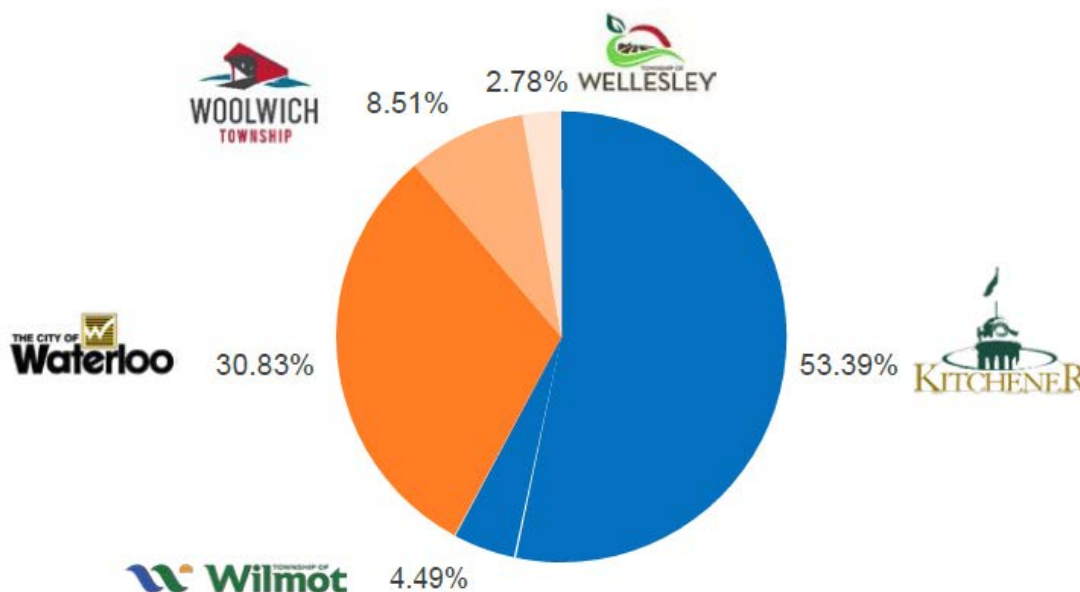
Following approval of the MOU by municipal shareholders, a public engagement process was launched on October 5, 2021, giving the public an opportunity to learn more about the proposed merger and to provide feedback. A summary of the public consultation, entitled 'Connecting Local Power' is attached as Appendix A.

As per the report from National PR, "all communications and public engagement activities have been met with relatively positive community feedback, as well as fair and factual media coverage. Based on interactions and questions received during the four-week public engagement effort, ("National PR") conclude that there are no major community concerns related to this proposed merger."

The Boards of the respective utilities support proceeding with a merger of the two utilities and have recommended approval of the Merger Participation Agreement (MPA) and the

Unanimous Shareholders Agreement (USA) to their respective municipal shareholders. A formal letter from the boards of Kitchener Power Corp. and KWHI is attached as Appendix B.

Under the proposed merger the ownership share for municipal shareholders would be adjusted as follows:



A merger between KPC and WNH would result in the 7th largest Local Distribution Company (LDC) in Ontario. By merging with WNH now, it is expected that the new utility will remain responsive to community and customer needs.

From a shareholder perspective, the newly formed utility will provide additional dividends for Wilmot which are outlined in the financial considerations section of this report. These additional dividends will be allocated through the Township's annual budget process.

Proceeding with a merger between KWH and WNH will ensure that customers of both utilities continue to receive reliable service at competitive rates, both now and in the future.

Mr. Jerry Van Ooteghem, CEO of KWH, and Mr. Jim Phillips, KPC Board Chair, will be in attendance to provide a brief presentation for Council and answer any questions that Council may have regarding the proposed merger.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This report is aligned with the Strategic Plan goal of Responsible Governance through the action of Fiscal Responsibility. The Township's continued investment in the local hydro utility is a prudent business decision. The due diligence exercises undertaken throughout the Project Grand River review are an example of responsible governance.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

This report and the proposed actions are consistent with the Sustainable Development Goals for Sustainable Cities and Communities, Responsible Consumption and Production, and Peace, Justice and Strong Institutions.

FINANCIAL CONSIDERATIONS:

The current investment income from Kitchener-Wilmot Hydro is budget at approximately \$563,000 and is utilized to support annual operating costs to the Township. Under the potential merger, it is projected that the overall investment income from dividends and interest would increase over the long-term.

Income from Investments in Kitchener-Wilmot hydro help to offset the overall levy requirement to fund municipal operations.

ATTACHMENTS: Appendix A – Public Consultation Summary
 Appendix B – Letter from KPC Board

Connecting Local Power

Consulting the Community on the Proposed Merger of

Kitchener-Wilmot Hydro and Waterloo North Hydro

Public Engagement Report

Prepared for : Kitchener-Wilmot Hydro and Waterloo North Hydro

Prepared by : NATIONAL Public Relations

November 2021

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Connecting Local Power – Consulting the Community on the Proposed Merger of Kitchener-Wilmot Hydro and Waterloo North Hydro

Public Engagement Report

November 2021

Executive Summary

On October 1, 2021, Kitchener Power Corporation and Waterloo North Hydro Holding Corporation made a public announcement about the proposed merger of Kitchener-Wilmot Hydro and Waterloo North Hydro. The announcement launched the public engagement phase of this proposed merger.

The objectives of the communications strategy and public engagement plan were:

1. Inform and engage customers, residents, and employees.
2. Raise awareness and understanding of the rationale, details, and benefits of the merger.

Key messages and various communications products, such as a news releases and FAQs were developed to support the announcement. A microsite – www.connectinglocalpower.ca – was launched to be the public hub for all communications and engagement with the public. The announcement was made in a virtual news conference where media reporters were invited to participate, and a subsequent public information session was held to inform residents, ensure a high level of transparency, and answer any questions residents had about the proposed merger.

Conclusion

All communications and public engagement activities have been met with relatively positive community feedback, as well as fair and factual media coverage. Based on interactions and questions received during the four-week public engagement effort, we conclude that there are no major community concerns related to this proposed merger.

Background

Like several other local power utilities in communities across Ontario, Kitchener-Wilmot Hydro and Waterloo North Hydro decided to take the next step in their ongoing collaboration efforts by combining operations to create a larger, local, and publicly owned power utility.

In October 2021, a public announcement was made about the proposed merger between Kitchener-Wilmot Hydro and Waterloo North Hydro. All five municipalities that would be impacted by the merger approved the commencement of the merger process during their respective municipal council meetings on October 4 or 5.

A communications campaign – Connecting Local Power – was launched, including the website, with the primary objective being to keep residents and key stakeholders informed while seeking public input.

Communications

Before the public announcement on October 1, presentations were delivered to each of the five municipal shareholder councils to outline the communications approach and public engagement phase.

On October 1 and in the subsequent days and weeks, internal and external communications materials were prepared and/or distributed including:

- Key messages.
- Communications package for municipal Councillors.
- FAQs.
- Media release.
- Social media posts.
- Ads in local newspapers including the Waterloo Region Rural Post, Waterloo Chronicle, Woolwich Observer and New Hamburg Independent.

See Appendix 1 for a copy of select public communications.

In addition, the Connecting Local Power website was launched with graphics, external resources, and other informative content. Two versions of the site were developed, one with preliminary information for the October 1 announcement, and then the full website, which was launched following the October 4 and 5 municipal Council approvals of the merger, including a call to action for residents to submit questions and provide feedback on the proposed merger

News Conference

A virtual news conference was held on October 1 through Zoom to announce the proposed merger and featured prepared remarks from:

- David Petras, Board Chair, Waterloo North Hydro Holding Corporation
- Jim Phillips, Board Chair, Kitchener Power Corporation

The following officials were available for media Q&A session following the remarks:

- Les Armstrong, Mayor of Township of Wilmot
- Rene Gaten, Chief Executive Officer of Waterloo North Hydro
- Dave Jaworsky, Mayor of Waterloo
- Joe Nowak, Mayor of Township of Wellesley
- Sandy Shantz, Mayor of Township of Woolwich
- Jerry Van Ooteghem, Chief Executive Officer of Kitchener-Wilmot Hydro
- Berry Vrbancovic, Mayor of Kitchener

Five local journalists attended the conference. Following the announcement, coverage was picked up by CBC, CTV Kitchener, The Record, and more. See Appendix 3 for media coverage.

Website

A website, www.connectinglocalpower.ca, was developed ahead of the official announcement and launched on October 1. Users could visit the site to find key stats, the official news release sharing details about the proposed merger, external resources, and were presented with an option to submit inquiries. The website also hosted the public information session registration and related information.

Following the municipal council approvals of the Memorandum of Understanding on October 4 and 5, an updated version of the website was made available with additional information and resources, as well as a timeline to help residents understand what the next steps would entail. The update also included the call to action for public input.

As of November 23, the website has received a total of 16 inquiries from residents with comments and questions. See Appendix 2 for a list of responses for each resident inquiry received.

Within the first month of the website launch (October 1- November 11) there were a total of 3,806 visitors to the connectinglocalpower.ca website. The highest number of users were from the following five municipalities: Kitchener, Toronto, (City of) Waterloo, Cambridge, and Brampton. The single largest number of website visitors came from Kitchener, at 407. About 173 users downloaded files, which were available as resources on the site.

See Appendix 4 for a full website analytics report, including a breakdown of website visitors by region.

Social Media

Content and graphics were created for social media posts related to the proposed merger and the public information sessions. These posts were shared with all five municipalities, as well as Kitchener-Wilmot Hydro and Waterloo North Hydro, who then shared these posts on their Twitter and Facebook pages. The social media posts were also included in a communications package that was shared with municipal Councillors.

See Appendix 5 for a thorough overview of engagement across Twitter and Facebook for the period of October 1-19.

Earned Media

Earned media is any placement or publicity that is gained without paid advertising.

From October 1 to shortly after the public information session on October 19, various outlets covered the proposed merger. The estimated total media reach is approximately 5,462,600 unique visitors for all online, print and broadcast media hits. A full list of media coverage since October 1 can be found in the Appendix.

Paid Advertising

Ads were placed in local newspapers that promoted the announcement of a proposed merger and encouraged readers to visit connectinglocalpower.ca to learn more. The local newspapers were the Waterloo Region Rural Post, Waterloo Chronicle, Woolwich Observer and New Hamburg Independent. The average reach of these ads was approximately 83,499 people.

Engagement

A virtual public information session was held on October 19 at 7:00 PM. Residents could register through www.connectinglocalpower.ca, by email info@connectinglocalpower.ca or a designated phone line.

The session was held on Zoom. Residents who attended received an overview of the proposed merger and had their questions answered by the following panelists:

- Jim Phillips, Board Chair, Kitchener Power Corporation
- Rene Gatien, Chief Executive Officer of Waterloo North Hydro
- Jerry Van Ooteghem, Chief Executive Officer of Kitchener-Wilmot Hydro

There were 25 residents who RSVP'd to the information session.

There were 23 people in attendance, 17 of whom were residents, and six who were speakers, tech support, a note-taker, and the moderator. Of the 17 residents in attendance, nine were from Kitchener, three were from Waterloo, two were from Woolwich, and two were from Toronto. One identified their municipality as 'Other'.

The session consisted of a steady flow of questions, with three attendees submitting theirs in advance.

Following the launch of the website, there have been a total of 16 inquiries submitted via the 'Have Your Say' section. Of these inquiries, seven residents were located in Waterloo, five in Kitchener, two in Wilmot and two in Woolwich.

Questions have been received consistently and the majority are focused on rates increasing following the merger. Other inquiries include:

- Electric vehicle rebates
- Service impacts
- Investments in innovation and climate change

Key Themes and Community Feedback

While community engagement with residents is ongoing, the proposed merger has received relatively positive feedback and limited opposition from community members.

Residents of all five municipalities raised several key concerns in their inquiries through the website form and questions posed at the information session. Sixteen inquiries were received via info@connectinglocalpower.ca and responses were emailed directly to the residents. The questions and feedback from residents and full answers provided are in Appendix 2. Key themes from the information session and the website are summarized below.

Rates

Hydro distribution rates are by far the largest concern of community members. Concerns that the merger would increase rates and how the harmonization between Kitchener-Wilmot Hydro and Waterloo North Hydro's would affect certain customers' rates were frequent questions.

Solar Panels

Some customers of both utility companies were concerned that their existing contracts related to solar panels would expire under a new entity.

Impact on Service

Customers posed questions about how the merger will impact their quality-of-service.

Other Mergers

Residents of the five municipalities are aware of other hydro mergers happening across Ontario including in nearby Brantford and Cambridge. There were several questions related to this theme.

Innovation and Climate Change

While not being directly mentioned, innovation and climate change were themes of many inquiries, including ones related to solar panels and electric vehicles.

Jobs

A question related to jobs and staffing challenges was posed at the information session.

Electric Vehicles

A resident inquired about how this merger will affect any factors as they consider purchasing an electric vehicle.

Timeline

At the information session, a few residents inquired about next steps and the proposed name for the new entity.

Next Steps

Over the next few weeks, each of the five municipalities will have to make a final decision on the status of the proposed merger.

If approved by all municipalities, in January of 2022, the utility companies must submit an application for approval to the Ontario Energy Board (OEB). Following approval, it is anticipated that operations will commence in the summer of 2022.

There will be continued monitoring of traditional and social media to assess public perception of the process. As well, replies will be issued consistently for all resident inquiries that come in through the website and designated email.

Connecting Local Power – Consulting the Community on the Proposed Merger of Kitchener-Wilmot Hydro and Waterloo North Hydro

Public Communications – Appendix 1
November 2021

1) Media Releases

(I) October 1 Release – Proposed Merger Official Announcement

Kitchener Power Corporation and Waterloo North Hydro Holding Corporation Announce Proposed Merger

October 1, 2021

Combined local and publicly-owned utility to benefit customers through innovation, enhanced service and operational efficiencies

After thorough discussions and in-depth analysis, Kitchener Power Corporation and Waterloo North Hydro Holding Corporation today announced a proposed merger of their local power utilities, Kitchener-Wilmot Hydro and Waterloo North Hydro. The municipalities of Kitchener, Waterloo, Wellesley, Wilmot and Woolwich are the shareholders of the two holding corporations.

Like several other local power utilities in communities across Ontario, Kitchener-Wilmot Hydro and Waterloo North Hydro are considering taking the next step in their ongoing collaboration efforts by combining operations to create a larger, local and publicly-owned power utility that will provide reliable service, invest in new technologies, generate cost savings through operational efficiencies and keep local jobs in our communities.

If approved by the five municipal councils and the Ontario Energy Board, combining the two utilities would create the seventh largest utility in Ontario by number of customers. A larger customer base will allow the combined utility to focus on efficiency and innovation to better provide for the needs of our growing communities.

With a proposed contiguous service territory serving the municipalities of Kitchener, Waterloo, Wellesley, Wilmot and Woolwich, customers will benefit from having a larger, local and publicly-owned utility that can maintain the highest quality of service for customers while having the capacity to modernize and adapt to significant changes in Ontario's electricity sector. The combined utility will have more resources to invest in new technologies that benefit customers, such as managing smart home and energy data, automated restoration of power outages, microgrids and local renewable generation.

“By combining with Kitchener-Wilmot Hydro, our board believes this is a good deal for Waterloo North Hydro customers and our shareholders in Waterloo, Woolwich, and Wellesley. Ontario's electricity sector is changing quickly and this proposed merger is a local solution that will help our communities adapt to these changes and thrive in the years ahead. This larger, locally-owned utility will have more resources to invest in technologies that benefit customers while helping our communities' transition to a lower carbon economy.”

- David Petras, Chair, Waterloo North Hydro Holding Corporation

The size and stability of the combined utility will help ensure distribution rates remain competitive and stable for customers. Distribution rates for all customers are projected to increase at less than the rate of inflation over the 10 years following the merger, leaving more money in customers' pockets. Thereafter, the combined utility will harmonize distribution rates over time between Kitchener-Wilmot Hydro and Waterloo North Hydro customers.

Residents stand to benefit from the larger, local and publicly-owned utility as municipalities are projected to receive an increase in incremental dividends and interest on their investment over the 10-year period following the merger. Municipalities can re-invest these dividends into local services that residents rely on.

Residents, through the five municipal stakeholders involved in the merger, will continue to have oversight of their local power utility. Each municipality will receive proportional ownership in the combined utility and representation on the new Board of Directors.

This announcement is accompanied by the launch of a community website, connectinglocalpower.ca, where residents of all five municipalities can visit to learn more.

"Waterloo North Hydro is a natural merger partner for Kitchener-Wilmot Hydro given the utilities' shared values, strong record of dedicated service to customers and vision to build a stronger utility that can invest in our future. This is a win-win-win scenario for customers, municipal shareholders and employees. When it comes to service, customers will benefit from having the same reliable service – and more – as the combined utility will have greater resources to invest in new technologies. From a financial standpoint, this merger is a win for customers and municipal shareholders as the combined utility will keep rates competitive while reducing costs through operational efficiencies. And when it comes to employees, this local merger will keep jobs here in our community."

- *Jim Phillips, Chair, Kitchener-Power Corp*

Layoffs are not expected at either utility company because of the merger. There are vacancies that have not been filled and some pending retirements. The head office will be the current Kitchener-Wilmot Hydro office in the City of Kitchener, with a second work location at the current Waterloo North Hydro office, at which activities will include leading innovation and new technology development.

A Memorandum of Understanding (MOU) for the proposed merger will be presented to all five participating municipal councils for approval on Monday, October 4 and Tuesday, October 5.

Kitchener-Wilmot Hydro and Waterloo North Hydro are committed to engaging customers and employees through timely, respectful, transparent, and reliable communication throughout this entire merger process. Community engagement is expected to begin the first week of October 2021, subject to municipal council approvals of the MOU. The planned community engagement will include public information sessions and information available on a new community website: connectinglocalpower.ca.

Following the community information and engagement initiative, the five municipal councils are expected to make a final decision on the proposed merger in December 2021. If approved by the municipal councils, the merger application will be submitted thereafter to the Ontario Energy Board for regulatory approval, which is expected in the third quarter of 2022. The new company is expected to begin operations soon after regulatory approval.

(II) October 6 Release – Municipal Councils approve MOU for proposed merger

Municipal councils approve Memorandum of Understanding for proposed Kitchener-Wilmot Hydro and Waterloo North Hydro merger

October 6, 2021

Public information session on October 19

The municipal councils of Kitchener, Waterloo, Wellesley, Wilmot and Woolwich have approved a Memorandum of Understanding (MOU) as a first step in the proposed merger of Kitchener-Wilmot Hydro and Waterloo North Hydro. The approvals, which came on October 4 and 5, follow the October 1 announcement that Kitchener Power Corporation and Waterloo North Hydro Holding Corporation are moving forward on a proposed merger of the utilities.

Now that all five participating municipal councils have passed the MOU, community engagement on the proposed merger begins. Customers and residents of the municipalities of Kitchener, Waterloo, Wellesley, Wilmot and Woolwich are encouraged to visit www.connectinglocalpower.ca to learn more about the proposed merger and provide feedback.

“Our board welcomes the news that Waterloo North Hydro’s municipal shareholders, the councils of Waterloo, Woolwich, and Wellesley, have passed the Memorandum of Understanding supporting this proposed merger. We believe this a good deal for the three municipalities and Waterloo North Hydro’s customers. This larger, locally-owned utility will have more resources to invest in technologies that benefit customers while helping our communities’ transition to a lower carbon economy. We look forward to hearing from customers and community members in the coming weeks.”

David Petras, Chair, Waterloo North Hydro Holding Corporation

Kitchener-Wilmot Hydro and Waterloo North Hydro will host joint public information session on Tuesday, October 19 at 7 p.m. Due to the COVID-19 pandemic, the public information session will be held online along with access by telephone.

Customers and residents can register for the virtual public information session at www.connectinglocalpower.ca or by email at info@connectinglocalpower.ca or by telephone at 519-747-6334 ext. 78334.

“Kitchener-Wilmot Hydro welcomes the approval of a Memorandum of Understanding by the municipal councils of Kitchener and Wilmot. Waterloo North Hydro is a natural merger partner for Kitchener-Wilmot Hydro given the utilities’ shared values, strong record of dedicated service to customers and vision to build a stronger utility that can invest in our future. This is a win-win-win scenario for customers, municipal shareholders and employees. We’re excited to start our public engagement and receive feedback from community members of all five municipalities.”

Jim Phillips, Chair, Kitchener-Power Corp

Following the public information session and community engagement initiative, the five municipal councils are expected to make a final decision on the proposed merger in December 2021. If approved by the five municipal councils, the merger application will be submitted thereafter to the Ontario Energy

Board for regulatory approval, which is expected by the third quarter of 2022. The new company is expected to begin operations soon after regulatory approval.

Like several other local power utilities in communities across Ontario, Kitchener-Wilmot Hydro and Waterloo North Hydro are planning to take the next step in their ongoing collaboration efforts by combining operations to create a larger, local and publicly-owned power utility that will provide reliable service, invest in new technologies, generate savings through operational efficiencies and keep local jobs in our communities.

2) Links to virtual news conference and public information session recordings

[Latest News – Connecting Local Power](#) (Virtual News Conference – October 1, 2021)

[Public Information Sessions – Connecting Local Power](#) (Virtual Public Information Session – October 19, 2021)

3) Ads in local newspapers

Connecting Local Power

A Proposed Merger Between
Kitchener-Wilmot Hydro and
Waterloo North Hydro

Virtual Public Information Sessions

October 19th
3 p.m. & 7 p.m.

Visit
connectinglocalpower.ca
to register and learn more.



Ad placed in the Woolwich Observer
and The New Hamburg Independent.

Connecting Local Power

Kitchener-Wilmot Hydro and Waterloo North Hydro are planning
to combine operations and create a larger, local, and publicly
owned power utility.

- ✓ Putting customers first
- ✓ Reinvesting in local communities
- ✓ Keeping jobs in our region



Visit connectinglocalpower.ca to learn how this will benefit
your community.

Connecting Local Power

Kitchener-Wilmot Hydro and Waterloo North Hydro are planning
to combine operations and create a larger, local, and publicly
owned power utility.

- ✓ Putting customers first
- ✓ Reinvesting in local communities
- ✓ Keeping jobs in our region



Visit connectinglocalpower.ca to learn how this will benefit
your community.

Ads placed in the Waterloo Chronicle
and the Waterloo Region Rural Post.

4) Website FAQs

Question	Answer
<i>Why merge now?</i>	Ontario's electricity sector is changing quickly, and this proposed merger is a local solution that will help our communities adapt to these changes and thrive in the years ahead. This larger, local, publicly owned utility will have more resources to invest in technologies that benefit customers while helping our communities' transition to a lower carbon economy.
<i>Of all electric utilities in the province, why is a merger between Kitchener-Wilmot Hydro and Waterloo North Hydro the best solution?</i>	<p>This proposed merger is about Kitchener-Wilmot Hydro and Waterloo North Hydro taking the next step in their ongoing collaboration efforts by combining operations to create a larger, local and publicly-owned power utility that will provide reliable service, invest in new technologies, generate cost savings through operational efficiencies and keep local jobs in our communities.</p> <p>Kitchener-Wilmot Hydro and Waterloo North Hydro are natural merger partners given the utilities' contiguous service areas, shared values, strong record of dedicated service to customers and vision to build a stronger utility that can invest in our future.</p>
<i>What's going to happen with our hydro rates? Are they eventually going to go up?</i>	<p>The size and stability of the combined utility will help ensure distribution rates remain competitive and stable for customers. Distribution rates for all customers are projected to increase at less than the rate of inflation over the 10 years following the merger, leaving more money in customers' pockets.</p> <p>Thereafter, the combined utility will harmonize distribution rates over time, between Kitchener-Wilmot Hydro and Waterloo North Hydro customers.</p>

<p><i>How does this merger align with climate change action?</i></p>	<p>Having a larger customer base will boost our capacity for collective climate action. The larger, combined utility will allow for greater investments in new technologies and services that will benefit customers and help reduce emissions, such as managing smart home and energy data, automated restoration of power outages, renewable microgrids and supporting local renewable generation.</p>
<p><i>What's going to happen to my billing cycle? Will there be any service changes?</i></p>	<p>Initially, your billing cycle will not be affected by the merger. The municipalities of Kitchener, Waterloo, Wellesley, Wilmot, and Woolwich are committed to ensuring the smoothest transition possible through the merger process.</p> <p>We will ensure that there are no impacts on service reliability to customers because of the merger.</p> <p>Our commitment to affordable, reliable power is why we're always looking at new and innovative solutions, including this merger and streamlining of operations, to improve our service to the communities we serve.</p>
<p><i>How many jobs will be lost because of this merger? Which utility company is expected to lose the most jobs?</i></p>	<p>Layoffs are not expected at either utility company because of the merger. There are vacancies that have not been filled and some pending retirements. There may be adjustments made to work locations and day-to-day duties as we combine the assets and services of Kitchener-Wilmot Hydro and Waterloo North Hydro.</p> <p>The head office will be the current Kitchener-Wilmot Hydro office in the City of Kitchener, with a second work location at the current Waterloo North Hydro office, at which activities will include leading innovation and new technology development.</p>

<i>How will this affect collective bargaining agreements at both utility companies?</i>	Kitchener-Wilmot Hydro and Waterloo North Hydro will work with IBEW Local 636 and PWU Local 1000 to ensure a smooth transition to the new utility company. Both companies will support all unionized and non-unionized employees throughout this process and will be open and transparent with employees along the way.
<i>Where will the head office be?</i>	The head office will be the current Kitchener-Wilmot Hydro office in the City of Kitchener, with a second work location at the current Waterloo North Hydro office, at which activities will include leading innovation and new technology development.
<i>What's your brand? What will this new company be called?</i>	What we're focused on right now is engaging with the community, and if approved, seeing this merger through to a successful completion. Once approved, the new utility will unveil a new company name and brand.
<i>What's next in the process?</i>	Community engagement will begin the first week of October 2021. Following the community information and engagement initiative, the five municipal councils are expected to make a final decision on the proposed merger in December 2021. If approved by the municipal councils, the merger application will be submitted thereafter to the Ontario Energy Board for regulatory approval, which is expected in the third quarter of 2022. The new company is expected to begin operations soon after regulatory approval.

**Connecting Local Power – Consulting the Community on the Proposed Merger of Kitchener-Wilmot
Hydro and Waterloo North Hydro**

Resident Inquiry Responses – Appendix 2

November 2021

Resident Inquiry	Response
<p>Waterloo Resident:</p> <p>I think that the merger makes a lot of sense. Go for it.</p>	<p>Thank you for sharing your feedback, it has been noted. If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Kitchener Resident:</p> <p>I am very much in favour of the merger – have been for many years.</p>	<p>Thank you for sharing your feedback, it has been noted. If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Waterloo Resident:</p> <p>This appears to be a reasonable initiative, but I have a couple of points I wish to make.</p> <p>Given the increasing number of those working from home due to the pandemic (a situation I do not think will change in the foreseeable future), I believe adjustment to the billing structure needs to be made. I suspect, but have no data to check this, that due to increased day-time demand, the electrical companies have done rather well during the pandemic.</p> <p>Under the circumstances, I believe charges should be reduced. I personally have changed from TOU to constant billing because I believed it would offer a small saving. That seems to be the case, but I will not be able to confirm until we are into the winter season.</p> <p>This raises a further issue. I think that seniors (i.e., retired folks) should have a lower rate than others. This should be easy to put in place and would be much fairer.</p> <p>Finally, I would like to know that incentives will be made available to those who opt for either fully electric or hybrid electric vehicles. My next vehicle will be one of those and I am</p>	<p>Thank you for sharing your feedback on the proposed merger between Kitchener-Wilmot Hydro and Waterloo North Hydro. Rate structures are determined and set by the Ontario Energy Board. For residential customers, the distribution charge on the bill, from your local utility, is a fixed charge per month and is not impacted by the amount of electricity used. Your point is noted, however, that residents who work from home, likely have higher bills due to higher consumption, as well as seniors who are not working.</p> <p>Your point is noted regarding the expense of installing electric vehicle chargers and the need for incentives especially considering our climate change goals, which electrical vehicles help us achieve.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>

<p>concerned about both the cost of installing an adequate supply line as well as increased use of electricity.</p> <p>Thank you.</p>	
<p>Waterloo Resident:</p> <p>I am concerned about prices increasing even more.</p>	<p>Thank you for sharing your feedback, it has been noted.</p> <p>The size and stability of the combined utility will help ensure distribution rates remain competitive and stable. Distribution rates for all customers are projected to increase at less than the rate of inflation over the next 10 years, leaving more money in your pocket.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Kitchener Resident:</p> <p>With Kitchener Wilmot having the lowest rates, and Waterloo North having the highest, how will merger this be a saving to the residents of Kitchener and Wilmot?</p> <p>Has there been any other offers to buy Kitchener Wilmot?</p>	<p>Thank you for your inquiry and feedback, which has been noted.</p> <p>The size and stability of the combined utility combined with operational savings will help ensure distribution rates remain competitive and stable for customers. Distribution rates for all customers are projected to increase at less than the rate of inflation over the 10 years following the merger, leaving more money in customers' pockets.</p> <p>Kitchener Wilmot Hydro and Waterloo North Hydro are constantly having conversations with other utilities to see how we can provide more value to our customers and municipal shareholders. Over the years, we have been approached by other utilities, however the municipalities of Kitchener, Waterloo, Wellesley, Wilmot, and Woolwich decided on a local solution through this merger process and are committed to ensuring the smoothest transition possible.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Kitchener Resident:</p> <p>I currently have solar panels on my roof and a contract with Kitchener Wilmot Hydro as per the MicroFIT program. Will this impact that contract or will it be terminated?</p>	<p>Thank you for your inquiry.</p> <p>Your contract with Kitchener Wilmot Hydro will not be impacted at this time. This proposed merger strives to provide the same, if not better quality of service.</p> <p>For specific information related to your contract, it is recommended you contact the hydro company directly.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Waterloo Resident:</p> <p>I am in full support of this proposed merger.</p>	<p>Thank you for sharing your feedback, it has been noted. If you have any additional comments or questions, please feel free to submit them again through this website.</p>

<p>Wilmot Resident:</p> <p>As a former customer of Waterloo North Hydro and now a customer of Kitchener Wilmot my query surrounds the assumption of debt. Waterloo North built a new facility costing millions and was it seemed always in debt. Is this paid for and if not how will this be allocated?</p>	<p>Thank you for your feedback and inquiry. It has been noted,</p> <p>The facility was built in 2011 and was a necessary move for the continued growth and expansion of Waterloo North Hydro.</p> <p>The existing debt (including any outstanding amount for the new facility) and promissory notes with each of the municipalities, will be assumed by the new corporation and is reflected in the ownership shares for each municipality.</p> <p>Through streamlining and efficiencies, an additional \$15 million in incremental dividends over the first 20 years, is projected to be available for municipalities in proportion to their ownership shares, which can be re-invested into local services that residents rely on.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Waterloo Resident:</p> <p>Kitchener Utilities is responsible for electricity, water, and natural gas services. Will customers in Waterloo see any changes to their water (City of Waterloo) or natural gas (Enbridge) service providers?</p>	<p>Thank you for sending in an inquiry.</p> <p>Kitchener Utilities is responsible for water and natural gas services while Kitchener Wilmot Hydro is responsible for electricity distribution services. The proposed merger of Kitchener-Wilmot Hydro and Waterloo North Hydro will not result in any changes to your current water or natural gas service providers.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Waterloo Resident:</p> <p>While I will support the merger, it is based on the assumption that the rate payers will benefit from these efficiencies. The savings should be used to offset the need for rate increases. Broadly, I feel the costs of municipal services (property tax, water, etc.) have routinely increased at a rate in excess of inflation, and some benefit to the rate payer would be a nice benefit and is being stated here. The commitment should be met and kept.</p>	<p>Thank you for sharing your feedback.</p> <p>Kitchener-Wilmot Hydro and Waterloo North Hydro are working to ensure that distribution rates remain competitive and stable for customers. Savings from efficiencies will offset rate increases so that rates in the merged entity will be lower than what they would be on a stand-alone basis.</p> <p>Distribution rates for all customers are projected to increase at less than the rate of inflation over the next 10 years. Thereafter, the combined utility will harmonize distribution rates over time, between Kitchener-Wilmot Hydro and Waterloo North Hydro customers. The utility portion represents about 25% of the typical total bill for a residential customer, with the remainder being the energy consumed by a customer.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Kitchener Resident:</p> <p>As a business owner, what will this merger mean for my hydro rates? A lot of my business/services are done during peak rate times and that is not something I can change. Kitchener Wilmot's lower hydro rates are important to me and my business, I don't want to see that jeopardized.</p>	<p>Thank you for your inquiry.</p> <p>Kitchener-Wilmot Hydro and Waterloo North Hydro are working to ensure that distribution rates remain competitive and stable for customers. Distribution rates for all customers are projected to increase at less than the rate of inflation over the next 10 years. Thereafter, the combined utility will harmonize distribution rates over time, between Kitchener-Wilmot Hydro and Waterloo North Hydro customers. The utility portion represents about 25% of the typical total bill for a residential customer and less than that for a business customer, with the remainder being the energy consumed by a customer. Advisors at KWH</p>

	<p>and at the new utility would be pleased to discuss energy efficiency initiatives that may help our customers to reduce their energy consumption and their total bill.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Kitchener Resident:</p> <p>What are the projected hydro rates for Kitchener Wilmot customers after the proposed merger? My concern is my rates increasing after the merger, this would not be acceptable.</p>	<p>Thank you for your inquiry.</p> <p>The size and stability of the combined utility will help ensure distribution rates remain competitive and stable for customers. Distribution rates for all customers are projected to increase at less than the rate of inflation over the 10 years following the merger, leaving more money in customers' pockets. Thereafter, the combined utility will harmonize distribution rates over time, between Kitchener-Wilmot Hydro and Waterloo North Hydro customers. The utility portion represents about 25% of the typical total bill for a residential customer, with the remainder being the energy consumed by a customer.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Woolwich Resident:</p> <p>If this action is going to make my hydro more reliable and doesn't increase the price. I support this merger.</p>	<p>Thank you for sharing your feedback. Having a larger, local and publicly-owned utility will help deliver reliable and affordable service.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Woolwich Resident:</p> <p>The proposed merger should only be done to benefit those that pay the fees. In one section above it states "to ensure distribution rates remain stable and competitive.....while returning higher dividends to municipalities." If this merger is returning higher dividends then that means rates or monthly connection charges can be lowered. The electrical service was never designed to be a revenue source for the municipalities, but a service provider. Stop using rate payers as a cash cow to support unnecessary projects for cities. Any benefit of this should be for the rate payers benefit. Being in Woolwich, we will get the short end of the profits while Waterloo, Kitchener and Cambridge will benefit the most.</p>	<p>Thank you for your feedback.</p> <p>This proposed merger will help to ensure distribution rates remain competitive and stable for customers. Distribution rates for all customers are expected to increase at less than the rate of inflation over the next 10 years, leaving more money in your pocket.</p> <p>We project the combined utility could save as much as \$2.9 million/year through streamlining and efficiencies. As you stated, this will result in additional dividends that can be reinvested into every municipality that will be impacted by this proposed merger. The five municipalities in aggregate are projected to receive a return of approximately \$15 million in incremental dividends and interest over the 20-year period following the merger. Each municipality will receive its share based on their ownership in new company. Municipalities can re-invest these dividends into local services that residents and rate payers, such as yourself, can rely on.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Wilmot Resident:</p> <p>Hello, I am hoping that this proposed merger will lead to a greater capacity for innovation in terms of greening our power supply, specifically an investment in more solar panels and batteries at the home or microgrid level. Green Mountain Power (in</p>	<p>Thank you for your feedback.</p> <p>The larger, combined utility will allow for greater investments in new technologies and services that will boost capacity for collective climate action and help to reduce emissions.</p> <p>It will help municipalities achieve their climate change goals by having a larger customer base that will allow the combined utility to focus on efficiency and innovation.</p>

<p>Vermont) is doing very innovative things with virtual battery-based microgrids using batteries and solar panels in residences. I would love to see that level of innovation here.</p>	<p>Investments in new technologies and services that will benefit customers and help reduce emissions include the management of smart home and energy data, the automated restoration of power outages, renewable microgrids and local renewable generation such as solar panels and battery storage as you suggested.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>
<p>Waterloo Resident:</p> <p>This sounds like a great plan. I suggest that the money saved be reinvested in improvements to the electricity transmission grid, including energy storage that complements renewable energy projects. Such investments would support the emissions-reduction efforts that have been undertaken by the region's eight municipalities, specifically TransformWR and 50by30. These plans call for fuel switching for heating of buildings, replacing natural gas with electrically-powered heat pumps. This will require careful attention and coordination to ensure the electricity supply and transmission can power the heating of buildings. It would make sense to use the savings of this merger to invest in the necessary upgrades.</p>	<p>Thank you for sharing your feedback. We appreciate your thoughtful consideration on reinvestments within our local community. We have received similar inquiries/suggestions before.</p> <p>This merger is good news for local climate action. The larger, combined utility will allow for greater investments in new technologies and services that will boost capacity for collective climate action and help to reduce emissions.</p> <p>It will help municipalities achieve their climate change goals by having a larger customer base that will allow the combined utility to focus on efficiency and innovation such as energy storage and renewable generation.</p> <p>Both utilities have and will continue to invest in the necessary distribution system upgrades to enable new technologies as we move towards a low carbon future.</p> <p>If you have any additional comments or questions, please feel free to submit them again through this website.</p>

Other feedback and inquiries that were raised during the public info session and News Conference include:

- Can you speak to what the projected impacts are if the two companies do not merge?
- Will this merger slow down your efforts to provide solar customers with a feature that allows them to use mid-peak or peak rates?
- As a solar owner, Waterloo North Hydro allows the solar credit to be applied to the administrative and distribution fees. Will this continue for solar customers such as myself that have taken advantage of this program?
- Would the new entity consider merging with the new entity that will be formed by Energy+ and Brantford Hydro?
- Why are Kitchener-Wilmot Hydro and Waterloo North Hydro pursuing a merger together and not with other utilities nearby? I know London Hydro expressed an interest publicly a few years ago about acquiring local distribution companies. What happened to those discussions?
- Why is now a good time for this merger?
- Are you experiencing staffing challenges across your organizations or within specific areas such as unionized field staff, engineering, administration, etc.?
- Are there any proposed names for the new entity or timelines?

Connecting Local Power – Consulting the Community on the Proposed Merger of Kitchener-Wilmot Hydro and Waterloo North Hydro

Media Coverage - Appendix 3
November 2021

The numbers in bold brackets provide an average circulation number for each publication.

Online/Print

1. October 1 - [Waterloo Region hydro companies announce plan to merge](#) (800,000)
2. October 1- [Kitchener and Waterloo power utilities announce merger](#) (175,000)
3. October 1- [Proposed merger between Kitchener-Wilmot Hydro and Waterloo North Hydro](#) (320,000)
4. October 1 - [Kitchener-Wilmot Hydro, Waterloo North Hydro eyeing potential merger](#) (64,000)
5. October 1 - [Merger proposed for Kitchener-Wilmot Hydro and Waterloo North Hydro](#) (75,000)
6. October 1- [Waterloo Region hydro companies announce plan to merge](#) (1,550,000)
7. October 4 - [Kitchener Power Corporation and Waterloo North Hydro Holding Corporation Announce Proposed Merger](#) (150,000)
8. October 6 - [Area councils approve MOU for proposed hydro merger](#) (64,000)
9. October 7 - [Local power utilities to move ahead with formal merger](#) (5,000)
10. October 20 - [Waterloo Region power plants say no job cuts in planned merger | CTV News](#) (74,000)
11. October 2021 - [Kitchener and Waterloo power utilities plan to merge](#) (8,500)

Broadcast

October 1:

1. [570 News, 1:00 pm](#) (5,000)
2. [570 News, 12:30 pm](#) (5,000)
3. [CBC Kitchener-Waterloo, 12:30 pm](#) (6,000)
4. [CTV News Kitchener, 12:20 pm](#) (320,000)
5. [570 News, 12:00 pm](#) (5,000)
6. [570 News, 11:30 pm](#) (5,000)
7. [CBC Kitchener-Waterloo, 11:30 pm](#) (20,000)
8. [570 News, 6:40 pm](#) (6,500)

9. [570 News, 6:25 pm](#) (6,500)
10. [570 News, 6:05 pm](#) (6,500)
11. [570 News, 5:35 pm](#) (6,500)
12. [570 News, 5:06 pm](#) (6,500)
13. [570 News, 4:50 pm](#) (3,700)
14. [570 News, 4:38 pm](#) (3,700)
15. [570 News, 4:05 pm](#) (3,700)
16. [CHYM FM, 4:00 pm](#) (16,000)
17. [570 News, 3:44 pm](#) (3,700)
18. [570 News, 3:39 pm](#) (3,700)
19. [570 News, 3:24 pm](#) (3,700)
20. [570 News, 3:05 pm](#) (3,700)
21. [CBC Radio One, 2:30 pm](#) (6,000)
22. [570 News, 2:30 pm](#) (3,700)
23. [CBC Radio One, 1:30 pm](#) (6,000)
24. [CTV News Kitchener, 6:38 pm](#) (295,000)
25. [CTV News Kitchener, 5:45 pm](#) (295,000)

October 2:

26. [CTV News Kitchener 6:15 am](#) (250,000)
27. [1460 CJOY 6:00 am](#) (1,800)

October 4:

28. [CTV News Kitchener, 6:57 pm](#) (295,000)

October 6:

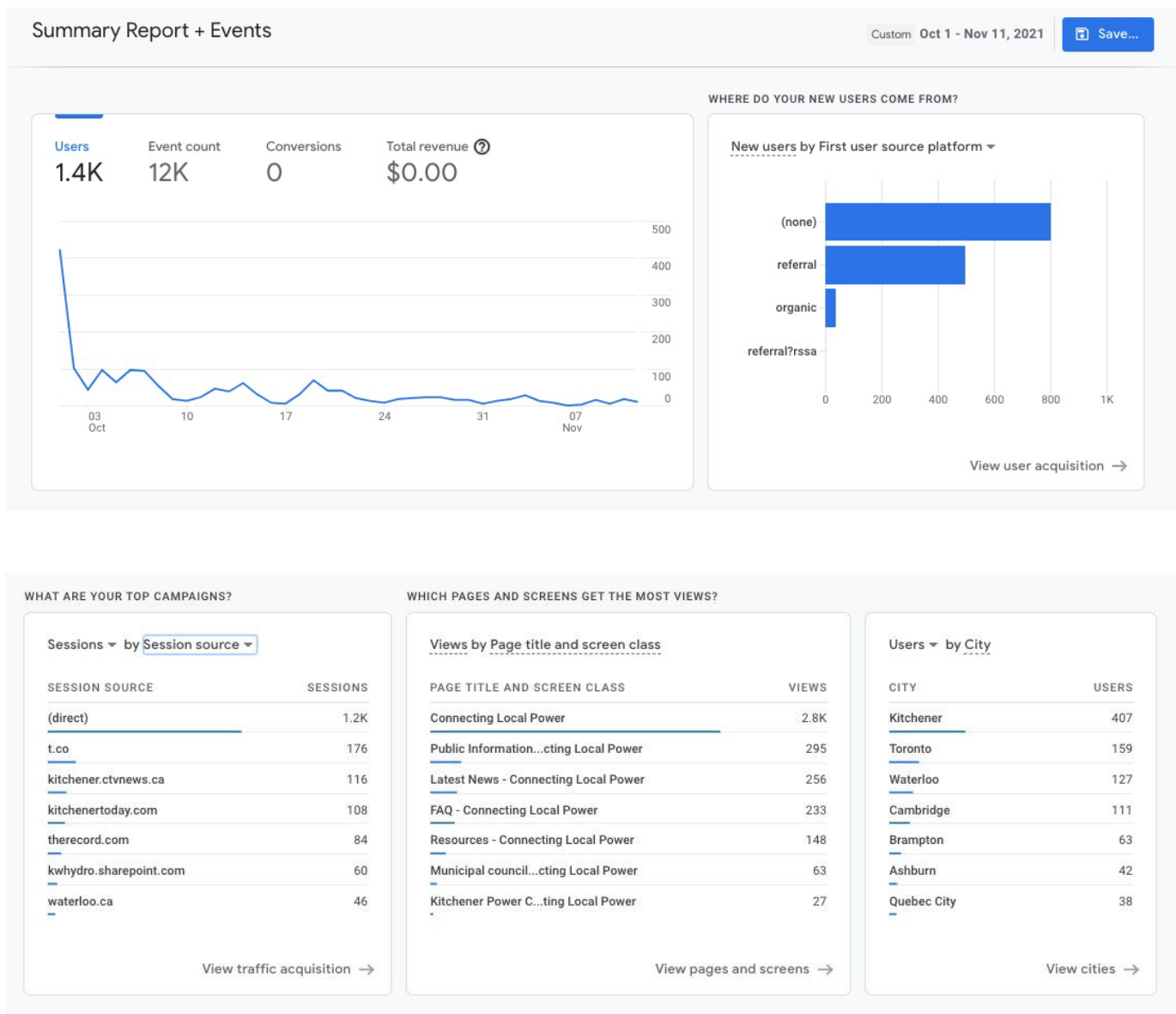
29. [570 News, 4:37 pm](#) (3,700)
30. [570 News, 5:10 pm](#) (6,500)
31. [570 News, 6:09 pm](#) (6,500)
32. [570 News 6:42 pm](#) (6,500)

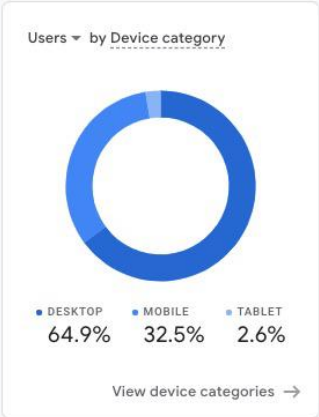
October 7:

33. [FM 98.5 CKWR, 6:00 am](#) (4,000)
34. [FM 98.5 CKWR, 7:00 am](#) (1,000)
35. [FM 98.5 CKWR, 7:52 am](#) (1,000)
37. [CTV News Kitchener, 7:49 am](#) (250,000)

Connecting Local Power – Consulting the Community on a Proposed Hydro Merger

Website Metrics - Appendix 4 November 2021





Event count by Event name

EVENT NAME	EVENT COUNT
page_view	3.8K
user_engagement	2.7K
session_start	2K
scroll	1.9K
first_visit	1.3K
file_download	173
click	98
.	

[View events →](#)



Website User Breakdown – Regional (Canadian Cities)

The following website user visit tracking is based on IP addresses that Google can detect.

Municipality	Number of Visitors
Kitchener	407
Toronto	159
Waterloo	127
Cambridge	111
Brampton	63
Ashburn	42
Quebec City	38
Unknown Region	35
Hamilton	33
London	20
Baden	18
Guelph	17
Mississauga	13
New Hamburg	13
Montreal	11
Halifax	10
Windsor	9
Elmira	8
Ottawa	8
Markham	7
Burlington	6
Halifax	6
Kawartha	6
Oakville	6
Whitby	6
Barrie	5
Milverton	4
Newmarket	4
Ajax	3
Brantford	3
Chatham - Kent	3
Erin	3
Kingston	3
Oshawa	3
Stratford	3
Calgary	2
Dartmouth	2
Fergus	2
Georgina	2
Greater Sudbury	2

Grimsby	2
Kincardine	2
Lakefield	2
Lambton	2
Langley	2
Listowel	2
Milton	2
Orangeville	2
Peterborough	2
Pickering	2
Port Elgin	2
Quinte West	2
Richmond	2
Saugeen Shores	2
Sault Ste. Marie	2
Vancouver	2
Vaughan	2
Woodstock	2
Aurora	1
Bradford	1
Brant	1
Brighton	1
Caledon	1
Collingwood	1
Courtice	1
Dublin	1
Elora	1
Enfield	1
Fort Erie	1
Goderich	1
Halton Hills	1
Hanover	1
Hawkesbury	1
Lakeshore	1
Leamington	1
Lincoln	1
Longueuil	1
Niagara Falls	1
Parksville	1
Pelham	1
Penetanguishene	1
Regina	1
Richmond	1
Sainte-Adele	1
Sarnia	1
Simcoe	1

Smithville	1
South Bruce Peninsula	1
St-Bruno-de-Montarville	1
Strathroy	1
Surrey	1
Thunder Bay	1
Utica	1
Victoria	1
Welland	1

Connecting Local Power – Consulting the Community on the Proposed Merger of Kitchener-Wilmot Hydro and Waterloo North Hydro

Social Media Insights - Appendix 5 November 2021

OBJECTIVE & METHODOLOGY

OBJECTIVE

The objective of this report is to provide a summary of top social media conversations around the proposed merger between Kitchener -Wilmot Hydro and Waterloo North Hydro, with coverage focusing on:

- Posts published by The City of Waterloo, Waterloo North Hydro, City of Kitchener, Kitchener-Wilmot Hydro, and Wilmot Township
- Breakdown of coverage engagement, as well as key metrics
- Posts with the largest engagement and reach (likes, shares, comments)

METHODOLOGY

Timeframe: October 1 – 19, 2021

Location: Canada

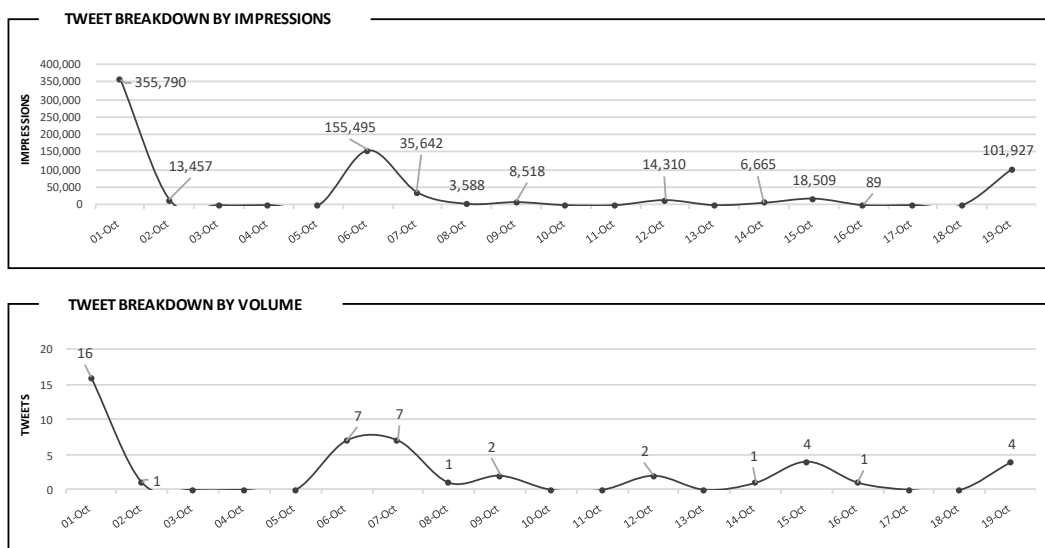
Language: English

Social Media ¹: Twitter, Facebook, LinkedIn

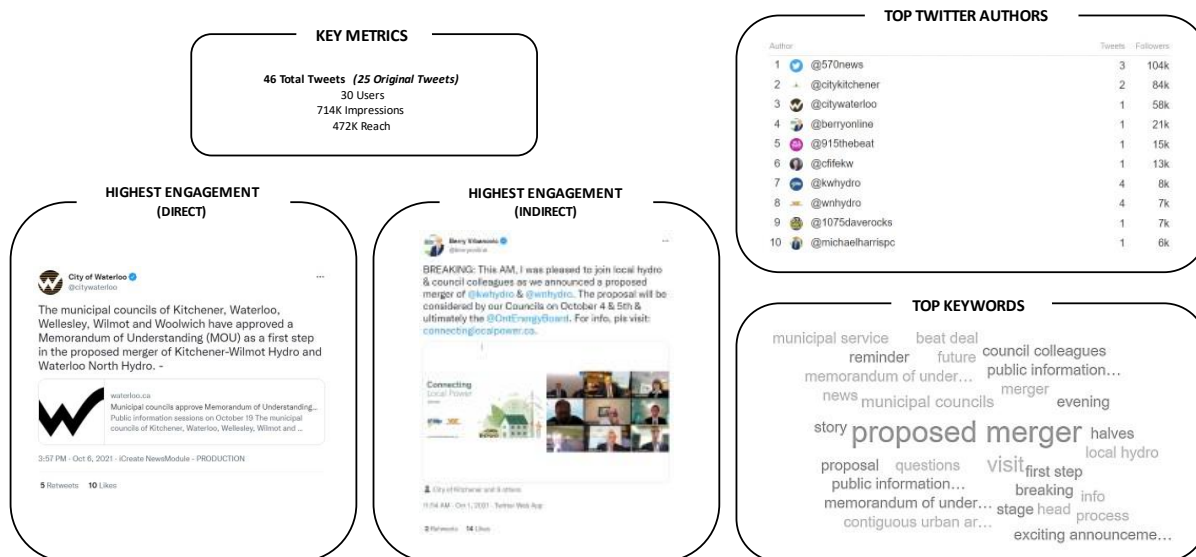
¹ Twitter posts were captured using Meltwater, while all other social posts required the use of manual research. There is an especially limited line of sight on LinkedIn and Facebook content, as majority of it is private media which means it is not available for public viewing.



TWITTER – OVERVIEW



TWITTER – OVERVIEW



TWITTER – CITY OF KITCHENER

City of Kitchener @CityKitchener
City of Kitchener's official corporate feed. Please call 519-741-2345 24/7 to report an issue.
Kitchener, Ontario, Canada | kitchener.ca | Joined March 2010
3,138 Following 83.8K Followers

SUMMARY

- The City of Kitchener published a total of two posts, which were engaged with 4 times (2 likes, 2 retweets)
- The reach of the @CityKitchener Twitter platform is 83.8K

City of Kitchener @CityKitchener

NEWS: Municipal councils approve Memorandum of Understanding for proposed Kitchener-Wilmot Hydro and Waterloo North Hydro merger. Public information sessions on October 19. Read more: bit.ly/3AjQaOL

5:34 PM - Oct 6, 2021 - Sprout Social

1 Retweet 1 Like

mike richter @bohican1 · Oct 6
Replying to @CityKitchener
I look forward to the savings of not having to pay for two sets of executives 😊

City of Kitchener @CityKitchener

REMINDER: Join us this evening to ask questions and learn more about the proposed merger between Kitchener-Wilmot Hydro and Waterloo North Hydro. To register for our public information session at 7 p.m. today, visit connectinglocalpower.ca/public-info/

Connecting Local Power
A Proposed Merger Between Kitchener - Wilmot Hydro and Waterloo North Hydro

Virtual Public Information Session
October 19th
7:00 p.m.
Visit connectinglocalpower.ca to register and learn more.

10:38 AM - Oct 19, 2021 - Sprout Social

1 Retweet 1 Like

* Hover over images for direct link to posts

TWITTER – KITCHENER-WILMOT HYDRO

KWHydro

@KWHydro

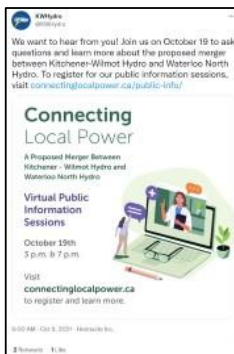
Tweets from Kitchener-Wilmot Hydro about services, conservation and major outages. We tweet M-F 8:30-4:30. To report a power outage, call (519) 745-4771.

Kitchener [kwhydro.ca](https://www.kwhydro.ca) Joined January 2014

656 Following 7,647 Followers

SUMMARY

- KWHydro published a total of four posts, with a combined engagement of 8 (5 likes, 3 retweets)
- The reach of the @KWHydro Twitter platform is 7.6K



* Hover over images for direct link to posts

TWITTER – WILMOT TOWNSHIP

Wilmot Township

@WilmotTownship

The official account for Township news and information. Admin: 519-634-8444 from 8:30am-4:30pm Mon to Fri. This account is not monitored 24/7.

Baden, Ontario, Canada [wilmot.ca](https://www.wilmot.ca) Joined June 2011

255 Following 3,620 Followers

SUMMARY

- Wilmot Township published a total of one post, which was engaged 11 times (4 likes, 6 retweets, 1 quote tweet)
- The reach of the @WilmotTownship Twitter platform is 3.6K



* Hover over images for direct link to posts

TWITTER – CITY OF WATERLOO

City of Waterloo @citywaterloo

City of Waterloo's official account, staffed during business hours. For service at any time, call 519-747-8785 (toll-free) or 519-886-2310 (anything else).

Waterloo, Ontario · waterloo.ca/en/living/cover · Joined January 2011

842 Following · 58.5K Followers

City of Waterloo @citywaterloo

The municipal councils of Kitchener, Waterloo, Wellesley, Wilmot and Woolwich have approved a Memorandum of Understanding (MOU) as a first step in the proposed merger of Kitchener-Wilmot Hydro and Waterloo North Hydro. -

 waterloo.ca
Municipal councils approve Memorandum of Understanding...
Public information sessions on October 19 The municipal councils of Kitchener, Waterloo, Wellesley, Wilmot and ...

3:57 PM · Oct 6, 2021 · iCreate NewsModule - PRODUCTION

5 Retweets · 10 Likes

* Hover over images for direct link to posts

SUMMARY

- The City of Waterloo published a total of one post, which received 15 pieces of engagement (5 retweets, 10 likes)
- The reach of the @CityWaterloo Twitter platform is 58.5K

TWITTER – WATERLOO NORTH HYDRO

Waterloo North Hydro @wnhydro

Tweets from Waterloo North Hydro about energy conservation & more. We tweet M-F 8:30-4:30. For customer care or to report a power outage: 519.886.5090

Waterloo, Ontario · wnhydro.com · Joined December 2012

104 Following · 6,659 Followers

SUMMARY

- WN Hydro published a total of four posts, with a combined engagement of 17 (11 likes, 6 retweets)
- The reach of the @KWHydro Twitter platform is 6.6K

Waterloo North Hydro @wnhydro

We want to hear from you! Join us on October 19 to ask questions and learn more about the proposed merger between Kitchener-Wilmot Hydro and Waterloo North Hydro. To register for our public information sessions, visit connectinglocalpower.ca/public-info/

Connecting Local Power

A Proposed Merger Between Kitchener-Wilmot Hydro and Waterloo North Hydro

Virtual Public Information Sessions

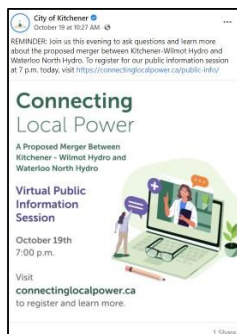
October 19th
7:00 p.m. Visit connectinglocalpower.ca to register and learn more.

8:00 AM · Oct 18, 2021 · iCreate Inc.

5 Retweets · 1 Like

* Hover over images for direct link to posts

FACEBOOK – CITY OF KITCHENER



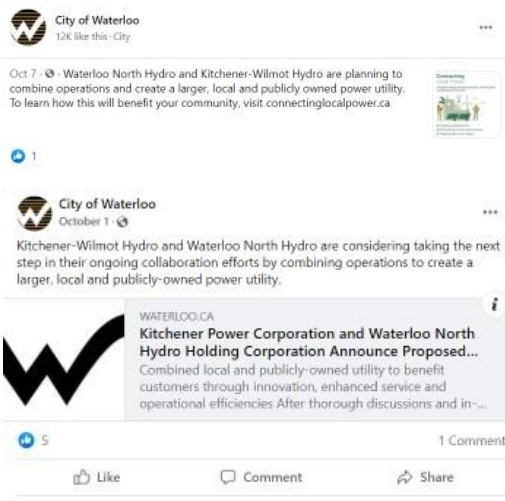
* Hover over images for direct link to posts

SUMMARY

- The City of Kitchener Facebook posts were engaged with 34 times (5 comments, 22 reactions, and 9 shares)
- Of the 5 comments, two were not relevant to the announcement and one was deleted/is no longer visible to the public
- The City of Kitchener Facebook group has a reach of 35K



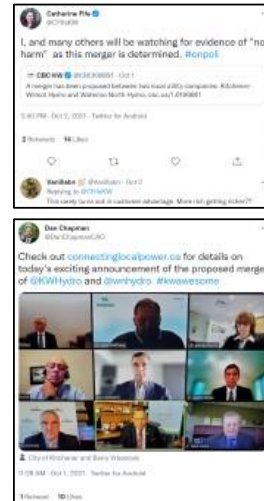
FACEBOOK – CITY OF WATERLOO



SUMMARY

- The City of Waterloo's three Facebook posts about the proposed merger were engaged with 10 times (1 comment and 9 reactions)

TWITTER – OTHER COVERAGE



TWITTER – OTHER COVERAGE



December 3, 2021

To: Members of Council

From: Kitchener Power Corp. Board of Directors

Subject: Update on Proposed Merger

At our last meeting on October 4, 2021, Council approved the Memorandum of Understanding (MOU) for the proposed merger of Kitchener Power Corporation (KPC) and Waterloo North Hydro Holding Corporation (WNH HoldCo) and their two Subsidiaries, Kitchener-Wilmot Hydro Inc. and Waterloo North Hydro Inc. The MOU sets out the basic terms of the transaction at a high level. The MOU is generally non-binding and does not commit the parties to a transaction although the provisions within the MOU generally require both parties to honour the terms in the binding Merger Participation Agreement if the transaction does proceed.

Council also directed the KPC Board of Directors and staff to proceed with negotiating and finalizing the Merger Participation Agreement and the Unanimous Shareholders' Agreement; and to launch the Customer Engagement process with a report back to Council prior to December 31, 2021, for final merger approval.

Following is a summary of our progress since our last Council presentation.

Merger Participation Agreement

The Merger Participation Agreement (MPA) is a comprehensive binding agreement that sets out the rights and obligations of all parties with respect to the merger and addresses important post-closing matters. The MPA is a merger implementation contract that is superseded by the Unanimous Shareholders' Agreement once the transaction is completed, and all closing matters are fulfilled.

The key terms of the Merger Participation Agreement include the Equity Allocation amongst the five shareholders, the terms regarding Post-Closing adjustments, the provision of Common and Special Share classes, Representations and Warranties, and Customary and Specific Covenants relevant to each shareholder.

Since the MOU was approved by Council in early October, extensive discussions and negotiations have occurred between the CEO's of Waterloo North Hydro and Kitchener-Wilmot Hydro as well as the CAO's of the five Shareholder municipalities and our respective legal counsels. Agreement has now been reached by all parties on the final language for all clauses in the Merger Participation Agreement, including certain terms required by the shareholders of Kitchener Power Corp.

The proposed MPA is now presented to Council for final approval. The MPA, if approved by Council, will be filed as evidence in support of the Ontario Energy Board's MAADs application.

Unanimous Shareholders' Agreement

The Unanimous Shareholders' Agreement (USA) is a binding agreement that governs the new corporation, once the merger transaction is completed, and is intended to carry on indefinitely or until amended by the municipal shareholders.

The key terms of the Unanimous Shareholders' Agreement include the business of the Corporation, governance structure and composition of the boards, matters that require Shareholder approval, Shareholder rights with respect to the purchase and sale of shares and the Dividend policy.

As with the MOU, after extensive discussions and negotiations between the parties and their respective legal counsels, agreement has been reached on the final language for all clauses in the Unanimous Shareholders' Agreement including certain terms required by the shareholders of Kitchener Power Corp.

The proposed USA is now presented to Council for final approval and, if approved, will be appended to the MPA and filed as evidence in support of the Ontario Energy Board's MAADs application.

Community Engagement

As directed by Councils at the October meeting, a Customer Engagement process was launched following approval of the Memorandum of Understanding by all Councils. A microsite was developed called "Connecting Local Power" as a hub to provide the public with information on the proposed merger and to provide feedback. In addition to the public announcement on October 1, a virtual public information session was held on October 19 for residents to receive an overview of the proposed merger and to have their questions answered. Each organization also communicated messages through social media.

According to National PR, who was engaged to lead the public engagement process, the overall community feedback was relatively positive and media coverage was fair and factual.

Recommendation

The Board of Directors of Kitchener Power Corp., Kitchener-Wilmot Hydro Inc. and Kitchener Energy Services Inc. has considered the proposed Merger Participation Agreement, the Unanimous Shareholders' Agreement and the Community Engagement report at a meeting of each board on December 3, 2021, and is recommending to proceed with the proposed merger.

It is recommended that:

- a) Each of the Municipalities authorize each of Kitchener Power Corp., Kitchener-Wilmot Hydro Inc. and Kitchener Energy Services Inc. to enter into the Merger Participation Agreement.
- b) Each of the Municipalities enters into the Merger Participation Agreement.

Jerry Van Ooteghem and I look forward to the discussion with Council at our upcoming meeting.

Regards,

A handwritten signature in black ink, appearing to read 'J. Phillips'.

James C. Phillips,
Chair, Kitchener Power Corp.



Council Meeting Agenda Regular Council Meeting

Monday, December 6, 2021

7:00 p.m.

Virtual Location

This meeting is open to the public and is available through an online platform. Please subscribe to the Township of Wilmot You Tube Channel to watch the live stream or view after the meeting. Delegations must register with the Information and Legislative Services Department. The only matters being discussed at this meeting will be those on the Agenda.

1. MOTION TO CONVENE INTO CLOSED MEETING

RECOMMENDATION

THAT a Closed Meeting of Council be held on Monday, December 6, 2021, at 4:45 P.M. in accordance with Section 239(2), for the purposes of:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

2. MOTION TO RECONVENE IN OPEN MEETING

RECOMMENDATION

THAT Council reconvenes in Open Session at 7:00 p.m.

3. MOMENT OF SILENCE

4. TERRITORIAL ACKNOWLEDGEMENT

Councillor J. Pfenning

5. ADDITIONS TO THE AGENDA

6. ADOPTION OF THE AGENDA

RECOMMENDATION

That the Agenda as presented for December 6, 2021 be adopted.

7. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

8. MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION

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

Regular Council Meeting November 22, 2021

9. PUBLIC MEETINGS

9.1. REPORT NO. DS 2021-032

Official Plan Amendment Application 01/21

Zone Change Application 08/21

Skyline Commercial Real Estate Holdings Inc. / GSP Group Inc.

66 Hincks Street, New Hamburg

Registered Delegations:

1. Mike Lucas
2. Chris and Emily Wilkinson

RECOMMENDATION

THAT Report DS 2021-032 be received for information.

10. PRESENTATIONS

10.1. Project Grand River

10.1.1. REPORT TO BE PROVIDED UNDER SEPERATE COVER

10.2. Shop Local Bingo

Lilliane Dunstall

10.2.1. REPORT NO. DS 2021-037
Shop Local Bingo

RECOMMENDATION

THAT Report DS 2021-037 be received for information.

11. CONSENT AGENDA

11.1. REPORT NO. DS 2021-035

Billboard Sign Renewals

RECOMMENDATION

THAT Report No. DS 2021-035 be approved.

12. REPORTS

12.1. DEVELOPMENT SERVICES

- 12.1.1. REPORT NO. DS 2021-033
 Zone Change Application 06/21
 Concept Development Group Inc. / MHBC
 Part of Lot 14, Concession North of Snyder's Road
 Parts 1 and 2, Plan 58R-1966
 162 Snyder's Road East, Baden

Registered Delegations:

1. Andrea Sinclair, MHBC
2. Jen Zielman

RECOMMENDATION

THAT Council approve Zone Change Application 06/21 made by Concept Development Group Inc. / MHBC, affecting Part of Lot 14, Concession North of Snyder's Road being Parts 1 and 2, Plan 58R-1966, to:

1. permit multiple residential units without a commercial use on the main floor,
2. reduce the parking ratio for apartment units from 1.5 spaces per unit to 1.2 spaces per unit,
3. reduce the minimum rear yard setback for the building from 7.5m to 4.6m, and
4. reduce the exterior side yard setback for the building from 6.0m to 5.2m.

- 12.1.2. REPORT NO. DS 2021-034
 Telecommunication Tower Protocol Review

RECOMMENDATION

THAT Report DS 2021-034 be received for information.

- 12.1.3. REPORT NO. DS 2021-30
 Metrolinx / GO Transit

Planning for Access to Higher Order Transit

RECOMMENDATION

THAT Report DS 2021-030 be received for information; and,

THAT staff be directed to initiate discussions with Metrolinx to discuss both short term and long term opportunities for the residents of the Township of Wilmot to conveniently access GO train service, ideally within the future development corridor between Baden and New Hamburg.

12.2. PARKS, FACILITIES AND RECREATION SERVICES

- 12.2.1. REPORT NO. PFRS 2021-18
Third Ice Pad Location Study - Preliminary Findings Summary Report

RECOMMENDATION

THAT the Third Ice Pad Location Study – Preliminary Findings Summary Report be received;

AND FURTHER THAT staff be directed to initiate a public consultation process to seek comments on the recommended location of the Wilmot Recreation Complex for the third rink site;

AND FURTHER THAT staff be directed to present the public consultation results to Council with a recommendation regarding the preferred site.

12.3. FIRE SERVICES

- 12.3.1. REPORT NO. FR 2021-06
Emergency Management Program By-law, Terms of Reference and IMS Emergency Response Plan

RECOMMENDATION

THAT Council approve the updated Emergency Response By-law;

AND FURTHER THAT Council adopts both the new IMS Emergency Response Plan and the Emergency Management Program Committee Terms of Reference attached.

13. CORRESPONDENCE

RECOMMENDATION

That Correspondence Item No. 13.1 be received for information.

- 13.1. Integrity Commissioner Report Nos. IC-2021-03 and IC-2021-07

14. BY-LAWS

RECOMMENDATION

THAT By-law Nos. 2021-57 and 2021-58 be read a first, second and third time and finally passed in Open Council.

- 14.1. By-law No. 2021-57
Emergency Management Plan By-law

- 14.2. By-law No. 2021-58
Zone Change Application 162 Synder's Road East

15. NOTICE OF MOTIONS

16. ANNOUNCEMENTS

17. BUSINESS ARISING FROM CLOSED SESSION

18. CONFIRMATORY BY-LAW

RECOMMENDATION

THAT By-law No. 2021-59 be introduced, read a first, second, and third time and finally passed in Open Council.

**19. ADJOURNMENT
RECOMMENDATION**

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



DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS 2021-037

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

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

REVIEWED BY: Sharon Chambers, CAO

DATE: December 6, 2021

SUBJECT: Shop Local Bingo

RECOMMENDATION:

THAT Report DS 2021-037 be received for information.

SUMMARY:

This report summarizes the Township's participation in Shop Local Bingo, a resident driven partnership between local businesses, the New Hamburg Board of Trade, the Wilmot Stronger Together group and the Township to promote shopping local this holiday season.

BACKGROUND:

The Township of Wilmot undertook a holiday season social media effort in 2020 to promote the value of shopping local and supporting local.

Recently, local resident Lillianne Dunstall, together with Stephanie Goertz of the Wilmot Stronger Together group, approached the Township and the New Hamburg Board of Trade to determine what level of support could be offered for a resident led initiative to support local businesses during the 2021 holiday season building upon the efforts of last year.

Both the New Hamburg Board of Trade and the Township reviewed the proposed Shop Local Bingo initiative and actively provided insights and suggestions on how to fine tune the promotion to allow for the participation of both entities in a community wide effort to support shopping local.

REPORT:

Shop Local Bingo provides an opportunity for patrons to visit a variety of participating businesses and collect stamps on their bingo cards which can then be entered into a draw for local shopping dollars.

Ballots are received beginning with one (1) ballot for making purchases from four (4) different participating businesses to complete a line on the card with up to five (5) ballots for making purchases from sixteen (16) different participating businesses.

A no-purchase option provides one (1) ballot for visiting sixteen (16) different participating businesses which allows all residents to play and explore the local business community.

There is no charge for businesses to participate (over 60 were participating at the time of writing this report) and prize money (\$1000, \$500, and 2x \$250) has been generously donated by the New Hamburg Board of Trade, Allan Beach Roofing, Premium Roofing and Dressed to Deliver.

The contest runs until December 25 and completed ballots can be dropped off at any of the three local branches of the Region of Waterloo Library branches in New Dundee, Baden or New Hamburg.

The Townships participation has been a combination of staff time and social media posts together with the printing of Bingo Cards (to support the participation of those residents who are unable to print their own) as well as advertising within area newspapers.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Collaboration with residents, local businesses and organizations on the Shop Local Business initiative achieves the goal of community engagement and supports a prosperous economy.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 11: Sustainable Cities and Communities – providing opportunities to advertise and promote local business activities occurring throughout the Township fosters an economic link between urban and rural areas and while fostering and supporting a sustainable local economy.

FINANCIAL CONSIDERATIONS:

Promotional expenses are funded through the Economic Development operating budget.



ATTACHMENTS:

Attachment 1: Shop Local Bingo card

YOUR NAME :

ATTACHMENT 1



PHONE :

Shop Local Wilmot

1) Purchase Required: Complete a line of 4 (any direction) by receiving a stamp when you purchase an item
One Line = 1 Entry Two Lines = 3 Entries Entire Card = 5 Entries

2) No Purchase Required: Fill the card by visiting businesses under each category and receive a stamp.
One Complete Card (all 16 squares) = 1 Entry

One \$1,000 Winner
One \$500 Winner
Two \$250 Winners

S

H

O

P

Farm Fresh	Restaraunt, Food & Beverage	Services	Any Business
Pharmacy	Home & Garden	Restaraunt, Food & Beverage	Handmade & Crafts
Restaraunt, Food & Beverage	Any Business	Pharmacy	Services
Handmade & Crafts	Services	Home & Garden	Restaraunt, Food & Beverage

Visit the below link for more details.

<https://bit.ly/3Ckej8S>

shoplocalwilmot@gmail.com

#Wilmotstrongertogether #Shoplocal

@Wilmotstrongertogether

Sponsored by: **New Hamburg Board of Trade**

Wilmot Stronger Together, Wilmot Township

Allan Beach Roofing, Premium Roofing

Dressed to Deliver



Dressed to Deliver
LABOR · DELIVERY · NURSING



DEVELOPMENT SERVICES

Staff Report

REPORT NO: DS 2021-035

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning and Economic Development

REVIEWED BY: Sharon Chambers, CAO

DATE: December 6, 2021

SUBJECT: Billboard Sign Renewals

RECOMMENDATION:

THAT Report DS 2021-035 be endorsed.

SUMMARY:

This report is prepared annually to advise of the status of each of the billboard signs licensed in the Township of Wilmot. The report details the condition, status of payment and provides recommendations for renewal, or renewal subject to conditions, for each of the billboards.

BACKGROUND:

The Township's Sign By-law 2002-68, sets out limitations on size, messaging, and location of billboards throughout the Township. The By-law further requires annual review of billboards, and Council's approval to renew billboard licenses. There are presently 4 billboards licensed in the Township of Wilmot.

REPORT:

Werner Kuehlenborg

Location: Corner of Bleams Road and Trussler Road, Mannheim

Date of first issuance: November 15, 2006

Summary:

The billboard has been renewed annually since November of 2006. In 2007, Council approved a variance to the sign by-law to permit 25% of the billboard to advertise non Wilmot based businesses. This percentage was further increased to 38%, subject to conditions. All sign faces are currently filled on the billboard in compliance with the sign's conditions of approval.

Recommendation:

That the billboard permit be extended for an additional year.



Sign face as of November 24, 2021

2614235 Ontario Limited

Location: 200 Waterloo Street, New Hamburg

Date of first issuance: November 22, 2010

Summary:

This building was first considered for licensing of a billboard in 2006. The two signs located on the building are compliant with the Sign By-law.

Recommendation:

That the billboard permit be extended for an additional year.



Sign faces as of November 24, 2021

ADS High Impact Advertising Inc.

Location: 374 Hamilton Road, New Hamburg

Date of first issuance: April 14, 2011

Summary:

Council approved licensing of this billboard on January 31, 2011. A billboard sign permit was subsequently issued on April 14, 2011. Non-Wilmot based content is permitted to occupy up to 20% of the sign. As of November 24, 2021, the sign face was in compliance with the conditions of approval.



Sign face as of November 24, 2021

Recommendation:

That the billboard permit be extended for an additional year.

Took-A-Look Media

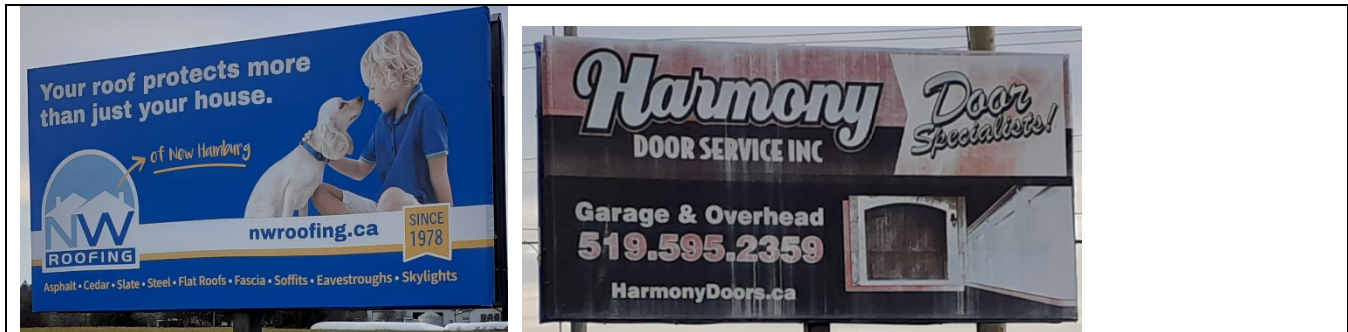
Location: Northwest corner of Nafziger Road and Waterloo Street

Date of first issuance: December 10, 2010

Summary:

This billboard sign was first considered for licensing in April of 2009. The approval was given such that the license is deemed to automatically renew from year to year for a period of 10 years subject to an annual review and payment of the annual license fee. That initial 10 year period has now expired and this billboard will now be licensed annually on the same basis as all other billboards.

In February of 2013 a variance was approved to allow one side of the sign face to advertise non-Wilmot based business subject to approval by Council. Harmony Door Service Inc. was authorized to advertise on the sign. The billboard owner has arranged a sign company to remove the Harmony Door Service sign and replace it with contact information to advertise as there is presently no advertiser lined up to fill the space. At this time, the billboard is compliant with the sign's conditions of approval. Staff will monitor the sign and ultimately will authorize a future advertiser to ensure compliance.



Sign faces as of November 24, 2021

Recommendation:

That the billboard permit be extended for an additional year.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Billboard licensing serves to monitor advertising content to ensure it continues to promote the Township's downtowns and commercial areas in turn contributing to a prosperous economy.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 11: Sustainable Cities and Communities – providing opportunities to advertise business activities occurring throughout the Township and Region fosters an economic link between urban and rural areas.

FINANCIAL CONSIDERATIONS:

The billboard license fees, established by the Township of Wilmot Fees and Charges By-law, were received prior to the completion of this report.

ATTACHMENTS:

None



DEVELOPMENT SERVICES

Staff Report

REPORT NO: DS 2021-033

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning and Economic Development

REVIEWED BY: Sharon Chambers, CAO

DATE: December 6, 2021

SUBJECT: Zone Change Application 06/21
Concept Development Group Inc. / MHBC
Part of Lot 14, Concession North of Snyder's Road
Parts 1 and 2, Plan 58R-1966
162 Snyder's Road East, Baden

RECOMMENDATION:

THAT Council approve Zone Change Application 06/21 made by Concept Development Group Inc. / MHBC, affecting Part of Lot 14, Concession North of Snyder's Road being Parts 1 and 2, Plan 58R-1966, to:

1. permit multiple residential units without a commercial use on the main floor,
2. reduce the parking ratio for apartment units from 1.5 spaces per unit to 1.2 spaces per unit,
3. reduce the minimum rear yard setback for the building from 7.5m to 4.6m, and
4. reduce the exterior side yard setback for the building from 6.0m to 5.2m.

SUMMARY:

The subject property is designated as Urban Core within the Township Official Plan and is zoned Zone 5 (Commercial) which permits a commercial building with residential units situated above the commercial use. This application proposes to amend the zoning to allow residential units without a commercial use on the main floor and proposes site specific setback and parking regulations.

The proposed zoning amendment represents an appropriate land use for the subject property. The Township Official Plan requires that 30 percent of population growth occur through reurbanization, promotes a mix of housing types and densities within the Urban Areas, and encourages a full range of residential, commercial, institutional and other service uses within the Urban Core designation. The development proposal includes a range of residential unit sizes and provides for the flexible reuse of the main floor of the proposed building should future markets support such a use.

BACKGROUND:

A Public Meeting was held on May 17, 2021. Notice that this application would return to Council for a decision was given to property owners within 120 metres of the subject lands on November 4, 2021. The following is a summary of comments received prior to the Public Meeting.

Public

(complete written comments and minutes from the public meeting included as Attachment B)

Justin and Jen Zielman, Snyder's Road East (written comments prior to and verbal submissions at public meeting) – concerns with the reduction in the setbacks, the impact on privacy and sunlight as a result of building height and upper storey balconies, reduced parking, increased traffic, snow removal, and noise generated from exterior mechanical equipment. Comments requested a privacy fence along the property line.

O'Derald Gingerich, Snyder's Road East (verbal submissions at public meeting) – concerns with the proposed size of the building and number of units, need for parking, and the appearance when looking at building from his property.

Natasha Salonen (verbal submissions at public meeting) – concerned with parking and the suggestion that the property is on a transit route given the limited service; design of building does not fit the community; no outdoor amenity area and windows need to be closed; should be commercial use on the property; adding residential units without transit, sports and social services in place lowers quality of life.

Jeff Pinkney and Leslie Fagen (verbal submissions at public meeting) – shared concerns presented by other delegations and noted that there is too much proposed for the property and not enough parking.

Agencies

GRCA – indicating no concerns with the application.

Region of Waterloo – indicating all Regional comments have been addressed.

WRDSB – advising of student accommodation pressures at Sir Adam Beck PS and Waterloo-Oxford DSS and that current interim measures including portable classrooms may be required long term until alternative solutions are in place.

WCDSB – requesting the developer erect a sign advising prospective residents of schools in the area.

REPORT:

The subject lands are designated Urban Core in the Township Official Plan and are zoned Zone 5 (Commercial) within the Township Zoning By-law 83-38, as amended.

This application proposes to amend the zoning as follows:

1. to permit multiple residential units without a commercial use on the main floor,
2. to reduce the parking ratio for apartment units from 1.5 spaces per unit to 1.2 spaces per unit,
3. to reduce the minimum rear yard setback for the building from 7.5m to 4.6m, and
4. to reduce the exterior side yard setback for the building from 6.0m to 5.2m.

Since the May public meeting, the applicant has worked through agency comments that were outstanding at that time.

As requested by the Region of Waterloo, an archaeological assessment has been prepared and acknowledged by the Ministry of Heritage, Sport, Tourism, and Culture Industries. The applicant has actively been involved in environmental remediation of the property and is required to complete a Record of Site Condition prior to the issuance of any building permits should the zoning be approved. Implementation of the noise study findings (noise warning clauses and building inclusion of central air conditioning) will occur through a subsequent site plan control process.

Initial Grand River Conservation Authority comments with respect to clarification of the development limits and floodplain required prior to zoning consideration were addressed. Any further regulatory comments will be addressed through the subsequent site plan approval and building permit processes.

From a site servicing perspective, engineering documentation was provided to demonstrate that sanitary sewer infrastructure can support the proposed development and that the site is not impacted by constraints within the Foundry Street sanitary sewer. Remaining engineering review will occur through the site plan control process.

Prior to and at the Public Meeting, four property owners in the area submitted letters and/or made verbal submissions at the Public Meeting. The following paragraphs provide comments and/or solutions to these concerns.

Height and location of proposed building

The current zoning permits a building with a maximum height three storeys, but does not include a specific measurement per storey. As proposed, the building includes one lower level (which does not constitute a storey) along with three above grade levels in conformity with the existing zoning. The concept notes a height of 3 storeys or 11m. By comparison, in abutting residential zones, the maximum height of the building is 10.5.

With respect to the proposed setback reductions, their necessity is due to the orientation of the property. Previously, the subject property was two separate properties fronting on Snyder's Road East. On each commercially zoned property, a building of up to three storeys would have been permitted. The side yard setback within Zone 5 is half the building height, but not less than 3.0m. Based on an 11m high building, the side yard setback would be 5.5m

On a corner lot, the shorter distance abutting a street is considered the lot frontage (in this case Brubacher Street). The property line furthest from the front property line is the rear property line. When the lands were two separate properties, what is considered a rear yard setback in the current proposal would have been a side yard setback (and functions as that purpose in the current proposal as well). The reduction requested is more in line with a reduction 0.9m from 5.5m to 4.6m and, as illustrated on the concept plan, is only required for a portion of the building, not the entire side.

The proposed exterior side yard setback (Snyder's Road East) allows the building to move closer to the street. The reduced setback is consistent with other buildings along Snyder's Road East, including Vesper Springs Manor west of the subject property. Additionally, in shifting the building closer to the street, as proposed, a setback from the north property line of 13.5m is achieved and the rear of the building face is then essentially in line with the rear wall of the neighbouring dwelling.

Staff are of the opinion that the building's location and height is consistent with the intent of the existing zoning regulations and is appropriate for the property.

Parking

The subject property fronts a Regional Road providing a range of active transportation options both existing, and through the current reconstruction of Snyder's Road. The property has access to sidewalks, bike lanes and is located along Grand River Transit's Route 77. While the existing transit route may not offer the same flexibility as transit within larger urban areas, it undoubtedly provides an alternate option for those who do not have, or choose not to have, an automobile. Route improvements, including an additional vehicle and increased frequency, planned for 2022 will further improve the existing transit route. There are continued opportunities to explore alternate transportation options within the Township that may further promote less demand for vehicles in the future.

The developer has made inclusions within their development concept to support a reduced parking standard from 1.5 spaces per unit to 1.2 spaces per unit (a reduction from 48 to 39

spaces). With units being divided equally between 1 bedroom and 2 bedroom, coupled with a paid parking arrangement, it is anticipated that not all units will require a parking space. That said, ownership/landlord arrangements will need to involve consideration for parking. If an individual has parking needs beyond what the site can accommodate, this property may not be the correct location for them to choose to reside.

Historically zoning provisions have been developed around the need to provide parking. In order to provide additional housing forms and affordability options, developments will need to include more units than perhaps some areas within Wilmot have historically seen and by extension reconsideration of parking ratios needs to occur. Being located on a Regional road, with cycling and transit access, the subject lands are well situated to accommodate the housing form sought by this application.

Site plan control

Should the zoning application be approved, the applicant will then work through the detailed site plan control process. Review of lot grading and drainage, storm water management, fencing, landscaping, noise attenuation, lighting and snow storage/removal all form part of the standard review process to ensure appropriate development of the site. Concerns raised with respect to privacy fencing as well as noise attenuation from any proposed exterior mechanical equipment are reviewed and incorporated during the site plan approval stage of development.

Outdoor amenity areas and access to recreation and leisure opportunities

The noise study prepared in support of the application identified standard recommendations for a development located in close proximity to a Regional Road and railway – essentially standards found within numerous developments within both Baden and New Hamburg. One of these standard recommendations is the inclusion of central air conditioning. This is not to say that windows need to stay closed, but rather that the option exists to leave windows closed if noise is of concerns to the building's occupants.

With respect to outdoor amenity areas, the property is located within 150m of the entrance to Sir Adam Beck Park which provides multiple recreational opportunities to residents of the area. As well Route 77 and the growing Township trail network provide connections to the Wilmot Recreation Complex.

The Township's Parks, Facilities, and Recreation Master Plan specifically looks at population trends and guides the development of Township's parks, facilities, and recreation services to ensure that appropriate amenities and services are in place to accommodate the Township's growing population.

The development has direct access to recreational amenities and is not anticipated to create a demand on recreation and leisure opportunities that are not already accommodated or anticipated throughout the Township.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

The approval of infilling residential uses maximizes the use of existing infrastructure and reduces the demand for additional greenfield lands to accommodate all residential development which are both strategies in achieving the Township's goal to protect the natural environment.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 9: Industry, Innovation and Infrastructure – intensification within existing urban boundaries maximum use of existing municipal infrastructure.

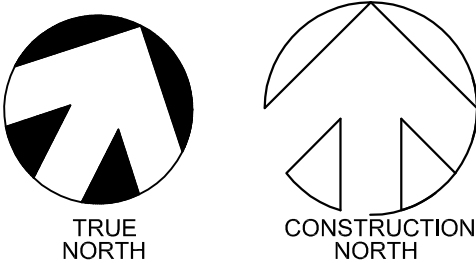
Goal 11: Sustainable Cities and Communities – providing a range of housing options enhances the sustainability of the community.

FINANCIAL CONSIDERATIONS:

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

ATTACHMENTS:

Attachment A	Site Plan
Attachment B	Public comments



SITE STATISTICS

ITEM	EXISTING ZONING BYLAW REQUIREMENTS	PROPOSAL
ZONING CATEGORY	Z5	Z5
LOT AREA (sqm)	N/A	2457
LOT WIDTH (sm)	30	30.2
GROUND FLOOR AREA (sqm)	N/A	850
LOT COVERAGE (max.)	50%	34.6% (810sm)
FRONT YD. (min.)	7.6 m	9.7 m
REAR YARD (min.)	7.5 m	4.6 m *
INT. SIDE YARD NORTH (min.)	5.5 m	13.5 m
EXT. SIDE YARD SOUTH (min.)	6.0 m	5.25 m *
NUMBER OF PARKING SPACES - RESIDENTIAL-1.5/UNIT	48	39 *
NUMBER OF TYPE A ACCESSIBLE PARKING SPACES	1	1
NUMBER OF TYPE B ACCESSIBLE PARKING SPACES	1	1
PARKING STALL DIMENSIONS (m)	2.75m x 6.0m	2.75m x 6.0m
TYPE A ACCESSIBLE PARKING SPACE (m)	3.4 x 5.5	3.4 x 5.5
TYPE B ACCESSIBLE PARKING SPACE (m)	2.4 x 5.5	2.4 x 5.5
ACCESSIBLE PARKING AISLE (m)	1.5 x 5.5	1.5 x 5.5
LANDSCAPED OPEN SPACE	30%	30.0% (830 sq.m.)
BUILDING HEIGHT	3 storeys	3 storeys (11m)

* Site Specific Zoning Requested

FLOOR LEVEL	2 BED UNIT	1 BED UNIT	TOTAL
LOWER LEVEL	1	4	5
GROUND FLOOR	1	4	5
2ND FLOOR	7	4	11
3RD FLOOR	7	4	11
TOTAL	16	16	32

AMENITY TYPE	AREA
STORAGE	61.3 sq.m.
ROOFTOP PATIO	169.7 sq.m.
TOTAL	231.0 sq.m.

RENTABLE AREA	276.0 SQ.M	2,970 SQ.FT.
COMMON AREA	216.9 SQ.M	2,335 SQ.FT.
AMENITY AREA	61.3 SQ.M	660 SQ.FT.
TOTAL FLOOR AREA	554.2 SQ.M	5,965 SQ.FT.



162 SNYDER'S ROAD
RESIDENTIAL DEVELOPMENT

BADEN, ON

SITE PLAN - GROUND FLOOR

DATE: MAR 22, 2021
SCALE 1:125

P1

Attachment B Public comments

Andrew Martin

From: Justin Zielman
Sent: Thursday, May 6, 2021 8:52 PM
To: Andrew Martin
Cc:
Subject: Snyders Road Apartment Notes

Hey Andrew, thanks for letting us submit our notes later. We really appreciate it.

Some of our concerns regarding the requested zoning amendments include:

1. The number of amendments requested to be changed to allow for the development to occur. Is the proposal really suited for the size of the site if they are needing to make amendments to the existing space requirements? Why not build a building that fits within the required space?
2. We are concerned about reducing the minimum setback from our property on the east side of the lot. With the building being 3 stories and reduced space to our yard that will significantly impact our privacy while we are in our yard. The proposed plans include balconies overlooking our backyard. The height of the building will also have a huge impact on blocking the sunlight to our backyard.
3. The reduced parking available for residents of the building is also of concern. How many couples/families really only have one vehicle? With limited parking available to them where will the overflow cars be parked? There is already limited street parking available in the neighborhood.
4. We did not see within the plans anything about a privacy fence being included to separate the property from us. Is this something that will be included in the plans?
5. The increase in the traffic safety is also of concern. Snyder's road is already a busy street with cars driving fast down the road. With an additional 38 (plus) cars from this property and additional cars from the development occurring further back on Brubacher St., and bike lanes going in that is a significant increase of traffic in the area and we believe poses a safety concern to pedestrians, biker as well as drivers.
6. What are the plans for snow removal? Where will the snow be piled? We don't want it to melt and drain into our backyard which already has drainage issues as do many of the neighboring properties.
7. In the proposal there was mention of a noise warning needed to be included in the leases due in part to the air conditioning units. Where will these units be located on the building? What will there impact be on our ability to sit outside and enjoy our backyard?

We have serious concerns about the proposed plans for the lot and the impact it will have on our neighborhood. We have talked with a number of our neighbors, many who have lived in their houses for decades. Everyone has concerns about the development plans for the property and the impact it will have on the neighboring properties and the traffic safety in the area. If you require any further information from us or wish for us to expand on any of these concerns please let us know.

Thank you for your time,

Justin and Jen Zielman

8. PUBLIC MEETINGS

8.1 REPORT NO. DS 2021-017

Zone Change Application 06/21

Concept Development Group In

**Part of Lot 14, Concession North of Snyder's Road Parts 1 and 2,
Plan 58R-1966**

162 Snyder's Road East, Baden

Resolution No. 2021-99

Moved by: Councillor B. Fisher

Seconded by: Councillor J. Pfenning

THAT Report DS 2021-017 be received for information.

CARRIED.

The Manager of Planning / EDO outlined the report.

Andrea Sinclair, MHBC Planning, presented an overview of development. The presentation is attached as Appendix A. Council raised concerns over the suggested parking and Ms. Sinclair noted that those details are still being refined.

Jennifer Zielman appeared as a delegation, expressing concerns over the reduced set back and impacts on privacy for her property.

The Manager of Planning / EDO clarified that the reduced set back and visibility provisions would be highlighted in subsequent reports to Council.

O'Derald Gingerich appeared as a delegation and expressed his concerns over the proposed size of the development could potentially house 100 residents making it the largest residential building in Baden. He noted concerns over the height of the building and visitor parking.

Natasha Salonen appeared as a delegation and expressed concerns the proposed development and the alignment with the Township Strategic Plan, noting that the proposed parking reductions would not be supported by alternative transportation as the transit schedule does not run 7 days a week. Ms. Salonen also expressed her concerns that the design and aesthetic of the building is not compatible with the countryside community. She expressed her concerns for the lack of outdoor living space and access to greenspace for future residents.

Jeff Pinkney appeared as a delegation, noting that his family shares the similar concerns to previous delegations and encouraged reconsideration of an appropriate size building for the site.



DEVELOPMENT SERVICES

Staff Report

REPORT NO: DS 2021-034

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

PREPARED BY: Andrew Martin, MCIP RPP
Manager of Planning and Economic Development
Cameron Miller, MA
Planner

REVIEWED BY: Sharon Chambers, CAO

DATE: December 6, 2021

SUBJECT: Telecommunication tower protocol review

RECOMMENDATION:

THAT Report DS 2021-034 be received for information.

SUMMARY:

This report provides an overview of municipal involvement within the Innovation, Science and Economic Development Canada (ISED) telecommunication tower approval process. It includes a summary of the Township of Wilmot's current process along with those of other municipalities within Waterloo Region, Oxford County and Perth County.

The results of the summary (outlined in the chart included as Attachment A), highlight that the ISED protocol for municipal and public engagement in the telecommunication tower process is followed very closely if not entirely, by most comparator municipalities.

Based on an examination of neighbouring municipalities, the report concludes that the Township of Wilmot's current engagement in the telecommunication tower approval process is not substantially different than that of other municipalities. While the ISED process provides opportunity for municipalities to create their own protocols, proponents are still bound by the regulations of ISED and the approval falls with the federal government, not the local municipality.

The hybrid system that the Township utilizes – the standard ISED process and an expanded public circulation distance in concert with a site plan control mirrored review – has worked successfully to date. The creation of a municipal protocol suggests a level of local decision making that ultimately does not exist and as such staff do not see value in creating a municipal specific protocol. Additional regulations established through a Township telecommunications protocol would act as recommendations to proponents but are ultimately not enforceable as traditional planning tools such as zoning by-law regulations and site plan control agreements are not available to the Township given exemptions provided to telecommunication towers by ISED.

Staff do recognize that council awareness of a local telecommunication proposal application would be beneficial and as such, should the Township's process remain unchanged, staff will ensure that the proponent's submission material is also circulated to the ward councillor for information.

BACKGROUND:

At the October 18, 2021, meeting, Council directed staff to provide a report further examining possible policies, procedures, and bylaws regarding telecommunication infrastructure within Wilmot Township. This included examining the public consultation process, design guidelines, and potential protocols to address locations and siting of towers.

The Township has received six telecommunication tower proposals that have proceeded through the default ISED public notification process resulting in no public concerns that the proponent was unable to respond to. Two of the six proposals were received in 2021 with one public consultation process recently concluded and one currently underway.

ISED's Spectrum Management and Telecommunications Client Procedures Circular – Radiocommunication and Broadcasting Antenna System, outlines the approval process including municipal and public engagement. This document is included as Attachment B.

REPORT:

Telecommunication towers and their facilities are federally regulated by ISED and are exempt from planning tools available to local municipalities such as zoning by-law regulations and site plan control. While the ISED does provide the ability for the local municipality to establish local consultation protocols, it does not however afford the opportunity to approve or deny requests for new telecommunication towers.

The Township presently follows an enhanced approach to the requirements outlined by Industry Canada. This involves public notification beyond the ISED standard if not all abutting property

owners are notified. ISED requires that all property owners within three times the height of the tower are notified. This measurement is calculated from the base of the tower, meaning that depending on the placement of the tower, there is no requirement to notify abutting property owners if located outside of this distance. The Township requires that the proponent notify all abutting property owners even if outside of the ISED distance. The proponent is required to address comments received through the consultation process and ultimately provide a summary of what comments were received and how they were addressed to the municipality.

The Township also includes a site plan review that duplicates the Township's site plan control process, recognizing the telecommunication towers are not subject to site plan control agreements. This process involves interdepartmental and agency circulation for comments, review of detailed grading plans as required, and review of access if new or modified access is proposed. Fees are collected in line with the site plan control application fees and review fees established by the fees and charges by-law.

To assist in Council's consideration of the current local process, staff contacted all municipalities within the Region of Waterloo, Perth County and Oxford County to determine whether municipalities had local telecommunication protocols or if they deferred to the ISED process. The data collected is documented in the chart included as Attachment A. The left column of the chart identifies the overall ISED process including the two areas where local involvement is sought – land use authority consultation and public notification. The second column outlines the Township's current process and the subsequent columns to the right identify which municipalities follow the standard ISED process and where local protocols provide differing regulations.

As identified in the chart, 11 of 19 municipalities defer entirely to Industry Canada's document, while the remaining have established an internal document to supplement the existing regulations. 5 of 19 municipalities circulate to Council and/or the ward councillor prior to providing a statement of concurrence. 3 of 19 municipalities host a formal public meeting and an equal amount directly mail out the public notification, rather than the proponent.

7 municipalities have regulations encouraging the location of new telecommunication towers in commercial/industrial zones while remaining outside a set distance of residential areas.

Of the municipalities with protocols, passive language such as 'when encouraged' or 'whenever possible' is frequently used when citing suggested distances to residential areas or property lines and design features as ISED provides no local authority to establish these regulations. The inclusion of design requirements typically relates to visual buffering around the base of the tower and is included primarily within city urban area protocols. In rural locations these design recommendations would be of little benefit given the base of the tower is typically not, or only minimally, visible from adjacent properties or roadways. With that said, should a more urban location be proposed, the Township would have an equal ability to provide visual buffering recommendations as part of the commenting process.

Under the ISED protocol, there are several exemptions whereby municipal review and public notification is not required. This includes new antenna systems where the height is less than

15 metres; maintenance, or modifications to existing antenna systems where said modifications result in a height increase of less than 25%; antennas on existing buildings that result in a height increase of less than 25% of the height of the building; and temporary installations for a period not exceeding three months. ISED allows land use authorities to provide further exemptions from consultation; 2 municipalities within the comparators provide exemptions beyond the standard ISED exclusions.

In reviewing the processes set out by the comparator municipalities, staff remain of the opinion that utilization of the ISED process enhanced with the additional level of site plan review functions appropriately and ultimately aligns closely with other jurisdictions. ISED sets out standards for a public consultation to be followed by the proponent including time frames, notification requirements etc., but with requirements to advise the local municipality and ISED of the summary of that process. Only 3 of 19 comparator municipalities involve a municipally driven public notification process and public meeting which staff would suggest ultimately adds little benefit to the overall process. Whether the circulation is from the proponent or the municipality, ISED requires the proponent to respond to any concerns and ultimately provide that communication to the municipality.

After reviewing the process of 19 other jurisdictions, staff do not suggest any significant changes to the existing Township process. As highlighted on Attachment A, the process followed by municipalities that do have a written protocol, ultimately does not differ significantly from standard ISED process and ultimately culminates in concurrence or non-concurrence from the municipality and a final approval by ISED. For additional transparency, staff would propose to create a telecommunication tower page on the Township's website linking to ISED requirements and outlining local involvement in the process. This page could include proposals received and their status in the ISED regulated consultation process. In line with several other jurisdictions, staff will also include circulation of proposals to the ward councillor in which a tower is proposed to be located.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Review of municipal procedures ensures appropriate regulations are in place to protect our quality of life and natural environment.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Review of local involvement in the federally regulated telecommunication tower approval process aligns with Sustainable Development Goal 17: Partnerships to achieve the Goal – ensuring public engagement in decision making acts as a partnership between residents and government to achieve goals.

FINANCIAL CONSIDERATIONS:

The current process for telecommunication review is absorbed within the existing operating budget for the Development Services administration. The introduction of a new and distinct

protocol would assuredly increase operating requirements, and result in adjustments to existing planning application fees.

ATTACHMENTS:

- | | |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Attachment A | Telecommunication tower protocol comparison chart |
| Attachment B | Industry Canada Spectrum Management and Telecommunications Client Procedures Circular: Radiocommunication and Broadcasting Antenna Systems |



Industry
Canada

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Canada

CPC-2-0-03

Issue 5

Released: June 26, 2014

Effective: July 15, 2014

Spectrum Management and Telecommunications

Client Procedures Circular

Radiocommunication and Broadcasting Antenna Systems

Comments and suggestions may be directed to the following address:

Industry Canada
Spectrum Management Operations Branch
235 Queen Street
Ottawa, Ontario
K1A 0H5

Attention: DOSP

Via e-mail: spectrum_pubs@ic.gc.ca

All [Spectrum Management and Telecommunications](http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/home) publications are available on the following website at: <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/home>.

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1. Introduction

Radiocommunication and broadcasting services are important for all Canadians and are used daily by the public, safety and security organizations, government, wireless service providers, broadcasters, utilities and businesses. In order for radiocommunication and broadcasting services to work, antenna systems including masts, towers, and other supporting structures are required. Antenna systems are normally composed of an antenna and some type of supporting structure, often called an antenna tower. Most antennas have their own integral mast so that they can be fastened directly to a building or a tower. There is a certain measure of flexibility in the placement of antenna systems which is constrained to some degree by: the need to achieve acceptable coverage for the service area; the availability of sites; technical limitations; and safety. In exercising its mandate, Industry Canada believes that it is important that antenna systems be deployed in a manner that considers the local surroundings.

1.1 Mandate

Section 5 of the *Radiocommunication Act* states that the Minister may, taking into account all matters the Minister considers relevant for ensuring the orderly development and efficient operation of radiocommunication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. Further, the Minister may approve the erection of all masts, towers and other antenna-supporting structures. Accordingly, proponents must follow the process outlined in this document when installing or modifying an antenna system. Also, the installation of an antenna system or the operation of a currently existing antenna system that is not in accordance with this process may result in its alteration or removal and other sanctions against the operator in accordance with the *Radiocommunication Act*.

1.2 Application

The requirements of this document apply to anyone (referred to in this document as the proponent) who is planning to install or modify an antenna system,¹ regardless of the type. This includes telecommunications carriers,² businesses, governments, Crown agencies, operators of broadcasting undertakings and the public (including for amateur radio operation and over-the-air TV reception). Anyone who proposes, uses or owns an antenna system must follow these procedures. The requirements also apply to those who install towers or antenna systems on behalf of others or for leasing purposes (“third party tower owners”). As well, parts of this process contain obligations that apply to existing antenna system owners and operators.

1.3 Process Overview

This document outlines the process that must be followed by proponents seeking to install or modify antenna systems. The broad elements of the process are as follows:

¹ For the purposes of this document, an “antenna system” is normally composed of an antenna and some sort of supporting structure, normally a tower. Most antennas have their own integral mast so that they can be fastened directly to a building or a tower. Thus, where this document refers to an “antenna,” the term includes the integral mast.

² For the purpose of this document, a “telecommunications carrier” means a person who owns or operates a transmission facility used by that person or another person to provide telecommunications services to the public for compensation.

1. Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures.
2. Contacting the land-use authority (LUA) to determine local requirements regarding antenna systems.
3. Undertaking public notification and addressing relevant concerns, whether by following local LUA requirements or Industry Canada's default process, as is required and appropriate.
4. Satisfying Industry Canada's general and technical requirements.
5. Completing the construction.

It is Industry Canada's expectation that steps (2) to (4) will normally be completed within **120 days**. Some proposals may be excluded from certain elements of the process (see Section 6). It is Industry Canada's expectation that all parties will carry out their roles and responsibilities in good faith and in a manner that respects the spirit of this document. If the requirements of this document are satisfied and the proposal proceeds then, under step (5), construction of the antenna system must be completed within three years of conclusion of consultation.

2. Industry Canada Engagement

There are a number of points in the processes outlined in this document where parties must contact Industry Canada to proceed. Further, anyone with any question regarding the process may contact the local Industry Canada office³ for guidance. Based on a query by an interested party, Industry Canada may request parties to provide relevant records and/or may provide direction to one or more parties to undertake certain actions to help move the process forward.

3. Use of Existing Infrastructure (Sharing)⁴

This section outlines the roles of proponents and owners/operators of existing antenna systems. In all cases, parties should retain records (such as analyses, correspondence and engineering reports) relating to this section.

Before building a new antenna-supporting structure, Industry Canada requires that proponents first explore the following options:

- consider sharing an existing antenna system, modifying or replacing a structure if necessary;

³ Please refer to Radiocommunication Information Circular RIC-66 for a list of addresses and telephone numbers for Industry Canada's regional and district offices. [RIC-66](http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf06073.html) is available via the Internet at: http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf06073.html.

⁴ See also Client Procedures Circular CPC-2-0-17, *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*. CPC-2-0-17 is available via the Internet at: <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf09081.html>.

- locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

A proponent is not normally expected to build a new antenna-supporting structure where it is feasible to locate an antenna on an existing structure, unless a new structure is preferred by the land-use authority.

Owners and operators of existing antenna systems are to respond to a request to share in a timely fashion and to negotiate in good faith to facilitate sharing where feasible. It is anticipated that 30 days is reasonable time for existing antenna system owners/operators to reply to a request by a proponent in writing with either:

- a proposed set of reasonable terms to govern the sharing of the antenna system; or
- a detailed explanation of why sharing is not possible.

4. Land-use Authority and Public Consultation

Contacting the Land-use Authority

Proponents must always contact the applicable land-use authorities to determine the local consultation requirements and to discuss local preferences regarding antenna system siting and/or design, unless their proposal falls within the exclusion criteria outlined in Section 6. If the land-use authority has designated an official to deal with antenna systems, then proponents are to engage the authority through that person. If not, proponents must submit their plans directly to the council, elected local official or executive. The 120-day consultation period commences only once proponents have formally submitted, in writing, all plans required by the land-use authority, and does not include preliminary discussions with land-use authority representatives.

Proponents should note that there may be more than one land-use authority with an interest in the proposal. Where no established agreement exists between such land-use authorities, proponents must, as a minimum, contact the land-use authority(ies) and/or neighbouring land-use authorities located within a radius of three times the tower height, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater. As well, in cases where proponents are aware that a potential Aboriginal or treaty right or land claim may be affected by the proposed installation,⁵ they must contact Industry Canada in order to ensure that the requirements for consultation are met.

Following the Land-use Authority Process

Proponents must follow the land-use consultation process for the siting of antenna systems, established by the land-use authority, where one exists. In the event that a land-use authority's existing process has no public consultation requirement, proponents must then fulfill the public consultation requirements contained in Industry Canada's Default Public Consultation Process (see Section 4.2). Proponents are not required to follow this requirement if the LUA's established process explicitly excludes their type of

⁵ Proponents are encouraged to refer to local community and online resources (for example, the Aboriginal and Treaty Rights Information System (ATRIS) (http://sidait-atris.aadnc-aandc.gc.ca/atris_online/home-accueil.aspx) as applicable.

proposal from consultation or it is excluded by Industry Canada's criteria.⁶ Where proponents believe the local consultation requirements are unreasonable, they may contact the local Industry Canada office in writing for guidance.

Broadcasting Undertakings

Applicants for broadcasting undertakings are subject to Canadian Radio-television and Telecommunications (CRTC) licensing processes in addition to Industry Canada requirements. Although Industry Canada encourages applicants to consult as early as practical in the application process, in some cases it may not be prudent for the applicants to initiate public and municipal/land-use consultation before receiving CRTC approval, as application denial by the CRTC would have result in unnecessary work for all parties involved. Therefore, assuming that the proposal is not otherwise excluded, broadcasting applicants may opt to commence land-use consultation after having received CRTC approval. However, broadcasting applicants choosing this approach are required, at the time of the CRTC application, to notify the land-use authority with a Letter of Intent outlining a commitment to conduct consultation after receiving CRTC approval. If the land-use authority raises concerns with the proposal as described in the Letter of Intent, applicants are encouraged to engage in discussions with the land-use authority regarding their concerns and attempt to resolve any issues. Refer to Broadcasting Procedures and Rules, Part 1 (BPR-1), for further details.

4.1 Land-use Authority Consultation

Industry Canada believes that any concerns or suggestions expressed by land-use authorities are important elements to be considered by proponents regarding proposals to install, or make changes to, antenna systems. As part of their community planning processes, land-use authorities should facilitate the implementation of local radiocommunication services by establishing consultation processes for the siting of antenna systems.

Unless the proposal meets the exclusion criteria outlined in Section 6, proponents must consult with the local land-use authority(ies) on any proposed antenna system prior to any construction. The aim of this consultation is to:

- discuss site options;
- ensure that local processes related to antenna systems are respected;
- address reasonable and relevant concerns (see Section 4.2) from both the land-use authority and the community they represent; and
- obtain land-use authority concurrence in writing.

Land-use authorities are encouraged to establish reasonable, relevant, and predictable consultation processes⁷ specific to antenna systems that consider such things as:

⁶ In all cases, telecommunications carriers, broadcasting undertakings and third party tower owners must notify and consult with the local public when proposing a new antenna tower either by following Industry Canada's Default Public Consultation Process or, where one exists, the land-use authority's public consultation process..

⁷ Industry Canada is available to assist land-use authorities in the development of local processes. In addition, land-use authorities may wish to consult Industry Canada's guide for the development of local consultation processes.

- the designation of suitable contacts or responsible officials;
- proposal submission requirements;
- public consultation;
- documentation of the concurrence process; and
- the establishment of milestones to ensure consultation process completion within **120 days**.

Where they have specific concerns regarding a proposed antenna system, land-use authorities are expected to discuss reasonable alternatives and/or mitigation measures with proponents.

Under their processes, land-use authorities may exclude from consultation any antenna system installation in addition to those identified by Industry Canada's own consultation exclusion criteria (Section 6). For example, an authority may wish to exclude from consultation those installations located within industrial areas removed from residential areas, low visual impact installations, or certain types of structures located within residential areas such as personal antenna systems (e.g. used for over the air and satellite television reception or amateur radio operation).

4.2 Industry Canada's Default Public Consultation Process

Proponents must follow Industry Canada's Default Public Consultation Process where the local land-use authority does not have an established and documented public consultation process applicable to antenna siting. Industry Canada's default process has three steps whereby the proponent:

1. provides written notification to the public, the land-use authority and Industry Canada of the proposed antenna system installation or modification (i.e. public notification);
2. engages the public and the land-use authority in order to address relevant questions, comments and concerns regarding the proposal (i.e. responding to the public); and
3. provides an opportunity to the public and the land-use authority to formally respond in writing to the proponent regarding measures taken to address reasonable and relevant concerns (i.e. public reply comment).

Public Notification

1. Proponents must ensure that the local public, the land-use authority and Industry Canada are notified of the proposed antenna system. As a minimum, proponents must provide a notification package (see Appendix 1) to the local public (including nearby residences, community gathering areas, public institutions, schools, etc.), neighbouring land-use authorities, businesses, and property owners, etc.

Municipalities may also wish to refer to the protocol template developed in partnership between the Federation of Canadian Municipalities (FCM) and the Canadian Wireless Telecommunications Association (CWTA). The FCM/CWTA template can be found on the [FCM's website](http://www.fcm.ca) www.fcm.ca.

located within a radius of three times the tower height.⁸ The radius is measured from the outside perimeter of the supporting structure. For the purpose of this requirement, the outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc. Public notification of an upcoming consultation must be clearly marked, making reference to the proposed antenna system, so that it is not misinterpreted as junk mail. The notice must be sent by mail or be hand delivered. The face of the package must clearly reference that the recipient is within the prescribed notification radius of the proposed antenna system.

2. It is the proponent's responsibility to ensure that the notification provides at least 30 days for written public comment.
3. In addition to the minimum notification distance noted above, in areas of seasonal residence, the proponent, in consultation with the land-use authority, is responsible for determining the best manner to notify such residents to ensure their engagement.
4. In addition to the public notification requirements noted above, proponents of an antenna system proposed to be 30 metres or more in height must place a notice in a local community newspaper circulating in the proposed area.⁹ Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

Responding to the Public

Proponents are to address all reasonable and relevant concerns, make all reasonable efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. If the local public or land-use authority raises a question, comment or concern relating to the antenna system as a result of the public notification process, then the proponent is required to:

1. respond to the party in writing within **14 days** acknowledging receipt of the question, comment or concern and keep a record of the communication;
2. address in writing all reasonable and relevant concerns within **60 days** of receipt or explain why the question, comment or concern is not, in the view of the proponent, reasonable or relevant; and
3. in the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response. The proponent must provide a copy of all public reply comments to the local Industry Canada office.

⁸ Proponents are advised that municipalities may set reasonable public notification distances appropriate for their communities when establishing their own protocols.

⁹ The notice must be synchronized with the distribution of the public notification package. It must be legible and placed in the public notice section of the newspaper. The notice must include: a description of the proposed installation; its location and street address; proponent contact information and mailing address; and an invitation to provide public comments to the proponent within **30 days** of the notice. In areas without a local newspaper, other effective means of public notification must be implemented. Proponents may contact the local Industry Canada office for guidance.

Responding to reasonable and relevant concerns may include contacting a party by telephone, engaging in a community meeting or having an informal, personal discussion. Between steps 1 and 2 above, the proponent is expected to engage the public in a manner it deems most appropriate. Therefore, the letter at step 2 above may be a record of how the proponent and the other party addressed the concern at hand.

Public Reply Comments

As indicated in step 3 above, the proponent must clearly indicate that the party has **21 days** from the date of the correspondence to reply to the response. The proponent must also keep a record of all correspondence/discussions that occurred within the **21-day** public reply comment period. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.

The factors that will determine whether a concern is reasonable or relevant according to this process will vary but will generally be considered if they relate to the requirements of this document and to the particular amenities or important characteristics of the area surrounding the proposed antenna system. Examples of concerns that proponents are to address may include:

- Why is the use of an existing antenna system or structure not possible?
- Why is an alternate site not possible?
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- How is the proponent trying to integrate the antenna into the local surroundings?
- What options are available to satisfy aeronautical obstruction marking requirements at this site?
- What are the steps the proponent took to ensure compliance with the general requirements of this document including the *Canadian Environmental Assessment Act* (CEAA), Safety Code 6, etc.?

Concerns that are not relevant include:

- disputes with members of the public relating to the proponent's service, but unrelated to antenna installations;
- potential effects that a proposed antenna system will have on property values or municipal taxes;
- questions whether the *Radiocommunication Act*, this document, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

4.3 Concluding Consultation

The proponent may only commence installation/modification of an antenna system after the consultation process has been completed by the land-use authority, or Industry Canada confirms concurrence with the consultation portion of this process, and after all other requirements under this process have been met. Consultation responsibilities will normally be considered complete when the proponent has:

1. concluded consultation requirements (Section 4.1) with the land-use authority;
2. carried out public consultation either through the process established by the land-use authority or Industry Canada's Default Public Consultation Process where required; and
3. addressed all reasonable and relevant concerns.

Concluding Land-use Authority Consultation

Industry Canada expects that land-use consultation will be completed within **120 days** from the proponent's initial formal contact with the local land-use authority. Where unavoidable delays may be encountered, the land-use authority is expected to indicate when the proponent can expect a response to the proposal. If the authority is not responsive, the proponent may contact Industry Canada. Depending on individual circumstances, Industry Canada may support additional time or consider the land-use authority consultation process concluded.

Depending on the land-use authority's own process, conclusion of local consultation may include such steps as obtaining final concurrence for the proposal via the relevant committee, a letter or report acknowledging that the relevant municipal process or other requirements have been satisfied, or other valid indication, such as the minutes of a town council meeting indicating LUA approval. Compliance with informal city staff procedures, or grants of approval strictly related to zoning, construction, etc. will not normally be sufficient.

Industry Canada recognizes that approvals for construction (e.g. building permits) are used by some land-use authorities as evidence of consultation being concluded. Proponents should note that Industry Canada does not consider the fact a permit was issued as confirmation of concurrence, as different land-use authorities have different approaches. As such, Industry Canada will only consider such approvals as valid when the proponent can demonstrate that the LUA's process was followed and that the LUA's preferred method of concluding LUA consultation is through such an approval.

Concluding Industry Canada's Default Public Consultation Process

Industry Canada's Default Public Consultation Process will be considered concluded when the proponent has either:

- received no written questions, comments or concerns to the formal notification within the **30-day** public comment period; or
- if written questions, comments or concerns were received, the proponent has addressed and resolved all reasonable and relevant concerns and the public has not provided further comment within the **21-day** reply comment period.

In the case where the public responds within the **21-day** reply comment period, the proponent has the option of making further attempts to address the concern on its own, or can request Industry Canada engagement. If a request for engagement is made at this stage, Industry Canada will review the relevant material, request any further information it deems pertinent from any party and may then decide that:

- the proponent has met the consultation requirements of this process and that Industry Canada concurs that installation or modification may proceed; or
- the parties should participate in further attempts to mitigate or resolve any outstanding concern.

4.4 Post-Consultation

Whether the proponent followed a land-use authority's consultation process or Industry Canada's default public consultation process, construction of an antenna system must be completed within three years of the conclusion of consultation. After three years, consultations will no longer be deemed valid except in the case where a proponent secures the agreement of the relevant Land-Use Authority to an extension for a specified time period in writing. A copy of the agreement must be provided to the local Industry Canada office.

5. Dispute Resolution Process

The dispute resolution process is a formal process intended to bring about the timely resolution where the parties have reached an impasse.

Upon receipt of a written request from a stakeholder other than the general public, asking for Departmental intervention concerning a reasonable and relevant concern, the Department may request that all involved parties provide and share all relevant information. The Department may also gather or obtain other relevant information and request that parties provide any further submissions if applicable. The Department will, based on the information provided, either:

- make a final decision on the issue(s) in question, and advise the parties of its decision; or
- suggest the parties enter into an alternate dispute resolution process in order to come to a final decision. Should the parties be unable to reach a mutually agreeable solution, either party may request that the Department make a final decision.

Upon resolution of the issue under dispute, the proponent is to continue with the process contained within this document as required.

6. Exclusions

All proponents must satisfy the General Requirements outlined in Section 7 regardless of whether an exclusion applies to their proposal. All proponents must also consult the land-use authority and the public unless a proposal is specifically excluded. Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria below should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponent to consult even though the proposal meets an exclusion noted below. Therefore, when applying the criteria for exclusion, proponents should consider such things as:

- the antenna system's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;

- the location of the proposed antenna system on the property and its proximity to neighbouring residents;
- the likelihood of an area being a community-sensitive location; and
- Transport Canada's marking and lighting requirements for the proposed structure.

The following proposals are excluded from land-use authority and public consultation requirements:

- **New Antenna Systems:** where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners;
- **Existing Antenna Systems:** where modifications are made, antennas added or the tower replaced¹⁰, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation¹¹. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to antenna systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;
- **Non-Tower Structure:** antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%;¹² and
- **Temporary Antenna Systems:** used for special events or emergency operations and must be removed within three months after the start of the emergency or special event.

No consultation is required prior to performing maintenance on an existing antenna system.

Proponents who are not certain if their proposals are excluded, or whether consultation may still be prudent, are advised to contact the land-use authority and/or Industry Canada for guidance.

Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

7. General Requirements

In addition to roles and responsibilities for site sharing, land-use consultation and public consultation, proponents must also fulfill other important obligations including: compliance with Health Canada's

¹⁰ The exclusion for the replacement of existing antenna systems applies to replacements that are similar to the original design and location.

¹¹ Initial antenna system installation refers to the system as it was first consulted on, or installed.

¹² Telecommunication carriers, operators of broadcasting undertakings and third party tower owners may benefit from local knowledge by contacting the land-use authority when planning an antenna system that meets this exclusion criteria.

Safety Code 6 guideline for the protection of the general public; compliance with radio frequency immunity criteria; notification of nearby broadcasting stations; environmental considerations; and Transport Canada/NAV CANADA aeronautical safety responsibilities.

7.1 Radio Frequency Exposure Limits

Health Canada has established safety guidelines for exposure to radio frequency fields, in its Safety Code 6 publication, entitled: *Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz*.¹³ While the responsibility for developing Safety Code 6 rests with Health Canada, Industry Canada has adopted this guideline for the purpose of protecting the general public. Current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6.

It is the responsibility of proponents and operators of installations to ensure that all radiocommunication and broadcasting installations comply with Safety Code 6 at all times, including the consideration of combined effects of nearby installations within the local radio environment.

Telecommunications common carriers and operators of broadcasting undertakings are to carry out an exposure evaluation on all new installations and following any increases in radiated power. Either measurement surveys or mathematical or numerical computations can be used for this evaluation. Where the radio frequency emission of any installation, whether telecommunications carrier or broadcasting operator, is greater than, or is equal to, 50%, of the Safety Code 6 limits for uncontrolled environments at locations accessible to the general public (i.e. not solely available for access by workers), the operator(s) of radio frequency emitters must notify Industry Canada and demonstrate compliance with Safety Code 6. This determination of 50% of Safety Code 6 must be in consideration of the local radio environment.

For all proponents following Industry Canada's Default Public Consultation Process, the proponent's notification package must provide a written attestation that there will be compliance with Safety Code 6 for the protection of the general public, including consideration of nearby radiocommunication systems. The notification package must also indicate any Safety Code 6 related signage and access control mechanisms that may be used.

Compliance with Safety Code 6 is an ongoing obligation. At any time, antenna system operators may be required, as directed by Industry Canada, to demonstrate compliance with Safety Code 6 by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures.¹⁴ At the request of Industry Canada, telecommunications carriers and operators of broadcasting undertakings must provide detailed compliance information for individual installations within five days of the request. Proponents and operators of existing antenna systems must retain copies of all information related to Safety Code 6 compliance such as analyses and measurements.

¹³ To obtain an electronic copy of Safety Code 6, contact: publications@hc-sc.gc.ca.

¹⁴ See Client Procedures Circular [CPC-2-0-20](#), *Radio Frequency (RF) Fields – Signs and Access Control*.

7.2 Radio Frequency Immunity

All radiocommunication and broadcasting proponents and existing spectrum users are to ensure that their installations are designed and operated in accordance with Industry Canada's immunity criteria as outlined in EMCAB-2¹⁵ in order to minimize the malfunctioning of electronic equipment in the local surroundings. Broadcasting proponents and existing undertakings should refer to Broadcasting Procedures and Rules - Part 1, *General Rules* (BPR-1) for additional information and requirements¹⁶ on this matter.

Proponents are advised to consider the potential effect that their proposal may have on nearby electronic equipment. In this way, they will be better prepared to respond to any questions that may arise during the public and land-use consultation processes, or after the system has been installed.

Land-use authorities should be prepared to advise proponents and owners of broadcasting undertakings of plans for the expansion or development of nearby residential and/or industrial areas. Such expansion or development generally results in the introduction of more electronic equipment in the area and therefore an increased potential for electronic equipment to malfunction. By keeping broadcasters aware of planned developments and changes to adjacent land-use, they will be better able to work with the community. Equally, land-use authorities have a responsibility to ensure that those moving into these areas, whether prospective residents or industry, are aware of the potential for their electronic equipment to malfunction when located in proximity to an existing broadcasting installation. For example, the LUA could ensure that clear notification be provided to future prospective purchasers.

7.3 Proximity of Proposed Structure to Broadcasting Undertakings

Where the proposal would result in a structure that exceeds 30 metres above ground level, the proponent is to notify operators of AM, FM and TV undertakings within 2 kilometres, due to the potential impact the physical structure may have on these broadcasting undertakings. Metallic structures close to an AM directional antenna array may change the antenna pattern of the AM broadcasting undertaking. These proposed structures can also reflect nearby FM and TV signals, causing "ghosting" interference to FM/TV receivers used by the general public.

7.4 Canadian Environmental Assessment Act

Industry Canada requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), where the antenna system is incidental to a physical activity or project designated under CEAA 2012, or is located on federal lands.

An antenna system may not proceed where it is incidental to a designated project (as described in the *Regulations Designating Physical Activities*), or is otherwise expressly designated by the Minister of the

¹⁵ For more information see [EMCAB-2](http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf01005.html), entitled: *Criteria for Resolution of Immunity Complaints Involving Fundamental Emissions of Radiocommunications Transmitters* available at: <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf01005.html>.

¹⁶ [BPR-1 - Part I: General Rules](http://strategis.ic.gc.ca/epic/internet/insmt-gst.nsf/en/sf01326e.html) can be found on the Spectrum Management and Telecommunications website at: <http://strategis.ic.gc.ca/epic/internet/insmt-gst.nsf/en/sf01326e.html>.

Environment without satisfying certain requirements applicable to designated projects. Therefore, a proponent of this type of project must contact Industry Canada for direction on how to proceed.

Any proposed antenna system on federal land may not proceed without a determination of environmental effects by Industry Canada. In order to assist the Department in making such a determination, proponents must submit a project description to Industry Canada, considering and addressing those elements of the environment described in CEAA 2012, as well as any determination of environmental effects that may have been made by the authority responsible for managing the federal land. Industry Canada may also require further information before it can complete its assessment. Industry Canada will inform the proponent of the results of its determination and may impose conditions related to mitigating any adverse effects after making its determination and/or may need to refer the matter to the Governor-in-Council under CEAA 2012.

In addition, notices under Industry Canada's default public consultation process require written confirmation of the project's status under CEAA 2012 (e.g., whether it is incidental to a designated project or, if not, whether it is on federal lands).

In addition to CEAA requirements, proponents are responsible to ensure that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements, such as those under the *Canadian Environmental Protection Act, 1999*, the *Migratory Birds Convention Act, 1994*, and the *Species at Risk Act*, as applicable.

For projects north of the 60th parallel, environmental assessment requirements may arise from federal statutes other than the aforementioned Acts or from Comprehensive Land Claim Agreements. Industry Canada requires that installation or modification of antennas or antenna supporting structures be done in accordance with these requirements, as appropriate.

7.5 Aeronautical Safety

Proponents must ensure their proposals for any antenna system are first reviewed by Transport Canada and NAV CANADA.

Transport Canada will perform an assessment of the proposal with respect to the potential hazard to air navigation and will notify proponents of any painting and/or lighting requirements for the antenna system. NAV CANADA will comment on whether the proposal has an impact on the provision of their national air navigation system, facilities and other services located off-airport.

As required, the proponent must:

1. submit an Aeronautical Obstruction Clearance form to Transport Canada;
2. submit a Land-use Proposal Submission form to NAV CANADA;
3. include Transport Canada marking requirements in the public notification package;
4. install and maintain the antenna system in a manner that is not a hazard to aeronautical safety; and

5. retain all correspondence.

For those antenna systems subject to Industry Canada's Default Public Consultation Process, the proponent will inform the community of any marking requirements. Where options are possible, proponents are expected to work with the local community and Transport Canada to implement the best and safest marking options. Proponents should be aware that Transport Canada does not advise Industry Canada of marking requirements for proposed structures. Proponents are reminded that the addition of, or modification to, obstruction markings may result in community concern and so any change is to be done in consultation with the local public, land-use authority and/or Transport Canada, as appropriate.

References and Details

Aeronautical Obstruction Clearance forms are available from any Transport Canada Aviation Group Office. Both the Aeronautical Obstruction Clearance form (#26-0427) and a list of Transport Canada Aviation Group regional offices are available on the Transport Canada website.¹⁷ Completed forms are to be submitted directly to the nearest Transport Canada Aviation Group office. (Refer to Canadian Aviation Regulations, Standard 621.19, Standards Obstruction Markings).

Land-use Proposal Submission forms are available from NAV CANADA¹⁸ and completed forms are to be sent to the appropriate NAV CANADA General Manager Airport Operations (GMAO) office, East or West.

¹⁷ The [Transport Canada website](http://www.tc.gc.ca) can be found at: <http://www.tc.gc.ca>.

¹⁸ Search keywords "Land-use Proposal" on the [NAV CANADA website](http://www.navcanada.ca) at: <http://www.navcanada.ca>.

Appendix 1 – Industry Canada’s Default Public Consultation Process - Public Notification Package

The proponent must ensure that at least **30 days** are provided for public comment. Notification must provide all information on how to submit comments to the proponent in writing. Notices must be clearly marked, making reference to the proposed antenna system, so that it is not misinterpreted as junk mail. The notice must be sent by mail or be hand delivered. The face of the package must clearly indicate that the recipient is within the prescribed notification radius of the proposed antenna system. The proponent must also provide a copy of the notification package to the land-use authority and the local Industry Canada office at the same time as the package is provided to the public.

Notification must include, but need not be limited to:

- 1) the proposed antenna system’s purpose, the reasons why existing antenna systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- 2) the proposed location within the community, the geographic coordinates and the specific property or rooftop;
- 3) an attestation¹⁹ that the general public will be protected in compliance with Health Canada’s Safety Code 6 including combined effects within the local radio environment at all times;
- 4) identification of areas accessible to the general public and the access/demarcation measures to control public access;
- 5) information on the environmental status of the project, including any requirements under the *Canadian Environmental Assessment Act, 2012*;
- 6) a description of the proposed antenna system including its height and dimensions, a description of any antenna that may be mounted on the supporting structure and simulated images of the proposal;
- 7) Transport Canada’s aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the proponent’s expectation of Transport Canada’s requirements together with an undertaking to provide Transport Canada’s requirements once they become available;
- 8) an attestation that the installation will respect good engineering practices including structural adequacy;
- 9) reference to any applicable local land-use requirements such as local processes, protocols, etc.;

¹⁹ Example: I, (*name of individual or representative of company*) attest that the radio installation described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada’s Safety Code 6, as may be amended from time to time, for the protection of the general public, including any combined effects of nearby installations within the local radio environment.

- 10) notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers>);
- 11) contact information for the proponent, land-use authorities and the local Industry Canada office; and
- 12) closing date for submission of written public comments (not less than **30 days** from receipt of notification).



DEVELOPMENT SERVICES *Staff Report*

REPORT NO: DS 2021-030

TO: Council

SUBMITTED BY: Harold O'Krafka, MCIP RPP
Director of Development Services

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

REVIEWED BY: Sharon Chambers, CAO

DATE: December 06, 2021

SUBJECT: Metrolinx / GO Transit
Planning for Access to Higher Order Transit

RECOMMENDATION:

THAT Report DS 2021-030 be received for information; and,

THAT staff be directed to initiate discussions with Metrolinx to discuss both short term and long term opportunities for the residents of the Township of Wilmot to conveniently access GO train service, ideally within the future development corridor between Baden and New Hamburg.

SUMMARY:

Earlier this year Metrolinx announced a pilot project of GO train service extension from Kitchener to Stratford, St. Marys and London which results in daily GO Trains running through Wilmot Township. The project began service on October 18, 2021 and will run for two (2) years at annual cost of \$2.5million.



Staff are of the opinion that Wilmot remains well suited as a stop within the GO train network with an existing Township estimated urban population (Baden/New Hamburg) of approximately 14,000 planned to grow to over 20,000+ within the current planning horizon and in a location to provides convenient access to residents to the north in Wellesley Township, to the south in Blandford Blenheim and for the rapidly developing west side of Kitchener.



The preferred 2009 location in Baden remains a logical location for a station with good access to both New Hamburg and Baden as well as the Highway 7 & 8 corridor. In the absence of the associated need for an overnight facility however other locations within the future development corridor may be appropriate.

The location would be supportive of the Township's future urban growth and intensification and provide convenient access to existing and planned employment areas. It may also have the potential in the future to be identified as a Major Transit Station Area (MTSA) which could open up access to desirable planning tools such as Inclusionary Zoning.

BACKGROUND:

The history of the importance of access to the railway for Wilmot Township dates to the mid 1800's with the first locomotive reaching Baden in July of 1856 and Shakespeare by August of that year.

Stations at Petersburg, Baden and New Hamburg were critical to the movement of people and goods and the success of the community. Over time the advent of the automobile greatly diminished the role of the railway in particular the movement of passengers in favour of expenditures in road networks and highways.

Recently the impact of personal vehicles on the environment and in global climate change has come to the forefront in many communities. For Wilmot its vision of the importance of access to the railway and higher order transit to the future of the community began in 2007 with the initiation of an Environmental Assessment by Metrolinx which contemplated the requirements to extend all-day, two-way GO service from Kitchener to Toronto.



2009 Metrolinx EA

In 2009 Metrolinx completed an Environmental Assessment (EA) of the impacts and requirements to support all-day, two-way GO train service to Kitchener. Although at the western edge of the study area, the Township was a vocal and active participant in the Environmental Assessment (EA) and pushed to have a station on the expanded line.

The efforts at that time were viewed as a success as the EA concluded that Baden was the preferred alternative for an overnight facility for trains and a future station.

Unfortunately, following the completion of the EA, the Province began to explore other opportunities for a new high speed rail corridor between Kitchener and London. The proposed route would have by-passed the built-up areas in Wilmot and caused considerable concern within the larger agricultural community at the potential loss of land and many urban communities including Baden, New Hamburg, Stratford and St. Mary's whose populations were bypassed by the plans.

Indeed those plans received significant opposition from municipalities and the agricultural community between Kitchener and London and ultimately with the change in Provincial government the project was 'paused'.

As such, Metrolinx appears to be focusing on GO transit once again as being the preferred vehicle to provide an appropriate higher order transportation system for southwestern Ontario. Access to higher order transit allows municipalities to grow at higher densities and higher rates of intensification while minimizing the reliance on automobiles for intermunicipal transit.

Although works are actively under way to facilitate all day, two way GO service to Kitchener within the study parameters of the 2009 EA, it would appear that the need for an overnight facility west of Baden, as identified in the approved EA, may no longer be required under the current plan.

Baden Urban Growth Centre

The update to the Township Official Plan (2019) included policies to govern future larger scale intensification efforts in the Township by designating a Township Urban Growth Centre in accordance with the Regional Official Plan.

The Urban Growth Centre is shown as an overlay designation on the 'Mill District' of Baden within the Township Official Plan. This overlay designation includes the traditional urban core area of Baden, and also identifies lands in Baden that will be the focus for accommodating reurbanization and higher-density mixed-use development in a more compact urban form.

Future development in the Urban Growth Centre will be planned and designed to:

- a) accommodate additional population and compatible employment growth consistent with Baden's increasing role as the focus for social, economic and cultural activities in the township;
- b) facilitate and promote reurbanization to support the achievement of the minimum reurbanization target of the Official Plan;
- c) provide a diverse and compatible mix of land uses, including residential and employment uses to support a vibrant community;
- d) generally achieve higher densities while ensuring an appropriate transition of built form to adjacent areas
- e) serve as the township's focal point for investment in institutional and local human services as well as commercial, recreational, cultural and entertainment land uses; and
- f) provide for development patterns that support the integration of Regional transit services, where planned to be available in the future.

Reasonably the planned Urban Growth Centre and a future Metrolinx station would have a symbiotic relationship with the Urban Growth Centre supporting the location of the station area by driving ridership and the station area supporting the planned Urban Growth Centre by providing access to higher order public transit.

The recently approved employment lands in New Hamburg as well as future employment lands to the west of the 2009 proposed station area would similarly have a symbiotic relationship with the station area.

Region of Waterloo Municipal Comprehensive Review

The ongoing Region of Waterloo Municipal Comprehensive Review (MCR) is considering the appropriate means to allocate population growth across the Region to the year 2051. In addition to the population allocations the Region will be deciding the mix of growth between greenfield and intensification and the density targets of same.

The Township has developed a long term vision for growth in Wilmot over the last 20 years that focuses on the corridor between Baden and New Hamburg where existing and planned infrastructure and services are in place to be supportive of and supported by growth.

In general terms the Township envisions the continued expansion of employment lands between the CN railway and Highway 7 & 8 and residential growth between Snyder's Rd /

Waterloo St and the railway, buffered as necessary from railway operations and employment activities south of the tracks.

This plan continues to align with the vision first expressed to the Region of Waterloo by the Township in the early 2000's as part of the Smart Growth exercise. Prior to that, the Township growth strategy was largely a plan of continued fingers of growth extending from all settlements over time.

The planned consolidation of population growth in a defined area, on full services and at higher density allowed the Township to focus infrastructure investments such as the Wilmot Recreation Complex in a location that would not only benefit existing residents but future residents as well.

Existing sewer and watermain infrastructure connect the two urban community's and the corridor is anchored with Waterloo-Oxford high school to the north and, as previously mentioned, the Wilmot Recreation Complex to the south.

In many ways this corridor acts more as an intensification opportunity than a greenfield corridor given the significant existing supportive infrastructure. Important to that discussion is the existing, soon to be expanded, Route 77 of the GRT and the acquisition of corridors for an active transportation network connecting the communities and the public infrastructure.

Just as access to the Grand Trunk Railway was critical to the development of the community 165 years ago, access to higher order intermunicipal transportation will be critical to the future growth and success of the community in the future.

Direct access to the GO train for local residents has the potential to support and sustain appropriate growth and development for many years to come and enhance the long range planning of the area as a complete community.

REPORT:

With the initiation of a pilot project of GO train service extension from Kitchener to Stratford, St. Mary's and London the Township may have the potential to effect the creation of direct access for local residents.

Metrolinx has stated, in announcing the service, that they want to explore what the ridership is like between Kitchener and London. Metrolinx envisions that the expanded service, while helping to reduce congestion, will also create options to travel to and from Toronto for work or fun, with many communities to explore along the way.

Metrolinx advises that feedback from users and potential users will be important to guiding the next steps in the process stating that if they are going to make investments, for example in track or building passing tracks, they'll make a decision on that within the next two years .

As such, in the opinion of staff, it is an opportune time for the Township to formally engage Metrolinx in discussing the potential for direct access to GO train service with a Wilmot Township station.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Gaining access to higher order, inter-municipal public transit has the ability to enhance our economic prosperity, promote the protection of the environment through sustainable development and enhance the quality of life for Wilmot residents.

It also works to addressing Wilmot's 50/30 commitment by taking advantage of opportunities to reduce our carbon footprint as a growing community by minimizing the reliance on automobiles for inter-municipal transit.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

GOAL 11: Sustainable Cities and Communities – creating direct access to higher order, inter-municipal public transit support the long range planning of Wilmot as a complete and sustainable community.

GOAL 13: Climate Action – expansion and enhancement of access to higher order inter-municipal public transit helps support the Townships commitment to 50/30 by reducing reliance on personal vehicles for inter-municipal transportation.

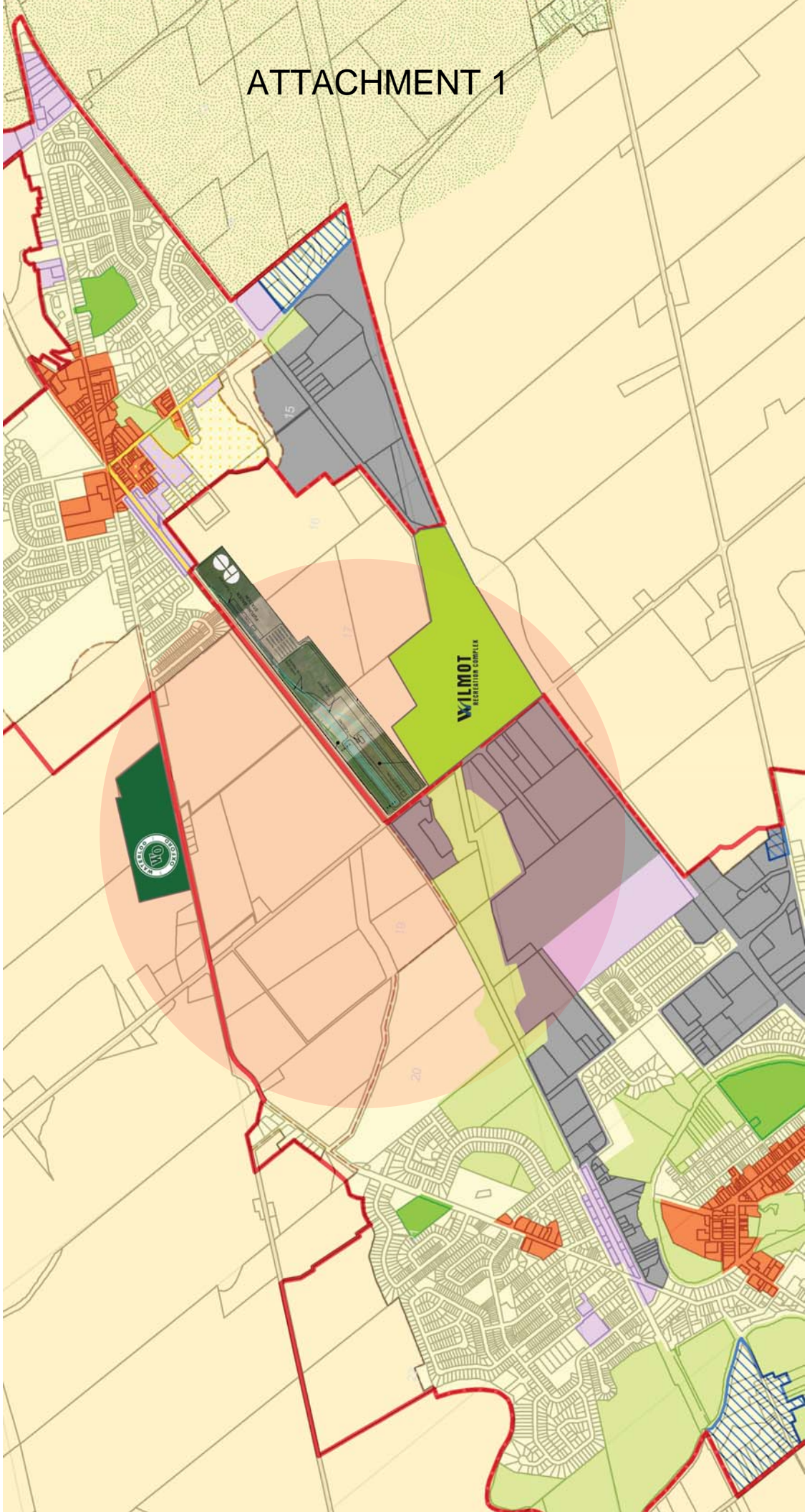
FINANCIAL CONSIDERATIONS:

Any future financial implications identified through discussions with Metrolinx would be brought forward to Council as part of reporting and budgeting discussions.

ATTACHMENTS:

Attachment A 2009 EA Preferred Location of Future Baden Station / Overnight Facility

ATTACHMENT 1





PARKS, FACILITIES AND RECREATION SERVICES

Staff Report

REPORT NO: PFRS 2021-019

TO: Council

SUBMITTED BY: Sandy Jackson, Director Parks, Facilities and Recreation Services

PREPARED BY: Sandy Jackson, Director Parks, Facilities and Recreation Services

REVIEWED BY: Patrick Kelly, Director Corporate Services/ Treasurer
Sharon Chambers, Chief Administrative Officer

DATE: December 6, 2021

SUBJECT: Third Ice Pad Location Study – Public Consultation Summary Report

RECOMMENDATION:

THAT the Third Ice Pad Public Consultation Summary Report be received;

AND FURTHER THAT staff be directed to proceed with a conceptual design and order of magnitude costing for a third ice pad at the Wilmot Recreation Complex site as recommended by consultants Monteith Brown Planning Consultants Ltd. and supported by public consultation;

AND FURTHER THAT staff be directed to present the conceptual design and order of magnitude costing to Council in Q1 of 2022.

SUMMARY:

On November 8, 2021, Council approved staff report PFRS 2021-018, Third Ice Pad Study Preliminary Findings Report. The report included the following recommendations:

THAT the Third Ice Pad Location Study – Preliminary Findings Summary Report be received;

AND FURTHER THAT staff be directed to initiate a public consultation process to seek comments on the recommended location of the Wilmot Recreation Complex for the third rink site;

AND FURTHER THAT staff be directed to present the public consultation results to Council with a recommendation regarding the preferred site.

As a result, staff initiated an online public survey on Friday November 12th that closed on November 26th. The results of the survey are included in this report and support moving forward with a conceptual design and order of magnitude pricing for a third rink to be located at the Wilmot Recreation Complex (WRC).

BACKGROUND:

In October 2020, Council approved the Indoor Arena Usage and Needs Analysis Update which recommended a third ice pad be provided in Wilmot in the short-term to meet current and future needs from population growth. Monteith Brown Planning Consultants Ltd. were retained to complete the study as a follow up to a report they provided in 2013 regarding future ice needs.

On November 8, 2022, the Preliminary Findings Study prepared by Monteith Brown included the following preferred option:

“It is recommended that the Township of Wilmot construct its third ice pad by way of expanding the Wilmot Recreation Complex, designed and oriented in a manner that also allows for a potential fourth ice pad if required to meet post-2031 arena needs.”

The following groups were engaged and interviewed during the consultation process: New Hamburg Hockey Association (NHHA), Wilmot Girl's Hockey Association (WGHA), New Hamburg Skating Club (NHSC), New Hamburg Jr C Firebirds, The Community Players (TCP), Wilmot Jr C Lacrosse, and Wilmot District Soccer Club (WDSC), and presented their findings to Council on November 8, 2021.

Arena user groups were supportive of the consultant recommendation to pursue a third ice pad and indicated that the WRC was their preferred location. All arena groups also supported an NHL-regulation ice pad (200' x 85') with a minimum of 6 dressing rooms, seating typical of a community rink, and adequate storage.

Through Council approval of the Preliminary Findings Report, staff proceeded with the next step in the public consultation process which included an online survey available to the general public. The following questions were included in the online survey:

1. Do you currently reside in Wilmot Township?
2. Are you a current user of the Wilmot Recreation Complex?
3. If yes, what organization are you affiliated with (if any)?

4. Please provide your comments on the preferred location of the Wilmot Recreation Complex for a third ice pad.

This report presents the public consultation results of the online survey, which are supportive in moving forward with a conceptual design at the proposed WRC location.

REPORT:

The online public consultation survey, hosted on the Township website and promoted via social media, provided an opportunity for the members of the broader Wilmot community to comment on the recommendation to locate a third ice pad on the preferred site of the WRC as identified by Monteith Brown Planning Consultants Ltd.

The survey experienced a considerable level of engagement with 362 responses in total. While not all public responses have been included within this report, a summary has been provided by Monteith Brown, with an additional sampling of comments included in Appendix A.

Survey Results

The survey questions produced the following results:

Place of Residency

The majority of respondents were residents of Wilmot Township, representing 334 submissions (92% of total responses), while the remaining 28 responses (8%) were provided by non-residents.

Users of the Wilmot Recreation Complex & Group Affiliation

A total of 358 responses (99%) were submitted by individuals that identified themselves as being a current user of the Wilmot Recreation Complex; while just 4 responses were received from persons that did not identify as users. A further analysis revealed that:

- 215 respondents (59%) were affiliated with the New Hamburg Hockey Association,
- 132 respondents (36%) were with Wilmot Girl's Hockey Association, and
- 57 respondents (16%) were with New Hamburg Skating Club,
- 7 respondents (2%) were with the New Hamburg Firebirds and
- 4 respondents (1%) were Wilmot Junior C Lacrosse.

This indicates strong representation in responses from the Township's three (3) largest users of ice time. It also bears noting that 24 responses (7%) were received from "Other" organizations (including aquatic users, pick-up hockey leagues, and outdoor recreation users, etc.) while 27 responses were provided by individuals that do not belong to an organized league or user group. In addition, 80 respondents (22%) identified themselves as belonging to the Wilmot Soccer Club.

Agreement with the Preliminary Recommendation

The Wilmot Recreation Complex was the most supported location for a third ice pad with 47% of submissions expressing that this would be their preferred choice. Common reasons cited for this level of support included:

- Convenient location and co-location with other recreational components were optimal;
- Space exists onsite to accommodate the expansion;
- Already having existing arenas onsite would be convenient for people and conducive to tournament use;
- Perception that there could be land cost and operating cost savings through co-location; and
- Availability of parking.

Another 44% of respondents stated that they would support a third ice pad anywhere in Wilmot or did not have an opinion where it should go, largely on the basis that they were simply pleased to see the Township making additional investments in the arena supply.

The New Hamburg Community Centre was the preferred choice for 5% of respondents, many of whom suggested a nostalgia for what was affectionately referred to as “the old barn” as well as some that would like to see arenas geographically spread throughout the two urban settlements. A very small percentage (2%) either suggested a different location or stated that they did not support another ice pad in Wilmot.

Recommendation and Next Steps

Based on the results of the online survey with 329 out of 362 (91%) responses preferring either the WRC or any location for a third rink, and the consultation results from Monteith Brown’s WRC user group interviews, this report recommends that Council direct staff to proceed with WRC as the site to complete the conceptual design and high-level costing.

Once this step is completed in early 2022, and pending the outcome of Capital budget deliberations, the next step would be engaging an architect or design build contractor to begin detailed design work for the third rink.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

Completing the Third Ice Pad Study aligns with the Core Values of Health and Wellbeing, Community, Legacy, Accessibility, and Inclusivity and Forward-thinking.

This study supports the Goals of Quality of Life, Community Engagement and Responsible Governance.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 3: Ensure healthy lives and promote well-being for all at all ages.

Goal 8: Promote sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all.

FINANCIAL CONSIDERATIONS:

The endorsement of the Wilmot Recreation Complex as the preferred location will trigger additional capital spending associated with the Conceptual Design, Detailed Design and future construction of a third ice pad. The capital costs and timing for each of these stages of the project will be incorporated within the updated 10-Year Capital Forecast.

ATTACHMENTS: Appendix A – Survey Results Summary of Comments Received

Appendix A – Survey Results Summary of Comments Received

1) WRC as Preferred Location (47%)

- The WRC would be our preferred location.
- "Wilmot Recreation Complex is a great centralized location for the township. There is already adequate parking in the area, and the proximity to the highway is surely appreciated by visiting teams.
- "I think the Wilmot Recreation Complex is an ideal location for the third (or fourth) ice pad. I am hopeful there will be more community engagement with the design aspect of the upcoming build, as certain aspects of WRC are less than ideal, and hopefully can be considered when designing the new facility.
- We can't wait for the construction to start and our children to be able to utilize the new facility!!"It would be nice of it was at the rec. center. But ultimately just another ice pad would be good!
- It's too bad the old arena couldn't be recommissioned, but WRC seems to make the most sense for a new ice pad. It will be important to ensure adequate parking and a sensible site layout because it is already a very busy place!
- Yes, great idea to expand to provide more at this already ideal location!
- It would be beneficial to add the third ice pad to the WRC because there are already two there and the ease of use would be high. The WRC already has accessibility and is in a great location for visiting teams and is fairly central in our Township.
- Best location for the third ice pad would be at the current Recreation Complex.
- It doesn't make much sense to me to be placing a new ice pad somewhere else in the community when we already have two in one spot"
- The rec complex makes the most sense. The amount of money required to bring the old rink up to code would be better spent on a new modern facility.
- "Yes please! It should have been a 4-plex from the beginning."

2) Any Location

- Absolutely. Not enough ice time as it is. The expansion is needed as the population grows
- No matter where it is, a third ice pad is needed.
- It is long overdue. We are often having to find ice time outside of the township in Stratford and Wellesley for both the skating club and minor hockey.
- As a member of WGHA, we are routinely having to drive to Plattsville, and we have also used Tavistock, for ice. Adding another ice pad, will bring in more revenue for the township, opens up the ability to host other hockey

tournaments which will again bring in more revenue. The need is absolutely there for the ice.

- Anywhere in wilmot- this is so needed
- Don't care where just add one.

3) Reinstate New Hamburg Arena (5%)

- "The best option would be the old arena in New Hamburg on Jacob.
- I know the arena needs a lot of updates, however the township has the land already. Also the facility would be in great use the fair grounds being used for the Mennonite Relief, ball tournaments, Mopar fest. Also a community center that is within walking distance from the core of New Hamburg."
- I think it would be great to recommission the old NH arena, however there would need to be something done for parking, as there is very limited spots available
- Reopen the old New Hamburg Arena
- "The Beautiful Old Barn!
- The community centre downtown, the traffic in and out of the existing etc centre is already brutal and turning into and out of the centre is a challenge, should have a turning lane. Putting one there you will lose parking or soccer fields so not a great solution
- "The old arena downtown has a nostalgic feel to it and would play great for young kids and parents to take their kids to ""the old barn"".

4) Do Not Build Another Rink (2%)

- This is a waste of tax payers money, we do not need a third ice pad. Stop wasting money on hockey!!
- Instead of building a third ice pad maybe add more variety based courts, possibly a badminton court which could likely easily be converted into a tennis or volleyball court (this could go along creating a league for these sports), a basketball court would likely be very popular as well.
- Do we need more ice? What about more pool time - hockey hockey hockey ... there is more to life and more to Wilmot than ice rinks. I vote for no new ice pad and instead more swimming options."

Other Comments of Interest

- Removing trees from Schmidt Wood would not be ideal. Currently the entrance road to the left behind the ice pad facilities is a blind corner and too narrow. This should either be wider (woods would have to be trimmed back) or removed completely for safe traffic flow.
- There is already two ice pads yet no gym. What about the other sports such as basketball, volleyball, pickleball, badminton, etc? Why are the other members of our community ignored. Not every member of this community is

involved with hockey. For such a large recreation centre not to have a gymnasium is unacceptable. Before you even consider putting in a third pad think of the other citizens of our area. We all want to enjoy this centre not just the few privileged ones.

- I don't disagree that the Rec Centre is likely the most appropriate and cost effective location, but I'm not a user of the ice surface; I use the swimming pool, the soccer fields, the playground and splash pad, and Schmitt Woods trails. I would be very disappointed to see any of these other amenities reduced or displaced to make more room for ice pads.
- A concern I have is that recreational facilities in our settlement areas are aging. As we look to further invest in the WRC, I believe this may create a challenge to smaller community-based facilities becoming further aged, without significant investment, obsolete, or at greater cost as we prioritize the build of this proposed project.



FIRE SERVICES

Staff Report

REPORT NO: FD 2021-06

TO: Council

SUBMITTED BY: Rod Leeson, Fire Chief

PREPARED BY: Donna Erb, Administrative Assistant
Rod Leeson, Fire Chief

REVIEWED BY: Sharon Chambers, Chief Administrative Officer

DATE: December 6, 2021

SUBJECT: Emergency Management Program By-law, Terms of Reference and
IMS Emergency Response Plan

RECOMMENDATION:

THAT Council approve the updated Emergency Response By-law;

AND FURTHER THAT Council adopts both the new IMS Emergency Response Plan and the Emergency Management Program Committee Terms of Reference attached.

SUMMARY:

The Emergency Management and Civil Protection Act mandates municipalities develop, implement, and maintain an emergency management program. Emergency Management Ontario has developed an Incident Management System (IMS) to provide a single, province-wide incident management system that can ensure the effective, coordinated response to large-scale and complex incidents by Ontario's various response organizations. The Township of Wilmot's Emergency Response Plan has been revised and updated to reflect the IMS standardized framework.

BACKGROUND:

As mandated by the Emergency Management and Civil Protection Act, the Township of Wilmot must develop, implement, and maintain an emergency management program. The Act requires that both the emergency management program and the municipal emergency plan be adopted by a by-law (Sections 2.1 and 3).

Municipalities are required to review and, if necessary, revise their emergency plan annually as per Section 3 (6) of the Act. To remain compliant, a new reiteration of the Emergency Response Plan has been written considering the adoption of the Incident Management System.

REPORT:

Consistent with internationally recommended practices, Ontario has developed an Incident Management System (IMS) that provides standardized organizational structures, functions, processes, and terminology for use at all levels of emergency response in Ontario. It has been adopted provincially and led by Emergency Management Ontario.

Many factors contributed to the need for a provincial IMS:

- Provincial commitment to ever improving the system of emergency management.
- Desire to improve coordinated response efforts between Ontario's diverse emergency management stakeholders, based on internationally recommended practices and lessons learned.
- Previously, there was no standardized province-wide incident management system in Ontario, resulting in a lack of standardized tools, processes, terminology, and functions.
- High-profile public concern with a low tolerance for failure.

The vision of Ontario's IMS is that all responders in Ontario will have a standardized system that provides functional interoperability at all levels of emergency management. IMS is a flexible approach based on a series of principles and concepts that include the following:

- All incident responses can be organized using five functional areas of activity: Command, Operations, Planning, Logistics, and Finance & Administration.
- IMS is applicable at all incidents and by all levels of response (for example, on-site response and Emergency Operations Centre support/responses).
- The system is scalable and modular. Ontario's IMS doctrine can be considered a toolbox for incident response. Only the tools needed are used.
- The use of common terminology and criteria ensures mutual understanding amongst responders and facilitates the exchange of resources.

The Township of Wilmot's Emergency Management Program consists of a wide variety of initiatives and ongoing activities to ensure compliance with the provincial legislation and to strengthen the Township's ability to prepare for, respond to, and recover from, major emergencies affecting the Township and the residents of Wilmot Township. Since the enactment of the 2016 by-law, adopting the Township's Emergency Management Program and

Emergency Response Plan, the evolution within the field of emergency management has resulted in the need to refresh and update the Emergency Response Plan as it no longer reflects our current program, plans and emergency response structure.

The adoption of IMS yields many benefits including an enhanced ability to respond to emergencies through the effective use of personnel, resources, and equipment. It also reduces the liability and risk to the organization when responding to emergencies through enhanced documentation, legal and risk oversight, standardized response goals and consolidated action plans. Changes to the Emergency Response Plan have been approved by the Emergency Management Program Committee as required by Ontario Regulation 380/04.

We have worked with other Municipalities within the Region of Waterloo to create this new IMS Emergency Response Plan to make it consistent throughout the Region to allow for the concept of ease of being able to potentially provide support to each other during an emergency.

ALIGNMENT WITH THE TOWNSHIP OF WILMOT STRATEGIC PLAN:

This recommendation is aligned with the Strategic Plan Core Value of Health and Wellbeing and building a safe community. The report is consistent with the action of investing in and promoting Public Education and Emergency Management for all residents.

ACTIONS TOWARDS UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS

Goal 3: Good Health and Well- being.

FINANCIAL CONSIDERATIONS:

The updated Emergency Response Plan and Terms of Reference were completed with internal staffing resources and funded via the Fire Services general staffing costs. Emergency Management is a relatively low-cost component of the overall Fire Service Operating Budget, with funding of \$1,000 to support committee training and the annual tabletop exercise.

ATTACHMENTS:

By-law 2021-57

Township of Wilmot Emergency Response Plan (New IMS version)

Emergency Management Program Committee Terms of Reference

THE CORPORATION OF THE TOWNSHIP OF WILMOT

BY-LAW NO. 2021 - 57

Being a by-law of the Corporation of the Township of Wilmot requiring an emergency management program for the protection of public safety, public health, the environment, the critical infrastructure and property, and to promote economic stability and a disaster-resilient community and to repeal By-law 2016-53.

WHEREAS the Province of Ontario has passed the Emergency Management and Civil Protection Act, R.S.O., 1990, Chapter E.9, as amended (The “Act”) an Act which requires the development and implementation of an emergency management program (short title – *The Emergency Management Act*) by the Council of a municipality;

AND WHEREAS the Act requires the emergency management program to conform to standards promulgated by Emergency Management Ontario in accordance with international best practices, including the four core components of emergency management, namely: mitigation/prevention, preparedness, response and recovery; and also makes provision for the municipality and council to develop and implement an emergency management program to protect public safety, public health, the environment, the critical infrastructure and property and to promote economic stability and a disaster-resilient community;

AND WHEREAS the Act makes provision for the Head of Council to declare that an emergency exists in the community or in any part thereof and provides the Head of Council with authority to take such action or make such orders as he/she considers necessary and not contrary to law, to implement the emergency response plan and respond to an emergency;

AND WHEREAS the Act provides for the designation of one or more members of council who may exercise the powers and perform the duties of the Head of Council during his/her absence or his/her inability to act;

AND WHEREAS the Act authorizes employees of a community to respond to an emergency in accordance with the emergency response plan where an emergency exists but has not yet been declared to exist;

AND WHEREAS the Act requires every municipality shall have an emergency management program committee. The committee shall be composed of the Emergency Management Program Coordinator (CEMC), senior municipal officials, such members of council as may be appointed by Council, municipal employees who are responsible for emergency management functions and may include other persons representing organizations and industry. The council shall appoint one of the members of the program committee to be the chair of the committee. (EMCP Act, Ontario Regulation 380/04 11(1)(2).

AND WHEREAS the Act provides that the municipality has a right of action to recover monies expended or costs incurred in the implementation of an emergency plan or in connection with an emergency against the person who caused the emergency, and;

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

1. THAT an Emergency Management Program be developed and implemented in accordance with the standards published by Emergency Management Ontario in accordance with international best practices.
2. THAT the positions outlined in Emergency Management Program Committee (EMPC) Terms of Reference (Appendix B) are hereby appointed as the EMPC members.
3. THAT the Chief Administrative Officer (CAO) (or designate) and CEMC (or alternate) co-chair the Emergency Management Program Committee.
4. THAT the Emergency Management Program Committee will cause the emergency management program to be reviewed annually, ensure training to employees on their functions and to recommend changes to the program as considered appropriate and refer recommendations to Council for further review and approval.
5. THAT the Mayor (or designate), Chief Administrative Officer, Fire Chief, CEMC (or alternate), Director of Information and Legislative Services, Director of Parks, Facilities and Recreation, Director of Public Works and Engineering, Director of Development Services, and Director of Corporate Services / Treasurer are hereby appointed as the Municipal Emergency Control Group.
6. THAT the Head of Council or designated alternate, as provided in the plan, be empowered to declare an emergency.
7. THAT certain appointed official's or their designated alternates, as provided in the approved community emergency response plan are empowered to cause an emergency notification to be issued to members of the Municipal Emergency Control Group and to respond to an emergency in accordance with the Emergency Response Plan where an emergency exists but has not yet been declared to exist.
8. THAT Council authorizes staff to make administrative changes to the plan including changes due to personnel changes, organizational changes, contact information, phone numbers and other administrative matters.
9. THAT the Wilmot Fire Chief is hereby appointed as the Community Emergency Management Coordinator for the Corporation of the Township of Wilmot.

10. THAT the Director of Information and Legislative Services (or designate) is hereby appointed as the Emergency Information Officer for the Corporation of the Township of Wilmot.
11. THAT the Emergency Response Plan attached hereto as Schedule "A" of this By-law is hereby adopted.
12. THAT the Emergency Management Program Committee Terms of Reference attached hereto as Schedule "B" of this By-law is hereby adopted.
13. THAT By-law 2016-53 is hereby repealed.
14. THAT this By-law shall come into force and effect on the date it is passed by the Council of the Township.

Read a first and second time this 6th day of December 2021.

Read a third and final time and passed this 6th day of December 2021.

Mayor

Clerk



Township of Wilmot Emergency Response Plan

December 6, 2021

By-law No: 2021-57

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1. Introduction

The Township of Wilmot Emergency Response Plan establishes a framework for responding to risks the Township faces. Developed with key officials, agencies, and departments, it is a guideline that outlines collective and individual roles and responsibilities in responding to and recovering from an emergency.

The Emergency Response Plan document describes the framework of how the Township of Wilmot will respond to, recover from, and mitigate the impact of an emergency. It describes the legal authorities, concept of operations and functional roles and responsibilities.

1.1 Purpose

The purpose of the Township of Wilmot Emergency Response Plan during an emergency is to facilitate the effective co-ordination of human and physical resources, services, and activities necessary to:

- a) Protect and preserve life and property;
- b) Minimize and/or mitigate the effects of the emergency on the residents and physical infrastructure of the Township of Wilmot; and
- c) Quickly and efficiently enable the recovery and restoration of normal services.

It also makes provision for the efficient administration, coordination, and implementation of extraordinary arrangements and response measures taken by the Township of Wilmot to protect the health, safety, and welfare of the residents of Wilmot during any emergency by:

- a) Identifying the governance structure for emergency response within the Township of Wilmot;
- b) Identifying roles and responsibilities required in mitigating, preparing for, responding to and recovering from emergencies and disasters;
- c) Identifying standard response goals for emergency response operations and decision making; and
- d) Providing for a coordinated response by the municipality and partner agencies in managing emergencies.

1.2 Aim

As per the Emergency Management and Civil Protection Act (EMPCA), the Township of Wilmot has formulated an Emergency Response Plan (ERP) which is adopted by Council by By-law 2021-57.

1.3 Public Access to the ERP

The Township of Wilmot's Emergency Response Plan is available on the Township of Wilmot's website (<https://www.wilmot.ca/en/living-here/Emergency-Preparedness.aspx>) or

Waterloo Region Emergency Management website (www.wrem.ca). The public may also request to access the plan through the Community Emergency Management Coordinator (CEMC).

Supporting Plans do not form part of the ERP as they may be confidential and provide more detailed relevant information that may require frequent updating, be of a technical nature, or contain sensitive or personal information which could pose a security threat or violate privacy legislation if released.

1.4 Definition of an Emergency

Emergencies are distinct from the normal daily operations carried out by municipal first response agencies and Township departments.

The Emergency Management and Civil Protection Act defines an emergency as:

‘A situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.’

1.5 Legal Authorities

The legislation under which the municipality and its employees are authorized to respond to an emergency are:

- The Emergency Management and Civil Protection Act, R. S. O. 1990, c.E.9, as amended (the “Act”)
- Ontario Regulation 380/04
- The Township of Wilmot Emergency Management Program By-Law 2021-57

The Act requires municipalities to develop, implement, and maintain an emergency management program, and adopt it with a by-law. An emergency management program must consist of:

- An emergency plan;
- Training programs and exercises for employees of municipalities and other persons with respect to the provision of required services and procedures to be followed in emergency response and recovery activities;
- Public education on risks to public safety and on public preparedness for emergencies; and
- Any other element required for municipalities in standards of emergency management programs that may be developed by the Minister of Community Safety and Correctional Services.

Ontario Regulation 380/04 describes emergency management standards for municipal emergency management programs. There are a number of required elements including:

- Development of an emergency response plan which includes a municipal control group to direct the municipal response to an emergency;
- Implementation of an Emergency Operations Centre (EOC) with appropriate communications systems;
- Designation of an Emergency Information Officer; and
- Designation of a Community Emergency Management Coordinator (CEMC).

The Township of Wilmot Emergency Management Program By-Law approves the enactment of the Township of Wilmot's Emergency Response Plan and other requirements for the CEMC.

The Senior Official for the purposes of the Township's Emergency Management Program Committee is the CAO, or designated alternate.

1.6 Council Approval

Where significant portions of the Township of Wilmot's ERP are revised, Council is required to adopt the plan by by-law.

1.7 Emergency Management Program Committee

The Emergency Management Program Committee (EMPC) as required by the Emergency Management and Civil Protection Act consists of representatives from Township departments and agencies, or designated alternates. The CAO and CEMC co-chair the EMPC.

This committee reviews the emergency management program and plan annually, ensure training is provided to employees on their functions, recommend changes to the program as considered appropriate, and refer recommendations to Council for further review and approval.

1.8 Municipal Emergency Control Group

In the event of an emergency, the EOC Directors listed in the by-law 2021-57 act as the Municipal Emergency Control Group as defined by Ontario Regulation 380/04 to oversee the Township's emergency response.

1.9 Community Emergency Management Coordinator

The Fire Chief is appointed as the Community Emergency Management Coordinator (CEMC).

1.10 Emergency Information Officer

The Director of Information and Legislative Services is appointed as the Emergency Information Officer (EIO).

1.11 Department and Support Agency Emergency Procedures

Each Department and Support Agency involved with this Plan shall prepare emergency response procedures or guidelines (i.e., Departmental Emergency Plan) outlining how it will fulfill its own internal responsibilities under this Plan during an emergency.

Each Department and Support Agency shall designate a member of its staff to review, revise and maintain its own emergency response procedures or guidelines on a periodic basis.

2. Hazard Identification and Risk Assessment (HIRA)

The Emergency Management Program has identified realistic hazards that may occur in the Township of Wilmot and assessed them in terms of probability, frequency of occurrence, and magnitude of consequence or impact. Results of the HIRA assist with the development of training and exercise scenarios and may initiate the development of hazard-specific plans or procedures in the event of an emergency.

As a result of the HIRA process, risks in the Township of Wilmot listed below represent major incidents involving multiple locations or having a significant impact on the Township of Wilmot facilities, infrastructure, operations, or the public.

- Pandemic / Epidemic
- Floods
- Blizzards / Freezing Rain
- Tornadoes
- Transportation accidents involving hazardous materials
- Air or rail crashes
- Toxic or flammable gas leaks
- Electric power blackouts
- Building or structural collapse
- Large scale uncontrollable fires
- Explosions
- A breakdown in flow of essential services/supplies, or any combination thereof.

3. Concept of Operations

First responders and Township departments manage many emergencies that occur on a day-to-day basis. As the magnitude of an emergency increases, so will the requirement for additional support from within the Township. The Township may elect to call upon neighbouring municipalities and/or the Region of Waterloo to provide assistance. The

Township may also call upon the Provincial government to provide supplemental financial and / or physical resources necessary to deal with the overall impacts of the public emergency.

The Township's Emergency Response Plan adopts the principles of an existing Incident Management System (IMS). The Incident Management System can be used in any size or type of emergency to manage response personnel, facilities, and equipment. Incident Management System principles include the use of common terminology, modular organization, integrated communications, unified command structure, action planning, manageable span-of-control, pre-designated facilities, and comprehensive resource management. The basic functional modules of the Incident Management System (Command, Operations, Planning, Logistics and Finance & Administration) can be expanded or contracted to meet requirements as an event unfolds.

There are multiple response parts to any emergency situation within the Township of Wilmot which are as follow:

3.1 Site Response

The emergency responders at the site or sites of the emergency provide tactical response to the emergency as they attempt to mitigate its effects and bring the emergency under control.

3.2 Corporate Response

The Emergency Operations Centre (EOC) is a physical location where the leadership of the Township of Wilmot can gather to collectively and collaboratively support emergency response and manage the consequences of an emergency. The EOC is utilized, where necessary, to centralize and coordinate efforts occurring at the site(s).

3.3 Policy Group

The Policy Group is comprised of the Head of Council (HOC) in their assigned role and authority during an emergency, or the Mayor and members of Council sitting as Township Council at any regular or special meeting called during an emergency situation.

Head of Council (HOC):

The Mayor or Acting Mayor is the HOC during an emergency. The HOC would have all the powers set out in the Act and Emergency Response Plan for purposes of an emergency situation and/or declared emergency.

The Policy Group may be established to receive information or reports during an emergency situation, and to provide any necessary policy direction to the Emergency Operations Centre Management Team (EOCMT). The Act and Emergency Response Plan have assigned responsibility for management of emergency situations, so the Policy Group does not have responsibility for emergency management during an emergency situation, but the Policy Group does have power under the Act to declare or terminate a declaration of emergency.

3.4 Councillors Role

It is important for Councillors to understand and support the coordinated and timely management of information. The Head of Council and Councillors act as the Policy Group during the Township of Wilmot's EOC activation. The Policy Group may be established to receive information or reports during an emergency situation, and to provide any necessary policy direction to the EOCMT.

The main responsibilities of Councillor are to:

- Assist relaying approved information to area residents;
- Attend community or evacuee meetings;
- Reassure constituents;
- Support actions taking place in the community;
- Liaise back through Mayor concerns from within Wards; and
- Follow leadership and requests of the Mayor.

3.5 Emergency Operations Centre Management Team (EOCMT)

The Emergency Operations Centre Management Team (EOCMT) provides for the overall management and coordination of site support activities and consequence management and is responsible for:

- Notifying response agencies and coordinating the activities of the various departments and organizations which are needed to effectively respond to and recover from the emergency;
- Providing support to the Incident Commander and site personnel;
- Collecting situational awareness information and prioritizing, evaluating, summarizing it, as well as disseminating and displaying it;
- Establishing priorities based on all the information gathered and developing EOC Incident Action Plans;
- Obtaining, coordinating, and managing payment of any additional resources (both personnel and equipment) needed to support the emergency;
- Coordinating all internal and external information including communicating emergency information to the general public; and
- Maintaining the day-to-day activities of the community outside of the emergency area.

The EOCMT is comprised of:

- EOC Director
- Emergency Information Officer
- Liaison Officer
- Risk Management/Safety Officer

- Operations Section Chief
- Planning Section Chief
- Logistics Section Chief
- Finance and Admin Section Chief

3.6 Regional EOC

Once the Regional Emergency Response Plan is implemented, the Mayor (or designate) and CAO (or designate) will become a member(s) of the Regional Emergency Control Group (RECG).

The Local MEOG remains in the Municipality to manage the local emergency, while the RECG ensures a controlled and coordinated response for Regional services and community agencies which the Region has Memorandum of Understanding (MOU) with.

4. Implementation

This Plan can be implemented as soon as an emergency occurs, or is expected to occur, which is considered to be of such magnitude as to warrant its implementation. An official declaration of an “Emergency” does not have to be made for this Plan to be implemented to protect the lives and property of the inhabitants of the Township of Wilmot.

When an emergency exists or appears imminent, but has not yet been declared, Township of Wilmot employees may take such action(s) under this emergency response plan as may be necessary to protect the lives and property of the inhabitants of the Township of Wilmot. It authorizes employees of the Township of Wilmot to respond to an emergency in accordance with the emergency plan where an emergency exists but has not yet been declared to exist.

Any of the Emergency Management Program Committee members outlined in section 4.1 have the authority to activate the plan. They may receive an initial warning of a potential emergency and/or arrives first at the scene of an emergency and feel the circumstances requires the support of the EOC.

EMPC members will contact Kitchener Fire Department (Kitchener Fire Dispatch) to activate the EOC and have personnel assemble at the appropriate EOC location.

4.1 Township of Wilmot EOC Notification System - (Fan Out)

Any of the following listed below have the authority to implement the Plan:

- CAO (or alternate)
- Wilmot Fire Chief (or alternate)
- Wilmot Mayor (or alternate)

4.2 Township of Wilmot Emergency Operations Centre (EOC)

There is a primary and alternate location designated as the EOC. In the event of implementation of the Plan for a declared or undeclared emergency, EOC personnel will be notified to assemble at one of the designated locations.

The Region of Waterloo CEMC may be notified by the Wilmot CEMC when the Wilmot EOC is activated. The Wilmot EOCMT may request the Region of Waterloo CEMC or designate to attend EOC.

4.3 Escalation of Emergencies in Waterloo Region

Each Municipality within the Region of Waterloo has agreed to use the following four emergency management response levels as a guide to be used before, during and following emergencies. Each level signifies the variation of the impact to the community caused by an emergency.

Response Level	Actions	Criteria	Examples
Normal Operations	Normal response by operating departments and responders	Routine operations	Small car accident, isolated flooding, small power outage, house fire
Level 1: Local ECG monitoring level	Key members of Local Emergency Control Group (ECG) notified Local ECG monitors Notification of all Community Emergency Management Coordinator (CEMC) in Waterloo Region	Incident contained within one local municipality First Response Protocol (FRP) may be activated Minor impact to citizens and environment Contained within inner perimeter Minor impact on resources	Apartment fire with displacements, contained hazmat, boil water advisory, active threat from person(s), helicopter crash
Level 2: Partial notification/ activation local ECG	Local ECG notified and on standby , key members of Local ECG may convene Notification of all CEMCs in Waterloo Region Regional ECG may be notified and on standby PEOC may be notified	Incident contained within one local municipality First Response Protocol (FRP) may be activated Significant impact to citizens, property, and environment beyond the outer perimeter Significant media attention	Chemical spill, multiple fire locations, multiple suspects/active threat on the move, city/township wide boil water advisory, isolated communicable disease outbreak

		Significant demand on resources May affect multiple buildings	
Level 3: Full activation local ECG	Local ECG convened . Notification of all CEMCs in Waterloo Region Regional ECG notified and on standby. May require Local emergency declaration PEOC notified	Incident contained within one local municipality Possible activation reception/evacuation centre(s) Major impact to citizens, property and/or environment beyond the outer perimeter Major media and/or public interest Major demand on resources Multiple buildings/incidents	Ice storm, tornado, chemical spill, commercial airliner crash, train derailment, large propane explosion, pipeline leakage, potable water emergency, epidemic, terrorism, large scale flood
Level 4: Regional emergency	Regional ECG convened . Notification of all CEMCs in Waterloo Region Local ECGs may continue to be in operation May require Regional and/or Local emergency declaration PEOC notified	Exceeds local municipal resources and capabilities May affect two or more local municipalities Possible activation reception/evacuation centre(s) Major impact to citizens, property and/or environment Major media and/or public interest Multiple sites/incidents The emergency affects or threatens Regional facilities or services	Level 3 examples that <ul style="list-style-type: none"> • Impact more than one local municipality; or • Is contained within one municipality but has major Region wide impact; or • Impacts Regional services

5. Declaration and Termination of an Emergency

5.1 Prior to Declaration

When an emergency exists, but has not yet been declared, the Township of Wilmot employees and first responders may take such action(s) under the authority of this Plan necessary to protect lives and property.

5.2 Declaration of an Emergency

The Mayor or Acting Mayor, as Head of the Council, is responsible for declaring that an emergency exists within the boundaries of the Township of Wilmot. In declaring an emergency, the Head of Council will identify the geographical boundaries of the emergency area. The decision whether to declare an emergency and the designation of geographical boundaries of the emergency area will be made in consultation with the EOCMT.

The EOCMT will ensure that all personnel and Supporting Agencies concerned are advised of the declaration of the emergency.

Upon declaration of an emergency in the Township of Wilmot the Mayor shall notify:

- a. The Solicitor General and Office of Fire Marshal and Emergency Management (OFMEM) by email or fax, through the Provincial Emergency Operations Centre (PEOC);
- b. Members of the Township of Wilmot Council; and
- c. The Regional Chair of the Regional Municipality of Waterloo.

The following may also be notified of a declaration of emergency:

- a. Local Member(s) of Provincial Parliament (MPPs);
- b. Local Member(s) of Federal Parliament (MPs);
- c. Local media; and
- d. The public.

5.3 Termination of an Emergency

When it has been determined by the EOCMT that the emergency should be terminated, the Mayor and/or Council will make an official termination of declared emergency in writing. The Premier of Ontario may also terminate an emergency at any time.

The EOC Director will ensure that all personnel and Supporting Agencies concerned are advised of the termination of the emergency.

Upon termination of an emergency in the Township of Wilmot the Mayor shall notify:

- a. The Solicitor General and Office of Fire Marshal and Emergency Management (OFMEM) by email or fax, through the Provincial Emergency Operations Centre (PEOC);
- b. Members of the Township of Wilmot Council; and
- c. The Regional Chair of the Regional Municipality of Waterloo.

The following may also be notified of a termination of emergency:

- a. Local Member(s) of Provincial Parliament (MPPs);
- b. Local Member(s) of Federal Parliament (MPs);
- c. Local media; and
- d. The public.

6. Requests for Assistance

It is possible that assistance from other levels of government, or external partner agencies with specialized knowledge or expertise, may be required by the Township of Wilmot to help successfully respond to an emergency situation.

Depending on the nature of the emergency and the assistance required, these agencies may be requested to attend the emergency site(s) and/or EOC to provide assistance or provide information and advice to the EOCMT through the Liaison Officer.

6.1 Requesting Region of Waterloo Support

When the resources of the Township of Wilmot are at capacity or there is a need for support from regional departments the designated member of the Local Municipal MCEG may request further assistance from the Region of Waterloo by contacting the (acting) Regional Chair or (acting) Regional CAO (Chair RECG). Where required due to time restrictions, such requests can be made through the Regional CEMC who will submit the request to the appropriate Regional designate.

On request through the Region of Waterloo, several volunteer-based organizations such as the Canadian Red Cross and St. John Ambulance may provide resources on a cost recovery basis as per Memorandum of Understanding (MOU). The Regional Community Services Department has signed these MOUs on behalf of the Region.

6.2 Requesting Provincial Assistance

Where provincial assistance is required, which is outside of the normal departmental or service working agreements, the request will be made to Office of the Fire Marshal and Emergency Management through the Provincial Emergency Operations Centre.

6.3 Requesting Federal Assistance

Requests for personnel or resources from the Federal Government are requested through the Provincial Emergency Operations Centre who in turn liaises with the Federal Government Operations Centre.

6.4 Support Agency Composition

When requested by the EOCMT, support agencies work in support of the EOC and site and include but are not limited to the following representatives of external groups and organizations:

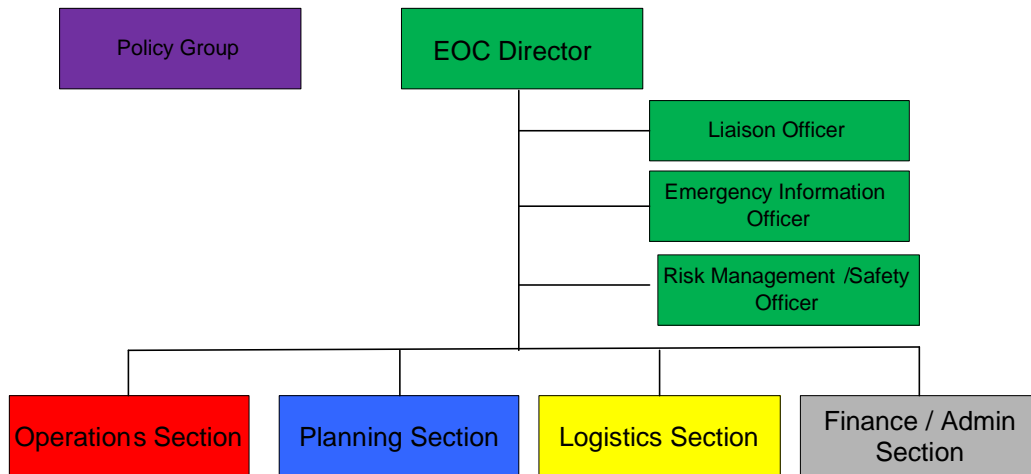
- Grand River Transit Services
- Union Gas/Enbridge Gas
- Trans-Canada Pipelines
- Energy+
- Grand River Hospital
- Grand River Conservation Authority (GRCA)
- CN Railway Police
- Radio Emergency Associated Communications Team (REACT)
- KW Humane Society
- Waterloo Region District School Board
- Waterloo Region Catholic District School Board
- KW Amateur Radio
- Mennonite Disaster Services
- Samaritan Purse
- Provincial and Federal Ministries as required:
 - Ministry of Transportation
 - Ministry of Natural Resources
 - Ministry of Environment and Climate Control
- Representatives from any other service organization or agency deemed necessary by the EOCMT.

Support Agency representatives may be invited to attend EOCMT or site meetings as required.

7. Incident Management System

The Township of Wilmot's Emergency Response Plan adopts the principles of the Incident Management System (IMS). Based on five key functions that must occur during any emergency situation, IMS can be used for any size or type of emergency to manage response personnel, facilities, and equipment. Principles of the Incident Management System include the use of common terminology, modular organization, integrated

communications, unified command structure, action planning, manageable span of control, and comprehensive resource management.



7.1 Incident Commander (Site)

The Incident Commander at site is responsible for and/or has the authority to:

- a. Establish a Unified Command structure for the purpose of information sharing, establishing objectives regarding emergency site management and prioritizing resources where applicable between the responding agency Incident Commanders;
- b. Designate an emergency site media coordinator;
- c. Implement the strategy established by the EOCMT at the emergency site(s), if required;
- d. Ensure that responding agencies make available the human and material resources that are required at the emergency site;
- e. Maintain a communication link with the EOCMT for the flow of information regarding the management of the emergency site;
- f. Maintain a record of events, decisions made, and actions taken as Incident Commander;
- g. Participate in a debriefing with EOCMT regarding the emergency, if required; and
- h. Assist the CEMC in creating an after-action report on the emergency.

7.2 Response Goals

The following response goals are applied to all emergency situations. In order of priority, they are:

1. Provide for the health and safety of all responders.
2. Save lives.
3. Reduce suffering.

4. Protect public health.
5. Protect critical infrastructure.
6. Protect property.
7. Protect the environment.
8. Reduce economic and social losses.

7.3 Incident Management System Functions

Policy Group

Responsibilities of the Policy Group include:

- Providing overall policy direction.
- Changing/amending bylaws or policies.
- Requesting Regional and/or Municipal level assistance.
- Declaration of an emergency.
- Termination of a declared emergency.
- Acting as an official spokesperson.
- Ensuring members of Council are notified of the emergency.
- Notifying the Mayors of adjoining municipalities of the emergency if required and providing any status reports.

EOC Management Team (EOCMT)

The primary responsibility of the EOCMT is to provide for the overall management and coordination of site support activities and consequence management issues. It is the responsibility of the EOCMT to ensure that response priorities are established, and that planning and response activities are coordinated, both within the EOC (i.e. between sections) and between sites and other EOCs.

The EOC Management Team consists of the following positions:

- EOC Director
- Emergency Information Officer
- Safety Officer/Risk Management Officer
- Liaison Officer
- Operations Section Chief
- Planning Section Chief
- Logistics Section Chief
- Finance and Administration Section Chief

EOC Director

- Overall authority and responsibility for the activities of the EOC.
- Sets out priorities and objectives in conjunction with the EOCMT members for each operational period and ensures they are carried out.

- Liaises with the Policy Group (Head of Council) and advise whether or not a declaration and termination of an emergency is recommended.
- Designates the geographical boundaries of the emergency area.
- Authorizes the extraordinary expenditure of municipal funds during the emergency.
- Confirms the adequacy of the expenditure limits as identified in the purchasing by-law.
- Approves emergency information releases.
- Establishes procedures to be taken for the safety or evacuation of persons in an emergency area in partnership with other agencies as needed.
- Determines what sections are needed, assigns section chiefs as appropriate and ensures they are staffing their sections as required.
 - a) Operations Section Chief
 - b) Planning Section Chief
 - c) Logistics Section Chief
 - d) Finance and Administration Section Chief
- Determines which management staff positions are required and ensures they are filled as soon as possible.
 - Emergency Information Officer
 - Liaison Officer
 - Safety Officer/Risk Management Officer
 - Legal Advisor

Emergency Information Officer

- Establishes and maintains media contacts.
- Prepares news releases; coordinating interviews, news conferences, and/or media briefings.
- Develops public information materials; providing messaging for use by customer contact centre and EOC staff.
- Establishes communications strategies for internal and external purposes.
- Monitors media and information sources.
- Liaises and coordinates messages with other Emergency Information Officers.
- Ensures public safety information is provided in accessible formats as required by provincial legislation.

Risk Management/Safety Officer

- Identifies liability and loss exposures to personnel and property, and the municipality.
- Provides advice and assistance on matters related to law and how they may be applicable to the actions of the Township of Wilmot during the emergency.

- Provides advice and assistance on matters related to occupational health and safety regulations for EOC personnel.
- Monitors, assesses, and recommends modifications to safety conditions in the EOC and halting unsafe operations, as necessary.
- Liaises and provides advice to site Safety Officer regarding health and safety issues for site personnel, as required.

Liaison Officer

- Invites required or requested agencies and stakeholders to the EOC, as identified by the EOC Director and EOCMT and maintains contact when required.
- Provides input on the strategic direction and advice to the EOCMT regarding emergency management issues.
- Liaises with the neighbouring Municipal and Regional CEMCs, Office of Fire Marshal and Emergency Management and other provincial and federal representatives as required.
- In conjunction with the EOC Director, facilitates a debriefing with the EOC personnel and other appropriate agencies or organizations and prepares an After-Action Report on the emergency.

Operations Section

The Operations Section maintains direct contact with the site(s) and coordinates the overall site support response, in conjunction with other agencies and/or departments. The Operations Section is also responsible for gathering current situation information from the site and sharing it with the Planning Section and other EOCMT personnel, as appropriate; coordinating resources requested from the site level; and directing deployment of all EOC issued resources to the Incident Commander.

Operations Chief

- Ensures coordination of the Operations function including supervision of the various Branches required to support the emergency event.
- Ensures that operational objectives and assignments identified in EOC Action Plans are carried out effectively.
- Establishes the appropriate level of Branch and Unit organizations within the Operations Section, continuously monitoring the effectiveness and modifying accordingly.
- Consults with Planning Chief to clearly define areas of responsibility between the Operations and Planning Sections.
- Maintains a communications link between Incident Commanders (sites), and the EOC for the purpose of coordinating the overall response, resource requests and event status information.

- Ensures that the Planning Section is provided with Branch Status Reports and Incident Reports.
- Conducts periodic Operations briefings for the EOC Director and EOC Management Team, as required or requested.
- Approves special resource requests and/or obtains the EOC Director's approval of critical and extra-ordinary resources.
- Supervises the Operations Section.

Branch Coordinators

Branch Coordinators oversee the operations of a particular township department, division, section, or outside agency. A Branch Coordinator will be responsible for coordinating the activities of their department/agency site personnel and dispatch centre (if one exists). Additional Branch staff may be needed, dependent on the size of the emergency event and the support required. Branch Coordinators may include, but are not limited to:

a) Wilmot Fire Department Branch Coordinator

- Establishes ongoing communications with Fire Site Commander.
- Arranges and coordinates fire suppression, rescue, as well as hazardous materials support operations.
- Coordinates fire branch activities with fire site personnel and fire dispatch centre.
- Liaises with the Waterloo Region Fire Coordinator about the emergency.
- Liaises with the Office of the Fire Marshal and Emergency Management (OFMEM) for any additional fire service assistance or resources required.
- Acquires and coordinates all fire mutual aid resources, as necessary.
- Arranges, as required, for the Chief Building Official (or alternate) to inspect and take appropriate action for the demolition of unsafe buildings or required remedial actions for unsafe buildings.
- Liaises with local Conservation Authorities with respect to water levels during times of flooding or anticipated flooding.
- Ensures an appropriate level of continuous service to the unaffected part of the Township of Wilmot in accordance with legal obligations and available resources.
- Advises and provides consultation on the issue of evacuation relative to the number of citizens involved, and/or the size of the geographical area involved, which falls under the jurisdiction of the Fire Service.
- Assists in the alerting of persons endangered by the emergency.
- Implements the objectives of the EOC Action Plan assigned to the Fire Branch.

- Completes and maintains Branch Status Reports throughout the emergency.
- Maintains status of unassigned fire and HAZMAT resources.
- Provides routine status reports to the Operations Section Chief.

b) Township of Wilmot Parks, Facilities & Recreation Branch Coordinator

- Coordinates Parks and Recreation Services Branch activities with Township of Wilmot Parks & Recreation site personnel and Regional Community Services Branch (when required).
- Coordinates parks, forestry, cemeteries, and maintenance operations during the emergency.
- Liaises with Wilmot Horticulture/Forestry Services.
- In conjunction with the Regional Community Services Branch, set-up suitable Reception Centres, as required.
- Ensures personnel are notified to open and assist with the operations in Reception Centres.
- In conjunction with the Regional Community Services Branch and the SPCA, coordinates animal control operations at Reception Centres, as required.
- Provides routine status reports to the Operations Section Chief.

c) Township of Wilmot Public Works Branch Coordinator

- Establishes ongoing communications with Public Works Site Commander.
- Provides a site Incident Commander as designated by the EOCMT.
- Coordinates Public Works Branch activities with public works site personnel.
- Places all required Public Works employees on appropriate shifts upon being notified of activation of the Plan.
- Advises the EOCMT with information and advice on transportation, engineering, critical infrastructure, and public works matters including recovery and rehabilitation of township services, fleet, water, wastewater, environmental operations, and levels-of-service.
- Liaises with the Waterloo Region Commissioner of Transportation and Environmental Services and senior public works officials from neighbouring communities to ensure a coordinated response to transportation, engineering, critical infrastructure, and public works matters as required.
- Provides assistance to other municipal departments and external organizations and agencies as required.
- Provides equipment in support of emergency site.

- Liaises with utilities and agencies to discontinue, maintain, or restore any engineering service or utility to consumers as required or determined by the EOCMT.
- Liaises with local community partners to provide special equipment, vehicles and personnel as required.
- Liaises with Ministry of the Environment and other relevant agencies and departments with respect to environment contamination.
- Liaises with local Conservation Authorities with respect to water levels during times of flooding or anticipated flooding.
- Supports traffic control operations as required.
- Surveys all other infrastructure systems, such as roads, bridges, sewer, and water systems within the area.
- Ensures an appropriate level of continuous service to the unaffected part of the Township of Wilmot in accordance with legal obligations and available resources.
- Coordinates waste management issues including collection, processing, and disposal.
- Coordinates debris removal services as required.
- Provides routine status reports to the Operations Section Chief.
- Coordinates asset management for roads, bridges, water, wastewater and storm water and facilities programs.
- Implements the Township of Wilmot's Water Distribution Emergency Response Protocol, as required.
- Through coordination with the Region of Waterloo Water Supply operations, ensures adequate emergency water supply/pressure for effective fire suppression operations.
- Arranges for the provision of emergency potable water supplies and sanitation facilities in co-ordination with the Medical Officer of Health.
- Ensures the clearing of blocked passageways in coordination with the site Incident Commander, either inside or outside the emergency perimeter.
- Coordinates the removal of rubble for emergency response.

d) Township of Wilmot Development Services Branch

- Provides and/or arranges for advice on the structural safety of buildings.
- Identifies and prioritizes damaged structures to be inspected.
- Coordinates building inspection personnel.
- Arranges, as required, for the Chief Building Official (or alternate) to inspect and take appropriate action for the demolition of unsafe buildings or required remedial actions for unsafe buildings.

- Takes action to ensure the protection of the public including, but not limited to:
 - Upon a completion of an application, issues required building/demolition permits to property owners;
 - Prohibiting the use or occupancy of a building;
 - Order a building to be renovated, repaired, or demolished to remove an unsafe condition; and
 - Take measures necessary to terminate the danger where a building is involved.
- Provides technical expertise regarding the construction of buildings, as required.
- Contacts local utility companies for building demolition needs.
- Provides routine status reports to the Operations Section Chief.

e) Township of Wilmot By-law Enforcement Branch

- Provides advice and assistance relating to the enforcement of municipal by-laws and property standards which may include:
 - Enforces by-laws by investigating to determine if there is a violation(s) and will take the necessary measures to ensure the violation(s) is corrected (compliance obtained).
 - Responds to citizen complaints and conducts proactive investigations.

f) Regional Police Branch Coordinator

- Ensures all necessary emergency services are notified as required.
- When legally required to do so, ensures an investigation is conducted and further ensures all other investigative agencies are notified and provides assistance as needed.
- Ensures a communication link is established between the RECG and the Police On-Scene Command Post.
- Provides the RECG with advice on public safety matters.
- Ensures persons endangered by the emergency are alerted and provides coordination of evacuation procedures, including traffic control on evacuation routes.
- Liaise with the Commissioner of Community Services (CSD) regarding the site(s) selected for reception centre(s) and the approximate time of arrival of the first evacuees.
- Where time and circumstances permit, liaise and consult with the Region of Waterloo Commissioner of CSD to ensure the initial designation of reception centres has occurred and meet the needs of the evacuees.

- Ensures a police presence is provided at the EOC, reception centres, holding areas and other facilities, as required.
- When required, assists the Incident Commander (IC) in fulfilling his/her responsibilities.
- Provides routine status reports to the Operations Section Chief.

g) Regional Paramedic Branch Coordinator

- When required, assists the Incident Commander (IC) in fulfilling his/her responsibilities.
- In conjunction with the IC, assesses the need and the initial request for (special) emergency resources at the emergency site, e.g., multi-patient units, support units, air ambulances, etc., and any other medical resources required.
- Liaise with hospitals for the efficient distribution of casualties through the Cambridge Central Ambulance Communication Centre (CACC) Dispatch.
- Notifies and requests assistance of the Ontario Ministry of Health and Long-Term Care, Emergency Health Services Branch through the Cambridge CCAC.
- Liaise with neighbouring Paramedic Services regarding areas of mutual concern which may include coverage issues, distribution of patients to area hospitals and any other issues needed in pre-hospital care.
- In conjunction with the IC, assess the need and initial request for on-site medical teams from hospitals and whether assistance is required from Police or other emergency services in providing transportation to the scene for these medical teams.
Note: Hospitals will not routinely provide on-site triage or medical teams. Medical assistance may be requested to deal with extraordinary instances such as prolonged and extensive entrapment, etc.
- Liaise with the Director of Transit Services in providing buses for low acuity patients.
- Liaise with the Commissioner of Public Health and Emergency Services (PHE)/Medical Officer of Health (MOH) regarding the evacuation of persons requiring ambulance or other stretcher transportation and assist with the organization
- Provides routine status reports to the Operations Section Chief.

h) Regional Public Health Branch Coordinator

- As a member of the RECG, acts as a coordinating link with the Local Health Integration Network (LHIN) for all health services at the EOC, as appropriate.

- Liaise with the Provincial Ministry of Health and Long-Term Care (MOHLTC), Public Health Ontario (PHO), and the Local Health Integration Network (LHIN) as needed.
- Liaise and coordinate with community health care partners as needed, as part of the Public Health emergency response (e.g., physicians, hospitals, etc.).
- Provides advice and recommendations to the public on matters which affect the health of the community (e.g., boil water advisory, preventive measures for infectious disease outbreaks).
- Coordinates the health response to public health emergencies or emergencies with public health impacts (e.g., infectious disease outbreaks, contamination of the drinking water, etc.), according to Ministry of Health and Long-Term Care direction, the Ontario Public Health Standards, the Health Protection and Promotion Act, and/or other relevant legislation (e.g., Safe Drinking Water Act). The Public Health response would be aligned with the Regional emergency response.
- Liaise with the Commissioner of Transportation and Environmental Services (TES) to ensure the safety of drinking water and appropriate sanitation services.
- Liaise with the Commissioner of Community Services (CSD) and provide support specific to reception/evacuation centres, or other temporary lodging sites, in the areas of:
 - environmental health consultation (food, water safety, sanitation, and infection control practices)
 - participation in intake of clients at a reception/evacuation centre;
 - infectious disease case management and surveillance; and
 - infectious disease outbreak control
- Provides routine status reports to the Operations Section Chief.

i) Regional Community Services Branch Coordinator

- Implements the Emergency Social Services (ESS) Plan that is aimed at providing services to those people displaced as a result of an emergency or disaster.
- Ensures reception centres are established, operated, staffed, and closed, with the assistance of Public Health and Emergency Services (PHE) and designated volunteer agencies for the registration, feeding, care, clothing, welfare, and shelter of persons using the centres.
- Liaise with Township of Wilmot Parks, Facilities and Recreation Branch with respect to determining the location of the reception centre when using a Township of Wilmot facility.

- Ensures that property representative(s) is/are notified when a public or private facility(s) is/are required as reception centre(s)
- Determines whether additional reception centres need to be opened.
- Liaise with the Chief of Police with respect to the establishment of reception centres and other areas of mutual concern.
- Liaise with the Commissioner of PHE/Medical Officer of Health on areas of mutual concern regarding operations in reception centres when requested by reception centre personnel including:
 - Food safety and water quality
 - General sanitation and health hazards
 - Infection prevention and control
 - Accommodation standards for emergency lodging
- Assessment of the health risks of the affected community
- Liaise with Grand River Transit (GRT) for the provision of transportation of evacuees to and from reception centre.
- Provides routine status reports to the Operations Section Chief.

Planning Section

- Collects, processes, evaluates, and displays situation information.
- Develops EOC Incident Actions Plans in coordination with other functions.
- Tracks the status of EOC issued resources.
- Maintains all EOC documentation.
- Conducts advance planning activities and makes recommendation for action.
- Obtains technical experts for the EOC, as required.
- Plans for EOC demobilization of personnel and resources.
- Facilitates the transition to the recovery phase.

Logistics Section

- Provides/acquires requested resources including personnel, facilities, equipment, and supplies.
- Arranges access to technological and telecommunication resources and support.
- Acquires and arranges resources for the transportation of personnel, evacuees, and goods.
- Provides other support services such as arranging for food and lodging for workers within the EOC and other sites.

Finance and Administration Section

- Monitors the expenditure process, and response and recovery costs.
- Coordinates claims and compensation.
- Tracks and reports on personnel time.
- Develops service agreements and/or contracts.
- Oversees the purchasing processes.

8. Emergency Response Plan Supporting Documents

This section outlines supporting documents and/or plans to help support the emergency response and recovery issues. These documents do not form part of the Plan but are listed here for reference only. The following list does not cover all available documents; others may be added as needed i.e., hazard specific plans.

8.1 Emergency Notification Procedure

The Emergency Notification Procedure outlines the process for the Township of Wilmot to notify EOC personnel to place them on alert or request that they respond to the EOC. The procedure also includes the confidential contact information for EOC personnel.

8.2 Emergency Operations Centre (EOC) and IMS Standard Operating Guidelines

This document outlines the procedures involved in activation and operation of the EOC facility. This includes details on the guiding principles, managing information and resources, and roles and responsibilities for functions within the Incident Management System. As a supplement to the Township of Wilmot Emergency Plan, it provides information to enable EOC responders to fulfil their key responsibilities in managing an emergency situation.

8.3 Emergency Information Plan (Under Development)

This document coordinates communications from Township departments, agencies, and boards to media outlets, township employees, businesses and residents to deliver information before an impending emergency (if possible), during or after a disaster or emergency. This includes the release of appropriate and factual information to the media and to the public, issuing directives to the public, responding to requests for information, and monitoring media outlets and other sources of information. Methods of internal communications with Township staff are also outlined.

If required, in the event of a major emergency requiring a response from other levels of government, Region, or other municipalities, communications from the Township of Wilmot will be coordinated with these entities.

8.4 Township of Wilmot Flood Plan

The Township of Wilmot Flood Plan outlines the procedures for responding to a flood emergency within the Township. The flood response plan is developed utilizing the expertise and guidance from Grand River Conservation Authority.

8.5 Recovery Plan

One of the last responsibilities that the EOCMT has during an emergency is to establish a Recovery Committee. Its role is to return the community and its citizens to its pre-emergency state, in order to ensure continuity between the emergency and recovery operations.

Depending on the type of the emergency, the recovery phase could be minimal with respect to resources required, monies spent and/or time needed to return the community to its pre-emergency state.

The nature of the emergency and the final authority responsible for it will take the lead role in the recovery. If the Township of Wilmot was responsible for controlling the emergency, the Township would lead the recovery. Similarly, if the emergency was declared at a higher level of government, then that level leads the recovery efforts.

8.6 Regional Level 2 ESS Emergency Social Services Plan

The aim of the Regional Level 2 Emergency Social Services Plan is to make provision for the efficient administration, coordination and implementation of the extraordinary arrangements and measures taken to protect the health, safety, and welfare of the residents of Wilmot during any emergency once they are outside of immediate danger as a result of an emergency or disaster. This response includes both township staff and external partner agencies that work to provide services including, but not limited to, shelter, food, clothing, emergency first aid, registration and inquiry, personal services, and financial assistance.

8.7 Community Pandemic Influenza Preparedness Plan (CPIPP)

This document describes how the Region of Waterloo Public Health, in collaboration with community stakeholders, will respond to a pandemic.

9. Compensation for Losses

The Municipal Disaster Recovery Assistance (MDRA) program will help municipalities address extraordinary emergency response costs and damage to essential property or infrastructure like bridges, roads, and public buildings, as a result of a natural disaster.

The Disaster Recovery Assistance for Ontarians (DRAO) program provides assistance to individuals, small businesses, farmers, and not-for-profit organizations that have experienced damage to, or loss of, essential property as a result of a natural disaster.

For further information, visit the website of the Ministry of Municipal Affairs and Housing.

10. Emergency Response Plan Review and Maintenance

The Township of Wilmot Emergency Response Plan (Plan) will be maintained and distributed by the Community Emergency Management Coordinator (CEMC) to the public via the Township of Wilmot's public website.

The Plan will be reviewed annually by the Emergency Management Program Committee. The review and recommended revisions will be coordinated by the CEMC.

The Plan shall be revised only by By-law; however, revisions to the supporting documents and minor administrative or housekeeping changes may be made by the CEMC in consultation with the CAO.

It is the responsibility of each person, agency, service, or department identified within Plan to notify the CEMC forthwith, of the need for any administrative changes or revisions to the Plan or supporting plans.

The CEMC is responsible for maintaining a current confidential contact list for EOC personnel and Support Agencies.

Each Department and Support Agency involved with this Plan should prepare emergency response procedures or guidelines (i.e., Departmental Emergency Plan) outlining how it will fulfil its own internal responsibilities under this Plan during an emergency.

Each Department and Support Agency should designate a member of its staff to review, revise and maintain its own functional emergency response procedures or guidelines on a periodic basis.

10.1 Exercising of the Emergency Response Plan

At least one exercise will be organized and conducted annually by the CEMC and EMPC in order to test the overall effectiveness of the Plan. Recommendations arising from the annual exercise shall be considered by the CEMC and Emergency Management Program Committee for revisions to the Plan.

10.2 Plan Distribution

Copies of the Emergency Response Plan will be provided to EOC personnel, partner organizations and agencies, the Province, and bordering municipalities and regions that may have a role to play in responding to or providing assistance for emergencies in the Township of Wilmot.

10.3 Revision History

Rev. No.	Revised by	Revision Date

Rev. No.	Revised by	Revision Date

10.4 Abbreviations

AAR	After-Action Report
CACC	Central Ambulance Communication Centre
KWARC	Kitchener Waterloo Amateur Radio Club
CAO	Chief Administrative Officer
CCAC	Community Care Access Centre
CEMC	Community Emergency Management Coordinator
CMT	Crisis Management Team
CP	Canadian Pacific Railway
CPIPP	Community Pandemic Influenza Preparedness Plan
CS	Community Services
DRAO	Disaster Recovery Assistance for Ontarians
ECG	Emergency Control Group
EIO	Emergency Information Officer
EMCPA	Emergency Management and Civil Protection Act
EMPC	Emergency Management Program Committee
EMO	Emergency Management Office (Region of Waterloo)
EOC	Emergency Operations Centre
EOCMT	Emergency Operations Centre Management Team
ERP	Emergency Response Plan
ESS	Emergency Social Services
FERP	Federal Emergency Response Plan
FRP	First Response Protocol
GIS	Geographic Information System
GRCA	Grand River Conservation Authority
GRH	Grand River Hospital
GRT	Grand River Transit
HAZMAT	Hazardous Materials
HIRA	Hazard Identification and Risk Assessment
HOC	Head of Council
IAP	Incident Action Plans
IC	Incident Commander
IMS	Incident Management System

KW	Kitchener-Waterloo
MDRA	Municipal Disaster Recovery Assistance
MECG	Municipal Emergency Control Group
MOECC	Ministry of Environment and Climate Change
MOH	Medical Officer of Health
MOHLTC	Ministry of Health and Long-Term Care
MOU	Memorandum of Understanding
MNRF	Ministry of Natural Resources and Forestry
MP	Members of Federal Parliament
MPP	Members of Provincial Parliament
MTO	Ministry of Transportation
OFMEM	Office of the Fire Marshal and Emergency Management
OPP	Ontario Provincial Police
PEOC	Provincial Emergency Operations Centre
PHE	Public Health and Emergency Services
PHO	Public Health Ontario
PSV	Paramedic Services
RCSD	Region Community Services Department
REACT	Radio Emergency Associated Communications Team
REAL	Regional Emergency Alerting List
RECG	Regional Emergency Control Group
ROW	Region of Waterloo
SFCC	Region's Service First Call Centre
SPCA	Society for the Prevention of Cruelty of Animals
SMGH	St. Mary's General Hospital
WRPS	Waterloo Regional Police Services

Emergency Management Program Committee

Terms of Reference

Goals	As a provincially mandated body the Emergency Management Program Committee oversees the implementation and operation of the Township's Emergency Management Program as required by the <i>Emergency Management and Civil Protection Act</i> .
Objectives	<p>The committee ensures the continual development of programs to increase municipal preparedness, improve municipal emergency response, mitigate risks and hazards, and recover from emergencies.</p> <p>The committee shall conduct an annual review of the municipality's emergency management program and shall make recommendations to Council for its revision if necessary.</p>
Membership	<p>Mayor, or designate Chief Administrative Officer Fire Chief Community Emergency Management Coordinator (CEMC) Director of Information and Legislative Services Director of Parks, Facilities and Recreation Director of Public Works and Engineering Director of Development Services Director of Corporate Services / Treasurer</p> <p>For alternates see Emergency Notification Procedure Document</p>
Co-Chairs	<p>Chief Administrative Officer Community Emergency Management Coordinator (CEMC)</p>
Meetings	Meetings may be held annually or as needed.
Minutes	Minutes will be taken and shared via email to all members. Minutes will be reviewed for approval at the start of each meeting.
Accountability	<p>This is a standing committee required by the provincial <i>Emergency Management and Civil Protection Act</i> and approved by Council.</p> <p>This committee is accountable to Council and shall advise Council on the development and implementation of the municipality's emergency management program as required.</p>
Agenda	The agenda will be prepared by the Community Emergency Management Coordinator in consultation with the committee members.
Attendance	If the primary representative cannot attend they should send a suitable alternate.
Quorum	At minimum 50% plus 1 must be represented.
History	Date the EMPC approved: December 6, 2021

Report IC2021 - 03
to the Council of the Township of Wilmot
in relation to an investigation under the
Code of Conduct for Members of Council related to
Council Code of Conduct Inquiry 2021-03

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Robert J. Williams, Ph.D.
Integrity Commissioner
Township of Wilmot
July 9, 2021

Summary

1. Report IC2021-03 of the Township of Wilmot Integrity Commissioner dated July 9, 2021 advises Wilmot Township Council that an investigation of the Township of Wilmot's Code of Conduct for Council as a result of an application for an investigation under the Code (Inquiry 2021-03) concludes that no contravention has occurred.

A. Context

2. Amendments to the *Municipal Act, 2001* passed in 2006 added a new part to the *Act* entitled "Accountability and Transparency" which authorized municipalities to establish codes of conduct for members of the council and to appoint an Integrity Commissioner. The Township of Wilmot adopted a Code of Conduct for Elected Officials on November 19, 2007.

3. The Township of Wilmot retained me in January 2014 to serve as its Integrity Commissioner under the terms of what are now section 223.3 of the Ontario *Municipal Act, 2001*. Under that section, the Integrity Commissioner is responsible for performing in an independent manner the functions assigned by the municipality including "the application of the code of conduct for members of council" and "the application of any procedures, rules and policies of the municipality ... governing the ethical behaviour of members of council."

B. The Request for an Investigation

4. A resident of Wilmot Township filed an application for an investigation in accordance with the proper procedure for the submission of a formal complaint under the Township of Wilmot Code of Conduct for Elected Officials.

5. The submission makes a number of allegations based on statements made by Councillor Jennifer Pfenning at a meeting of Council on February 8, 2021 as part of Council's deliberations on the Integrity Commissioner's Report IC2020-02 that had concluded that Mayor Les Armstrong violated the Township of Wilmot Code of Conduct For Elected Officials. During Council's deliberations on the report, Councillor Pfenning engaged in an exchange with Mayor Armstrong that sought to encourage him to clarify statements made to a reporter related to Council's decision on the future of the Prime Minister's Path, the subject of Report IC2020-02.

C. The Allegations

6. The applicant's allegations rest on two main grounds:
 - That Councillor Pfenning "disclosed in a public meeting that she had a private conversation with Mayor Les Armstrong" and that "personal matters should not be

shared in a public forum, especially without consent.” Moreover, the applicant asserts that Councillor Pfenning repeated “several times” that a “private conversation” had taken place. The applicant characterizes Councillor Pfenning’s statement as a violation of the section of the Code of Conduct for Elected Officials that prohibits the sharing of confidential information.

- That Councillor Pfenning spoke “in a condescending demeaning tone” in her exchange with Mayor Armstrong. This characterization of Councillor Pfenning’s statement is related to the section of the Code of Conduct for Elected Officials that requires that members of council show courtesy to one another at Council meetings. The applicant suggests that it is also possible to view this behaviour as a form of harassment or bullying, another form of misconduct under the Code.

A Note on Confidentiality:

7. The *Municipal Act, 2001* (s.223.6 (2)) directs that an Integrity Commissioner shall only disclose “such matters as in the Commissioner’s opinion are necessary for the purposes of the report.” In keeping with the responsibility of the Integrity Commissioner to respect confidentiality during the conduct of an inquiry, I will continue to hold the name of the appellant in confidence in this report.

D. Background

8. I spoke with the appellant, Councillor Pfenning and Mayor Armstrong by phone to clarify some of the matters raised in the submission. I had participated myself in the virtual meeting on February 8 when these statements were made and have reviewed the video record of the meeting to refresh my own memory of the events and to view the meeting in the light of the allegations.

E. The Evaluation

9. The applicant contends that “a private conversation is no different than a closed-door meeting” and that “confidentiality was breached as an Identifiable Individual had a private conversation made very public.” The language in the submission paraphrases a statement in the Code that stipulates that members of council “have a duty to hold in strict confidence all information concerning matters dealt with at closed meetings.”

10. There are several reasons why the allegation in the application related to confidentiality does not constitute grounds for an inquiry under the Code of Conduct.

- The appellant submits that, by referring to “personal matters about an identifiable individual” that Councillor Pfenning learned as a result of a telephone call with Mayor Armstrong, she has violated the Code. The appellant states that a private conversation is “no different than a closed door meeting.”

With respect, it is different. A private conversation between two members of council - as confirmed by both parties - is not in any way subject to the legislated parameters of a closed meeting of Council or to the section of the Wilmot Code of Conduct that prohibits members from revealing the contents of a closed meeting. In my opinion, Councillor Pfenning referring to the content of that telephone conversation cannot be viewed as violation of the Code of Conduct since it was clearly not a meeting of Council, which is specifically what the Code and the *Municipal Act, 2001* refer to.

To be clear, the obligation to treat information as confidential is linked explicitly to closed meetings, which are only convened under a set of special requirements under the *Municipal Act, 2001*. A private conversation between two members of Council is not prohibited under the Code of Conduct or the *Municipal Act, 2001* nor do the provisions in the *Municipal Freedom of Information and Protection of Privacy Act* related to “personal information” apply as the applicant also implies. While the Wilmot Code similarly requires a Member of Council to “hold in strict confidence, all information concerning matters dealt with at closed meetings,” the characterization of the telephone conversation cited by the applicant as falling under the “confidentiality” provision of the Code of Conduct is not valid.

I understand that some “personal matters” were discussed during the conversation but they were not shared during the Council meeting. Both members of council referred to in this application agreed that the matters discussed were appropriate to share during Council’s deliberations since the points that Councillor Pfenning referred to during the Council meeting were germane to Council’s deliberations on Integrity Commissioner’s Report IC2020-02 and may have been important in Council’s decision.

I do not find that the statements made by Councillor Pfenning during the February 8, 2021 meeting of Wilmot Council constitute evidence that she is in violation of the Township Code of Conduct for Elected Officials

11. The applicant also believes that the way Councillor Pfenning spoke to Mayor Armstrong during the February 8 meeting was inappropriate and constitutes a violation of the Code of Conduct. Specifically, the submission states that “This was viewed as bullying, demeaning and disrespectful for a council member to behave in this manner and like she has a bully pulpit.” Furthermore, the applicant contends that that “this caused great embarrassment for many of the public watching” and that his was “a total lack of respect for fellow council members, staff and the public.”

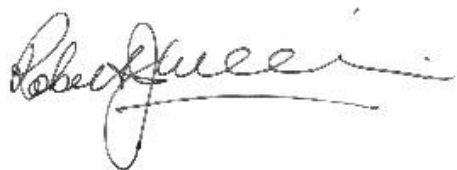
The questions Councillor Pfenning asked Mayor Armstrong were potentially uncomfortable and at times awkwardly phrased. The need to rephrase or repeat some questions may have appeared patronizing but, in listening to them again, my conclusion is that the intent was to provide clarity rather than to somehow “set up” the Mayor. Councillor Pfenning’s tone was calm and her language courteous. It was perhaps Mayor Armstrong struggling to grasp the intent of some of the questions that caused “great embarrassment for many of the public watching” but the direction and substance of the questions were respectful and helpful. The characterization of this exchange as “bullying” (defined in the Code of Conduct as “psychological abuse” or “verbal . . . insults”) is not convincing.

I do not find that the way Councillor Pfenning spoke to Mayor Armstrong during the February 8, 2021 meeting of Wilmot Council constitute evidence that she is in violation of the Township Code of Conduct for Elected Officials

12. **Based on the foregoing, I find that Councillor Jenn Pfenning has not violated the Township of Wilmot Code of Conduct for Elected Officials. The application is dismissed.**

Recommendation

That Council receive for information the Integrity Commissioner’s Report 2021 – 03 dated July 9, 2021.



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

Report IC2021 - 07
to the Council of the Township of Wilmot
in relation to an investigation under the
Code of Conduct for Members of Council related to
Council Code of Conduct Inquiry 2021-07

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Robert J. Williams, Ph.D.
Integrity Commissioner
Township of Wilmot
November 18, 2021

Summary

1. Report IC2021-07 of the Township of Wilmot Integrity Commissioner dated November 18, 2021 advises Wilmot Township Council that an investigation of the Township of Wilmot's Code of Conduct for Council as a result of an application for an investigation under the Code (Inquiry 2021-07) concludes that no contravention has occurred.

A. Context

2. Amendments to the *Municipal Act, 2001* passed in 2006 added a new part to the *Act* entitled "Accountability and Transparency" which authorized municipalities to establish codes of conduct for members of the council and to appoint an Integrity Commissioner. The Township of Wilmot adopted a Code of Conduct for Elected Officials on November 19, 2007.

3. The Township of Wilmot retained me in January 2014 to serve as its Integrity Commissioner under the terms of what are now section 223.3 of the Ontario *Municipal Act, 2001*. Under that section, the Integrity Commissioner is responsible for performing in an independent manner the functions assigned by the municipality including "the application of the code of conduct for members of council" and "the application of any procedures, rules and policies of the municipality ... governing the ethical behaviour of members of council."

B. The Request for an Investigation

4. A resident of Wilmot Township filed an application for an investigation in accordance with the proper procedure for the submission of a formal complaint under the Township of Wilmot Code of Conduct for Elected Officials.

5. The affidavit signed by the appellant alleges that the behaviour of Councillor Angie Hallman during a special meeting of Wilmot Council on July 5, 2021 contravened the Code of Conduct for Elected Officials. Although the affidavit requests that the specific sections of the Code be listed as the basis for the inquiry, the appellant simply refers to Councillor Hallman's behaviour as "unprofessional and biased" and that this behaviour "can be clearly viewed on the recorded session on YouTube."

6. The applicant notes that "we were given explicit instructions on the proper behaviour that was expected of the delegates and that everyone at the table was to have an open mind and be respectful." The "unprofessional and biased" behaviour cited by the appellant in this submission includes Councillor Hallman's "openly bias reactions to **one** viewpoint expressed by the delegates [emphasis in the original]. Her applauding, putting her hands together indicating

thank you, smiling, nodding and smirking at presenters in agreement, all clearly bias.” Further, the applicant adds that “You will note in the video that not one other member showed any bias to speakers and showed them at least the semblance that they were open to opposing views....I find her actions aggressive, antagonistic and more importantly in this time of unrest across Canada extremely divisive.”

A Note on Confidentiality:

7. The *Municipal Act, 2001* (s.223.6 (2)) directs that an Integrity Commissioner shall only disclose “such matters as in the Commissioner’s opinion are necessary for the purposes of the report.” In keeping with the responsibility of the Integrity Commissioner to respect confidentiality during the conduct of an inquiry, I will continue to hold the name of the appellant in confidence in this report.

C. Background

8. I spoke with the appellant and Councillor Hallman by telephone to clarify some of the matters raised in the submission. I shared an anonymized copy of the resident’s submission with Councillor Hallman and requested that she provide me with a written response. I viewed the video record of the July 5, 2021 meeting several times to help me identify and understand what the appellant described, looking in particular for a perceived bias towards “**one** viewpoint expressed by the delegates” that is alleged to have occurred.

D. The Allegations

9. The July 5, 2021 Special Meeting of Council was devoted to receiving and ultimately acting on the findings and recommendations contained in a report prepared by the First Peoples Group (FPG) in relation to the future of the Prime Ministers Path (PMP).¹ The debate within the community around the presence of the statues (especially Sir John A. Macdonald) on land adjacent to a heritage building and the Township offices has been divisive and has engaged many residents on both sides of the question, as evidenced by the appearance of more than twenty delegations at the July 5 meeting.

The meeting ran approximately three hours and thirty-five minutes (including one break of less than ten minutes) and consisted of three main components:

- a presentation by FPG on its report;
- delegations; and
- Council's debate and decision on a resolution to endorse the actions recommended by FPG (Resolution No. 2021-141).

On the video of the meeting, which had been live-streamed on July 5, most of the participants were visible in what is called the gallery or grid format on YouTube; that is, the six members of Council, and the Acting CAO, can be seen at the same time throughout the meeting². Delegations were invited to speak to Council either with or without a camera on, but in the latter case were visible only during their presentation. The Director of Information and Legislative Services was on camera occasionally as needed to deal with procedural or technical issues. The full recoding that I worked from is found on the Township website³ along with the agenda package and minutes of the meeting.

Councillor Hallman was visible during the entire recording. The incomplete and imprecise information in the submission ("the recorded session on YouTube") required me initially to view the video recording of the whole meeting just to discover the nature of Councillor Hallman's

¹ Some background on the PMP controversy and how it has been addressed are found in Reports IC 2020-02, IC 2021-05 and IC 2021-06. The Township's website provides an up-to-date summary of developments leading to and following from the July 5, 2021 meeting at <https://www.wilmot.ca/en/living-here/prime-ministers-path-public-engagement.aspx>

² As noted in Report IC 2021-05, Councillor Cheryl Gordijk has found it necessary to turn off her camera from time to time to save bandwidth and avoid losing her connection. This happened frequently on July 5 but does not have any bearing on this inquiry.

³ The video can be found at <https://www.youtube.com/watch?v=PCJlg1LhqEY>. Other information on the meeting is available at <https://calendar.wilmot.ca/council/Detail/2021-07-05-1800-Special-Council-Meeting>

specific actions that were alleged to be “unprofessional and biased,” when and how often they occurred, and then to determine whether these actions actually constituted a violation of the Code of Conduct.

10. What I view as unique in this submission is that the allegations are directed to what appears during the video (“applauding, putting her hands together indicating thank you, smiling, nodding and smirking”) and not on what Councillor Hallman said to any of the delegations or about comments she may have made about the views they expressed. Moreover, the allegation is based on the perception that Councillor Hallman’s reactions were “openly” biased towards “one viewpoint.” In other words, this inquiry is primarily about what the applicant observed and not about what may have been stated during the meeting by Councillor Hallman.

E. Delegations

11. To test the validity of the alleged “bias” I first carefully viewed the entire video, concentrating initially on the portion of the meeting when delegates were making presentations to Council (running from 20:06 to 2:15:00 on the video timer) and I did so with the sound muted. This meant that I did not hear the name of the delegates and could not distinguish presentations that advocated for one “viewpoint” or another. My research into the allegations as set out in the request for an inquiry would therefore be based on observing Councillor Hallman’s facial expressions or other gestures that occurred during or after each individual presentation. The gallery format allowed me to monitor the facial expressions or gestures of other members of Council as well since the appellant asserts “not one other member showed any bias to speakers.”

12. Before reviewing the evidence collected through my review of the portion of the video when delegations were appearing, it is important to note that all members of Council were muted during the presentations by delegations. As well, no member of Council asked a question in relation to a presentation by a delegation or made a comment following the presentation by any delegation. The only member of Council to speak to delegates was the Mayor in his role as presiding officer. The one exception to this pattern occurred when Councillor Hallman raised a point of personal privilege (at 57:57 on the timer) in relation to a statement made by a delegation that referred to three members of Council; the Mayor explained to the delegation why his remark was out of order and the delegation continued with his statement.

At the conclusion of this delegation’s time allocation, Councillor Hallman requested clarification on how Council will proceed in the event that similar incidents occur during later presentations. As the minutes of the meeting show, “The Director of Information and Legislative

Services confirmed that a delegate may continue addressing Council following the raising of a point of privilege, provided that decorum is maintained.”

In my opinion, Councillor Hallman’s intervention was procedural rather than substantive and not an indication of bias; no further reference to the delegation or his statements occurred at any time during the meeting. In any case, raising a point of personal privilege is a matter included in Council’s Rules of Order and Procedure (section 9.5) and, in the circumstances of the July 5 Special Meeting of Council, raising a point of personal privilege does not in my assessment fall under the Code of Conduct.

13. To return to “the recorded session on YouTube,” I acknowledge that I am not an authority on nonverbal communication and that the appellant did not claim this expertise either. I approached this task from the point of view of a neutral observer of the behaviour of members of Wilmot Township Council during a significant but lengthy virtual meeting. I soon realized that most of the gestures or reactions of individual members of Council captured on the video would not be apparent in a live meeting in the Council chambers since they are usually quick and often imperceptible. Moreover, carefully observing the facial expressions or gestures of everyone at the same time in a live meeting is unlikely. However, the only option available to me to examine these allegations is through the video as directed in the application and I did so.

14. As I observed in IC Repot 2021-06, Councillor Hallman is noticeably restless during Council meetings (for example at 2:13:40 on the video timer), often making notes, taking a drink of water or leaning in to better hear a delegation. Other members of Council participate in their own way; some were able to remain quite still throughout the meeting, usually looking straight at their camera, and seemed able to refrain from any facial reactions in response to the presentations of the delegations. Occasionally a member can be seen nodding or smiling, presumably in response to something said by a delegation, but these reactions were few enough to conclude that they showed no bias, confirming the claim made by the appellant.

15. Over the approximately two hours when delegations were able to speak to Council, Councillor Hallman’s behaviour was for the most part no different than that of her fellow Council members: she looked at her camera or turned her head to hear what the delegation was saying, looked aside momentarily as she made notes and, in my assessment, showed no overt judgement of what was being said. I did review (with the sound on) occasional instances when she nodded slightly, such as at 1:25:55 following a reference made by the delegate about the recently-discovered unmarked graves on the site of former residential schools, at 1:32:14 when the

delegate praised the quality of the FPG report or at 1:55:35 in response to a delegate who supported a process of public consultation on the PMP. Councillor Hallman smiled more broadly when a resident told Council that she took a university level course on Indigenous peoples when protests over the PMP began in Wilmot (1:20:10). From time to time she nodded to thank delegations at the end of a presentation⁴ (such as at 1:47:56). I do not perceive any of these actions to be biased, aggressive or disruptive.

16. The appellant specifically refers to Councillor Hallman “putting her hands together indicating thank you” and alleges that this is an example of her being “‘openly’ biased towards ‘one viewpoint.’” My assumption is that the appellant is referring to Councillor Hallman’s reaction to remarks made by a delegation (at 1:26:45). In order to assess Councillor Hallman’s action, I went back to listen to the presentation and would note that at least two other members of Council responded to the young lady’s presentation by nodding or saying “thank you” (while muted). In fact, the ritual gesture used by Councillor Hallman, with hands over the heart in a prayer pose accompanied by a modest bow of the head (called namaste), is basically a respectful greeting or a way of saying “thank you” and not necessarily an overt signal of agreement or otherwise.

17. Since members of Council were muted throughout this portion of the meeting, all of Councillor Hallman’s gestures noted here were offered in silence and did not disrupt the flow of the presentations nor, in my view, did they detract from the decorum of the meeting. Despite the fact that Councillor Hallman moved the resolution to adopt the FPG’s recommendations, in my evaluation, her actions were not noticeably selective (that is, occurring only when certain viewpoints were being expressed by delegations) and all were compliant with the Council’s Rules of Order and Procedure. Nor did they violate the Code of Conduct.

18. The applicant’s contention that Councillor Hallman was “smirking” is impossible to investigate since it carries the implication that when Councillor Hallman smiled during or after a delegation’s presentation⁵ she was doing so in a self-satisfied manner or that her facial

⁴ Note: since I did not have the audio of the meeting activated initially, I was able to track the conclusion of a speaker’s presentation on the time clock that each delegation was required to adhere to. I reviewed (often several times) instances with the audio on when Councillor Hallman did more than simply listen to a delegation, in the examples just noted and others.

⁵ Without specific information provided by the appellant, I must assume that the smirking is believed to have occurred in response to remarks made by a delegation.

expression was conveying conceit or arrogance (as the term “smirking” is normally defined). As discussed in IC Report 2021-06 (paragraph 17), this “reading” of her facial expressions amounts to speculation about what led to Councillor Hallman’s alleged actions rather than verifiable evidence that her actions were intended to convey such feelings. The applicant’s interpretation alone does not substantiate the accusation and does not constitute grounds for an inquiry under the Code of Conduct for Elected Officials.

F. Council Deliberations

19. The final part of the meeting (running from 2:22:13 to 3:37:31 on the timer) included Council’s deliberations and decision on the FPG report and concluding remarks from representatives of FPG, members of Council and Township staff. As I have noted several times already, the incomplete and imprecise information provided in the submission required me to review this portion of the meeting as well, looking for other evidence of “aggressive, antagonistic and ... divisive” behaviour on the part of Councillor Hallman. The basic outcome of my research is that no such behaviour can be detected.

20. Councillor Hallman was the first speaker and her comments were like those put on the record later by other members of Council that evening; that is, they were - in my assessment - respectful and appreciative of the process that led to the report before Council and supportive of the conclusions reached by FPG. Like most of her colleagues, she nodded in agreement or understanding when colleagues spoke (such as at 3:23:35) and at times smiled in response to various observations, such as the positive statements about Wilmot Township quoted in the FPG report cited by Councillor Gerber at 2:46:15, for example.

As Council moved towards its decision (especially after 3:20 on the video timer), Councillor Hallman is more active, for example in her response to remarks made by Councillor Gerber in support of taking actions to contribute to community reconciliation (at 3:22:01), followed by another namaste gesture and a muted “thank you” directed at Councillor Gerber at 3:24:13 when he indicated his own support for the resolution that she had moved. She was also noticeably animated at 3:25:41 but since she was accidentally muted it is not possible to determine what she actually said. When she unmuted herself, she expressed her thanks to her Council colleagues for supporting the FPG recommendations, which she did without gestures of any kind. In response to final remarks from Guy Freedman of FPG (at 3:28:01) when he quoted The Beatles (“All You Need Is Love”), all members of Council smiled and Councillor Hallman added a hand gesture in the shape of a heart to reinforce his message. It should also be noted that three members of Council (including Councillor Hallman) applauded Township staff (3:34:28) in

response to an acknowledgement by the Acting CAO of their role in the process leading to Council's decision.

21. Councillor Pfenning had suggested earlier in the meeting (2:32:14) that this was "a really heavy conversation for all of us." The Mayor himself made reference to "divisiveness" throughout the community (3:29:00) over the previous twelve months that undoubtedly weighed on the minds of all members of Wilmot Council on July 5, 2021 since Council's decision was bound to please some residents and anger others.

Residents who had urged Council to reject the FPG report may have believed that Councillor Hallman's on-screen actions and reactions at this point in the meeting were biased; in fact, they were. From the beginning of the Township's consideration of the PMP and the steps that led to the presentation of the report to Council by FPG, Councillor Hallman has repeatedly acknowledged her personal commitment to reconciliation and support for the resolution then before Council as a way to address that goal. The Code does not preclude members of Council from expressing deeply held personal beliefs, especially on contentious matters that require public decisions, which means that I believe her overt support for the adoption of the resolution at this point in the meeting is reasonable. I do not believe that her support for that outcome could be deemed discourteous or disruptive or overtly aggressive, antagonistic or divisive, as alleged.

G. The Application of the Code of Conduct

22. One part of the formal request to conduct an inquiry is an affidavit that was signed by the applicant and commissioned by the Township Deputy Clerk. It states that the applicant swears or affirms that there are "reasonable grounds" that a member of Council "has contravened the following provision(s) of the Township of Wilmot's Code of Conduct" and explicitly requests that the applicant "list specific section(s) of the Code" on the form that have been contravened. As noted in paragraph 5 (above), this particular application does not indicate which specific provision or provisions of the Code of Conduct have been contravened but merely states "unprofessional and biased".

Up to this point, my findings have been addressed around allegations made in a summary that was submitted by the applicant instead of completing Schedule "A" of the Application for an Investigation. In that summary, terms such as "openly bias reactions to one viewpoint expressed by the delegates" and "aggressive, antagonistic and ... divisive" behaviour are used implicitly to convey what the appellant has indicated to be "unprofessional and biased" conduct on the affidavit (see paragraph 6 above).

It was necessary for me to take this approach because, in fact, the term “unprofessional” does not appear anywhere in the Wilmot Code of Conduct⁶ and the term “bias” is used to provide interpretive direction as to the meaning of “personal interest” that the Code of Conduct directs elected officials to “resolve” in the performance of their duties as an elected official. As written into the Wilmot Code, “bias” is not a provision that can itself serve as the basis for an inquiry.

23. However, rather than simply dismissing this application on such technicalities I have chosen to examine the available evidence (“the recorded session on YouTube”) since ensuring respectful conduct by elected officials towards residents, staff and fellow elected officials was an implicit rationale for establishing municipal codes of conduct in the first place and is an explicit provision in the Wilmot Code itself.⁷ The resident who filed the application has reasonable grounds for expecting that elected officials behave respectfully in the performance of their public duties, even if the application did not cite actual provisions of the Code as the basis for the inquiry.

My conclusion is that, in any event, the evidence does not demonstrate that Councillor Hallman showed disrespect for delegations, staff or her Council colleagues and that her actions did not distract from the proceedings of Council as addressed in the Code of Conduct or the Rules of Order and Procedure.

24. I would like to conclude with two observations for future inquiries:

- The allegations I have been asked to investigate in this case involve actions that all occurred during a formal meeting of Council. In my view, the conduct of a member of Council at meetings would normally be addressed exclusively under the Rules of Order and Procedure at the time they occur and should not be handled under the Code of Conduct. This includes what the applicant to this inquiry has called, among other things, “aggressive” or

⁶ My research indicates that some Codes do use this language; for example, the Code Of Conduct for Members of Council and Local Boards, Tay Valley Township (December 1, 2018), Section 8.0: “Every Member shall conduct themselves with decorum and professionalism at all Council, Committee, Local Board and other meetings in accordance with the provisions of the applicable Procedure by-law, this Code, and other applicable law.”

⁷ The relevant section of the Wilmot Code appears under the heading CONDUCT AT COUNCIL/ COMMITTEE MEETINGS: “Members shall conduct themselves with decorum at Council and Committee meetings in accordance with the provisions of the Council 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.”

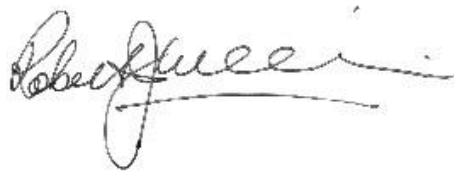
“antagonistic” behaviour. The onus to raise such breaches rests with the presiding officer and/or other members of Council as part of their commitment to maintaining decorum throughout their own deliberations. It would be beneficial to establish more clearly the connection between the procedural by-law and the Code of Conduct, for example should there be repeated violations of the procedural by-law.

- I have observed several times in this report that the submission by the resident only directs me to consider “the recorded session on YouTube” to confirm the allegations and that this has required me to spend a considerable amount of time to actually locate actions that the applicant characterized as “unprofessional and biased” and then to determine which parts of the Code are applicable. I have nevertheless undertaken this inquiry in the interests of helping to clarify the scope and applicability of the Township’s Code of Conduct as well as respecting a submission made in good faith that elected officials should behave respectfully in the performance of their public duties. However, under provisions of the Code of Conduct, the Integrity Commissioner “may refuse to investigate allegations ... [deemed] to be frivolous or vexatious.” In future I will exercise this authority in response to submissions based exclusively on incomplete and imprecise information such as found in Inquiry 2021-07 or on submissions that are not tied in some way to the actual provisions of the Code of Conduct I am mandated to apply.

Based on the foregoing, I find that Councillor Angie Hallman has not violated the Township of Wilmot Code of Conduct for Elected Officials. The application is dismissed.

Recommendation

That Council receive for information the Integrity Commissioner’s Report 2021 – 03 dated November 18, 2021.



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

TOWNSHIP OF WILMOT

BY-LAW NO. 2021-058

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

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

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

1. Notwithstanding the provisions of By-law 83-38, as amended, on the lands described on Schedule "A" and illustrated on Schedule "B" attached to and forming part of this By-law, the following regulations shall apply:
 - a) dwelling units shall be permitted with or without the presence of a permitted commercial use on the property;
 - b) a minimum of 1.2 off-street parking spaces shall be provided per dwelling unit;
 - c) the minimum rear yard setback shall be 4.6m;
 - d) the minimum exterior side yard setback shall be 5.2m from the lot line existing at the time of passing of this by-law.

2. Notwithstanding the provisions of By-law 83-38, as amended, for the lands described on Schedule "A" and illustrated on Schedule "B" attached to and forming part of this By-law, the following shall be added as Section 22.298:

Notwithstanding any other provisions of this By-law, the lands described as Part of Lot 14, Concession North of Snyder's Road, being Parts 1 and 2, Plan 58R-1966, and identified on the map forming Part 2b of Schedule 'A', shall be subject to the following regulations:

 - a) dwelling units shall be permitted with or without the presence of a permitted commercial use on the property
 - b) a minimum of 1.2 off-street parking spaces shall be provided per dwelling unit
 - c) the minimum rear yard setback shall be 4.6m
 - d) the minimum exterior side yard setback shall be 5.2m from the lot line existing at the time of passing of By-law 2021-058

3. Notwithstanding the provisions of By-law 83-38, as amended, the map forming Part 2b of Schedule 'A' to By-law 83-38 shall be amended as necessary to identify Section 22.298 on the lands described on Schedule 'A' and illustrated on Schedule 'B' attached to and forming part of this By-law.

- 4. Except as amended by the preceding regulations, the lands described on Schedule "A" attached to and forming part of this by-law and shown on Schedule "B" attached to and forming part of this by-law, shall be subject to all other applicable regulations as set down in By-law No. 83-38, as amended.
- 5. This by-law shall come into effect on the final passing thereof by the Council of The Corporation of the Township of Wilmot subject to compliance with the provisions of The Planning Act, R.S.O., 1990 and amendments thereto.

READ a first and second time on the 6th day of **December, 2021**.

READ a third time and finally passed in Open Council on the 6th day of **December, 2021**.

MAYOR

CLERK

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the Township of Wilmot, in the Regional Municipality of Waterloo and Province of Ontario being composed of Part of 14, Concession North of Snyder's Road, being Parts 1 and 2, Plan 58R-1966, in the said Township of Wilmot.

This is Schedule "A" to By-law No. 2021-058.

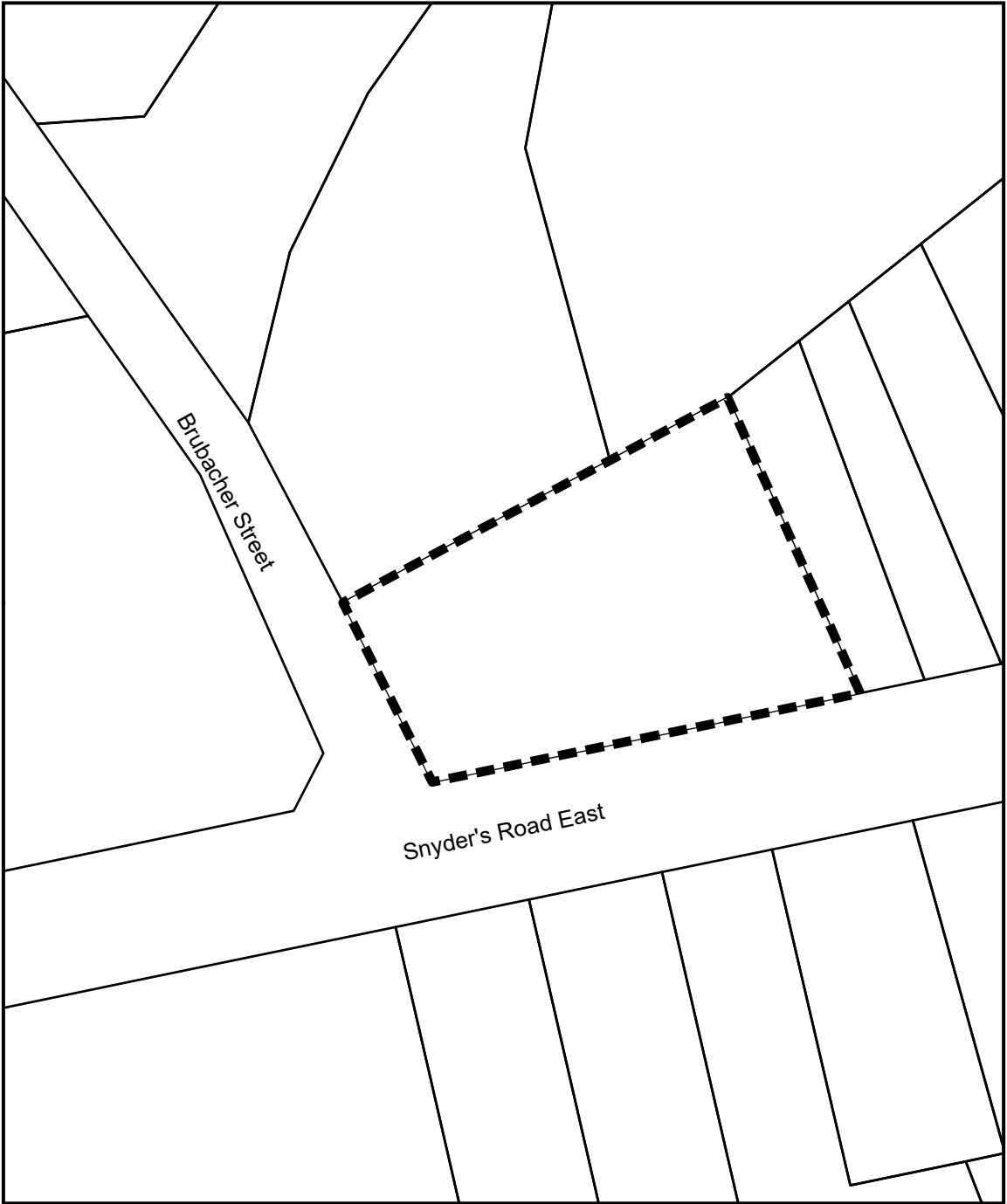
PASSED this 6th day of December, 2021.

MAYOR

CLERK

SCHEDULE "B"
PART OF LOT 16, CONCESSION NORTH OF SNYDER'S ROAD
PARTS 1 AND 2, PLAN 58R-1966
TOWNSHIP OF WILMOT

SUBJECT LANDS OUTLINED THUS: - - - - -



THIS IS SCHEDULE "B" TO BY-LAW NO. 2021-058
PASSED THIS 6TH DAY OF DECEMBER, 2021.

MAYOR

CLERK

