

## **Council Meeting Minutes**

### **Council Meeting**

Date: March 6, 2023, 7:00 P.M.

Location: Council Chambers - Hybrid  
60 Snyder's Road West  
Baden, Ontario  
N3A 1A1

Members Present: Mayor N. Salonen  
Councillor S. Cressman  
Councillor K. Wilkinson  
Councillor H. Sidhu  
Councillor L. Dunstall  
Councillor S. Martin

Staff Present: Chief Administrative Officer, S. Chambers  
Director of Community Services, S. Jackson  
Director of Corporate Services/Treasurer, P. Kelly  
Director Infrastructure Services, J. Molenhuis  
Director of Development Services, H. O'Krafka  
Supervisor of IT, K. Jeffreys  
Manager of Planning and Economic Development, A. Martin  
Manager of Finance/Deputy Treasurer, A. Romany  
Deputy Clerk, C. Curtis  
Manager of Legislative Services/Clerk, J. Bunn  
Manager of Municipal Law Enforcement, E. Merritt  
Desktop Support Technician, R. Ubhi

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#### **1. MOTION TO CONVENE INTO CLOSED MEETING**

There was no Closed Meeting on March 6, 2023.

## 2. MOTION TO CONVENE IN OPEN MEETING

**Moved by:** Councillor L. Dunstall

**Seconded by:** Councillor S. Cressman

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

**Motion Carried**

## 3. MOMENT OF REFLECTION

As we prepare to celebrate International Women's Day on Wednesday, March 8, it is important that we take a moment to recognize the invaluable contributions of women in every aspect of our society. We honor the strength, resilience, and determination of women who have fought and continue to fight for equal rights and gender equity. We acknowledge the progress that has been made but also recognize that there is still much work to be done.

The Township of Wilmot is committed to continuing the fight for gender equality and ensuring that every woman is given an equal opportunity to thrive and succeed. We pledge to stand with women not just on this day, but every day, as we continually work towards creating a more just and equitable society for all.

## 4. TERRITORIAL ACKNOWLEDGEMENT

Councillor S. Martin read the Territorial Acknowledgement

## 5. DISCLOSURE OF PECUNIARY INTEREST UNDER THE MUNICIPAL CONFLICT OF INTEREST ACT

There were no disclosures of pecuniary interest at this meeting.

## 6. ADDITIONS TO THE AGENDA

6.1 Item 12.1 Official Plan Amendment Application 01/21 and Zone Change Application 08/21, 66 Hincks Street, New Hamburg, DS-2023-02

Visual Materials provided by Owner/Applicant

6.2 Item 12.2 Modification to Draft Plan of Subdivision 30T-19601

Visual Materials provided by Owner/Applicant

6.3 Item 12.4 - Delton Reibling Municipal Drain Engineer's Report, COR-2023-20

6.4 Item 13.29 - Correspondence Regarding Modification to Draft Plan of Subdivision 30T-19601

6.5 Items 13.30 - 13.50 Correspondence Regarding Rezoning Application for the Hallman Pit

6.6 Item 13.45 Petitions Regarding Proposed New Hamburg Business Improvement Area (BIA)

## 7. **ADOPTION OF THE AGENDA**

**Moved by:** Councillor S. Martin

**Seconded by:** Councillor H. Sidhu

THAT the Agenda as presented for March 6, 2023 be adopted.

**Motion Carried**

## 8. **MINUTES OF PREVIOUS MEETINGS**

**Moved by:** Councillor L. Dunstall

**Seconded by:** Councillor S. Martin

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

- February 27, 2023

**Motion Carried**

## 9. **PUBLIC MEETINGS**

There were no Public Meetings on this date.

## 10. **PRESENTATIONS**

10.1 Samantha Lernout, Citizens for Safe Ground Water and Rodney Northey, Gowling WLG - Issues with the Proposed Hallman Pit

Rodney Northey, Gowling WLG, presented to Council on their opposition to the rezoning of the proposed Hallman Pit.

Samantha Lernout provided a background on the proposed Hallman Pit and voiced their opposition to the rezoning of the proposed rezoning application.

Mayor N. Salonen provided remarks and acknowledged the frustration of residents regarding the proposed Hallman Pit. Further, Mayor N. Salonen discussed the background of the file and the legal ramifications of the proposed rezoning.

## 11. CONSENT AGENDA

There were no items on the Consent Agenda for this meeting.

## 12. REPORTS

### 12.1 Official Plan Amendment Application 01/21 and Zone Change Application 08/21, 66 Hincks Street, New Hamburg, DS-2023-02

A member of Council commented they were supportive how the dwelling design resembles the rest of the neighbourhood.

Dr. Barbara Schumacher delegated to Council and voiced their support of this Official Plan Amendment Application.

Benjamin Isenbeck delegated to Council and received answers from staff pertaining to the traffic study.

**Moved by:** Councillor S. Cressman

**Seconded by:** Councillor L. Dunstall

THAT Council adopt Official Plan Amendment No. 11 to change the designation of the subject property from Light Industrial to Urban Residential and direct staff to forward Official Plan Amendment No. 11 to the Region of Waterloo for approval;

and,

THAT Council approve Zone Change Application 08/21 made by 66 Hincks GP Inc., affecting Part Lot 38, Plan 1552 and Part of Lot 7, Plan 532A, to:

1. rezone the subject lands from Zone 10 (Industrial) to Zone 4a (Residential);
2. allow for up to 62 townhouse units;
3. reduce the minimum front yard setback for the building from 7.6m to 6.0m for the garage portion of the dwelling and 1.87m for a covered porch or habitable portion of the dwelling;
4. reduce the rear yard setback for the building from 7.5m to 6.0m for the garage portion of the dwelling and 4.75m for a covered porch or habitable portion of the dwelling; and
5. introduce a holding zone until an acknowledgement letter from the Ministry of the Environment, Conservation and Parks with respect to the completion of a Record of Site Condition is provided.

and,

THAT the implementing by-law with respect to Zone Change Application 08/21 take effect upon final approval of Official Plan Amendment No. 11 by the Region of Waterloo.

**Motion Carried**

12.2 Modifications to Draft Plan of Subdivision 30T-19601, Badenvue Developments Inc., Wilmot Employment Lands, New Hamburg, DS-2023-03

Council asked and received answers from Staff regarding:

- Road allowances for Stage 1 and Stage 2 of this plan

Pierre Chauvin, MHBC, provided a high-level overview of their PowerPoint application.

Council asked and received answers from Mr. Chauvin regarding:

- Light industrial uses at this site;
- Encumbrance of parking at this location and if this is similar to other employment lands;

Steve Drudge delegated to Council regarding visual and noise barriers. Mr. Drudge asked and received answers from Staff regarding fencing on the property line.

Council asked and received clarification for Staff's recommendation of 13.5 metres for the tree line.

Councillor S. Cressman brought forward an amending motion to defer this item to the next Council meeting

**Moved by:** Councillor S. Martin

**Seconded by:** Councillor H. Sidhu

That Council recommend to the Region of Waterloo the following amendments to the Township's conditions of draft approval for Draft Plan of Proposed Subdivision 30T-19601 dated February 22, 2021:

A. Replace condition 1 with:

1. That this approval applies to plan of subdivision 30T-19601 by MHBC Planning, dated August 30, 2022 which shows a total of

6 industrial development blocks, 2 stormwater management blocks, 3 drainage channels, 4 reserve blocks (0.3m) and 3 streets proposed to be developed in 1 stage.

B. Replace condition 2 with:

1. That the following shall be conveyed to the Township of Wilmot for the purposes stated therein, at no cost and free and clear of all encumbrances:
2. Blocks 6 and 7 as a stormwater management facility;
3. Blocks 9, 10 and 11 as overland drainage and servicing channels; and,
4. Blocks 12, 13, 14, and 15 for 0.3m reserves

C. Delete condition 3 and replace with:

1. That a 13.5m easement be conveyed to the Township of Wilmot along the west side of Block 1 for the purposes of preserving a landscaped 13.5m buffer along west property line that abuts residential development.

D. Replace condition 14 with:

14. That the subdivider shall submit a landscaping plan prepared by a qualified landscape architect for boulevard tree plantings, the 13.5m buffer along the west side of Block 1, as well as Blocks 7, 8, 9, 10, and 11 to be approved by the Township.

A. Replace condition 15 with:

15. That the Subdivider shall landscape the 13.5m buffer along the west side of Block 1 as well as Blocks 7, 8, 9, 10, and 11 in accordance with the approved plan required in condition 14 above.

A. Replace all occurrences of "Street One" with "Howie Meeker Blvd." within conditions 19 and 20.

B. Delete conditions 25, 26, and 27.

C. Renumber condition 28 as condition 25 and deleting "Stage 2".

D. Renumber conditions 29 as condition 26 and replace the words "the final approval of Stage 1" with "registration".

E. Renumber condition 30 as condition 27 and replace with:

27. That prior to registration, the Township, the Ministry of Transportation and other parties as deemed necessary, enter into an agreement or agreements to secure the following:

a. establish the entirety of Blocks 1-5 as being within the MTO control area;

b. that upon issuance of MTO and municipal permits for a cumulative gross floor area of 750,000 square feet within Blocks 1-5 (hereinafter referred to as the "Cap") no additional Building and Land Use permits will be issued until the owner has submitted to the Ministry of Transportation for their review and approval, a copy of a Traffic Impact Study prepared in accordance with Ministry of Transportation requirements, indicating the anticipated traffic volumes and their impact upon the intersection of Highway 7/8 at Hamilton Road and Highway 7/8 at Nafziger Road;

c. that subsequent owners of any part of the development lands be advised that any existing buildings within the development will have used up some or all of the Cap, so there may be little or no Cap remaining to be utilized by such other subsequent owners before the Traffic Impact Study and subsequent highway improvements are completed;

d. that should the Traffic Impact Study identify additional improvements to accommodate additional buildings within the subdivision, funding arrangements for the design and construction of the Highway 7/8 improvements shall be made to the satisfaction of the Ministry of Transportation and Township of Wilmot in consultation with the Region of Waterloo and Owners prior to issuance of any additional Building and Land Use permits; and

e. that the Owners shall be financially responsible only for the portion of works attributable to the traffic generated from the development of their lands and the Township, Region and MTO shall be financially responsible for their respective portions of the intersection improvements attributable to the traffic from all other sources, as documented in the approved Traffic Impact Study.

A. Renumber condition 31 as condition 28.

**Amendment:**

**Moved by:** Councillor S. Cressman

**Seconded by:** Councillor S. Martin

THAT this item be deferred to the next Council meeting

**Motion Carried**

12.3 Dog and Kennel By-law Repeal and Replace (Farm Dog Provisions),  
COR-2023-14

Council asked and received answers regarding the following:

- The applicability to residents to have the permitted amount of dogs;
- How a kennel would apply for more than three dog licenses;
- If there is a limit to the number of dogs a person can have.

**Moved by:** Councillor L. Dunstall

**Seconded by:** Councillor S. Martin

THAT Council repeal Dog and Kennel By-law (2017-14) and replace with Dog and Kennel By-law 2023-XX.

**Motion Carried**

12.4 Delton Reibling Municipal Drain Engineer's Report, COR-2023-20

Staff advised Council that the third recommendation for this item would be removed from the agenda.

A member of Council asked and received answers from Staff regarding ownership of existing municipal drains.

**Moved by:** Councillor S. Cressman

**Seconded by:** Councillor H. Sidhu

THAT Council receive report COR-2023-20 as information; and further,

THAT the Engineer's Report dated February 7, 2023 for the Delton Reibling Municipal Drain for improved drainage in lot 31 and 32, Concession 3 Block A, Township of Wilmot be received and considered in accordance with Section 42 of the Drainage Act; and further,

~~THAT By-law 2023-XX be given first and second reading to provisionally adopt the report if the report is not referred back to the Engineer and the petition remains valid at the conclusion of the meeting to reconsider the report; and further,~~



THAT the Court of Revision be scheduled if By-law 2023-XX is provisionally adopted with the following three members of Council, Councillor S. Cressman, Councillor K. Wilkinson, and Councillor H. Sidhu be appointed as members for the Court of Revision.

**Motion Carried**

### **13. CORRESPONDENCE**

Councillor S. Martin sought clarification on Correspondence Item 13.1

- 13.1 Petitions Regarding Proposed New Hamburg Business Improvement Area (BIA)
- 13.2 Correspondence from Ann Dupej Regarding Rezoning Application for the Hallman Pit
- 13.3 Correspondence from Brittany Marotta Regarding Rezoning Application for the Hallman Pit
- 13.4 Correspondence from Chris Fabick Regarding Rezoning Application for the Hallman Pit
- 13.5 Correspondence from Christina Harnack Regarding Rezoning Application for the Hallman Pit
- 13.6 Correspondence from Claude Fernandes Regarding Rezoning Application for the Hallman Pit
- 13.7 Correspondence from Dominique Cinq-Marz Delay Regarding Rezoning Application for the Hallman Pit
- 13.8 Correspondence from James F. Brown Regarding Rezoning Application for the Hallman Pit Redacted
- 13.9 Correspondence from Kim Schaefer Regarding Rezoning Application for the Hallman Pit
- 13.10 Correspondence from Nancy Birss Regarding Rezoning Application for the Hallman Pit
- 13.11 Correspondence from Paula Brown Regarding Rezoning Application for the Hallman Pit
- 13.12 Correspondence from Rebecca Murray Regarding Rezoning Application for the Hallman Pit

- 13.13 Correspondence from Sue Kennel Regarding Rezoning Application for the Hallman Pit
- 13.14 Correspondence from Yvonne Zyma Regarding Rezoning Application for the Hallman Pit
- 13.15 Correspondence from Ann Dupej Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.16 Correspondence from David Lubell Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.17 Correspondence from Ed Dupej Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.18 Correspondence from Linda Lackey Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.19 Correspondence from Linda Lackey Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.20 Correspondence from Ned Halley Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.21 Correspondence from Paul Harris Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.22 Correspondence from Rachel Rennie Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.23 Correspondence from Rory Farnan Regarding Rezoning Application for the Hallman Pit (addendum 1)
- 13.24 Correspondence from Rory Farnan Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.25 Correspondence from Steven Bechtold Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.26 Correspondence (revised) from Julie Tavares Das Neves Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.27 Correspondence from Mary Ann Vanden Elzen Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.28 Correspondence from Robert and Cathy Gebotys Regarding Rezoning Application for the Hallman Pit (addendum)

- 13.29 Correspondence from Barbara Schumacher Regarding Official Plan Amendment Application and Zone Change Application for 66 Hincks Street (addendum)
- 13.30 Correspondence from Anne Green Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.31 Correspondence from Christina Harnack Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.32 Correspondence from Claudia Espindola Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.33 Correspondence from Doug Darling Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.34 Correspondence from Gail Schenk Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.35 Correspondence from Gma Papa Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.36 Correspondence from Greg and Luanne Kaster Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.37 Correspondence from Jessica Polzl Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.38 Correspondence from Jodi Koberinski Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.39 Correspondence from Joyce Wilson Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.40 Correspondence from Julie Jutzi Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.41 Correspondence from Kevin Thomason Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.42 Correspondence from Kim M. Dechene Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.43 Correspondence from Linda Oliver Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.44 Correspondence from Lisa Regarding Rezoning Application for the Hallman Pit (addendum)

- 13.45 Correspondence from Louissette Lanteigne Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.46 Correspondence from Marie Pavey Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.47 Correspondence from Octavio Melo Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.48 Correspondence from Robert Moser Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.49 Correspondence from Sue Savor Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.50 Correspondence from Tim Harnack Regarding Rezoning Application for the Hallman Pit (addendum)
- 13.51 Petition from Affinity Health Clinic Regarding Proposed New Hamburg Business Improvement Area (BIA) (addendum)

#### 14. BY-LAWS

**Moved by:** Councillor S. Martin

**Seconded by:** Councillor L. Dunstall

THAT By-laws as attached to this Agenda be read a first, second and third time, and finally passed in Open Council.

**Motion Carried**

- 14.1 By-Law 2023-11 Being a By-Law to Repeal and Replace Dog and Kennel By-Law
- 14.2 By-Law 2023-12 Being a By-Law to Adopt Amendment No. 11 to the Township Official Plan
- 14.3 By-Law 2023-13 Being a By-Law to Further Amend By-Law No. 83-88 Being a Zoning By-Law for the Township of Wilmot

#### 15. NOTICE OF MOTIONS

There were no Notice of Motions on this date.

**16. ANNOUNCEMENTS**

Staff Appreciation Day:

This year, both Council and the Corporate Leadership Team recognized and celebrated staff on March 3<sup>rd</sup> for National Employee Appreciation Day. We want to take this opportunity to publicly recognize the hard work and dedication of staff as they are instrumental in turning community feedback into action and success. Thank you and we appreciate everything you do.

Region of Waterloo Heritage Committee:

Mayor N. Salonen advised the public that the Region of Waterloo Heritage Committee is currently recruiting board members. For more information, residents can go to the Regional Website for the application.

**17. BUSINESS ARISING FROM CLOSED SESSION**

There was no Closed Session at this meeting.

**18. CONFIRMATORY BY-LAW**

**Moved by:** Councillor L. Dunstall

**Seconded by:** Councillor S. Martin

THAT the Confirmatory By-Law, as attached to this Agenda be read a first, second and third time, and finally passed in Open Council.

**Motion Carried**

**19. ADJOURNMENT**

**Moved by:** Councillor L. Dunstall

**Seconded by:** Councillor K. Wilkinson

THAT the meeting adjourn at 8:48 p.m.

**Motion Carried**