

**A G E N D A**  
**COUNCIL MEETING**

**TOWNSHIP HALL – CROSSHILL**

**January 3, 2012**

**6:45 P.M. – Council Session Opens With Prayer**

Declaration of Interest (if any) in accordance with the Municipal Conflict of Interest Act

- I Minutes of Previous Meeting - Regular Council Meeting of December 20, 2011
- II Receiving Petitions:
- III Delegations:
- IV Committee of the Whole:
  - (1) Planning & Development
  - (2) Road & Bridge; Property & Fire
  - (3) Administration/Finances
  - (4) Recreation
  - (5) Personnel
- V Accounts  
Financial Statement
- VI Unfinished Business: Strategic Plan – in progress – November 2011  
Fence Permit – December 5, 2011
- VII New Business:
- VIII Other Reports:
- IX Caucus: Section 239(2)(b) of the Municipal Act
- X Read By-Laws First and Second Times:
  - 1/2012 – A By-law to Amend By-law Number 28/2006, Being a Zoning By-law (Nijp)
  - 2/2012 – By-law to Provide for an Interim Tax levy and to Provide for the Payment of Taxes  
and to Provide for the Penalty and Interest of 1 ¼ percent
  - 3/2012 - Confirming
- XI Pass First and Second Readings:
  - 1/2012, 2/2012 and 3/2012
- XII Read By-Laws Third Time, Pass, Sign and Seal:
  - 1/2012, 2/2012 and 3/2012
- XIII Next Meetings:

Regular Council Meeting	January 17, 2012	6:45pm
Regular Committee Meeting	January 31, 2012	6:45pm
Regular Council Meeting	February 6, 2012	6:45pm
- XIV Motion to Adjourn

**TOWNSHIP OF WELLESLEY**

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December 20, 2011

**COUNCIL MEETING MINUTES**

**Present:** Mayor, Ross Kelterborn,  
Council – Shelley Wagner, Jim Olender, Herb Neher, Paul Hergott  
Staff - Susan Duke, Executive Director Corporate/Clerk  
- Will McLaughlin, Executive Director Operations  
- Sarah Peck, Junior Planner  
- Kevin Beggs, General Manager of Community Services  
- Rik Louwagie, Chief Building Official

The regular meeting of the Township of Wellesley was held at the Council Chambers in Crosshill at 6:45 P.M. on December 20, 2011 with all members in attendance. The Council meeting opened with Susan Duke leading in prayer and Mayor Kelterborn was in the chair.

Mayor Kelterborn extended a Merry Christmas to all in attendance.

**Minutes of the Previous Meeting:**

311 Moved by: Jim Olender – Seconded by: Herb Neher  
That the minutes of the Regular Council Meeting of December 5, 2011 at the Crosshill Council Chambers be adopted as presented. Carried

**Petitions:** None

312 Moved by: Paul Hergott – Seconded by: Shelley Wagner  
That the Council meeting adjourn in order to hold a Public Meeting in the matter of Zoning By-law Amendment No. 02/11 & Official Plan Amendment No. 05/11 re: B.G. Frey Collectibles Inc. Carried

**PUBLIC MEETING:** Zoning By-law Amendment No. 02-11 & Official Plan  
Amendment No. 05-11  
B. G. Frey Collectables, Inc., Bert Frey  
Pt Lot 2, Con 12, East Section

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Susan Duke, Executive Director Corporate/ Clerk advised the method of advertising, as required by the Planning Act, public notice for this meeting on December 20, 2011 was provided by posting a notice on the subject property on November 16, 2011; mailing public notifications to neighbouring properties within 120 m and to applicable agencies on November 18, 2011; and posting the notification in the Elmira Independent on December 1, 2011.

Mayor Kelterborn advised if any members in attendance would like a Notice of the Passage of the By-law, please complete the sign-in sheet.

Sarah Peck, Junior Planner brought forth the report. See File No. P. & D. 149/11 for report details.

**COUNCIL MEETING MINUTES**

Mayor Kelterborn asked if council has any questions.

Councillor Olender asked how long does the Region require to deal with the Employment Lands Strategy? Sarah Peck, Junior Planner responded.

Mayor Kelterborn asked if the fill being placed on these lands will have any bearing on the situation and if we know how many jobs will be provided? Sarah Peck, Junior Planner responded.

Mayor Kelterborn asked if there are any persons in opposition to this application. No one came forward.

Mayor Kelterborn asked if there are any persons in support of the application other than the applicant.

Mr. James Martin provided his total support of the application.

Mayor Kelterborn asked if the applicant would like to address Council.

Mr. Bert Frey spoke of the merits that have been covered by the Junior Planner of the Township of Wellesley.

Mayor Kelterborn asked is the land level to the east in the direction of the residence on Geddes St.? Mr. Frey responded the natural lay of the land slopes to the east which has a berm, catch basin and drain to take the water to the east.

- 313 Moved by: Shelley Wagner – Jim Olender  
That the Public Meeting of a Zoning By-law Amendment No. 02/11 & Official Plan Amendment No. 05/11 re: B.G. Frey Collectibles Inc., does now adjourn and the Regular Council Meeting resume. Carried

**Delegations:** None

**Committee of the Whole:**

- A Moved by: Paul Hergott – Seconded by: Herb Neher  
That the Council rise and go into a Committee of the Whole to receive reports and recommendations. Carried

**Planning & Development:**

Chairperson: Jim Olender

- P. & D. 148/11 – Certificate of Occupancy – For information  
CO-67-11 re: Paul Lahman, 3630 Hessen Strasse, RR#1 St. Clements  
CO-68-11 re: Isreal S. Bowman, 2893 Moser Young Rd., RR#1 St. Clements  
CO-69-11 re: Solomon & Abraham Martin, 2690 Manser Rd., RR#1 Millbank  
CO-70-11 re: Amos SM Martin, 4700 Lawson Line, RR#3 Wallenstein  
CO-71-11 re: Sidney Hoover, 4121 Posey Line, RR#1 Wallenstein  
CO-72-11 re: Isreal S. Martin, 4425 Hessen Strasse, RR#3 Wellesley

**COUNCIL MEETING MINUTES****December 20, 2011**

- CO-73-11 re: Aaron B. Sherk, 5405 Deborah Glaister Line, RR#2 Wellesley  
 CO-74-11 re: Solomon Martin, 1730 Chalmers-Forest Rd., RR#2 Wellesley  
 CO-75-11 re: Amos BM Martin, 4340 Lawson Line, RR#3 Wallenstein  
 CO-76-11 re: Joseph BM Martin, 2965 Herrgott Rd., RR#1 St. Clements  
 CO-77-11 re: Jesse M Martin Jr., 4940 Schummer Line, RR#1 Linwood  
 CO-78-11 re: Paul H Sherk, 4475 Weimar Line, RR#3 Wellesley  
 CO-79-11 re: Manassa H Bauman, 3761 Boomer Line, RR#1 St. Clements  
 CO-80-11 re: Erwin B Hoover, 4151 Herrgott Rd., RR#3 Wallenstein  
 CO-81-11 re: Jesse B Martin, 3269 Moser Young Rd., RR#1 St. Clements  
 CO-82-11 re: Martin B Hoover, 2970 Herrgott Rd., RR#1 St. Clements  
 CO-83-11 re: Norman Hoover, 6115 Ament Line, RR#1 Linwood  
 CO-84-11 re: Joseph Sherk, 4440 Hessen Strasse, RR#3 Wellesley  
 CO-85-11 re: Wesley Martin, 4659A Road 116, RR#4 Listowel  
 CO-86-11 re: Abner M Bowman, 7874 Line 86, RR#1 Wallenstein

P. & D. 149/11 – Official Plan Amendment No. 02-11 & Zoning By-law Amendment  
 No. 05-11 Application re: B.G. Frey Collectables Inc.

314 Moved by: Ross Kelterborn – Seconded by: Herb Neher

That the Council of the Township of Wellesley defer decision on OPA 02/11 & ZBA  
 05/11 until such time as:

1. The Region of Waterloo is satisfied that the Wellesley Employment Lands Strategy has been completed in accordance with Section 7.5.2 of the ROPP.
2. The owner/applicant adequately address the Minimum Distance Separation I (MDS I) findings with respect to the livestock building/manure storage facility at 3832 Herrgott Rd. Carried

Mayor Kelterborn stated his concerns regarding the hydrogeological requirements and the possibility of this delaying approval.

Susan Duke, Executive Director Corporate/Clerk explained the dialogue with Regional Staff and the cooperative efforts to date.

**Road & Bridge; Property & Fire:**

No report

Chairperson: Paul Hergott

**Administration/Finance:**

Chairperson: Ross Kelterborn

Admin./Finance 102/11 – Property Tax Rebate for Registered Charities

315 Moved by: Jim Olender – Seconded by: Shelley Wagner

That the Council of the Township of Wellesley approve a total charitable rebate of property taxes for the 2011 taxation year in the amount of \$5,482.09 for the Inspiring Minds Early Learning Centre. Carried

**COUNCIL MEETING MINUTES**

**Recreation:**

Chairperson: Shelley Wagner

Recreation 61/11 – Wellesley Arena Security – For information

**Personnel:**

Chairperson: Herb Neher

Personnel 49/11 – Establish Policy for Exit Interviews and Review Policy for Employee Complaints – Deferred from December 5, 2011 Council Meeting

- 316 Moved by: Jim Olender – Seconded by: Shelley Wagner  
That the Council of the Township of Wellesley amend the Township of Wellesley Employee Manual by replacing Section 8 with Policy Number 8 (Employee Complaints) and by adding Policy 29 (Exit Interviews). Carried

Personnel 50/11 – Community Services – Roads re: Ryan Gerber – Completion of Four Month Employment Probation Period – For information

Personnel 51/11 – Fire Department re: Recruitment of Volunteer Firefighter – Wellesley Station – For information

Personnel 52/11 – Fire Department re: Recruitment of Volunteer Firefighter – Linwood Station – For information

Personnel 53/11 – Fire Department re: Recruitment of Volunteer Firefighter – Wellesley Station – For information

- B** Moved by: Shelley Wagner - Seconded by: Paul Hergott  
That the Committee of the Whole rise and Council resume and report. Carried

- C** Moved by: Herb Neher - Seconded by: Jim Olender  
That the report of the Committee of the Whole be adopted as set forth in the motions and actions detailed above. Carried

**Accounts:**

- 317 Moved by: Paul Hergott – Seconded by: Jim Olender  
That the accounts in the amount of \$1,111,603.72 dated November 30, 2011 be approved as presented. Carried

- 318 Moved by: Shelley Wagner – Seconded by: Jim Olender  
That the Financial Statement as of November 30, 2011 be approved as presented. Carried

**COUNCIL MEETING MINUTES****December 20, 2011****Unfinished Business:**

Strategic Plan – in progress – November 2011

Fence Permit – December 5, 2011

Easement – 1104 Molesworth St. Wellesley – December 5, 2011

**New Business:**

Mayor Kelterborn asked about the correspondence on Water Rates for Wellesley Township.

Councillor Olender attend the CPC Meeting who will be attending a future Council Meeting to make a presentation on a Drug Prevention Plan.

**Caucus:**

319 Moved by: Paul Hergott – Seconded by: Jim Olender

That this portion of the meeting be closed on the public in order to consider the following:

\_X\_ Section 239(2)(b) of the Municipal Act – personal matters about an identifiable individual, including municipal or local board employees.

\_X\_ Section 239(2)(d) of the Municipal Act – labour relations or employee negotiations.  
Carried

320 Moved by: Herb Neher – Seconded by: Jim Olender

That the Council meeting resume and report. Carried

Admin./Finance 103/11 – Section 239(2)(b) of the Municipal Act - personal matters about an identifiable individual, including municipal or local board employees

321 Moved by: Shelley Wagner – Seconded by: Paul Hergott

That the Council of the Township of Wellesley write-off a total of \$44,149.48 in taxes as per attached Schedules A and B in File No. CAUCUS Admin./Finance 103/11. Carried

Personnel 54/11 – Section 239(2)(d) of the Municipal Act –labour relations or employee negotiations – For information

**By-Laws:**

D Moved by: Jim Olender - Seconded by: Shelley Wagner

By-Law No.

41/2011 - Confirming be read a first and second time. Carried

E Moved by: Paul Hergott - Seconded by: Herb Neher

That By-Law No. 41/2011 pass first and second readings. Carried

F Moved by: Herb Neher - Seconded by: Jim Olender

That By-Law No. 41/2011 be read a third time and passed and the Mayor and Clerk be authorized to sign and seal the By-Laws under the Corporate Seal. Carried

**COUNCIL MEETING MINUTES**

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<b>Next Meetings:</b> Regular Council Meeting	January 3, 2012	6:45pm
Regular Council Meeting	January 17, 2012	6:45pm
<i>Rogers Telecommunication Tower public input</i>		
Regular Committee Meeting	January 31, 2012	6:45pm

322 On a motion by Paul Hergott, the Council meeting does now adjourn.

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Executive Director Corporate/Clerk – Susan Duke

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Mayor – Ross Kelterborn

**THE CORPORATION OF THE TOWNSHIP OF WELLESLEY**

**BY-LAW NUMBER 1/2012**

**A BY-LAW TO AMEND BY-LAW NUMBER 28/2006  
BEING A ZONING BY-LAW  
FOR  
THE TOWNSHIP OF WELLESLEY**

**Peter and Sharon Nijp  
Plan 621, Part Lot 16, Eastern Section  
1020 Molesworth St.**

WHEREAS the Council of the Corporation of the Township of Wellesley deems it desirable to amend said By-law Number 28/2006:

NOW THEREFORE, the Council of the Township of Wellesley ENACTS AS FOLLOWS:

1. THAT By-law Number 28/2006 is hereby amended by adding the following Paragraph to Zone "UR" Exception UR-11 Section 9.10.11 which shall state:

**Exception UR-11 Section 9.10.11**

THAT notwithstanding any other provisions of By-law 28/2006, the "Subject Property" illustrated on the map forming Schedule 'B-4' of By-law 28/2006 shall be amended to permit a triplex;

**Subject to the following regulations:**

- i. Off-street parking shall be provided in accordance with Section 4.30 of Zoning By-law 28/2006.
  - ii. Total parking space lot coverage shall not exceed 23% of the total lot area of the subject property.
2. THAT notwithstanding any other provisions of By-law 28/2006, the "Subject Area" illustrated on the map forming Schedule 'B-4' of By-law 28/2006 shall be amended to be zoned entirely 'UR-11' – Urban Residential.
  3. THAT Schedule 'B-4' of By-law 28/2006 be amended by Schedule 'A' of this By-law.
  4. THAT except as amended by this By-law the subject lands to this By-law shall be subject to all other applicable regulations of By-law 28/2006.
  5. This By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Wellesley subject to compliance with the provisions of the *Planning Act*, RSO 1990, C.P. 13 as amended.

Read a first and second time this 3<sup>rd</sup> day of January, 2012.

\_\_\_\_\_  
Mayor, Ross Kelterborn

\_\_\_\_\_  
Executive Director Corporate/Clerk, Susan Duke

Read a third and final time and passed this 3<sup>rd</sup> day of January, 2012.

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Mayor, Ross Kelterborn

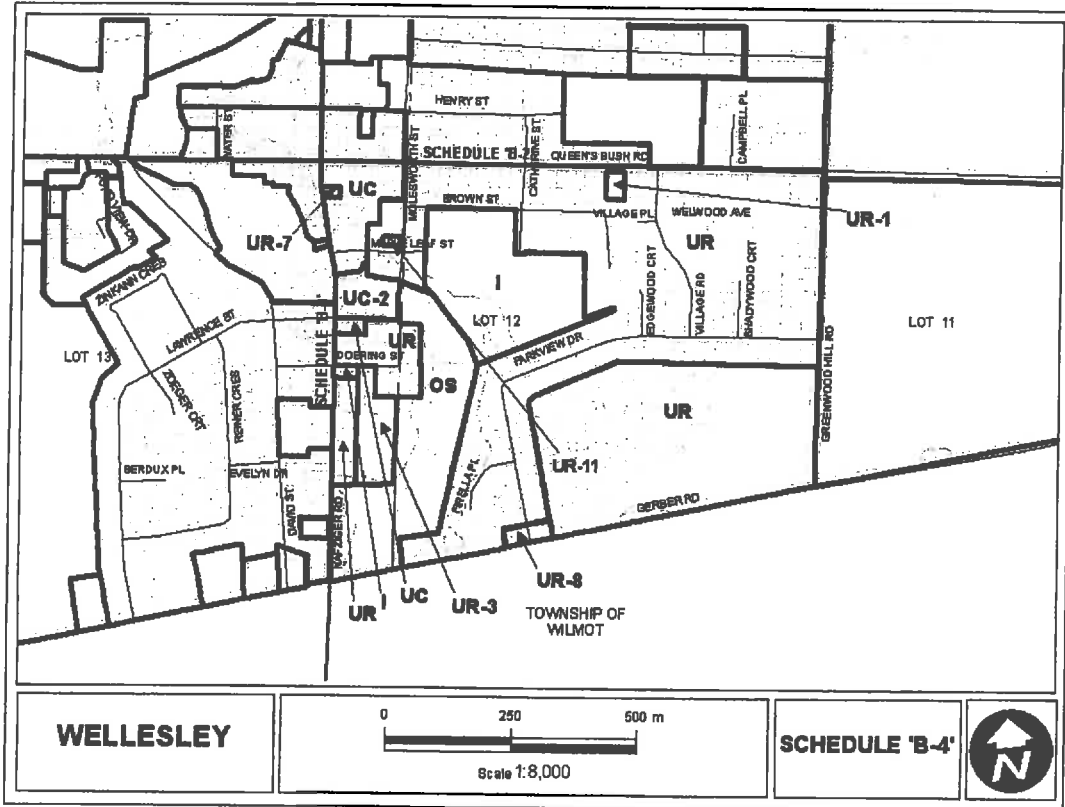
\_\_\_\_\_  
Executive Director Corporate/Clerk, Susan Duke

**THE CORPORATION OF THE TOWNSHIP OF WELLESLEY**

**SCHEDULE 'A'**  
to  
BY-LAW NUMBER 1/2012

**SCHEDULE 'B-4'**  
**ZONING BY-LAW AMENDMENT**

**Peter and Sharon Nijp**  
**Plan 621, Part Lot 16, Eastern Section**  
**1020 Molesworth St.**



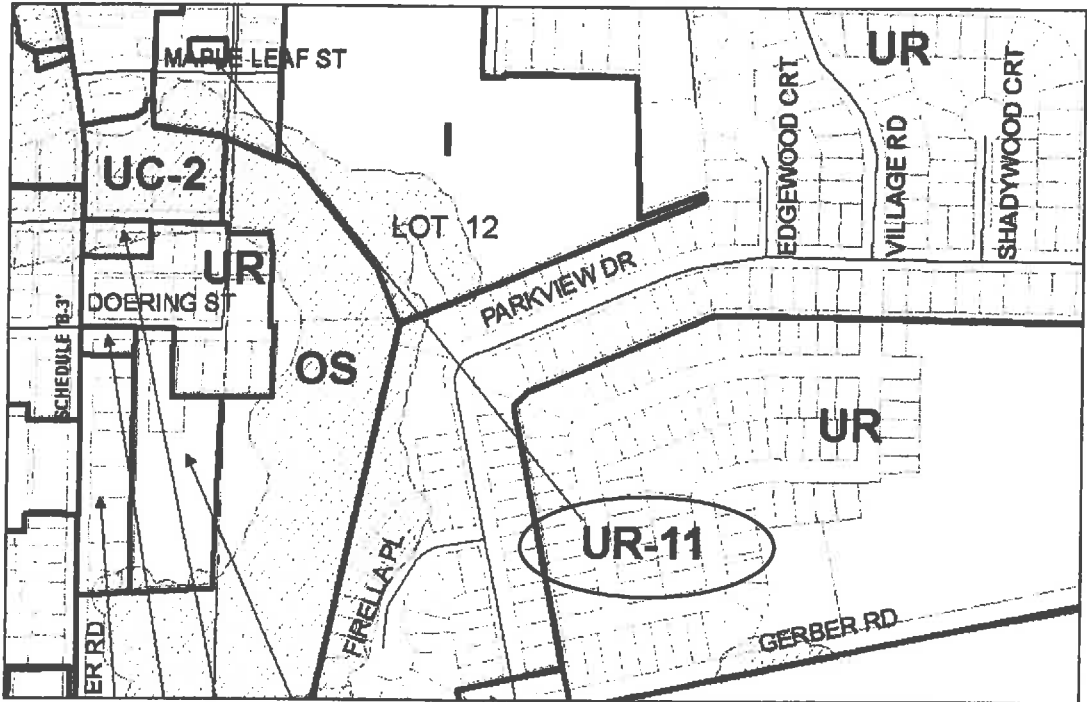
**THIS IS SCHEDULE "A" TO BY-LAW NUMBER 1/2012 PASSED THIS 3<sup>RD</sup> DAY  
OF JANUARY 2012.**

\_\_\_\_\_  
Mayor Ross Kelterborn

\_\_\_\_\_  
Executive Director Corporate/Clerk, Susan Duke

**SCHEDULE 'B'**  
to  
**BY-LAW NUMBER 1/2012**  
**THUMBNAIL OF SCHEDULE 'B-4'**  
**ZONING BY-LAW AMENDMENT**

**Peter and Sharon Nijp**  
**Plan 621, Part Lot 16, Eastern Section**  
**1020 Molesworth St.**



**THIS IS SCHEDULE "B" TO BY-LAW NUMBER 1/2012 PASSED THIS 3<sup>RD</sup> DAY  
OF JANUARY, 2012.**

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Mayor Ross Kelterborn

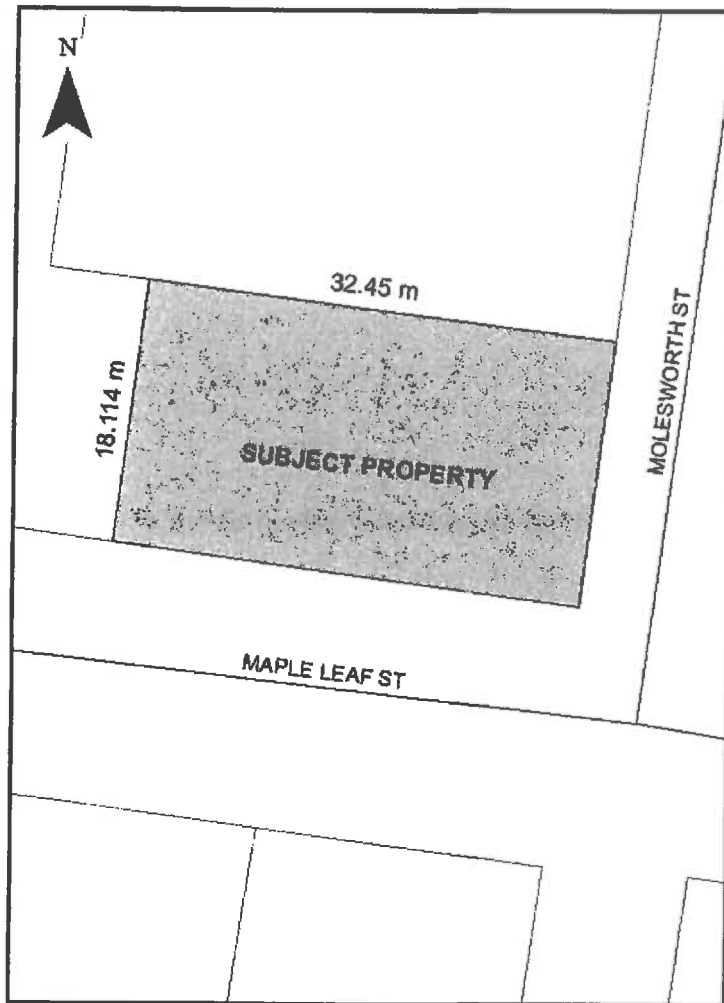
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Executive Director Corporate/Clerk, Susan Duke

**SCHEDULE 'C'**  
to  
BY-LAW NUMBER 1/2012

**KEY MAP OF SUBJECT PROPERTY**

**ZONING BY-LAW AMENDMENT**

**Peter and Sharon Nijp  
Plan 621, Part Lot 16, Eastern Section  
1020 Molesworth St.**



**THIS IS SCHEDULE "B" TO BY-LAW NUMBER 1/2012 PASSED THIS 3<sup>RD</sup> DAY  
OF JANUARY, 2011.**

\_\_\_\_\_  
Mayor Ross Kelterborn

\_\_\_\_\_  
Executive Director Corporate/Clerk, Susan Duke

**THE CORPORATION OF THE  
TOWNSHIP OF WELLESLEY  
BY-LAW NUMBER 2/2012**

**BEING A BY-LAW TO PROVIDE FOR AN INTERIM  
TAX LEVY AND TO PROVIDE FOR THE PAYMENT  
OF TAXES AND TO PROVIDE FOR PENALTY AND  
INTEREST OF 1 ¼ PERCENT.**

**WHEREAS** Section 317(1) of the Municipal Act, 2001 as amended, provides that the Council of a local municipality, before the adoption of the estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes. 2001,c.25,s.317(1).

**WHEREAS** Section 317(3) of the Municipal Act, as amended, provides that the amount levied on a property shall not exceed the prescribed percentage, or 50% if no percentage is prescribed, of the total amount of taxes for municipal, regional and school purposes levied on the property for the previous year.

**WHEREAS** Section 342(1) of the Municipal Act, as amended, provides that the Council of a local municipality may pass by-laws providing for, (a) the payment of taxes in one amount or by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWNSHIP OF WELLESLEY ENACTS AS FOLLOWS:**

- An interim tax levy of 50% shall be levied for municipal, regional and school purposes on the different property classes and shall be based on the previous year taxes.

The said interim tax levy shall become due and payable on the 7<sup>th</sup> day of March 2012 and the 2<sup>nd</sup> day May 2012;

On all taxes of the interim levy, which are in default, a penalty of 1 ¼ percent shall be added and thereafter a penalty of 1 ¼ percent per month will be added on the first day of each and every month of default until December 31<sup>st</sup>, 2012;

(a) On all taxes of the interim tax levy in default on January 1<sup>st</sup>, 2013, interest will be added at the rate of 1 ¼ percent per month for each month or fraction thereof of default;

(b) On all other taxes in default on January 1<sup>st</sup>, 2013, interest shall be added at the rate of 1 ¼ percent per month or fraction thereof, and all by-laws and parts of by-laws consistent with this policy are hereby rescinded;

Penalties and interest added on all taxes of the interim tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid interim tax levy.

The collector may mail or cause the same to be mailed to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.

**READ** a first and second time this 3<sup>rd</sup> day of **January**, 2012

\_\_\_\_\_  
Mayor – Ross Kelterborn

\_\_\_\_\_  
Susan Duke, Executive Director Corporate/Clerk

**READ** a third time and finally passed this 3<sup>rd</sup> day of **January**, 2012.

\_\_\_\_\_  
Mayor – Ross Kelterborn

\_\_\_\_\_  
Susan Duke, Executive Director Corporate/Clerk

**CORPORATION OF THE  
TOWNSHIP OF WELLESLEY**

**BY-LAW NUMBER 3/2012**

**BEING A BY-LAW TO CONFIRM ALL  
ACTIONS AND PROCEEDINGS OF COUNCIL.**

WHEREAS Section 8 of the Municipal Act, S.O. 2001, c.25 and amendments thereto provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act; and

WHEREAS Subsection 2 of Section 11 of the Municipal Act, S.O. 2001, c.25 and amendments thereto provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction described in the Table to Subsection 2 subject to certain provisions; and

WHEREAS Section 5 of the Municipal Act, S.O. 2001, c.25 and amendments thereto provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 shall be exercised by its council and by by-law unless the municipality is specifically authorized to do otherwise; and

WHEREAS the Council of the Corporation of the Township of Wellesley deems expedient to confirm its actions and proceedings;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WELLESLEY hereby enacts as follows:

That all actions and proceedings of the Council of the Corporation of the Township of Wellesley taken at its meeting held on the 3<sup>rd</sup> day of January, 2012 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.

That all actions and proceedings of the Council of the Corporation of the Township of Wellesley taken at its meeting held on the 3<sup>rd</sup> day of January, 2012 be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the Municipal Act, S.O. 2001, c.25 and amendments thereto.

That all actions and proceedings of the Council of the Corporation of the Township of Wellesley taken at its meeting held on the 3<sup>rd</sup> day of January, 2012 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.

That this by-law shall come into force and take effect as of the final passing thereof.

read a first and second time this 3<sup>rd</sup> day of January, 2012.

read a third and final time and passed this 3<sup>rd</sup> day of January, 2012.

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Mayor Ross Kelterborn

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Executive Director Corporate/Clerk, Susan Duke

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