



— TOWNSHIP OF —  
ASHFIELD - COLBORNE - WAWANOSH

**Council Minutes**  
**July 19, 2011**

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Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 19<sup>th</sup> day of July 2011, at 7:30 pm in the Township of Ashfield-Colborne-Wawanosh Council Chambers.

Council Present

Reeve	Ben Van Diepenbeek
Deputy-Reeve	Neil Rintoul
Councillors	Connie Black
	Murray Curran
	Doug Miller
	Barry Millian
	Roger Watt

Staff Present

Administrator/Clerk-Treasurer	Mark Becker
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OTHERS PRESENT: Monica Walker-Bolton, Bill Vodden, Mitchell Avis, Victor Glaze, Gordon Brindley, Kirk Baines, JoAnne Baines, and Denny Scott.

**1.0 CALL TO ORDER**

**2.0 DISCLOSURE OF PECUNIARY INTEREST**

Reeve Ben Van Diepenbeek, Deputy Reeve Neil Rintoul & Councillor Murray Curran  
Sections 10.10 and 10.11 / Wind Turbines

**3.0 ADOPTION OF MINUTES**

Moved by Curran  
Seconded by Miller

ADOPT COUNCIL MINUTES #1 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the July 5, 2011 Council Meeting Minutes as written. Carried. ~

**4.0 DEPUTATIONS AND PETITIONS**

4.1 7:30 pm – Monica Walker-Bolton / County of Huron Planner – Zoning Amendments

Moved by Black  
Seconded by Millian

ADJOURN COUNCIL MEETING #2 THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns their regular Council Meeting. Carried.

Moved by Watt  
Seconded by Rintoul

OPEN PUBLIC MEETING #3 THAT Ashfield-Colborne-Wawanosh Township Council hereby opens a Public Meeting to deal with the proposed Brindley Zoning Amendment and the Baines Zoning Amendment. Carried.

A) **Brindley Zoning Amendment**

We have provided Council with the report prepared by the County Planner, Monica Walker-Bolton, in regards to the Brindley Zoning Amendment. Ms. Walker-Bolton and Student Planner Mitchell Avis were present this evening and reviewed the application with the Planning Advisory Committee.

**TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY  
COMMITTEE MEETING**

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**Call to order**

**Declaration of Pecuniary Interests**

None declared.

**Purpose**

The purpose of this Public Meeting is to consider changing the zoning on *Part of Lot 13, Concession 5, Wawanosh Ward, in the Township of Ashfield-Colborne-Wawanosh.*

**Requirement**

This Public Meeting is being held under The Planning Act, which requires that Council hold at least one Public Meeting and that proper notice be given.

**Application Process**

An application was submitted by *Gordon & Agnes Brindley* to the Township of Ashfield-Colborne-Wawanosh on *June 23, 2011.*

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on *June 29, 2011* and notice was posted on the subject property.

**Comments:**

1) Huron County Planner

The Planners reviewed the application with the Planning Advisory Committee.

2) Applicant and/or Agent

He addressed his concerns with the septic system that was suggested.

3) Others

None.

4) Council's Questions and/or Comments.

Councillor Millian asked for clarification on a separator.

**NOTE:** If a person or public body that files an appeal of a decision of ACW Township in respect to the proposed rezoning, but does not make written or oral submissions before the proposed rezoning is adopted, the Ontario Municipal Board (OMB) may dismiss all or part of the appeal.

**Zoning By-law Procedure Following Public Meeting**

- This is a Public Meeting, not a Council Meeting; therefore, a decision of Council may or may not be made later this evening.
- If the By-law is passed, the Clerk must send Notice of the Passing of the By-law to all persons notified of this meeting and to any person or public body that has requested it.
- There is a 20-day objection period from the time Notice of Passing has been mailed, where submissions will be received by the Clerk.

- If an objection is received, an appeal is lodged with the OMB and the Municipality no longer has jurisdiction of the file and/or the processing time.
- If Council does not pass the by-law, the applicant may appeal to the OMB.
- If the By-law is passed and no objections are received within the 20-day appeal period, the Clerk will certify that the By-law is in force and effect as of the date of its passing and Notice is forwarded to the Planning Department and to the applicant.

#### **Recommendation of the Huron County Planner**

It is recommended that the zoning by-law amendment be approved.

#### **Recommendation of the Planning Advisory Committee**

It is recommended that this application be approved.

#### **B) Baines Zoning Amendment**

We have provided Council with the report prepared by the County Planner, Monica Walker-Bolton, in regards to the Baines Zoning Amendment. Ms. Walker-Bolton and Student Planner Mitchell Avis were present this evening and reviewed the application with the Planning Advisory Committee.

### **TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING**

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#### **Call to order**

#### **Declaration of Pecuniary Interests**

None declared.

#### **Purpose**

The purpose of this Public Meeting is to consider changing the zoning on *Lot 27 Registered Plan 581, Ashfield Ward, in the Township of Ashfield-Colborne-Wawanosh.*

#### **Requirement**

This Public Meeting is being held under The Planning Act, which requires that Council hold at least one Public Meeting and that proper notice be given.

#### **Application Process**

An application was submitted by *Kirk Baines* to the Township of Ashfield-Colborne-Wawanosh.

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on *June 29, 2011* and notice was posted on the subject property.

#### **Comments:**

##### 1) Huron County Planner

The Planners reviewed the application with the Planning Advisory Committee.

##### 2) Applicant and/or Agent

None.

##### 3) Others

None.

## 4) Council's Questions and/or Comments.

None.

**NOTE:** If a person or public body that files an appeal of a decision of ACW Township in respect to the proposed rezoning, but does not make written or oral submissions before the proposed rezoning is adopted, the Ontario Municipal Board (OMB) may dismiss all or part of the appeal.

#### Zoning By-law Procedure Following Public Meeting

- This is a Public Meeting, not a Council Meeting; therefore, a decision of Council may or may not be made later this evening.
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- If an objection is received, an appeal is lodged with the OMB and the Municipality no longer has jurisdiction of the file and/or the processing time.
- If Council does not pass the by-law, the applicant may appeal to the OMB.
- If the By-law is passed and no objections are received within the 20-day appeal period, the Clerk will certify that the By-law is in force and effect as of the date of its passing and Notice is forwarded to the Planning Department and to the applicant.

#### Recommendation of the Huron County Planner

It is recommended that the zoning by-law amendment be approved.

#### Recommendation of the Planning Advisory Committee

It is recommended that the zoning by-law amendment be approved.

#### Adjournment

That there being no further business, the Public Meeting be hereby closed at 7:40 p.m.

Moved by Curran  
Seconded by Black

CLOSE PUBLIC MEETING #4 THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the Public Meeting.

Carried.

#### 4.2 8:00 pm – Monica Walker-Bolton / County of Huron Planner - Parkbridge Agreement

We have provided Council with a copy of the report prepared by Monica Walker-Bolton in this regard. We have also provided Council with a copy of the proposed site plan amendment agreement and by-law for Council's consideration. Ms. Walker-Bolton was present to answer any questions in this regard.

STAFF COMMENTS: That Council adopts the agreement by by-law in Section 14.

ACTION: Council agreed to adopt the agreement by by-law in Section 14.

#### 4.3 8:15 pm – Monica Walker-Bolton / County of Huron Planner - Enlarged Dwellings

As a follow-up from our last meeting, Councillor Doug Miller requested that Council should review the definition of an "Enlarged Dwelling" which is noted in the Township's Consolidated Zoning By-Law. We have provided Council with a copy of the definition for review. Ms. Walker-Bolton was present to answer any questions in this regard.

STAFF COMMENTS: None.

ACTION: Council agreed to discuss this matter in more detail when we meet to review the comments received as a result of the Official Plan Review Public Meetings recently held. Council agreed to set a date of Monday, August 22<sup>nd</sup> at 7:00 pm to review the comments received with Council and staff.

## 4.4 8:30 pm - Bill Vodden – Vodden, Bender &amp; Seebach Chartered Accountants

We have provided Council with a copy of the Financial Statements for the year ending 2010, from our auditor Vodden, Bender & Seebach Chartered Accountants. The Revenue/Expenditure Reports that you receive each month show the actual from last year and are in greater detail, as this represents the "Consolidated Financial Statements" of the Township of Ashfield-Colborne-Wawanosh. Mr. Vodden was present and reviewed the statements with Council.

STAFF COMMENTS: That we accept the financial statements as presented.

ACTION: Council agreed to accept the financial statements as presented and adopt the following resolution.

		Moved by	Millian
		Seconded by	Watt
ACCEPT			
FINANCIAL	#5	THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts the	
STATEMENT		Financial Statements as prepared by Vodden, Bender & Seebach	
S 2010		Chartered Accountants for the year ending December 31, 2010.	
			Carried.

5.0 FINANCIAL REPORTS

## 5.1 Payment of Current Accounts as Presented

		Moved by	Watt
		Seconded by	Curran
APPROVE	#6	THAT Ashfield-Colborne-Wawanosh Township Council hereby authorizes	
ACCOUNTS		the payment of the July 2011 accounts as presented.	
			Carried.
			~

## 5.2 Payment of Previous Month Actual Accounts

		Moved by	Curran
		Seconded by	Watt
APPROVE	#7	THAT Ashfield-Colborne-Wawanosh Township Council hereby approves	
ACTUAL		the payment of the June 2011 accounts in the amount of \$ 2,120,301.33.	
PAYMENTS			Carried.
			~

## 5.3 Summary Revenue/Expenditure Reports

Reports for the Township, Lucknow & District Fire Department, Lucknow & District Medical Centre, and Lucknow & District Recreation from January to June 2011.

		Moved by	Watt
		Seconded by	Black
REVENUE		THAT Ashfield-Colborne-Wawanosh Township Council adopts the	
EXPEND-	#8	summary revenue/expenditure reports of the Treasurer as written.	
ITURE			Carried.
REPORT			

6.0 REPORTS OF STAFF AND COMMITTEES6.1 Water Department

No items scheduled.

6.2 Building Department

No items scheduled.

### 6.3 Cemetery Department

#### 6.3.1 Colborne Memorial Service

We have provided Council with a copy the report prepared by Cathy Gibson, Administrative Assistant, in regards to the above.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed that Councillor Millian will represent the Township at the Colborne Cemetery Memorial Service.

### 6.4 Drainage Department

#### 6.4.1 Port Albert Municipal Drain & Victoria Street Municipal Drain / Port Albert – Reports

As a follow-up from our last meeting, Council verbally agreed to proceed with new reports on the above two noted municipal drains. Council will need to adopt a resolution to proceed with these reports.

STAFF COMMENTS: That Council adopts the following resolution.

ACTION: Council agreed to adopt the following resolution.

Moved by Miller  
Seconded by Millian

PORT  
ALBERT &  
VICTORIA  
STREET  
MUNICIPAL  
DRAIN  
REPORTS #9

THAT Ashfield-Colborne-Wawanosh Township Council hereby agrees to appoint R.J. Burnside & Associates to prepare an engineer's report in accordance with Sections 10, 76, 78, & 84 of the Drainage Act, for both the Port Albert Municipal Drain and the Victoria Street Municipal Drain in Port Albert as follows:

1. To satisfy the March 2011 decision of the Minister of the Environment, regarding the London Road Corridor Storm Water Drainage Improvements Project, under the Municipal Class Environmental Assessment Process, and the Township's commitment to update the report for the Port Albert Municipal Drain. In particular, where consideration will be given to revising the drainage boundaries to include the Lake Huron outlet and lands immediately upstream.
2. To correct any and all irregularities in the maintenance assessment schedules for the Port Albert Municipal Drain and the Victoria Street Municipal Drain, as well as creating new maintenance assessment schedules, to properly assess each and every individual property within the limits of Port Albert.
3. To ensure that the watershed boundary for both the Port Albert Municipal Drain and the Victoria Street Municipal Drain comply with the slight modifications identified, as part of the B.M. Ross & Associates Limited, May 31, 2011 "Design Brief", prepared as part of Item 1 above.
4. To effect other improvements to each drain besides the possible extension to Lake Huron of the Port Albert Municipal Drain.
5. That the possible downstream extension to Lake Huron of the Port Albert Municipal Drain be undertaken as a "Preliminary Report".
6. To attend to the proper abandonment of the portions of both the Port Albert Municipal Drain, and the Victoria Street Municipal Drain that are no longer required servicing the drainage needs of the lands and roads in either watershed.

Carried.

### 6.5 Administration Department

#### 6.5.1 By-Law Enforcement Officers Report

We have provided Council with a copy of the reports prepared by Bruce Brockelbank By-Law Enforcement Officer.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

## 6.5.2 Report of Livestock Valuer

We have received Bob Trick's report in regards to one bull calf being killed by coyotes. Mr. Trick has approved payment to John Finlay in a total amount of \$569.47 to reimburse the loss. Staff will forward the necessary paper work to the Province of Ontario for possible reimbursement.

STAFF COMMENTS: That we adopt the following resolution.

ACTION: Council agreed to approve the payment and adopt the following resolution.

		Moved by	Millian
		Seconded by	Black
LIVESTOCK CLAIM	#10	THAT Ashfield-Colborne-Wawanosh Council hereby accepts the "Report of the Livestock Valuer" for one bull calf owned by John Finlay, being killed by coyotes, for a total claim of \$569.47.	
			Carried.

6.6 Public Works Department

No items scheduled.

6.7 Environmental Services

No items scheduled.

6.8 Committee Reports

Reeve Ben Van Diepenbeek reported on some new drainage on-site meetings in which he attended and the Ball's Bridge plaque unveiling.

7.0 OPEN FORUM

None.

8.0 NEW BUSINESS

No items scheduled.

9.0 CORRESPONDENCE COPIED FOR WHICH THE DIRECTION OF COUNCIL IS REQUIRED

No items scheduled.

10.0 CORRESPONDENCE RECEIVED AND COPIED FOR WHICH THE DIRECTION OF COUNCIL IS NOT REQUIRED

- 10.1 Colborne Central Public School – Thank you
- 10.2 Lake Huron Centre for Coastal Conservation – e-news
- 10.3 OMERS - Employer Update
- 10.4 Lucknow & District Joint Recreation Board – Minutes
- 10.5 AMCTO Report – Livestock Damage Program Changes
- 10.6 Port to Point – Correspondence
- 10.7 St. Helens Fish Fry – Report
- 10.8 Mid-Huron Landfill Site Board Letter – Closure Date Update
- 10.9 Councillor Watt Presentation – Amberley Beach Association Meeting
- 10.10 Ministry of the Environment Letter – Response to Wind Turbine Development
- 10.11 Capital Power Corporation Letter – Kingsbridge II Wind Power Project Update
- 10.12 Coalition for Huron Injury Prevention - Minutes

11.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS

- 12.1 Port Albert Rev'n in 11 175<sup>th</sup> – July 29, 30, 31, and August 1<sup>st</sup>

STAFF COMMENTS: Reminder only.

ACTION: Council agreed to place a float in the parade for Council. Council will meet at 9:00 am on Saturday at Reeve Van Diepenbeek's to decorate the float.

**13.0 IN-CAMERA SESSION**

No items scheduled.

**14.0 BY-LAWS AND AGREEMENTS****14.1 Brindley Zoning Amendment By-Law**

Moved by Curran  
 Seconded by Miller

BRINDLEY  
 ZONING #11 THAT leave be given to introduce By-Law #42-2011 being a by-law to  
 AMENDMEN amend By-Law 32-2008, as amended, of the Township of Ashfield-  
 T BY-LAW Colborne-Wawanosh, and that it now be read severally a first, second, and  
 third time, and finally passed this 19<sup>th</sup> day of July 2011.

Carried.

**14.2 Baines Zoning Amendment By-Law**

Moved by Black  
 Seconded by Watt

BAINES  
 ZONING #12 THAT leave be given to introduce By-Law #43-2011 being a by-law to  
 AMENDMEN amend By-Law 32-2008, as amended, of the Township of Ashfield-  
 T BY-LAW Colborne-Wawanosh, and that it now be read severally a first, second, and  
 third time, and finally passed this 19<sup>th</sup> day of July 2011.

Carried.

**14.3 Parkbridge Lifestyle Communities Inc. Site Plan Amendment Agreement By-Law**

Moved by Millian  
 Seconded by Rintoul

PARKBRIDG  
 E SITE PLAN #13 THAT leave be given to introduce By-Law #44-2011 being a by-law to  
 AGREEMEN authorize a certain agreement between the Township of Ashfield-  
 T BY-LAW Wawanosh and Parkbridge Lifestyle Communities Inc. and that it now be  
 read severally a first, second, and third time, and finally passed this 19<sup>th</sup> day  
 of July 2011.

Carried.

**14.4 Confirmation By-Law**

Moved by Watt  
 Seconded by Curran

CONFIRMAT  
 ION BY-LAW #14 THAT leave be given to introduce By-Law #45-2011 being a by-law to  
 confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh  
 meeting held on July 19, 2011, and that it now be read severally a first,  
 second, and third time, and finally passed this 19th day of July 2011.

Carried.

**15.0 ADJOURN**

Moved by Black  
 Seconded by Curran

ADJOURN #15 THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to  
 meet again on August 2, 2011 at 7:30 p.m. or at the Call of the Reeve.

Carried.

  
 Reeve, Ben Van Diepenbeek

  
 Administrator/Clerk-Treasurer, Mark Becker