



— TOWNSHIP OF —  
ASHFIELD - COLBORNE - WAWANOSH

**Council Minutes**  
**July 5, 2011**

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Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 5<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
Public Works Superintendent	Brian Van Osch
Deputy-Clerk	Linda Andrew

OTHERS PRESENT: Denny Scott, Dale Erb, Monica Walker-Bolton, Jacob Shetler, John Shetler, Dan Shetler, and Jeff Dickson.

**1.0 CALL TO ORDER**

**2.0 DISCLOSURE OF PECUNIARY INTEREST**

Reeve Ben Van Diepenbeek – Section 4.1 (B) / Van Diepenbeek Zoning Amendment

Reeve Ben Van Diepenbeek, Deputy Reeve Neil Rintoul & Councillor Murray Curran  
Sections 10.4 / Wind Turbines

**3.0 ADOPTION OF MINUTES**

Moved by Curran  
Seconded by Watt

ADOPT COUNCIL MINUTES #1 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the June 21, 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 Millian  
Seconded by Rintoul

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

Moved by Black  
Seconded by Miller

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

A) **Shetler Zoning Amendment**

We have provided Council with the report prepared by the County Planner, Monica Walker-Bolton, in regards to the Shetler Zoning Amendment. Ms. Walker-Bolton was 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 *the west half of Lot 24, Concession 11, 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 *John & Anna Shetler* to the Township of Ashfield-Colborne-Wawanosh on *June 1, 2011.*

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on *June 14, 2011* and notice was posted on the subject property.

**Comments:**

## 1) Huron County Planner

Monica Walker-Bolton reviewed the application with the Planning Advisory Committee.

## 2) Applicant and/or Agent

None.

## 3) Others

None.

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

Deputy-Reeve Neil Rintoul questioned why the Health Unit was not asked for their comments. Planner Monica Walker-Bolton felt that the comments were not necessary from the Health Unit.

**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 the zoning by-law amendment be approved.

### **B) Van Diepenbeek Zoning Amendment**

Reeve Ben Van Diepenbeek declared a conflict of interest and vacated his chair and room. Deputy-Reeve Neil Rintoul chaired this portion of the meeting.

We have provided Council with the report prepared by the County Planner, Monica Walker-Bolton, in regards to the Van Diepenbeek Zoning Amendment. Ms. Walker-Bolton was 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 *Parts of Lot 1 and 2, Front Concession, North of the Town Plot, being Part 2, Part 3, Part 4, and Part 5, of Plan 22R-5319, 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**

The Council of the Township of Ashfield-Colborne-Wawanosh agreed on June 7, 2011 to initiate a zoning amendment to place a holding symbol on the subject lands.

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on *June 14, 2011* and notice was posted on the subject property.

**Comments:**

## 1) Huron County Planner

Monica Walker-Bolton 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**

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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 7:43 p.m.

Reeve Ben Van Diepenbeek returned to his seat and chaired the remainder of the meeting.

Moved by Miller  
Seconded by Curran

CLOSE  
PUBLIC  
MEETING

#4

THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the Public Meeting.

Carried.

## 4.2 8:00 pm – Jeff Dickson, Drain Superintendent / London Road Storm Water Project

We have provided Council with a copy of an email received from Jeff Dickson, and also a letter received from the Ministry of the Environment, in regards to the above noted project.

Mr. Dickson was present and discussed the drainage issues in connection with this project in more detail.

STAFF COMMENTS: None.

ACTION: Council agreed to proceed as recommended, and staff will bring back the appropriate resolution to our next meeting.

## 4.3 8:15 pm – Dale Erb, B.M. Ross &amp; Associates / London Road Corridor Improvements

We have provided Council with a copy of the tender notice for the above noted project. The tenders were due on Thursday, June 30<sup>th</sup> at 12 noon. Mr. Erb and staff opened the tenders shortly after closing. In light of the time of the closing of tenders, the final results were not known at the time of the agenda preparations. Mr. Erb presented to Council a report of the summary of the tenders received along with his recommendations.

STAFF COMMENTS: None.

ACTION: Council agreed to accept the lowest tender from Lavis Contracting Co. Limited in the total amount of \$1,418,713.93.

		Moved by	Rintoul
		Seconded by	Watt
ACCEPT			
TENDER			
LONDON		THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts	
ROAD	#5	the tender from Lavis Contracting Co. Limited in the total amount of	
CORRIDOR		\$ 1,418,713.93 including taxes for the London Road Corridor Improvement	
IMPROVEME		Project.	
NTS			Carried.

5.0 **FINANCIAL REPORTS**

No items scheduled.

6.0 **REPORTS OF STAFF AND COMMITTEES**6.1 **Water Department**

No items scheduled.

6.2 **Building Department**

## 6.2.1 Chief Building Official's Report

We have provided Council with a copy of Mr. Livingston's report. Mr. Livingston will not be present this evening.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

6.3 **Cemetery Department**

No items scheduled.

6.4 **Drainage Department**

## 6.4.1 Notice of Appointment for Examination By Engineer

We have provided Council with a copy of the above noted notice with the meeting date and time. One Council Member should attend the meeting/s. Does Reeve Van Diepenbeek want to attend?

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed that Reeve Ben Van Diepenbeek will attend the meetings in regards to this drainage works.

## 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 Lucknow & District Joint Recreation Board – Facility Manager / Recreation Co-ordinator

Bob Zubel submitted his resignation on May 30<sup>th</sup>, and his last day of work was June 22<sup>nd</sup>. The Board agreed to appoint Mark Hackett to this position effective June 23<sup>rd</sup>. We have provided Council with a copy of the by-law to appoint Mark Hackett as the Facility Manager / Recreation Co-ordinator for the Lucknow Recreation Department.

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

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

### 6.5.3 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 Richard Sinclair in a total amount of \$573.30 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 to Richard Sinclair and adopt the following resolution.

		Moved by	Black
		Seconded by	Millian
LIVESTOCK CLAIM	#6	THAT Ashfield-Colborne-Wawanosh Council hereby accepts the "Report of the Livestock Valuer" for one bull calf owned by Richard Sinclair, being killed by coyotes, for a total claim of \$573.30.	
			Carried.

## 6.6 Public Works Department

### 6.6.1 Public Works Activity Report

We have provided Council with a copy of the report prepared by Public Works Superintendent Brian Van Osch. Mr. Van Osch will be present this evening.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

### 6.6.2 Culvert Quotes

We have provided Council with a copy of the report prepared by Public Works Superintendent Brian Van Osch in regards to the above noted item.

STAFF COMMENTS: That Council accepts the quote from Atlantic Industries in the total amount of \$15,157.24 taxes included.

ACTION: Council agreed to accept the quote from Atlantic Industries.

		Moved by	Millian
		Seconded by	Curran
ACCEPT CULVERT QUOTES	#7	THAT Ashfield-Colborne-Wawanosh Council hereby accepts the quote of Atlantic Industries Inc. in the total amount of \$15,157.24 including taxes for maintenance culverts for 2011.	
			Carried.

6.6.3 Auburn Drainage Issues – Update

We have provided Council with a copy of a letter received from the Ministry of the Environment in regards to the drainage issues that have been on going in the Auburn area. The M.O.E. has requested that a written plan from the Township be forwarded to them by July 8<sup>th</sup> to address the drainage issues in Auburn.

STAFF COMMENTS: Staff is prepared to prepare and forward a plan to the M.O.E. once completed.

ACTION: Council agreed with the staff's comments noted above and will respond to the Ministry of the Environment.

6.6.4 Retroreflectometer – Update

We have provided Council with a copy of the report prepared by Public Works Superintendent Brian Van Osch in this regard.

STAFF COMMENTS: That staff proceed to purchase the unit once the price has been determined, under the proposed bulk purchase.

ACTION: Council agreed with the staff comments to proceed as noted.

6.7 Environmental Services

No items scheduled.

6.8 Committee Reports

Councillor Barry Millian and Councillor Doug Miller reported on the graduation ceremonies they attended at Colborne Central and Brookside Public respectively.

7.0 OPEN FORUM

None.

8.0 NEW BUSINESS

8.1 Enlarged Dwellings

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.

ACTION: Staff will bring back the section in this regard to our next meeting for discussion.

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 Maitland Valley Conservation Authority – Minutes
- 10.2 Ontario Heritage Trust – Ball's Bridge Ceremony
- 10.3 Mid-Huron Landfill Site Board – Minutes
- 10.4 Scott Feedback – Capital Power Corporation
- 10.5 Port to Point Trail Association - Minutes

11.0 CORRESPONDENCE AND INFORMATION ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS

No items scheduled.

13.0 IN-CAMERA SESSION

No items scheduled.

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

Moved by Black  
Seconded by Watt

SHETLER  
ZONING  
AMENDMEN #8  
T BY-LAW

THAT leave be given to introduce By-Law #40-2011 being a by-law to amend By-Law 32-2008, as amended, of the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2011.

Carried.

Reeve Ben Van Diepenbeek declared a conflict of interest and vacated his chair.  
Deputy-Reeve Neil Rintoul chaired this portion of the meeting.

**14.2 Van Diepenbeek Zoning Amendment By-Law**

Moved by Curran  
Seconded by Watt

VAN  
DIEPENBEE  
K ZONING #9  
AMENDMEN  
T BY-LAW

THAT leave be given to introduce By-Law #41-2011 being a by-law to amend By-Law 32-2008, as amended, of the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2011.

Carried.

Reeve Ben Van Diepenbeek returned to his seat and chaired the remainder of the meeting.

**14.3 Lucknow Facility Manager / Recreation Co-ordinator Appointment By-Law**

Moved by Millian  
Seconded by Watt

APPOINT  
FACILITY  
MANAGER /  
RECREATIO #10  
N CO-  
ORDINATOR  
BY-LAW

THAT leave be given to introduce By-Law #38-2011 being a by-law to establish and appoint the position of Facility Manager / Recreation Co-ordinator for the Lucknow & District Joint Recreation Board, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2011.

Carried.

**14.4 Confirmation By-Law**

Moved by Rintoul  
Seconded by Millian

CONFIRMAT  
ION BY-LAW #11

THAT leave be given to introduce By-Law #37-2011 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on July 5, 2011, and that it now be read severally a first, second, and third time, and finally passed this 5<sup>th</sup> day of July 2011.

Carried.  
~**15.0 ADJOURN**

Moved by Curran  
Seconded by Black

ADJOURN #12

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on July 19, 2011 at 7:30 p.m. or at the Call of the Reeve.

Carried.  
~

  
Reeve, Ben Van Diepenbeek

  
Administrator/Clerk-Treasurer, Mark Becker