



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Minutes June 4, 2019

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 4th day of June 2019, at 9:00 am in the Township of Ashfield-Colborne-Wawanosh Council Chambers.

Mayor
Deputy Mayor
Councillors

Glen McNeil
Roger Watt
Gloria Fisher
Wayne Forster
Jennifer Miltenburg
Anita Snobelen
Bill Vanstone

Staff Present

Administrator/Clerk-Treasurer
Chief Building Official
Public Works Superintendent
Deputy Clerk

Mark Becker
Brett Pollock
Brian Van Osch
Florence Witherspoon

OTHERS PRESENT: Celina Whaling-Rae, Heather Lang, John Ferguson, Justin Jones, Mary Hansen, Cody Joudry, and Colin Carmichael.

1.0 CALL TO ORDER

It was noted that the Township Staff will be audiotaping the mornings meeting.

2.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

None disclosed.

3.0 ADOPTION OF PREVIOUS MEETING MINUTES

3.1 Council Meeting – May 21, 2019

Moved by Miltenburg
Seconded by Forster

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the May 21, 2019 Council Meeting Minutes as written.

Carried.

4.0 OPEN FORUM (items pertaining to the agenda)

None.

5.0 DELEGATIONS

5.1 9:00 a.m. – Celina Whaling-Rae / County of Huron Student Planner

Point Farms Market Inc. Zoning By-Law Amendment Application #Z01-19

Moved by Watt
Seconded by Vanstone

ADJOURN
COUNCIL
MEETING

#2

THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns their regular Council Meeting.

Carried.

Moved by Forster
Seconded by Fisher

OPEN
PUBLIC
MEETING

#3

THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the Planning Advisory Committee Public Meeting to deal with Zoning By-Law Amendment Application received from Point Farms Market Inc.

Carried.

We have provided Council with the report prepared by the County Planner, Carol Leeming, in regards to this Zoning By-Law Amendment. Ms. Whaling-Rae reviewed the application with the Planning Advisory Committee.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to order

Declaration of Pecuniary Interests

None.

Purpose

The purpose of this Public Meeting is to consider changing the zoning on the property at 82522 Bluewater Highway, Concession LRE, Part of Lot 8 (Colborne 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 Point Farms Market Inc. to the Township of Ashfield-Colborne-Wawanosh and considered complete on April 29, 2019.

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on May 14, 2019 and notice was posted on the subject property.

Comments:

- 1) Huron County Planner

Ms. Whaling-Rae 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 Local Planning Appeal Tribunal (LPAT) 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 Local Planning Appeal Tribunal (LPAT) and the Municipality no longer has jurisdiction of the file and/or the processing time. You may only file an appeal if you have submitted oral or written comments prior to the decision of Council.
- The fee for filing an appeal is \$300.00 payable by Certified Cheque or Money Order in Canadian funds, made out to the Minister of Finance, and must be accompanied by Appellant Form (A1).
- If Council does not pass the by-law, the applicant may appeal to the LPAT.
- 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 was recommended that the zoning by-law amendment be approved.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 9:08 a.m.

Moved by Vanstone
Seconded by Watt

CLOSE
PUBLIC
MEETING

#4

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

Carried.

Moved by Fisher
Seconded by Miltenburg

RECONVENE
COUNCIL
MEETING

#5

THAT Ashfield-Colborne-Wawanosh Township Council hereby reconvenes their regular Council Meeting.

Carried.

5.2 9:15 a.m. – Celina Whaling-Rae / County of Huron Student Planner

Committee of Adjustment

- Heather and Marc Lang / Minor Variance Application File #MV03-2019
- Justin Jones / Minor Variance Application File #MV04-2019
- Mary Hansen / Minor Variance Application File #MV05-2019

Moved by Snobelen
Seconded by Fisher

OPEN
COMMITTEE
OF
ADJUSTMENT
MEETING

#6

THAT Ashfield-Colborne-Wawanosh Council hereby adjourns their regular Council Meeting and hereby opens their Committee of Adjustment Meeting and Hearing to review the following applications:

- Heather & Marc Lang
- Justin Jones
- Mary Hansen

Carried.

a) Heather and Marc Lang / Minor Variance Application File #MV03-2019

We have provided Council with a copy of the report prepared by the County Planner, Carol Leeming, in regards to this application. Ms. Whaling-Rae reviewed the application with the Committee of Adjustment.

STAFF COMMENTS: That this application for minor variance be deferred until Huron County Health Unit comments are received, and if supportive, conditions to an approval can be considered at that time.

Heather Lang addressed the Committee of Adjustment and indicated that they are working with the Huron County Health Unit on resolving the matter.

Chief Building Official Brett Pollock addressed the Committee of Adjustment with respect to support of the application as the issues can be resolved with respect to the Huron County Health Unit.

ACTION: The Committee of Adjustment agreed to approve the application as submitted in light of the issues raised that can be resolved with respect to the Huron County Health Unit along with the following conditions.

- The structures be as shown on the drawings that accompanied the application.
- The variance approval is valid for a period of 18 months from the date of the Committee's decision.

Moved by Watt
Seconded by Forster

APPROVE #7
LANG
APPLICATION

THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby agrees to approve the Heather and Marc Lang Minor Variance Application as submitted, granting relief from the General Provisions Section 3.31.7. of Zoning By-law 32-2008, to permit the reconstruction of an existing residence to be built within the 100-year erosion hazard area and to grant relief from Section 7.5.1 and Section 15.4 Minimum Rear Yard Setback to allow a residence with a minimum rear yard setback of 0.45 meters.

AND FURTHER THAT this be subject to the following conditions:

1. The structures be as shown on the drawings that accompanied the application.
2. The variance approval is valid for a period of 18 months from the date of the Committee's decision.

Carried.

Effect of Public and Agency Comments on Decision of Council to the Application

No public comments were received on this application so there was no effect on the decision.

Comments were received from agencies identifying the issue from the Huron County Health Unit. Comments were thoroughly considered but the effect did not influence the decision of Council to approve the application.

b) Justin Jones / Minor Variance Application File #MV04-2019

We have provided Council with a copy of the report prepared by the County Planner, Carol Leeming, in regards to this application. Ms. Whaling-Rae reviewed the application with the Committee of Adjustment.

STAFF COMMENTS: That this application for minor variance be approved subject to the following conditions:

- The structure be as shown in the elevation drawings that accompanied the application.
- The variance approval is valid for a period of 18 months from the date of the Committee's decision.
- That the accessory structure be no closer than 25 metres from the front lot line; and be no closer than 6 metres from the exterior side lot line.

ACTION: The Committee of Adjustment agreed to approve the application and adopt the following resolution.

Moved by Vanstone
Seconded by Watt

APPROVE #8 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby
JONES agrees to approve the Justin Jones Minor Variance Application as
APPLICATION submitted, subject to the conditions as noted in the Planner's Report.
Carried.

Effect of Public and Agency Comments on Decision of Council to the Application

No public comments were received on this application so there was no effect on the decision.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

c) Mary Hansen / Minor Variance Application File #MV05-2019

We have provided Council with a copy of the report prepared by the County Planner, Carol Leeming, in regards to this application. Ms. Whaling-Rae review the application with the Committee of Adjustment.

STAFF COMMENTS: That this application for minor variance be approved subject to the following conditions:

- The structure be as shown in the elevation drawings that accompanied the application.
- The variance approval is valid for a period of 18 months from the date of the Committee's decision.

ACTION: The Committee of Adjustment agreed to approve the application and adopt the following resolution.

Moved by Fisher
Seconded by Watt

APPROVE #9 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby
HANSEN agrees to approve the Mary Hansen Minor Variance Application as
APPLICATION submitted, subject to the conditions as noted in the Planner's Report.
Carried.

Effect of Public and Agency Comments on Decision of Council to the Application

No public comments were received on this application so there was no effect on the decision.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Moved by Miltenburg
Seconded by Forster

CLOSE #10 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby
COMMITTEE closes their meeting.
OF
ADJUSTMENT
Carried.

Moved by Vanstone
Seconded by Watt

RECONVENCE #11 THAT Ashfield-Colborne-Wawanosh Township Council hereby
REGULAR reconvenes the regular Council Meeting of June 4, 2019.
COUNCIL
MEETING
Carried.

5.3 9:45 a.m. – Celina Whaling-Rae / County of Huron Student Planner

Ruppel Consent File #C37/19

We have provided Council with a copy of the report prepared by Carol Leeming, County Planner, in regards to the application for consent received from Michael Ruppel. Ms. Whaling-Rae will review the application with Council.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to recommend to the County of Huron that this application for consent be approved subject to the conditions as outlined in the Planners Report.

5.4 10:00 a.m. – Cody Joudry - Huron County Economic Development

We have provided Council with a copy of the Economic Development Overview Presentation. Mr. Joudry made his presentation to Council.

STAFF COMMENTS: None.

ACTION: Noted.

6.0 ACCOUNTS

No items scheduled.

7.0 DEPARTMENT / COMMITTEE REPORTS**7.1 Water Department**

7.1.1 Water Operations & Maintenance Report – April 2019

We have provided Council with a copy of the report prepared by Veolia Water Canada in regards to the operation and maintenance of our water systems for April 2019.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.1.2 Dungannon Water – Update

As Council are aware, we applied for a further extension of the temporary relief from arsenic for Dungannon Drinking Water in order to complete the review by the Walkerton Clean Water Centre and evaluate thereafter. The Ministry of the Environment has approved the application and have granted and extended the relief to July 1, 2020.

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

7.1.3 Water Works Financial Plan / Water Rates

We have provided Council with a copy of the report prepared by Deputy Clerk Florence Witherspoon with respect to the required review, as per Ontario Regulation 453/07, of the Drinking Water Consolidated Financial Plan, and the applicable water rates. Ms. Witherspoon was present this morning.

STAFF COMMENTS: That Council hire B.M. Ross & Associates to prepare the review and adopt the following resolution.

ACTION: Council agreed to adopt the following resolution and retain the services of B.M. Ross & Associates to complete the review.

Moved by Fisher
Seconded by Forster

WATER
FINANCIAL
PLAN /
WATER
RATES

#12

THAT Ashfield-Colborne-Wawanosh Township Council hereby agrees to retain the services of B.M. Ross & Associates to review and prepare the Water Works Financial Plan and establish the new water rates for 2020-2025 at the cost of \$7,500 plus H.S.T.

Carried.

7.2 Building Department

7.2.1 Building By-Law Amendment

We have provided Council with a copy of the report prepared by Chief Building Official with respect to amending our current Building By-Law. We have also provided Council with a copy of the proposed by-law. Mr. Pollock was present this morning.

STAFF COMMENTS: That Council adopt the by-law as presented in Section 14.

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

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

7.4.1 MacPhee and Vanstone Municipal Drains – Closing of Request for Improvement

We have provided Council with a copy of a Report prepared by Stephen Brickman of Dietrich Engineering Ltd. with respect to the closing of a request for drainage improvement under the Drainage Act.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.5 Administration Department

7.5.1 Lucknow & District Joint Recreation Board

Summer Pool Staff, Youth Summer Sport Camp Staff Appointments

We have provided Council with a copy of the by-law appointing the summer pool staff and the youth summer sports camp staff to their positions.

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

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

7.5.2 Playground Equipment Policy

As a follow-up from our last meeting, we have provided Council with the revised policy setting out the perimeters with respect to contributing funds towards playground equipment on municipal land.

STAFF COMMENTS: We seek your direction.

ACTION: A few amendments were made and staff was instructed to bring the policy back to the next meeting for further review.

7.5.3 Sale of Real Property – Amendment By-Law

We have provided Council with a copy of the amended Sale of Real Property By-Law as reviewed and discussed at our last meeting.

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

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

7.5.4 Municipal Property

Please refer to the “In-Camera Session” (the security of property of the municipality)

7.6 Public Works Department

7.6.1 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 was present this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.6.2 Culvert Quotations – Kerry’s Line Culvert Replacement Project

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

STAFF COMMENTS: That Council accepts the quotation received from Atlantic Industries Limited in the amount of \$ 36,421.38 plus H.S.T. and proceeds to adopt the following resolution.

ACTION: Council agreed to accept the quote received from Atlantic Industries Limited and adopt the following resolution.

Moved by Miltenburg
Seconded by Forster

ACCEPT #13 THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts
CULVERT the quotation received from Atlantic Industries Limited in the amount of
QUOTES \$ 36,421.38 plus H.S.T. for the Kerry’s Line Culvert Replacement Project.
Carried.

7.7 Environmental Services

No items scheduled.

7.8 Committee Reports

Councillor Jennifer Miltenburg reported on the meeting which she attended at the Avon Maitland School Board.

Mayor Glen McNeil and Councillor Jennifer Miltenburg reported on the Lucknow & District Joint Recreation Board.

Councillor Gloria Fisher wanted clarification in light of the upcoming Benmiller Community Hall Committee meeting with respect to direction regarding what constitutes a “significant expense” at which time quotes are obtained and approved by Council.

ACTION: Council agreed to establish a value of over \$500 for obtaining quotes and approval from Council.

Mayor Glen McNeil reported on various events that he attended on behalf of the municipality.

8.0 NEW BUSINESS

No items scheduled.

9.0 CORRESPONDENCE / DIRECTION REQUIRED

No items scheduled.

10.0 CORRESPONDENCE / FOR INFORMATION PURPOSES

10.1 Huron County Federation of Agriculture Letter – Natural Heritage

ACTION: Council requested that we invite the County of Huron to a future meeting to review the Natural Heritage with Council.

10.2 County of Huron Letter – Residential Development

10.3 Ashfield Colborne Lakefront Association Invitation – Meeting

ACTION: Councillor Anita Snobelen, Councillor Gloria Fisher, Deputy Mayor Roger Watt, and Mayor Glen McNeil will attend.

10.4 Town of Petrolia Resolution – OGRA/ROMA Combined Conference

ACTION: Support.

10.5 Lucknow Legion Branch 309 Canteen Grand Opening – Mayor Glen McNeil Invitation

ACTION: Mayor Glen McNeil will attend.

10.6 Maitland Valley Conservation Authority – Minutes

10.7 Port Albert & District Recreational Society – Minutes

10.8 Lucknow & District Joint Recreation Board - Minutes

10.9 Julie Kuik Letter – Protecting the Environment

ACTION: Council agreed to have staff respond to Julie Kuik advising her of the steps we plan on taking as part of the Budget 2019:

- Audit – Consultant for Landfilling & Recycling - \$5,000

11.0 **CORRESPONDENCE / ON COUNCIL TABLE**

No items scheduled.

12.0 **UNFINISHED BUSINESS**

No items scheduled.

13.0 **IN-CAMERA / CLOSED SESSION**

Moved by Snobelen
Seconded by Vanstone

MOVE TO #14
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council move into an “In-Camera” session, with the Administrator/Clerk-Treasurer remaining in attendance at 11:43 a.m. for the purpose of discussing:

- 1) The security of property of the municipality.

Carried.

13.1 **RETURN TO OPEN SESSION**

Moved by Miltenburg
Seconded by Fisher

RISE FROM #15
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council rise from an “In-Camera” session at 11:49 a.m.

Carried.

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13.2 **BUSINESS ARISING FROM IN-CAMERA / CLOSED SESSION**

Council agreed to proceed as instructed in the In-Camera Session with respect of matters pertaining to the security of property of the municipality.

14.0 **BY-LAWS**

14.1 Lucknow & District Recreation Department Staff Appointment By-Law

Moved by Fisher
Seconded by Forster

LUCKNOW #16
RECREATIO
N STAFF BY-
LAW

THAT leave be given to introduce By-Law #41-2019 being a by-law to establish and appoint the position of staff for the Lucknow & District Joint Recreation Board, and that it now be read severally a first, second, and third time, and finally passed this 4th day of June 2019.

Carried.

14.2 Building By-Law

Moved by Miltenburg
Seconded by Watt

BUILDING #17
BY-LAW

THAT leave be given to introduce By-Law #42-2019 being a by-law to regulate the erection, alteration, construction and demolition of various types of structures within the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 4th day of June 2019.

Carried.

14.3 Real Property Disposal By-Law

Moved by Snobelen
Seconded by Vanstone

REAL #18
PROPERTY
DISPOSAL
BY-LAW

THAT leave be given to introduce By-Law #43-2019 being a by-law to establish procedures for the sale of real property owned by the municipality, and that it now be read severally a first, second, and third time, and finally passed this 4th day of June 2019.

Carried.

14.4 Point Farms Market Inc. Zoning Amendment By-Law

Moved by Watt
Seconded by Miltenburg

POINT FARM
MARKET
ZONING
BY-LAW #19

THAT leave be given to introduce By-Law #45-2019 being a by-law to amend zoning 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 4th day of June 2019.

Carried.

14.5 Confirmation By-Law

Moved by Forster
Seconded by Fisher

CONFIRMAT
ION BY-LAW #20

THAT leave be given to introduce By-Law #40-2019 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on June 4, 2019, and that it now be read severally a first, second, and third time, and finally passed this 4th day of June 2019.

Carried.

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15.0 ADJOURNMENT

Moved by Forster
Seconded by Miltenburg

ADJOURN #21

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on June 18, 2019 at 9:00 a.m. or at the Call of the Mayor.

Carried.

~

Original signed by
Mayor, Glen McNeil

Original signed by
Administrator/Clerk-Treasurer, Mark Becker