



— TOWNSHIP OF —  
ASHFIELD - COLBORNE - WAWANOSH

## **Council Agenda November 2, 2021**

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Township of Ashfield-Colborne-Wawanosh Council will meet in regular session on the 2<sup>nd</sup> day of November 2021, at 9:00 a.m. through Zoom, an online video conferencing platform.

This meeting will be held electronically as per By-Law 37-2021, Section 3.10 which allows for Electronic Participation of Council Meetings.

**1.0 CALL TO ORDER**

Video/Audio Approval – if applicable

**2.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

**3.0 ADOPTION OF PREVIOUS MEETING MINUTES**

3.1 Council Meeting Minutes – October 19, 2021

Moved by  
Seconded by

ADOPT  
COUNCIL  
MINUTES

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the  
October 19, 2021 Council Meeting Minutes as written.

**4.0 OPEN FORUM (items pertaining to the agenda)**

**5.0 DELEGATIONS**

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

Zoning Housekeeping By-Law Amendment / Township of Ashfield-Colborne-Wawanosh

Moved by  
Seconded by

ADJOURN  
COUNCIL  
MEETING

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

Moved by  
Seconded by

OPEN  
PUBLIC  
MEETING

THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the Planning Advisory Committee Public Meeting to deal with Zoning By-Law Amendment that was submitted by the Township of Ashfield-Colborne-Wawanosh.

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

The purpose of the Housekeeping Amendment is to update some general provisions in the Zoning By-law. The proposed Housekeeping Amendment proposes only text changes to the Zoning By-law and does not introduce mapping changes. A summary of the proposed changes to the Zoning By-law is to revise Section 3.23 to clarify provisions with relation to legal non-complying uses; and to revise Section 3.28.9 to clarify that motorized vehicle racing shall not be permitted in settlement areas.

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

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**Call to order**

**Declaration of Pecuniary Interests**

**Purpose**

The purpose of the Housekeeping Amendment is to update some general provisions in the Zoning By-law. The proposed Housekeeping Amendment proposes only text changes to the Zoning By-law and does not introduce mapping changes. A summary of the proposed changes to the Zoning By-law is to revise Section 3.23 to clarify provisions with relation to legal non-complying uses; and to revise Section 3.28.9 to clarify that motorized vehicle racing shall not be permitted in settlement areas.

## **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**

This is a municipally initiated Housekeeping Amendment.

Notice of the Public Meeting was advertised by the municipality.

## **Comments:**

- 1) Huron County Planner
- 2) Others
- 3) Council's Questions and/or Comments.

**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 Land Tribunal (OLT) 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 morning.
- 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 sent, where submissions will be received by the Clerk.
- If an objection is received, an appeal is lodged with the Ontario Land Tribunal (OLT) 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 \$1,100.00 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 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.

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

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

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

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

### Adjournment

That there being no further business, the Public Meeting be hereby closed at \_\_\_\_\_ a.m.

Moved by  
Seconded by

CLOSE  
PUBLIC  
MEETING

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

Moved by  
Seconded by

RECONVENE  
COUNCIL  
MEETING

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

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

Ben Van Dieten – Consent File C95-2021

We have provided Council with a copy of the report prepared by Celina Whaling-Rae regarding the application for consent received from Ben Van Dieten. Ms. Whaling-Rae will review the application with Council.

STAFF COMMENTS: We seek your direction.

5.3 9:30 a.m. – Celina Whaling-Rae / County of Huron Planner - Consent Application

Angela Sproul – Consent File C96-2021

We have provided Council with a copy of the report prepared by Celina Whaling-Rae regarding the application for consent received from Angela Sproul. Ms. Whaling-Rae will review the application with Council.

STAFF COMMENTS: We seek your direction.

### 6.0 ACCOUNTS

No items scheduled.

### 7.0 DEPARTMENT / COMMITTEE REPORTS

#### 7.1 Water Department

No items scheduled.

## 7.2 **Building Department**

No items scheduled.

## 7.3 **Cemetery Department**

No items scheduled.

## 7.4 **Drainage Department**

No items scheduled.

## 7.5 **Administration Department**

### 7.5.1 Annual Adjustment – 2022 Pay Grids

We have provided Council with a copy of the report in this regard. We will further apply the amount to Council's remuneration and meeting rate. For interest sake, since implementation in 2002, this calculation averages out to 1.9% per year.

STAFF COMMENTS: For your information purposes.

### 7.5.2 Councillors Remuneration By-Law

We have provided Council with a copy of the Council Remuneration By-Law for 2022 which includes the annual Consumer Price Index increase of 4.4%.

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

### 7.5.3 Municipal Modernization Program Intake 2 - Agreement

We have provided Council with a copy of the agreement and authorizing by-law for the Municipal Modernization Program Intake 2 Grant being received for the meeting management and website redevelopment as outlined in "Schedule C" of the agreement.

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

### 7.5.4 2022 Regular Council Meetings

Over the past number of years, Council have only held one regular meeting in (\*) July, and (\*\*) August, to allow Council and Staff an opportunity to book summer vacation time throughout the summer. Please note that March meetings (\*\*\*) have been adjusted in light of the OGRA Conference. Council Meetings are set for the first and third Tuesday of each month according to our Procedural By-Law.

The following are the recommended Council Meeting dates for 2022:

January 4 <sup>th</sup> and January 18 <sup>th</sup>	(*) July 19 <sup>th</sup>
February 1 <sup>st</sup> and February 15 <sup>th</sup>	(**) August 16 <sup>th</sup>
(***) March 8 <sup>th</sup> and March 22 <sup>nd</sup>	September 6 <sup>th</sup> and September 20 <sup>th</sup>
April 5 <sup>th</sup> and April 19 <sup>th</sup>	October 4 <sup>th</sup> and October 18 <sup>th</sup>
May 3 <sup>rd</sup> and May 17 <sup>th</sup>	November 1 <sup>st</sup> and November 15 <sup>th</sup>
June 7 <sup>th</sup> and June 21 <sup>st</sup>	December 6 <sup>th</sup> and December 20 <sup>th</sup>

STAFF COMMENTS: We seek your support.

#### 7.5.5 Ontario Municipal Partnership Fund (OMPF) – 2022 Allocation

We have provided Council with a copy of the correspondence received in regards to the proposed funding for 2022. As you can see our funding allocation has increased from \$ 775,300 to \$ 784,400 resulting in an increase of \$ 9,100.

STAFF COMMENTS: For your information purposes.

#### 7.5.6 Benmiller Community Hall & St. Helens Community Hall

Effective October 25<sup>th</sup> there are no capacity limits or physical distancing requirements for indoor meeting and event spaces, however the renter is responsible for checking “proof of vaccination” and maintaining a list of those in attendance.

STAFF COMMENTS: For your information purposes.

#### 7.5.7 COVID-19 Vaccination Policy

We have provided Council with a copy of the approved County of Huron COVID-19 Vaccination Policy for Council's consideration.

STAFF COMMENTS: We seek your direction.

#### 7.5.8 Emotional Support Animals

Please refer to the “In-Camera Session”  
(personal matters related to identifiable individuals)

### 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 Thomas McCarthy. Mr. McCarthy will be available this morning.

STAFF COMMENTS: For your information purposes.

#### 7.6.2 Temporary Road Closures for Winter By-Law

We have provided Council with a copy of the proposed by-law closing certain roads for the winter season.

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

#### 7.6.3 Guaranteed On-Call Pay & Call-In Pay

As a follow-up from the last council meeting, we have provided Council with a copy of the On-Call Pay & Call-In Pay Policies.

STAFF COMMENTS: That Council approve the policy by adopting the following resolution.

Moved by  
Seconded by

ON-CALL  
PAY & CALL-  
IN PAY  
POLICY

THAT Ashfield-Colborne-Wawanosh Township Council adopts the “On-Call Pay” Policy No. HR – 2.17 and “Call-In Pay” Policy No. HR - 2.18 dated November 2, 2021.

#### 7.6.4 Part Time Equipment Operators - Appointments

We have six part time equipment operators not returning this fall, two of which were appointed to full time due to recent retirements. Staff have interviewed those selected and hired Tom Gilkes and Mitchell Curran as Part Time Equipment Operators. Jesse Scott has agreed to return to part time again for the municipality. We have provided Council with a copy of the appointing by-law.

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

#### 7.6.5 Road Allowances / Additional Lands

Please refer to the “In-Camera Session” (proposed acquisition of land by the municipality)

### 7.7 **Environmental Services**

No items scheduled.

### 7.8 **Committee Reports**

### 8.0 **NEW BUSINESS**

*(items to be brought forward to a future meeting)*

#### 8.1 2021 Christmas Dinner

The annual event has been booked for Friday, December 3<sup>rd</sup> at the Benmiller Inn & Spa. Effective October 25<sup>th</sup> there are no capacity limits or physical distancing requirements for restaurants, bars and other food or drink establishments. Invitations will be sent out to all employees, council members, and guest.

STAFF COMMENTS: For your information purposes.

#### 8.2 Royal Canadian Legion Branch 309 – Lucknow

We have provided the details of the laying of the wreath at their service on November 11<sup>th</sup>. The Township can either have the wreath placed ahead of time and our name mentioned or have a person attend to lay the wreath.

STAFF COMMENTS: We seek your direction.

Furthermore, the Royal Canadian Legion Branch 109 – Goderich has decided to pre lay the wreaths at the cenotaph this year again in the hopes that in 2022 that they can have the wreaths presented as they have in the past.

**9.0 CORRESPONDENCE / DIRECTION REQUIRED**

9.1 OGRA Conference 2022 / Feb 27<sup>th</sup> – March 2<sup>nd</sup> - Registration & Hotel Accommodations

STAFF COMMENTS: Councillors Fisher & Miltenburg attending.

**10.0 CORRESPONDENCE / FOR INFORMATION PURPOSES**

10.1 Thank You – John & Nancy Hamilton (Shamrock Beach)

10.2 Thank You – Marshall’s (Shamrock Beach)

10.3 Good Roads Board of Directors – Call for Nominations

10.4 Maitland Valley Conservation Authority - Minutes

**11.0 CORRESPONDENCE / ON COUNCIL TABLE**

No items scheduled.

**12.0 UNFINISHED BUSINESS**

12.1 ROMA – 2022 Virtual Conference / January 24-25, 2022

Councillors Fisher, Miltenburg, Forster, Snobelen, and Deputy Mayor Watt registered.

The Municipal Delegation Request for the 2022 Rural Ontario Municipal Association Annual Conference is available until November 15<sup>th</sup>.

*Since the Council Meeting is being held electronically through Zoom, Staff would ask that Council now proceed to Section 14 and adopt the by-laws prior to moving into an “In-Camera Session”. This will allow the public participants an opportunity to be present during the adoption of the by-laws. Once the by-laws have been adopted, Council would then proceed to Section 13 and move into the “In-Camera Session”. The public participants will not need to re-join as the meeting will be adjourned after the closed session.*

**13.0 IN-CAMERA / CLOSED SESSION**

Moved by  
Seconded by

MOVE TO  
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council move into an “In-Camera” session, with the CAO/Deputy-Clerk, Clerk, and Public Works Superintendent remaining in attendance at \_\_\_\_\_ a.m. for the purpose of discussing:

- 1) Personal matters related to identifiable individuals.
- 2) Matters of proposed acquisition of land by the municipality.

**13.1 RETURN TO OPEN SESSION**

Moved by  
Seconded by

RISE FROM  
IN-CAMERA

THAT Ashfield-Colborne-Wawanosh Township Council rise from an “In-Camera” session at \_\_\_\_\_ a.m.

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

**14.0 BY-LAWS**

14.1 Council Members – Remuneration By-Law

Moved by  
Seconded by

COUNCIL  
REMUNERA  
TION BY-  
LAW

THAT leave be given to introduce By-Law 72-2021 being a by-law to establish remuneration rates for Council Members, and that it now be read severally a first, second, and third time, and finally passed this 2<sup>nd</sup> day of November 2021.

14.2 Municipal Modernization Program Intake 2 Grant Agreement Authorizing By-Law

Moved by  
Seconded by

MMP2  
GRANT  
AGREEMEN  
T BY-LAW

THAT leave be given to introduce By-Law 73-2021 being a by-law to authorize the agreement between Her Majesty the Queen in right of Ontario, as represented by the Minister of Municipal Affairs and Housing and the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 2<sup>nd</sup> day of November 2021.

14.3 Temporary Road Closures for Winter (No Winter Maintenance) By-Law

Moved by  
Seconded by

NO WINTER  
MAINTENAN  
CE ROADS  
BY-LAW

THAT leave be given to introduce By-Law 70-2021 being a by-law to close certain roads during the winter season in the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 2<sup>nd</sup> day of November 2021.

14.4 Part Time Equipment Operator Appointment By-Law

Moved by  
Seconded by

PART TIME  
EQUIPMENT  
OPERATOR  
BY-LAW

THAT leave be given to introduce By-Law 74-2021 being a by-law to appoint the positions of Part Time Equipment Operator, and that it now be read severally a first, second, and third time, and finally passed this 2<sup>nd</sup> day of November 2021.

14.5 Zoning By-law Amendment

Moved by  
Seconded by

ZONING  
BY-LAW  
AMENDMEN  
T

THAT leave be given to introduce By-Law 75-2021 being a by-law to amend zoning by-law 32-2008 for the Corporation of the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 2<sup>nd</sup> day of November 2021.

14.6 Confirmation By-Law

Moved by  
Seconded by

CONFIRMAT  
ION BY-LAW

THAT leave be given to introduce By-Law 76-2021 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on November 2, 2021, and that it now be read severally a first, second, and third time, and finally passed this 2<sup>nd</sup> day of November 2021.

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15.0 ADJOURNMENT

Moved by  
Seconded by

ADJOURN

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on November 16, 2021 at 9:00 a.m. or at the Call of the Mayor.

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