



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Minutes February 18, 2020

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 18th day of February 2020, at 9:00 a.m. 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

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

Mark Becker
Brett Pollock
Brian Van Osch
Florence Witherspoon

OTHERS PRESENT: Celina Whaling-Rae, Bradley Hill, Doug Geoffrey, Elizabeth Grant, and Jason Morgan.

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 Minutes – February 4, 2020

Moved by Vanstone
Seconded by Miltenburg

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the February 4, 2020 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 Planner

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

Moved by Miltenburg
Seconded by Snobelen

ADJOURN
COUNCIL
MEETING

#2

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

Carried.

Moved by Vanstone
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 that was submitted by the Township of Ashfield-Colborne-Wawanosh.

Carried.

This public meeting is pertaining to the adoption of By-law 17-2020 for the purpose of introducing zoning provisions relating to cannabis production facilities is being held pursuant to Section 34 of the Planning Act, which requires any municipality passing a by-law with respect to land use controls to hold at least one public meeting to allow opportunity for members of the public to make representation to Council with respect to the proposed by-law.

Ms. Whaling-Rae reviewed the housekeeping amendment with the Planning Advisory Committee.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to order

Mayor McNeil.

Declaration of Pecuniary Interests

None declared.

Purpose

The purpose and effect of the proposed housekeeping amendment is to introduce zoning provisions for cannabis production facilities.

This public meeting is pertaining to the adoption of By-law 17-2020 for the purpose of introducing zoning provisions relating to cannabis production facilities is being held pursuant to Section 34 of the Planning Act, which requires any municipality passing a by-law with respect to land use controls to hold at least one public meeting to allow opportunity for members of the public to make representation to Council with respect to the proposed by-law.

This by-law affects all lands within the Township of Ashfield-Colborne-Wawanosh and amends the Zoning By-law of the Corporation of the Township of Ashfield-Colborne-Wawanosh (32-2008).

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 the Township of Ashfield-Colborne-Wawanosh and considered complete on January 17, 2020.

Notice of the Public Meeting was advertised by the municipality on January 29, 2020.

Comments:

- 1) Huron County Planner

The Huron County Planner reviewed the amendment with the Planning Advisory Committee.

- 2) Applicant and/or Agent

None.

- 3) Others

None.

4) Council's Questions and/or Comments.

Councillor Jennifer Miltenburg, Councillor Bill Vanstone, and Councillor Gloria Fisher asked for clarification with respect to the setback requirements.

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 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 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 is recommended that the zoning by-law amendment be further amended to increase all the setbacks from to 500 metres. It was also agreed that the particular zones of Future Development and Recreation be included in the by-law.

The by-law will be amended to reflect the changes noted and will be brought back to the next meeting for consideration.

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

Deferred to the next meeting.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 9:13 a.m.

Moved by Watt
Seconded by Forster

CLOSE
PUBLIC
MEETING

#4

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

Carried.

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

Jason Aurini / Doug Geoffrey - Minor Variance Application File - #MV01-20

Moved by Miltenburg
 Seconded by Snobelen

OPEN COMMITTEE OF ADJUSTMENT MEETING #5 THAT Ashfield-Colborne-Wawanosh Council hereby adjourns their regular Council Meeting and hereby opens their Committee of Adjustment Meeting and Hearing to review the Jason Aurini Minor Variance Application. Carried.

We have provided Council with a copy of the report prepared by the County Planner, Celina Whaling-Rae, 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:

- That the structure be located within the footprint contained on the site plan that accompanied the application.
- That the structure be constructed as shown in the elevation drawings that accompanied the application.
- That the variances' approval is valid for a period of 18 months from the date of the Committee's decision.

Moved by Forster
 Seconded by Fisher

APPROVE AURINI APPLICATION #6 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby agrees to approve the Jason Aurini Minor Variance Application as 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 the decision to approve the application.

Moved by Vanstone
 Seconded by Snobelen

CLOSE COMMITTEE OF ADJUSTMENT #7 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby closes their meeting. Carried.

Moved by Watt
 Seconded by Forster

RECONVENE REGULAR COUNCIL MEETING #8 THAT Ashfield-Colborne-Wawanosh Township Council hereby reconvenes the regular Council Meeting of February 18, 2020. Carried.

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

Bradley and Veronica Hill - Consent File #C03-2020

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regards to the application for consent received from Bradley & Veronica Hill. Ms. Whaling-Rae reviewed 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 9:45 a.m. - Celina Whaling-Rae / County of Huron Planner – Housing Initiative

We have provided Council with a copy of the three associated reports with respect to the Housing Initiative, prepared by Denise Van Amersfoort, Senior Planner. Ms. Whaling-Rae reviewed the reports with Council.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

5.5 10:00 a.m. - Celina Whaling-Rae / County of Huron Planner – Port Albert Closed Landfills

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regards to the Port Albert Closed Landfills along with a copy of the proposal and cost estimate provided by R.J. Burnside & Associates Limited. Ms. Whaling-Rae reviewed the report with Council.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to proceed as outlined in the report with including the proposal of R.J. Burnside & Associates Limited in the Proposed 2020 Budget.

5.6 11:00 a.m. - Jason Morgan / Alan Avis Architects Inc. – Municipal Addition / Renovation

As a follow-up from the Council Meeting of January 14th, Council reviewed the “Schematic Design Drawings” and the “Estimate of Probable Construction Cost” for the Municipal Office Addition / Renovations, as prepared by Allan Avis Architects Inc. At that meeting Council agreed to proceed to have Allan Avis Architects Inc. to prepare the Construction Drawings with staff including the project into the 2020 Draft Budget.

We have now received the costs for the preparation of these drawings and have provided Council with a copy of the “Service and Fee Proposal”, along with a copy of the “Fee Breakdown”, as prepared by Allan Avis Architects Inc. Jason Morgan from Alan Avis Architects Inc. was present to answer any questions of Council.

STAFF COMMENTS: That we proceed with the “Service and Fee Proposal” as prepared by Allan Avis Architects Inc. and adopt the following resolution.

ACTION: Council agreed to proceed with the following resolution.

Moved by Miltenburg
Seconded by Fisher

<p>ALLAN AVIS #9 SERVICE & FEE PROPOSAL OFFICE ADDITION</p>	<p>THAT Ashfield-Colborne-Wawanosh Township Council hereby accepts the Service and Fee Proposal as prepared by Allan Avis Architects Inc., and gives pre-budget approval in the amount of \$61,300 plus H.S.T. for the Documents for Permit and Construction, Bidding Phase, and Construction Phase as outlined in their proposal dated February 5, 2020.</p>	<p>Carried.</p>
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6.0 ACCOUNTS

6.1 Payment of Current Accounts as Presented

Moved by Vanstone
Seconded by Forster

<p>APPROVE #10 ACCOUNTS</p>	<p>THAT Ashfield-Colborne-Wawanosh Township Council hereby authorizes the payment of the February 2020 accounts as presented.</p>	<p>Carried.</p>
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6.2 Payment of Previous Month Actual Accounts

Moved by Watt
Seconded by Miltenburg

<p>APPROVE #11 ACTUAL PAYMENTS</p>	<p>THAT Ashfield-Colborne-Wawanosh Township Council hereby approves the payment of the January 2020 accounts in the amount of \$ 708,408.01.</p>	<p>Carried. ~</p>
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6.3 Summary Revenue/Expenditure Reports

Reports for the Township, Lucknow & District Fire Department, Lucknow & District Medical Centre, and Lucknow & District Recreation from January 2020.

Moved by Snobelen
Seconded by Vanstone

REVENUE #12 THAT Ashfield-Colborne-Wawanosh Township Council adopts the
EXPEND- summary revenue/expenditure reports of the Treasurer as written.
ITURE
REPORT

Carried.

7.0 DEPARTMENT / COMMITTEE REPORTS

7.1 Water Department

7.1.1 Century Heights Drinking Water System Inspection Report

We have provided Council with a copy of the above noted inspection report.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.1.2 Veolia Water Canada Contract / Renewal

Veolia Water Canada maintains the ACW Municipal Water Systems. The contract expires in April 2020. Staff met with Veolia Water to discuss the renewal. Staff is content with the wording in the existing contract from 2011, as amended in 2015, and are very happy with the services that Veolia Water provide to the municipality. We have provided Council with a copy of the amending agreement, with the amendments of Section 2.1 as housekeeping only, and Section 8.1 being the term of the agreement. The term is one year only due to the unknown situation in Dungannon with the new Arsenic Treatment Facility.

The current contract compensation is \$139,521.48 per year, with the Consumer Price Index being applied annually. The contract also includes the operation of the Benmiller Sanitary Collection System located in our road allowance at Benmiller Heights.

We have provided Council with a copy of the existing agreement (2011), amending agreement (2015), amending agreement (2020), along with the authorizing by-law.

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

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

7.2 Building Department

7.2.1 Chief Building Official's Report

We have provided Council with a copy of Mr. Pollock's report. Mr. Pollock was present this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.2.2 Complete Construction (Goderich) Ltd. – Development Amendment Agreement

We have provided Council with a copy of the report prepared by Chief Building Official Brett Pollock, a copy of the amending Development Agreement, and the authorizing by-law for consideration. Mr. Pollock was present this morning.

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

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

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

7.4.1 Amberley Beach Road Project – Closing of New Drainage Works Request

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 a new drainage works under the Drainage Act.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and received.

7.5 Administration Department

7.5.1 Human Resource Policy Amendment - Performance Review

We have provided Council with a copy of the revised policy for Performance Reviews which removes the following paragraphs:

The CAO/Clerk-Treasurer, Mayor, and Deputy-Mayor, are responsible for the review of the Public Works Superintendent.

Should an employee disagree with the performance review, they may have an opportunity to discuss the review with Council.

STAFF COMMENTS: That Council adopt the following resolution to amend Policy No. HR – 1.06 Performance Review.

ACTION: Council agreed to adopt the amended policy and adopt the following resolution.

Moved by Forster
Seconded by Miltenburg

AMEND HR #13
– 1.06
PERFORMA
NCE
REVIEW
POLICY

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the revised Human Resource Policy 1.06 being the Performance Reviews, revised date of February 18, 2020.

Carried.

7.5.2 Tax Collector / Payroll Clerk (Maternity Leave) Appointment By-Law

As Council are aware, staff called for applications for the one-year contract, reviewed the applications received, and interviewed those selected. We are pleased to report that Brooke Austin has accepted this one-year maternity leave position as Tax Collector / Payroll Clerk. We are very excited to have Brooke as part of the ACW Team and are very confident that she will serve ACW well. We have provided Council with a copy of the appointment by-law for adoption.

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

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

7.5.3 By-Law Enforcement Officer Report

We have provided Council with a copy of the report prepared by Bruce Brockelbank.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.5.4 Noise By-Law

We have provided Council with a copy of the report along with a copy of the "Draft Noise By-Law" for review as prepared by Deputy Clerk Florence Witherspoon. Ms. Witherspoon was present this morning.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to make a few minor adjustments to the draft by-law and to bring back to a future meeting for consideration.

7.6 Public Works Department

No items scheduled.

7.7 Environmental Services

No items scheduled.

7.8 Committee Reports

Councillor Wayne Forster reported on the Coalition for Huron Injury Prevention.

Councillor Gloria Fisher reported on the Benmiller Community Hall Committee.

8.0 NEW BUSINESS

Councillor Gloria Fisher requested that the topic of "Single Use Plastics" be added to the upcoming agenda for discussion.

9.0 CORRESPONDENCE / DIRECTION REQUIRED**9.1 33rd Annual Provincial Elementary School Curling Championship**

We have provided Council with a copy of their Sponsorship Request.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to donate \$100 for a one quarter of a page advertisement.

Moved by Vanstone
Seconded by Watt

DONATE
ANNUAL
PROVINCIAL
SCHOOL
CURLING

#14

THAT Ashfield-Colborne-Wawanosh Township Council hereby agrees to donate \$100 to the 33rd Annual Provincial Elementary School Curling Championship.

Carried.

9.2 Dungannon Pro Rodeo – Financial Donation Request

We have provided Council with a copy of their Financial Donation Request.

STAFF COMMENTS: That we defer to the 2020 Budget Deliberations.

ACTION: Noted and filed.

9.3 Huron County Federation of Agriculture – Invitation

We have provided Council with a copy of the invitation to the Annual MPP/MP/Local Politician Meeting on March 6th.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to register Mayor Glen McNeil and Councillor Wayne Forster.

9.4 Huron Perth Agriculture & Water Festival – Financial Donation Request

We have provided Council with a copy of their Financial Donation Request.

STAFF COMMENTS: We seek your direction.

ACTION: Received and filed.

10.0 CORRESPONDENCE / FOR INFORMATION PURPOSES**10.1 Maitland Valley Conservation Authority – Annual Meeting****10.2 County of Huron – External Service Review****10.3 Huron County Federation of Agriculture Letter – Bill 156 Support**

ACTION: Council agreed to support Bill 156 with a letter being sent to the Minister of Agriculture & Food with Mayor Glen McNeil signing the letter of support.

10.4 St. Helens Hall Committee – Minutes

11.0 CORRESPONDENCE / ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS**12.1 Ontario Good Roads Association (OGRA) Conference – February 23-26, 2020**

Mayor McNeil and Councillor Vanstone and Miltenburg attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.2 Economic Development Committee Annual Review – March 17th at 1:00 p.m.

Mayor McNeil, Deputy Mayor Watt, and Councillor Miltenburg attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.3 2020 Budget Deliberations – March 20th at 9:00 a.m.

All members of Council attending for a full day.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.4 Official Plan Preliminary Review – March 25th at 1:00 p.m.

All members of Council attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.5 Burnside Annual Client Appreciation Night – March 25th

Mayor McNeil, Deputy Mayor Watt, Councillor Miltenburg, Vanstone, and Fisher attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.6 Lake Huron Conference – Is the Coast Clear? – May 12th-13th

Mayor McNeil and Deputy Mayor Watt attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.7 Association of Municipalities of Ontario (AMO) Annual Conference – August 16-19th 2020

Councillor Vanstone and Fisher attending.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

13.0 IN-CAMERA / CLOSED SESSION

No items scheduled.

14.0 BY-LAWS**14.1 Cannabis Production Facility By-Law**

Deferred.

14.2 Tax Collector / Payroll Clerk (Maternity Leave) Appointment By-Law

Moved by Fisher
 Seconded by Forster

APPOINT #15 THAT leave be given to introduce By-Law #15-2020 being a by-law to
 TAX establish and appoint the position of Tax Collector / Payroll Clerk, and that
 COLLECTOR it now be read severally a first, second, and third time, and finally passed
 PAYROLL this 18th day of February 2020.
 CLERK BY- Carried.
 LAW

14.3 Veolia Water Contract By-Law

Moved by Miltenburg
 Seconded by Watt

VEOLIA #16 THAT leave be given to introduce By-Law #18-2020 being a by-law to
 WATER authorize the Clerk to execute the amendment agreement between Veolia
 CONTRACT Water Canada Inc. and the Township of Ashfield-Colborne-Wawanosh, and
 BY-LAW that it now be read severally a first, second, and third time, and finally
 passed this 18th day of February 2020.
 Carried.

14.4 Complete Construction (Goderich) Ltd. Agreement By-Law

Moved by Snobelen
 Seconded by Vanstone

COMPLETE #17 THAT leave be given to introduce By-Law #19-2020 being a by-law to
 CONSTRUC authorize the execution of the amending Development Agreement with
 TION Complete Construction Ltd. and the Township of Ashfield-Colborne-
 AGREEMEN Wawanosh, and that it now be read severally a first, second, and third time,
 T BY-LAW and finally passed this 18th day of February 2020.
 Carried.

14.5 Confirmation By-Law

Moved by Snobelen
 Seconded by Watt

CONFIRMAT #18 THAT leave be given to introduce By-Law #16-2020 being a by-law to
 ION BY-LAW confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh
 meeting held on February 18, 2020, and that it now be read severally a
 first, second, and third time, and finally passed this 18th day of February
 2020.
 Carried.
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15.0 **ADJOURNMENT**

Moved by Miltenburg
 Seconded by Forster

ADJOURN #19 THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn
 to meet again on March 3, 2020 at 9:00 a.m. or at the Call of the Mayor.
 Carried.
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Original Signed by

 Mayor, Glen McNeil

Original Signed by

 CAO/Clerk-Treasurer, Mark Becker