



Council Minutes January 5, 2021

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 5th day of January 2021, at 9:00 a.m. through Zoom, an online video conferencing platform.

This meeting was held electronically as per By-Law #52-2020, Section 3.10 which allows for Electronic Participation of Council Meetings.

The following individuals were participants during the Council Meeting:

Mayor
Deputy Mayor
Councillors

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

Staff Present

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

Mark Becker
Ellen McManus
Brett Pollock
Brian Van Osch
Florence Witherspoon

OTHERS PRESENT VIA ZOOM (Viewing and Observing Only): Celina Whaling-Rae.

1.0 **CALL TO ORDER**

The municipality will be recording this meeting to “ensure meetings can be open to the public”.

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

Councillor Bill Vanstone – Section 5.2 - William (Bill) Vanstone - Consent File C90/2020

CAO/Deputy-Clerk advised the Council that a “Declaration of Interest” was received prior to the meeting.

3.0 **ADOPTION OF PREVIOUS MEETING MINUTES**

3.1 Council Meeting Minutes – December 11, 2020

Moved by Vanstone
Seconded by Miltenburg

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 11, 2020 Council Meeting Minutes as written.

Carried.

3.2 Council Meeting Minutes – December 15, 2020

Moved by Forster
Seconded by Snobelen

ADOPT
COUNCIL
MINUTES

#2

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the December 15, 2020 Council Meeting Minutes as written.

Carried.

3.3 Council Meeting Minutes – December 17, 2020

Moved by Fisher
Seconded by Snobelen

ADOPT #3 THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the
COUNCIL December 17, 2020 Council Meeting Minutes as written.
MINUTES 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 – Housekeeping Amendment

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

Moved by Forster
Seconded by Watt

ADJOURN #4 THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns
COUNCIL their regular Council Meeting.
MEETING Carried.

Moved by Miltenburg
Seconded by Vanstone

OPEN #5 THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the
PUBLIC Planning Advisory Committee Public Meeting to deal with Zoning By-Law
MEETING Amendment that was submitted by the Township of Ashfield-Colborne-
Wawanosh.
Carried.

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 reviewed the report with the Planning Advisory Committee.

The purpose of the Housekeeping Amendment is to update general and zone provisions, permitted uses and definitions in the Zoning By-law. The proposed Housekeeping Amendment proposes primarily text changes to the Zoning By-law and does not introduce widespread mapping changes.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to order

Declaration of Pecuniary Interests

None declared.

Purpose

The purpose of the Housekeeping Zoning By-law Amendment is to make a number of minor changes to numerous definitions and provisions which will result in increased clarity with regard to the intent of the by-law. The Amendment primarily proposes text changes to the Zoning By-law and does not introduce widespread mapping changes.

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.

Notice of the Public Meeting was advertised by the municipality.

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.

Deputy Mayor Watt wanted clarification on second residences and on the decks on lakeshore properties.

Councillor Vanstone wanted clarification on setbacks to cemeteries and wellhead designations.

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 \$1100.00 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 deferred to the next meeting with respect to further clarification and possible changes to the zoning by-law amendment. It is understood that any changes made will be of a minor nature therefore recirculating notice is not required.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 9:36 a.m.

Moved by Miltenburg
Seconded by Forster

CLOSE #6 THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the
PUBLIC Planning Advisory Committee Public Meeting. Carried.
MEETING

Moved by Fisher
Seconded by Vanstone

RECONVENE #7 THAT Ashfield-Colborne-Wawanosh Township Council hereby
COUNCIL reconvenes their regular Council Meeting. Carried.
MEETING

Councillor Bill Vanstone declared a conflict of interest and was re-assigned as an attendee to observe and listen only.

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

William (Bill) Vanstone - Consent File C90/2020

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regard to the application for consent received from the Mr. Vanstone. 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 the application for consent be granted subject to the conditions as outlined in the Planner's Report.

Councillor Bill Vanstone was re-assigned as a panelist of Council and joined the meeting.

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

7.4.1 Drainage Superintendent New Appointment – Jeremy Taylor, P Eng.

In December, staff was advised by R.J. Burnside that Jeff Dickson, who has been ACW's lead Drainage Superintendent for many years has moved offices, and thus will be letting go of these responsibilities in the area. Jeremy Taylor, engineer at R.J. Burnside has offered to take on this role to replace Mr. Dickson, to which staff is agreeable. Should Council concur, the Consolidated Appointment By-law has been updated in this regard for your adoption.

STAFF COMMENTS: That Council agrees with the appointment of Jeremy Taylor and adopts the amended Consolidated Appointment By-Law.

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

7.5 **Administration Department**

7.5.1 Borrowing By-Law 2021

A new year is amongst us and Council need to adopt a borrowing by-law for 2021 to cover current expenditures if needed, until such time revenues are received.

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

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

7.5.2 Consolidated Appointment By-Law

As a follow-up from the last meeting, we have provided Council with a copy of the amended Consolidated Appointment By-Law adding Anita Snobelen to the Huron County Community Safety and Well Being Plan Advisory Committee. This amended version also updates the Drainage Superintendent appointment, as mentioned in item 7.4.1.

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

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

7.5.3 Animal Control By-Law Amendment

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon along with a copy of the proposed by-law amendment. Ms. Witherspoon was available this morning.

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

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

7.5.4 Marriage Commissioner Report

The following is an update on the activities of the marriage commissioners since we began this service in 2010.

Year	Total	Mark Becker	Rob McGregor
2010-2020	122	48	74
2021 Booked		5	2

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

7.5.5 Year End Summary – 2020 Council Members Remuneration Report

We have provided you with a report as of the year-end Council Members Remuneration report for 2020.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.5.6 Phase 2 - Safe Restart Operating Stream

We have provided Council with a copy of the letter received from the Ministry of Municipal Affairs and Housing with respect to the above noted allocation for ACW which is \$38,000 for 2021 COVID-related operating pressures. Staff will incorporate the amount into the draft 2021 Budget.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and deferred to the 2021 Budget Deliberations.

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 available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.7 Environmental Services

No items scheduled.

7.8 Committee Reports

Councillor Vanstone reported on the Goderich Hospital Committee.

8.0 NEW BUSINESS

(items to be brought forward to a future meeting)

No items scheduled.

9.0 CORRESPONDENCE / DIRECTION REQUIRED

No items scheduled.

10.0 CORRESPONDENCE / FOR INFORMATION PURPOSES

10.1 AMO 2021 Virtual Conference – August 15-18, 2021

10.2 Huron Perth Public Health Unit Letter – Recommendation for Rentals

10.3 Mid-Huron Landfill Site Board – Minutes

10.4 Goderich Fire Department – 2021 Budget

11.0 CORRESPONDENCE / ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS

12.1 Official Plan 5 Year Review / Natural Environment Update – Special Meeting

January 12, 2021 at 10:00 a.m.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.2 ROMA 2021 Virtual Conference – January 25-26, 2021

Deputy Mayor Watt, Councillor Miltenburg, Fisher, Snobelen, Forster, and Vanstone are registered for the conference.

STAFF COMMENTS: Reminder only.

ACTION: Noted.

12.3 Maitland Conservation Authority Recommended Resolution – Changes to Act

As a follow-up from the last meeting, we have provided Council with the correspondence received in this regard as well as the following resolution for your consideration.

STAFF COMMENTS: None.

ACTION: Council agreed to adopt the following resolution.

Moved by Miltenburg
 Seconded by Vanstone

MVCA
 SUPPORT
 CHANGES TO
 THE
 CONSERVATI
 ON ACT

#8

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water

THEREFORE, BE IT RESOLVED THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229)

THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth

THAT the Province respect the current conservation authority/municipal Relationships

AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

Carried.

13.0 IN-CAMERA / CLOSED SESSION

No items scheduled.

14.0 BY-LAWS

14.1 Borrowing By-Law

Moved by Vanstone
Seconded by Snobelen

BORROWING BY-LAW #9

THAT leave be given to introduce By-Law #01-2021 being a by-law to authorize the borrowing of money to meet current expenditures, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

Carried.

14.2 Consolidated Appointment By-Law

Moved by Watt
Seconded by Miltenburg

CONSOLIDATED APPOINTMENT BY-LAW #10

THAT leave be given to introduce By-Law #02-2021 being a by-law to appoint members to various Township Committees and Positions, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

Carried.

14.3 Zoning Housekeeping By-Law

Deferred.

14.4 Animal Control By-Law Amendment

Moved by Forster
Seconded by Fisher

ANIMAL CONTROL AMENDMENT BY-LAW #11

THAT leave be given to introduce By-Law #04-2021 being a by-law to amend by-law 57-2015, being a by-law to regulate animal care and control within the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

Carried.

14.5 Confirmation By-Law

Moved by Forster
Seconded by Miltenburg

CONFIRMATION BY-LAW #12

THAT leave be given to introduce By-Law #05-2021 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on January 5, 2021, and that it now be read severally a first, second, and third time, and finally passed this 5th day of January 2021.

Carried.

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15.0 ADJOURNMENT

Moved by Watt
Seconded by Snobelen

ADJOURNMENT #13

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on January 12, 2021 at 10:00 a.m. or at the Call of the Mayor.

Carried.

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Original signed by
Mayor, Glen McNeil

Original signed by
CAO/Deputy-Clerk, Mark Becker