



Council Minutes October 20, 2020

Township of Ashfield-Colborne-Wawanosh Council met in regular session on the 20th day of October 2020, at 9:00 a.m. through Zoom, an online video conferencing platform.

This meeting is being 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 / arrived 9:30 a.m.
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, Cindy Austin, Doug Culbert, and Anita Frayne.

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**

None disclosed.

3.0 **ADOPTION OF PREVIOUS MEETING MINUTES**

3.1 Council Meeting Minutes – October 6, 2020

Moved by Snobelen
Seconded by Watt

ADOPT
COUNCIL
MINUTES

#1

THAT Ashfield-Colborne-Wawanosh Township Council hereby adopts the October 6, 2020 Council Meeting Minutes as written.

Carried.

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

Cindy Austin representing the applicant addressed Council with respect to Section 5.3 (b) the Estate of Dorothy Brindley (Cooke, Austin, Brindley) Consent Files #C64/20 and #C65/20.

5.0 DELEGATIONS

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

John Miller Zoning By-Law Amendment Application #Z04-20

Moved by Forster
Seconded by Vanstone

ADJOURN
COUNCIL
MEETING

#2

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

Carried.

Moved by Watt
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 John Miller.

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 application with the Planning Advisory Committee.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to order

Declaration of Pecuniary Interests

None declared.

Purpose

The purpose of this Public Meeting is to consider changing the zoning on the property at Concession 13, East Part of Lot 23, (Wawanosh Ward) 38096 Zion Road, 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 Miller to the Township of Ashfield-Colborne-Wawanosh and considered complete on July 20, 2020.

Notice of the Public Meeting was mailed by the municipality to all property owners within 400 feet of the property on September 29, 2020 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

No comments.

3) Others

No comments.

4) Council's Questions and/or Comments.

No 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 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 \$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 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 Zoning By-Law Amendment Application Z04-20 be approved.

Recommendation of the Planning Advisory Committee

It is recommended that Zoning By-Law Amendment Application Z04-20 be approved.

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.

Adjournment

That there being no further business, the Public Meeting be hereby closed at 9:10 a.m.

Moved by Snobelen
Seconded by Forster

CLOSE
PUBLIC
MEETING

#4

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

Carried.

Moved by Snobelen
Seconded by Vanstone

RECONVENCE
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 Planner – Minor Variance

Brian and Janine Orchard - Minor Variance Application File #MV11/20

Moved by Watt
Seconded by Fisher

OPEN COMMITTEE OF ADJUSTMENT MEETING #6 THAT Ashfield-Colborne-Wawanosh Council hereby adjourns the regular Council Meeting and hereby opens their Committee of Adjustment Meeting and Hearing to review the Brian and Janine Orchard Minor Variance Application. Carried.

We have provided Council with a copy of the report prepared by the County Planner, Celina Whaling-Rae, in regard 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 drawing that accompanied the application.
- That the variances' approval be valid for a period of 18 months from the date of the Committee's decision.

PUBLIC COMMENTS:

No comments.

APPLICANT COMMENTS:

No comments.

ACTION: Council agreed to approve the application as submitted subject to the conditions as outlined in the Planner's Report.

Moved by Snobelen
Seconded by Vanstone

APPROVE ORCHARD APPLICATION #7 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby agrees to approve the Brian and Janine Orchard 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 a decision to approve the application.

Moved by Forster
Seconded by Watt

CLOSE COMMITTEE OF ADJUSTMENT #8 THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby closes their meeting. Carried.

Moved by Snobelen
Seconded by Fisher

RECONVENCE REGULAR COUNCIL MEETING #9 THAT Ashfield-Colborne-Wawanosh Township Council hereby reconvenes the regular Council Meeting of October 20, 2020. Carried.

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

a) James & Bonnie Lavell - Consent File #C63/20

We have provided Council with a copy of the report prepared by Celina Whaling-Rae in regard to the application for consent received from James & Bonnie Lavell. 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 granted subject to the conditions as outlined in the Planner’s Report.

Furthermore, with respect to the recommended Condition #8 that *“the severed parcel be re-zoned to “Communications and Utility (U)” to the satisfaction of the Township”*, the condition will remain but the Township will complete this in their next Housekeeping Zoning Amendment By-Law.

b) Estate of Dorothy Brindley (Cooke, Austin, Brindley)
Consent Files #C64/20 and #C65/20

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 Estate of Dorothy Brindley (Cooke, Austin, Brindley). Ms. Whaling-Rae reviewed the applications with Council.

STAFF COMMENTS: We seek your direction.

ACTION:

#C64/20

Council agreed to recommend to the County of Huron that this application for consent be granted subject to the conditions as outlined in the Planner’s Report except for recommended Condition #8 that *“the barn on the severed parcel be removed to the satisfaction of the Township”*. Council recommend that this condition be removed and allow the barn to remain on the parcel of land.

Council further agreed to recommend a condition that the applicant must obtain a “Change of Use Permit” for the said barn.

Furthermore, Council agreed to recommend a condition that the applicant must apply for a rezoning of the property to address the barn.

#C65/20

Council agreed to recommend to the County of Huron that this application for consent be granted subject to the conditions as outlined in the Planner’s Report.

6.0 ACCOUNTS

6.1 Payment of Current Accounts as Presented

Moved by Fisher
Seconded by Watt

APPROVE #10
ACCOUNTS

THAT Ashfield-Colborne-Wawanosh Township Council hereby authorizes the payment of the October 2020 accounts as presented.

Carried.

6.2 Payment of Previous Month Actual Accounts

Moved by Forster
Seconded by Watt

APPROVE #11
ACTUAL
PAYMENTS

THAT Ashfield-Colborne-Wawanosh Township Council hereby approves the payment of the September 2020 accounts in the amount of \$ 2,574,439.46.

Carried.

~

6.3 Summary Revenue/Expenditure Reports

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

Moved by Vanstone
Seconded by Miltenburg

REVENUE #12
EXPEND-
ITURE
REPORT

THAT Ashfield-Colborne-Wawanosh Township Council adopts the summary revenue/expenditure reports of the Treasurer as written.

Carried.

7.0 DEPARTMENT / COMMITTEE REPORTS

7.1 Water Department

7.1.1 Source Water – Risk Management Services

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon with respect to Risk Management Services along with a copy of the agreement and authorizing by-law. Ms. Witherspoon was available this morning.

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

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

7.1.2 South Lucknow Distribution System – Ministry of the Environment Inspection Report

We have provided Council with a copy of the South Lucknow Distribution System Inspection Report.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

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 available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.3 Cemetery Department

No items scheduled.

7.4 Drainage Department

No items scheduled.

7.5 Administration Department

7.5.1 By-Law Enforcement Officers Report

We have provided Council with a copy of the By-Law Enforcement Officers Report.

STAFF COMMENTS: For your information purposes.

ACTION: Noted and filed.

7.5.2 Snow Removal Contracts / Lucknow & District Joint Boards – Update

Lucknow & District Medical Centre
Lucknow & District Fire Hall
Lucknow & District Sports Complex

We called for snow removal tenders in 2015 and awarded the contract to Lloyd Collins Construction at \$95 per hour for their payloader. We contact them each year, to confirm that they will provide the same service as in the past at the current rate.

This year they have requested an increase to \$120 per hour for their payloader due to rising inflation and mainly insurance costs. Lloyd Collins Construction have not had an increase in their hourly rate for 5 years.

In 2015 only Lloyd Collins Construction submitted a tender, as there are no other contractors in the area that perform this type of work, or have equipment this size to complete the snow removal.

Therefore, staff recommends that we extend the contract with Lloyd Collins Construction for the three Boards at the revised rate of \$120 per hour.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to have staff work with the contractor on extending the contract for a specific time period as well as including an annual cost of living increase for the term of the contract with Lloyd Collins Construction for the three Joint Boards. The contract will come back to Council for adoption.

7.5.3 Ministry of Municipal Affairs and Housing – Safe Restart Agreement

We have provided Council with a copy of the letter received with respect to Phase 2 of the Municipal Operating Funding Stream. The Township of Ashfield-Colborne-Wawanosh have now received the payment of \$189,100 to support the COVID-19 operating costs and pressures under the Phase 1 of the Municipal Operating Fund Stream. We have provided Council with a copy of the report prepared by Treasurer Ellen McManus in this regard. Ms. McManus was available this morning.

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed that no application will be made with respect to Phase 2.

Staff will investigate whether or not subsidizing local community groups who have been affected by COVID19 would be an eligible expense under the Phase 1 Safe Restart agreement. Council further requested that clarification be sought whether the Community Support Co-ordinator position could be funded through this agreement as well.

Staff will bring back their findings to a future meeting.

7.6 Public Works Department

7.6.1 Port Albert Right of Way – Elm Lane

We have provided Council with a copy of the report prepared by Clerk Florence Witherspoon with respect to the above noted right of way. Ms. Witherspoon was available this morning.

STAFF COMMENTS: For your information purposes.

ACTION: Council concurred with the recommendations of staff and no action be taken.

7.6.2 Sale of Equipment – Results

Staff had listed the following items on GovDeals Auction Website for sale and at the close of the auction, each item was sold respectively, less the GovDeals fee of 7.5%.

Van Trailer (53 feet)	Not Sold
Sterling Tandem Plow (2005)	\$ 4,300
GMC Pickup (2011)	\$ 6,960

STAFF COMMENTS: For your information purposes.

ACTION: Noted.

7.6.3 Temporary Closing of Certain Township Roads

We have provided Council with a copy of the by-law to consent to the temporary closing of certain Township Roads for No Winter Maintenance. Mr. Van Osch was available this morning.

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

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

7.6.4 Reid Farm Property

As Council may recall, we purchased the lands in the spring of 2020, and we rented the lands to the existing renter Sebastian Kraft for the 2020 calendar year only. We have other lands that we rent out and would like them all to expire the same time. Staff is recommending that we call for interested parties to rent the said lands for two years to accommodate the expiry dates. Sebastian Kraft is the neighbour to the west who is the only individual who would have access to the 14 acres of our farm property in light of the river. The balance of the lands of 36 acres could be rented to any interested individual.

STAFF COMMENTS: That Council agree to call for interested parties to rent the accessible lands of 36 acres, and offer Sebastian Kraft the 14 acres at the current price plus 2.5% increase every year thereafter until terminated by either party. The 2020 price was \$196.92 per acre. We seek your direction.

ACTION: Council supported the staff recommendations as outlined above.

7.6.5 Tree Planting Program / 2021

As Council may recall, we established a policy, in regards to purchasing and distributing trees to property owners at the costs of \$10 a tree. We ordered 250 trees for 2020 with the net result of the program costing the Township \$ 6,412.78. Does Council still want to proceed with the program?

STAFF COMMENTS: We seek your direction.

ACTION: Council agreed to proceed with placing a tree order for the 2021 Tree Planting Program. Staff will place the same order as in 2020.

7.7 **Environmental Services**

No items scheduled.

7.8 **Committee Reports**

Councillor Wayne Forster reported on the Coalition for Huron Injury Prevention (CHIP) meeting.

Councillor Jennifer Miltenburg reported on the Dungannon Community Alliance Committee.

8.0 **NEW BUSINESS**

No items scheduled.

9.0 **CORRESPONDENCE / DIRECTION REQUIRED**

No items scheduled.

10.0 **CORRESPONDENCE / FOR INFORMATION PURPOSES**

10.1 Port Albert & District Recreation Society (Petrie Park Committee) – Minutes

10.2 Dungannon Community Alliance - Minutes

10.3 Ministry of Agriculture, Food & Rural Affairs - Economic Development & Planning Forum

STAFF COMMENTS: Mayor McNeil, Deputy Mayor Watt, and Councillor Miltenburg have been registered as early bird registrations.

ACTION: Councillor Anita Snobelen has requested to attend as well.

10.4 OGRA 2021 Conference Virtually – February 22-25, 2021

ACTION: Councillor Wayne Forster is interested in this conference.

10.5 County of Wellington Resolution – Aggregate Resource Property Valuation

ACTION: Support.

10.6 Township of Blandford-Blenheim Resolution – Cannabis Grow Operations

ACTION: Support.

10.7 Community Spaces, Faith Places Rural Virtual Conference – November 24th

ACTION: All of Council will be registered.

11.0 CORRESPONDENCE / ON COUNCIL TABLE

No items scheduled.

12.0 UNFINISHED BUSINESS**12.1 Port Albert Servicing Master Plan – Public Information Meeting**

Saturday, December 5th starting at 10:00 a.m. – Via Zoom

STAFF COMMENTS: Reminder only.

ACTION: Noted.

13.0 IN-CAMERA / CLOSED SESSION

No items scheduled.

14.0 BY-LAWS**14.1 Miller Zoning By-Law Amendment**

Moved by Vanstone
Seconded by Snobelen

ZONING #13
AMENDMENT
BY-LAW

THAT leave be given to introduce By-Law #70-2020 being a by-law to amend zoning by-law #32-2008 as amended for the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

14.2 Source Water Protection Risk Management Services By-Law

Moved by Watt
Seconded by Miltenburg

SOURCE #14
WATER
PROTECTION
RISK
MANAGEMENT
BY-LAW

THAT leave be given to introduce By-Law #69-2020 being a by-law to authorize the execution of an agreement between the Township of Ashfield-Colborne-Wawanosh and the Ausable Bayfield Conservation Authority, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

14.3 Temporary Closing of Certain Township Roads (No Winter Maintenance) By-Law

Moved by Forster
Seconded by Fisher

NO WINTER #15
MAINTENANCE
ROADS
BY-LAW

THAT leave be given to introduce By-Law #71-2020 being a by-law to consent to the temporary closing of certain Township Roads in the Township of Ashfield-Colborne-Wawanosh, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

14.4 Confirmation By-Law

Moved by Forster
Seconded by Miltenburg

CONFIRMATION #16
BY-LAW

THAT leave be given to introduce By-Law #72-2020 being a by-law to confirm the proceedings of the Township of Ashfield-Colborne-Wawanosh meeting held on October 20, 2020, and that it now be read severally a first, second, and third time, and finally passed this 20th day of October 2020.

Carried.

~

15.0 ADJOURNMENT

Moved by Watt
Seconded by Snobelen

ADJOURN #17

THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on November 3, 2020 at 9:00 a.m. or at the Call of the Mayor.

Carried.

~

Original signed by
Mayor, Glen McNeil

Original signed by
CAO/Deputy-Clerk, Mark Becker