



# Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

## Regular Meeting of Council

Monday, April 22, 2013

Following Public Meeting

Municipal Office Council Chambers, Kenilworth

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TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, April 8, 2013

The Public Meeting was held Monday, April 8, 2013 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider two Zoning Amendment applications.

**Present:**

**Mayor: Raymond Tout**  
**Councillors: Sherry Burke**  
**Mark Goetz**  
**Andy Lennox**  
**Dan Yake**

**Also Present:**

**C.A.O./Clerk: Lorraine Heinbuch**  
**Executive Assistant: Cathy Conrad**  
**Township Planner: Mark Van Patter**

**Mayor Tout called the meeting to order.**

**Declaration of Pecuniary Interest:**

None declared.

**Owner/Applicant: Kenneth and Elizabeth McDougall and Colleen Newell**

**Location of the Subject Land**

The location of the subject land is described as Survey Crown, Part Park Lot 5, Part 1 – RP 60R1496, and is municipally known as 321 Smith Street, Arthur Village. The property is approximately 1.85 acres in area

**The Purpose and Effect of the Application**

The Purpose and Effect of the amendment is to rezone the property from Residential (R3H) to an appropriate zone to permit redevelopment of the site for a gas bar with associated convenience store and drive-thru restaurant. For some time, the property has been used for an automobile repair establishment.

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Please note – Section 34 (12) of the Planning Act.

Information – At a meeting under subsection (12), the Council shall ensure that information is made available to the public regarding the power of the Municipal Board under subsection (14.1) to dismiss an appeal if an appellant has not provided the Council with oral submissions at a public meeting or written submissions before a By-law is passed.

1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on March 15, 2013.
2. Presentation by:

Mark Van Patter, Senior Planner, reviewed his comments dated April 3, 2013.

Council's task is to consider the merits of allowing a similar or more compatible use, than the existing auto repair operation. The Official Plan provides criteria for Council to consider in making such a decision. Would it be better to have a gas bar / convenience store / drive-thru restaurant? There is some risk that another purchaser could be found and the existing auto repair operation could just continue. The main impacts will likely be some increase in evening noise and light impacts, particularly on the dwellings to the east. The commercial user will be required by the by-law to provide a vegetative buffer / fence to mitigate impacts. I may have additional comments after the public meeting.

The subject property is described as Survey Crown, Part Park Lot 5, Part 1 – RP 60R1496, and is municipally known as 321 Smith Street, Arthur Village. The property is approximately 1.85 acres in area, 204.3 feet of frontage on Smith Street (Hwy 6).

The purpose of the amendment is to rezone the property from Residential (R3H) to an appropriate zone to permit redevelopment of the site for a gas bar with associated convenience store and drive-thru restaurant. For some time, the property has been used for an automobile repair establishment.

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The property is designated Residential in the Official Plan. The property is zoned Multi-Residential Holding (R3H).

Planning considerations include:

### Official Plan Conformity of Proposed Use

The proposed gas bar / convenience store / drive-thru restaurant are all permitted within the Highway Commercial (C2) zone. Normally, rezoning to C2 would not be possible in this location as it would not conform to the Residential Official Plan designation.

### "Legal" Non-Conforming Use

Notwithstanding the above, the property has been used for some time as an Automotive Service Station (permitted within Highway Commercial zone) and an Automotive Body Repair Shop (permitted within the Industrial zone). I am assuming that these uses were legally established - permitted and on-going prior to the property being designated and zoned for residential purposes (i.e. the existing use at the time was grandfathered in and allowed to continue). Council should satisfy itself, that this is the case. My own recollection over the last twenty years is that these uses have been on-going.

Non-conforming uses have their own body of law that protects them. They are allowed to continue indefinitely until they cease. Section 6.21 of the Wellington North Zoning By-law deals with such uses:

### "6.21 Non-Conforming Uses

- a) This By-law shall not apply to prevent the use of any land, building or structure for any purpose prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of passing of this By-law, and provided that it continues to be used for that purpose.
- e) Where, for any reason, a non-conforming use has ceased and is not resumed within a twelve (12) month period from the date of ceasing, such non-conforming use shall not be permitted to resume and any future use of land, building or structure shall thereafter conform to the permitted uses of the zone relating to the subject land."

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Once the non-conforming use ceases on a property for a 12 month period, it shall not be permitted to resume. Then, only Residential uses would be permitted as specified in the Official Plan and Zoning By-law. However, within the 12 month period, there would be nothing to stop the auto repair / auto body operation from continuing should a new owner wish to carry on.

#### Status Zoning

The Wellington Official Plan in Section 13.8.1 notes that "*non-conforming status can impose serious hardship on a property owner*". Section 13.8.2 goes on to allow Council to recognize a non-conforming use "*as a permitted use in the Zoning By-law, in accordance with its current use and performance standards. A Council may also consider zoning the property to allow a similar or more compatible use ...*".

This is the basis of the current, proposed zoning amendment. Council's task is to consider the merits of allowing a similar or more compatible use. The Official Plan, in Section 13.8.2, sets out a list of criteria that Council shall have regard for. I have added some preliminary comments below each.

a) *the need for the change or extension of use;*

There is one gas provider north of the downtown that I am aware of, a card lock operation north of the subject property and on the other side of the Hwy. 6. I don't know if there are any convenience / variety stores in the neighbourhood. I don't know of any drive-thru restaurants north of the downtown.

b) *the proposed use is not offensive with regard to noise, vibration, smoke, dust, fumes, odour, lighting and complies with the Health Protection and Promotions Act;*

It's my impression that the existing auto repair and body shop pretty much kept 8 to 5 hours. On occasion, when I drove by in the evening, I don't recall any activity. The proposed rezoning involves three separate uses. I am not sure of the hours of operation. There might be the potential for increased noise and lighting impacts in the evening.



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c) *compatibility;*

The following land uses are present, starting with the rear of the subject property and proceeding clockwise:

Rear - Zoned Residential R1B - Vacant on unopened road

West - Zoned Open Space OS - Township park and trees

Northwest Across Road - Zoned Neighbourhood Commercial (C3)  
Dwelling / automotive?

North Across Road - Zoned Residential (R1B) - Dwelling

Northeast Across Road - Zoned Residential (R1B) - Dwelling

East - Zoned Residential (R1B) - Dwelling

Southeast - Zoned Residential (R1B) - Dwelling

The last two dwellings are the closest to the site, with the most potential for compatibility issues. The dwelling to the east is about 35 feet setback from the subject property, and has existing trees in the side yard. This dwelling currently experiences some noise and light impacts from Highway 6. The dwelling to the southeast is about 75 feet to the subject property. The site plan does not show the direction of drive-thru restaurant vehicles. However, the "menu board" is on the west side of the proposed building, so I am assuming vehicles will head from west to east on the drive-thru lane. Having the speaker on the west side is good for noise reduction. However, car headlights will sweep over the properties to the east.

d) *the need for landscaping, screening, buffering and setbacks;*

Section 6.3 of the zoning by-law requires the commercial use to provide a buffer area, where the interior sideyard abuts a residential zone. The buffer should extend far enough to the south to mitigate noise and light impacts for the east and southeast dwelling.

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e) *traffic impacts and parking;*

The applicants have a Traffic Impact Study (Crozier & Associates) to support their application. *"The proposed development is expected to add 64 and 55 primary commercial trips to the boundary road system in the a.m. and p.m. peak hours, respectively."* Sight distances are adequate. Queuing for the drive-thru restaurant is not expected to create any problems for Smith Street. *"It is concluded that the traffic generated from the proposed commercial re-development will not materially affect the operations of Smith Street..."*

f) *the adequacy of services;*

I would recommend that Council receive comments from CBO Darren Jones and Barry Trood with respect to municipal sewage and water capacities. Stormwater management can be addressed later, during site plan review; at which point the Township's consulting engineer should be circulated for comments.

g) *impacts on the natural environment*

There are no lands zoned Natural Environment in the immediate vicinity of the subject property. The property is not within a wellhead protection area.

The applicants indicate in their letter of February 17 that a Phase 2 Environmental Assessment will be undertaken, once the zoning is approved.

The property is subject to site plan control and Mr. Van Patter will be providing related comments to CBO Jones at the appropriate time.

3. Review of Correspondence received by the Township:

- Fred Natolochny, Supervisor of Resource Planning, GRCA
  - No objection

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4. The by-law will be considered at the Regular Council Meeting following the public meeting. Mayor Tout asked those wishing to receive further notices regarding this application to make their request in writing.

5. Mayor Tout opened the floor for any questions/comments.

The Applicants were present to answer any questions.

Colleen Newell, prospective purchaser, explained that conditions of the purchase include the rezoning and passing of environmental. The purchaser has a similar gas station in Markdale. They try to get along well with their neighbours. Menu boards are situated away from neighbouring residences. Consideration is given to down cast lighting to minimize the effect on neighbours.

6. Comments/questions from Council.

Mayor Tout asked if the proposed development will utilize the full lot. This business would be a great asset on the north end. The residential area is subserviced from what is being offered.

Ms. Newell explained that there is a conceptual plan showing that they can meet the setback requirements. The stormwater management area will be at the rear of the property. They are planning to demolish the existing building down to below site.

Councillor Lennox expressed concern with children and traffic on the sidewalk as the property north of the subject property is a playground.

Ms. Newell stated that a fence will be in place to encompass the property and the fence will be maintained. Sidewalk traffic could be addressed through site plan control.

Mr. Van Patter suggested that the traffic study may address this issue.

Mayor Tout commented that this business may help to draw people to the park.

Adjourn 7:14 p.m.

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#### **7:15 p.m. - Owner/Applicant: Ruby Martin and John Martin**

The location of the subject land is described as Part of Lot 4, Concession 3 and is municipally known as 8172 Line 2. The property is approximately 4.8 acres in area.

The purpose and effect of the amendment is to change the zoning of the property to permit the expansion of a tile drainage business. The applicants are proposing to construct a 9,600 sq. ft. building. The property is currently zoned Agricultural Exception (A-104), which limits the business to the existing 3,200 sq. ft. building for storage and repair of machinery.

Please note – Section 34 (12) of the Planning Act.

(12) Information. – At a meeting under subsection (12), the council shall ensure that information is made available to the public regarding the power of the Municipal Board under subsection (14.1) to dismiss an appeal if an appellant has not provided the council with oral submissions at a public meeting or written submissions before a By-law is passed.

7. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on March 15, 2013.
8. Presentations by:

Mark Van Patter, Senior Planner, reviewed his comments dated April 3, 2013

This proposal is to allow the expansion of a tile drainage business on the subject lands. A 9,600 sq. ft. building is proposed. The business is considered an agricultural-related use as per the Provincial Policy Statement definition. The Agriculture First policy, of Section 6.4.2 of the Official Plan, states that “*As a general rule, land use activities that support agriculture will be encouraged and land use activities that do not support agriculture will be discouraged*”. We believe the proposal would maintain the general intent and purpose of the Official Plan and Zoning By-law.

The subject land is legally described as Part of Lot 4, Concession 3 and is municipally known as 8172 Line 2. The property is approximately 4.8 acres in area and is occupied by a residence and storage building.

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This purpose of the amendment is to amend the zoning of the property to Agricultural Commercial (AC) to permit the expansion of a tile drainage business on the subject lands, including the construction of a 9,600 building.

Under the Provincial Policy Statement the subject property is considered to be within a PRIME AGRICULTURAL area. Within prime agricultural areas, permitted uses include agricultural uses, secondary uses and agriculture-related uses.

Secondary uses *"means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property."*

Agriculture-related uses include *"farm related commercial and industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation"*.

Under the Wellington County Official Plan the subject lands are designated PRIME AGRICULTURAL in the County of Wellington Official Plan. Agriculture-related uses are permitted in Prime Agricultural Areas and Section 6.4.5 of the Official Plan states *"Small scale agricultural-related businesses as required to serve agriculture and directly related to farm operations may be allowed in appropriate locations and subject to zoning provisions, where they are needed in close proximity to farms."*

The property was rezoned by the applicants in 2011 to Agricultural Exception (A-104), to permit use of the existing 3,200 sq. ft. accessory building to store drainage equipment and machinery. The proposed draft by-law will rezone the property to Agricultural Commercial (AC) to provide for the expansion of the business.

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Planning Considerations include:

#### Agricultural Commercial Range of Uses

The proposed Agricultural Commercial (AC) zone, Section 23.1, would permit a wider range of uses on the property:

- Agriculturally related Commercial or Industrial use
- Agricultural products Processing, Storing and Sales
- Companion Animal Office
- Commercial Greenhouse and/or Nursery
- Farm Implement Sales and Service
- Farm Supply Outlet
- Farm Produce Sales Outlet
- Fertilizer Processing Establishments
- Grain Drying Establishments
- Livestock Yards
- Veterinarian Clinic
- Accessory residential dwelling unit
- Accessory Uses, Buildings and Structures to the above permitted uses.

The nearest dwelling is to the west, at about 230 metres from the Martin lot line. There is another dwelling across the road to the southeast, at about 330 from the Martin lot line. Given the distances, it is my opinion that the permitted uses would be compatible with the neighbouring dwellings.

#### Compliance with Agricultural Commercial Regulations

The property has a frontage of 366.58 feet and an area of 4.85 acres. I have reviewed the regulations of the Agricultural Commercial (AC) zone and the subject property would comply with yard setbacks and other requirements of Section 23.2.

#### Location of 9,600 Square Foot Building

The application does not identify the location of the proposed 9,600 sq. ft. building. It will have to be situated so as to meet the yard requirements of the AC zone.

This proposal will be subject to Site Plan Control approval.

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PUBLIC MEETING - MINUTES

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9. Review of Correspondence received by the Township:

- Fred Natolochny, Supervisor of Resource Planning, GRCA
- No objection

10. The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the By-law must submit a written request.

11. Mayor opens floor for any questions/comments.

Bruce Fulcher, agent for the applicant, explained that two years ago the owners felt the building would be large enough for the use. The business has grown and needs expansion. They may consider a smaller building of 6,000 sq. ft. The new building will be located in the front part of the property and the house will be screened or fenced off to show the yard as a commercial entity. An Agricultural Commercial zone would allow for up to 30% coverage of the lot.

12. Comments/questions from Council.

Mayor Tout questioned the reason for going to Agricultural Commercial. Tax wise, will they get the benefit of an agricultural assessment.

Mr. Van Patter suggested that there could be some benefit.

Council Goetz questioned if this was a previous surplus farm dwelling severance. He expressed concern that we may see more of this happening.

Councillor Lennox commented that the lot was created about 1990 with the remaining farmland being purchased by an adjoining farm. The agricultural related business gets preferential treatment and the dwelling would be a secondary use in an Agricultural Commercial zone.

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PUBLIC MEETING - MINUTES

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13. Adjournment 7:34 p.m.

\_\_\_\_\_  
C.A.O./CLERK

\_\_\_\_\_  
MAYOR



THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, April 8, 2013

Following Public Meeting - 7:37 p.m.

Members Present:

Mayor: Raymond Tout  
Councillors: Sherry Burke  
Mark Goetz  
Andy Lennox  
Dan Yake

Also Present: Chief Administrative Officer/Clerk: Lorraine Heinbuch  
Executive Assistant: Cathy Conrad

The meeting was held in the Municipal Office Council Chambers, Kenilworth.

A. CALLING THE MEETING TO ORDER

Mayor Tout called the meeting to order.

B. O' CANADA

C. PASSING AND ACCEPTANCE OF AGENDA

Moved by: Councillor Goetz

Seconded by: Councillor Burke

*THAT the Agenda for the April 8, 2013 Regular Meeting of Council be accepted and passed.*

Resolution Number: 1

Carried

D. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, April 8, 2013

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E. MINUTES

1. Court of Revision, March 25, 2013
2. Regular Meeting of Council, March 25, 2013

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

*THAT the minutes of the Court of Revision and the Regular Meeting of Council held on March 25, 2013 be adopted as circulated.*

Resolution Number: 2

Carried

F. BUSINESS ARISING FROM MINUTES

1. Report from Lori Heinbuch, Chief Administrative Officer/Clerk and Mike Givens, Treasurer
  - Development Charges Study required for new 5 year By-law (current Development Charges By-law is in effect until June 16, 2013)
  - Treasurer's report TR2013-12 regarding Development Charge background study proposals

Moved by: Councillor Burke  
Seconded by: Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive the Treasurer's Report TR2013-12 with regard to Development Charge Background Study Proposals;*

*AND FURTHER THAT Council directs staff to proceed with Watson & Associates in completing the Development Charge Background Study to meet the requirements of section 10 of the Development Charges Act, 1997 as per their proposal of March 5, 2013.*

Resolution Number: 3

Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, April 8, 2013

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G. DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS

1. Jens Dam, R.R. 1, Moorefield, Ont., N0G 2K0  
Re: Refund of Development Charge

Mr. Dam appeared before Council to ask "Has the refunds due been repaid with interest within the 30 day period as required in the Development Charges Act 1997? If yes, please supply certification. If no, has the township applied for and received permission from the OMB for an extension to comply with the repayment provisions? If yes, please provide particulars. If no, please explain why the OMB order is not being complied with." Mr. Dam question how Council is going to deal with getting the money back. There is a negative in the Development Charges reserve fund. The Taxpayers deserve to have that money in reserve funds.

Mayor Tout reviewed the letter received by Mr. Dam. Mayor Tout asked Rob Mullin, solicitor, to respond to Mr. Dam's request.

Mr. Mullin responded with the following points:

- Our offices have reviewed Mr. Dam's letter, dated April 4<sup>th</sup>, 2013. I have had the opportunity to review such, confer with co-counsel and also discuss these matters with the land economist involved in the amended study, Mr. Gary Scandlan of Watson and Associates.
- Mr. Dam's request, is "Has the refunds due been repaid with interest within the 30 day period as required in the *Development Charges Act 1997*?"
- Mr. Dam's request does not reference which section of the *Development Charges Act* he is referring to, but it is suspected that it is section 18 within that Act. (Copies distributed).
- The operative portions of section 18 state:  
"The municipality shall refund, in the case of an amendment, the difference between any development charge paid under the by-law and the development charge that would have been payable under the by-law as amended."

Coupled with section 16 of the *Development Charges Act*, since the Ontario Municipal Board cannot increase a development charge, this section means that should the OMB reduce a development charge, the difference is owed to the payor.

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THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

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G. DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS  
(continued)

1. Jens Dam, R.R. 1, Moorefield, Ont., N0G 2K0  
Re: Refund of Development Charge (continued)

- This is not the case here. Vice Chair Schiller in her March 5<sup>th</sup>, 2013, decision, did not deepen the reductions as passed by Council in By-law No. 33-12. Vice Chair Schiller only amended By-law No. 33-12 to make it effective on its passage date of May 28<sup>th</sup>, 2012. As such, development charges collected by the Municipality were not greater than those concluded by the OMB.
- Given this, I cannot agree with Mr. Dam's opinion that refunds are owing to individuals by the Municipality, in this instance.

Mr. Dam stated that as per section 35 of the Development Charges Act the money in the reserve fund is for service and may be spent for capital costs, not for refund. That money has been given out and is not allowed. The refunds have to be paid into the development charges fund.

Mayor Tout asked Mr. Dam if his question is "Has the refund been repaid?"

Mr. Dam responded that something has to happen soon and that he will be coming back until it happens.

THE CORPORATION OF THE  
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H. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS

1. Wellington North Fire Service
  - Arthur Station
    - March, 2013 Report
    - March 2013 Fire Prevention Officer's Report
  - Mount Forest Station
    - March, 2013 Report
    - March 2013 Fire Prevention Officer's Report

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

*THAT the Council of the Corporation of the Township of Wellington North receive the Wellington North Fire Service March 2013 Fire Reports and the March 2013 Fire Prevention Officer's Reports for the Arthur and Mount Forest Fire Stations.*

Resolution Number: 4

Carried

I. CORRESPONDENCE FOR COUNCIL'S INFORMATION

1. 895 Mount Forest Air Cadets  
Re: Request for Permission to Conduct Tag Day on April 20, 2013

Moved by: Councillor Burke  
Seconded by: Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North grant permission to the 895 Mount Forest Air Cadets to hold a Tag Day fund raising event on April 20, 2013.*

Resolution Number: 5

Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, April 8, 2013

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I. CORRESPONDENCE FOR COUNCIL'S INFORMATION (continued)

2. Coast to Coast Against Cancer Foundation  
Re: Authorization for Tour for Kids Bicycle Fundraising Event, August  
15 and 16, 2013

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North grant permission to the Coast To Coast Against Cancer Foundation to conduct their Tour for Kids bicycle fundraising event on August 15 and 16, 2013.*

**Resolution Number: 6**

**Carried**

3. Heart & Stroke Foundation  
Re: Heart & Stroke Big Bike Events – Arthur (Tuesday, June 4, 2013) and  
Mount Forest (Tuesday, May 28, 2013)

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North grant permission to the Wellington/Dufferin Chapter of the Heart and Stroke Foundation to hold Big Bike for Stroke events in the Town of Mount Forest on May 28, 2013 and in the Village of Arthur on June 4, 2013 using the routes proposed by the foundation.*

**Resolution Number: 7**

**Carried**

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

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J. BY-LAWS

1. 25-13 Being a By-law to Permit Fundraising Activities by a Charitable Organization on a Roadway Under the Safe Streets Act, S.O. 1999 in the Township of Wellington North. (Mount Forest Kin Club Spring Road Toll – Main Street, Mount Forest)

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT By-law Number 25-13 being a by-law to permit fundraising activities by a charitable organization on a roadway under the Safe Streets Act, S.O. 1999 in the Township of Wellington North be read a First, Second and Third time and finally passed. (Mount Forest Kin Club Spring Road Toll – Main Street, Mount Forest)*

Resolution Number: 8

Carried

2. 26-13 Being a By-law to Amend Zoning By-law Number 66-01 Being the Zoning By-law for the Township of Wellington North. (Survey Crown, Part Park Lot 5, Part 1 – RP 60R1496 (McDougall/Newell – Gas Bar/Convenience/Drive Thru, 3231 Smith St., Arthur)

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT By-law Number 26-13 being a by-law to amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North be read a First, Second and Third time and finally passed. (McDougall/Newell – Gas Bar/ Convenience/ Drive Thru, 321 Smith Street, Arthur)*

Resolution Number: 9

Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

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J. BY-LAWS (continued)

3. 27-13 Being a By-law to Amend Zoning By-law Number 66-01 Being the Zoning By-law for the Township of Wellington North. (Part of Lot 4, Concession 3, 8172 Line 2, Ruby and John Martin)

Moved by: Councillor Burke  
Seconded by: Councillor Yake

*THAT By-law Number 27-13 be deferred pending further information with respect to the size of the proposed building, and to be brought back at the April 22, 2013 Regular Council meeting.*

**Resolution Number: 10**

**Carried**

4. 28-13 Being a By-law to Rectify an Error in Town of Mount Forest By-law No. 17-96 for Industrial Drive

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT By-law Number 28-13 being a by-law to rectify an error in Town of Mount Forest By-law No. 17-96 for Industrial Drive be read a First, Second and Third time and finally passed.*

**Resolution Number: 11**

**Carried**

5. 29-13 Being a By-law to Establish a Highway in the Former Town of Mount Forest

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT By-law Number 29-13 being a by-law to establish a highway in the Former Town of Mount Forest be read a First, Second and Third time and finally passed.*

**Resolution Number: 12**

**Carried**



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J. BY-LAWS (continued)

6. 30-13 Being a By-law to Temporarily Close a Portion of Frederick Street West Between George Street and Edward Street, in the Former Village of Arthur for the Purpose of Holding an Art in the Street Day.

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT By-law Number 30-13 being a by-law to temporarily close a portion of Frederick Street West between George Street and Edward Street, in the Former Village of Arthur for the purpose of holding an Art in the Street Day.*

**Resolution Number: 13**

**Carried**

K. OTHER/NEW BUSINESS

1. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications

B24/13, Hewson Family Investments Ltd.

Council supported the application with the following conditions:

- That the Owner receive approval from the applicable road authority.
- That the Owner satisfy the requirements in reference to parkland dedication.
- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.
- That the Owner pays for cost of servicing to the severed and retained lands to the satisfaction of the Township.

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K. OTHER/NEW BUSINESS (continued)

1. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications (continued)

B24/13, Hewson Family Investments Ltd. (continued)

- That a Development Agreement at the owners expense is required to address servicing.
- That servicing can be provided to the satisfaction of the local municipality and provided that safe driveway access can be provided to the satisfaction of the applicable road authority.

B25/13, Leslie and Sheila Eccles

Council supported the application with the following conditions:

- That the Owner receive approval from the applicable road authority.
- That the Owner satisfy the requirements in reference to parkland dedication.
- That the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands.
- Frame barn is in a dilapidated condition and must be removed.
- The frame shed is oversized and dilapidated and must be removed.
- The severed must be brought into compliance with Property Standards By-law 34-99.
- On-site sewage system must be shown on survey sketch and location must comply to O.B.C.
- That the retained lands are rezoned to prohibit residential use to the satisfaction of the local municipality and County of Wellington Planning and Development Department; and

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K. OTHER/NEW BUSINESS (continued)

1. County of Wellington, Planning and Land Division Committee  
Re: Comments for Consent Applications (continued)

B25/13, Leslie and Sheila Eccles (continued)

- That zoning relief is obtained for the accessory buildings on the severed lands to the satisfaction of the local municipality and County of Wellington Planning and Development Department.
- The width of the lot be reduced to keep the cultivated land with the farm.

L. ITEMS FOR COUNCIL'S INFORMATION

Cheque Distribution Report dated April 3, 2013

Saugeen Conservation

- Press Release, Time for a Check-up!, March 18, 2013

M. NOTICE OF MOTION

None.

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N. CULTURAL MOMENT

Earth & Encaustic

*Encaustic / Clay from Elsa Mann  
Of Night & Day Studio*

Elsa's potting career began initially as a past time, but quickly grew into a full-fledged obsession. She is primarily a self-taught potter, who's spent over 15 years focusing her attention on raku pottery, and using raku fired works in non-traditional ways.

One of her various specializations includes horse-raku pottery. This firing method results in pottery which resembles the look of exotic wood or marble. Incorporating the crackled glazed effects of American raku, together with her horse-hair techniques, and most recently encaustic painting (beeswax and pigments), Elsa continues to create a style of pottery that is truly her own, and pieces that are definitely outside of the norm.

Elsa co-owns Night & Day Studio together with her husband and fellow potter, Paul Kaye. Their home and studio is located on an idyllic treed property just south of Mount Forest.

O. ANNOUNCEMENTS

Councillor Yake commented that the Municipal Hockey Tournament was a huge success with twelve teams participating. He has had lots of positive feedback. The tournament cleared \$5,000.00, which will go back into the community.

Mayor Tout commented that the OPP held an open house at the training centre in Kenilworth on April 3, 2013. It was well attended with several Wellington North staff, Wellington County staff and other municipal Council member attending.

Mayor Tout attended Grand Openings on April 5 for Arthur Home Hardware and the TSC Store in Mount Forest.

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P. CONFIRMING BY-LAW

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT By-law Number 31-13 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on April 8, 2013 be read a First, Second and Third time and finally passed.*

Resolution Number: 14

Carried

Q. ADJOURNMENT

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Regular Council meeting of April 8, 2013 be adjourned at 8:40 p.m.*

Resolution Number: 15

Carried

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C.A.O./CLERK

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MAYOR



## COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT  
GARY A. COUSINS, M.C.I.P., DIRECTOR  
TEL: (519) 837-2600  
FAX: (519) 823-1694  
1-800-663-0750

ADMINISTRATION CENTRE  
74 WOOLWICH STREET  
GUELPH, ONTARIO  
N1H 3T9

April 9, 2013

Darren Jones, Building Official  
Township of Wellington North  
7490 Sideroad 7 W  
Kennilworth, ON N0G 2E0

Dear Mr. Jones:

**Re: Martin – Pt. Lot 4, Conc. 3  
Tile Drainage Business  
Draft Zoning By-law Amendment**

I understand there was some confusion last evening in dealing with Mr. Martin's application and building sizes. I wanted to write and hopefully, provide some clarification in terms of the Township's Zoning By-law.

The proposal is for an Agricultural Commercial use. Expansion of the drainage business could be considered such a use.

I don't have a concern with the large buildings. The business involves large equipment as well as bulky rolls of drainage pipe. I know it was somewhat unclear as to what size building was being proposed. I understand that Mr. Fulcher will be returning to Council to clarify this.

For Council's information, the Agricultural Commercial zone has a maximum lot coverage of 30%. In the current case, this would allow a building of 62,726 sq. ft. on the 4.8 acre property. I think it's important to keep in mind that the Agricultural Commercial use is the primary use, and the dwelling is accessory to it. This is unlike the situation with Home Industries, where the industry is accessory to the home, and the maximum square footage permitted is 2,000 sq. ft.

I trust that these comments will be of assistance to Council in their consideration of this matter.

Sincerely,

Mark Van Patter, MCIP, RPP  
Manager of Planning and Environment

C: Bruce Fulcher, Agent

RECREATION & CULTURE ADVISORY COMMITTEE MEETING  
TUESDAY, APRIL 9, 2013, 8:30 A.M.  
MOUNT FOREST & DISTRICT SPORTS COMPLEX

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**Members present:** Chairperson Councillor Sherry Burke, Councillor Dan Yake, Mayor Ray Tout, Southgate Councillor Pat Franks, Mark MacKenzie, Mount Forest Facilities Manager, Tom Bowden, Arthur Facilities Manager and Barry Lavers, Director of Recreation, Parks and Facilities.

**Also present:** Linda Spahr, Recording Secretary.

There were no members with pecuniary interest.

**MINUTES:**

Councillor Franks stated that she did not move the motion to accept the Arthur Walking Trail Sub Committee meeting of February 5<sup>th</sup>. The name will be corrected.

**Moved by:** Councillor Franks  
**Seconded by:** Councillor Yake

THAT the minutes of the March 5, 2013 Recreation meeting be accepted with the above change. **Carried**

**Resolution Number: 1**

**BUSINESS ARISING FROM MINUTES:**

Councillor Burke provided members with a copy of the mandate for Recreation & Culture Standing Committee of Council. It was determined that all members are entitled to vote on resolutions.

Barry reported that Kelly Greer from Birmingham Lodge had left him a message explaining she was unable to attend the March 5, 2013 due to illness in the family. She will be asked to attend another meeting.

Mark reported that he has not heard back from Cimco Refrigeration as to when they are going to repair the Arena floor problem. He is directed to contact them again until they respond.

**DELEGATION:**

Terry and Terry Martin of Martin's Landscaping attended the meeting. They gave a review of the work they have done for Mount Forest the past 18 years and requested a year's extension in their Turf Maintenance contract.

When the delegation ended members discussed the Turf contracts which also include Arthur. A decision was made to tender contracts for both Mount Forest and Arthur. The advertisement will be in the Mount Forest and Arthur papers this week. It will also appear on the Township website.

## **NEW BUSINESS:**

### **Arthur Walking Trail**

Minutes of the Arthur Walking Trail Sub committee meeting for March 12, 2013 were available for members. Barry added that he attended the Arthur Lions Club meeting on April 3, 2013. A Health & Safety Training session was held for volunteer members of the Arthur Walking Trail.

**Moved by:** Mayor Tout  
**Seconded by:** Councillor Yake

THAT the minutes of the March 12, 2013 Arthur Walking Trail Sub Committee meeting be accepted. **Carried**

**Resolution Number: 2**

### **Mount Forest Walking Trails**

Mark provided members with a written report on work to be done in 2013 on the Mount Forest Trails. He explained he is waiting for further prices to come in before work will be done. He will advise as work is being completed. Councillor Yake asked about the possibility of a grant for further Trail work. Barry will look into the Great Lakes Trust Fund information. Bob Armstrong indicated he would like to be involved.

### **Wrist Band Policy**

The use of wrist bands for security purposes at Stag & Doe events in Arthur and Mount Forest was discussed. We apply the policy different at each location. It was agreed by the Committee that one similar policy should be in place for both places. After discussion staff was directed that wrist bands will now be a requirement at both facilities for these events and applied in identical fashion.

### **2013 Budget**

Barry reported that the budget was passed by Council at the March 25, 2013 meeting. Councillor Yake requested an approved list of Capital items. Tom requested a copy of the approved budget.

### **Walking Track**

Summer hours for the Walking track were discussed for Mount Forest. The hours reported by Mark are 8 a.m. to 10 p.m. Monday to Thursday and Friday 8 a.m. to 4 p.m.



excluding holidays. On weekends the track is closed. This is to be effective on April 22, 2013. Mark is to make sure the hours are posted at the Arena and Barry will have the hours posted on the website.

### **Heat Alert**

During a heat alert the Arena facilities are to be open from 8 a.m. to 4 p.m. Monday to Friday excluding holidays when announced and informed by the County Health Unit. Councillor Burke added that the County libraries could also be considered.

### **CORRESPONDENCE:**

A letter was received from Mount Forest Lion Mary Ruth Job asking for permission to start the annual Guide Dog walk from a point inside Murphy Park on May 26, 2013. Members agreed to this request and Mark was asked to make sure the washrooms were open. Barry will reply to Lion Mary Ruth Job's letter.

Councillor Franks left the meeting at 10:10 a.m.

### **REPORTS:**

Mark provided a written monthly report to members. He highlighted a soccer meeting that he and Barry had attended. Schedules, equipment requirements, and other issues were discussed at this meeting. Outstanding Health and Safety items from last year for the Lion Roy Grant pool were discussed. Mark is waiting for pricing for electrical work to be done to install a new TV for Lions Bingo in the Auditorium. Mark reported the money boxes were vandalized recently at the Complex. Security cameras were discussed. Mayor Tout questioned the length of time it took to replace broken dasher board glass at the Complex. Mark explained there was a delay in manufacturing. Spare glass was ordered.

Tom provided a written monthly report to members. He highlighted the fact that the Arthur ice is out and Lacrosse was starting. Tom obtained two quotes for replacement of the light standard at the ball diamond damaged by wind during a winter storm.

**Moved by:** Tom Bowden  
**Seconded by:** Mayor Tout

That we recommend to council we accept the quote from Andy Dyce for the replacement of the light standard at a cost of \$5989 + hst.

**Carried**

**Resolution Number: 3**

Barry provided a written monthly report to members. He highlighted that he has been working on the Turf tender. Previous tender dates back to 2006 so there were several

changes made. Barry provided members with a copy of notice to all Recreation staff regarding the closing of entertainment time to 1:10 a.m. at the Wellington North facilities.

**MEMBER'S PRIVILEGE:**

Mayor Tout stated he had been getting numerous calls regarding changes made to Stag & Doe events under the Liquor Licence Act. Barry indicated there were several changes made and has instructed that renters should contact the Liquor Licence Board for complete information. Councillor Burke will ask for a representative from the Alcohol & Gaming Commission to attend Council as a delegation.

Councillor Yake reported that the Municipal Hockey Tournament was a success again this year with \$5,000 being raised.

Tom asked if an account could be set up at TSC in Mount Forest. Barry will talk to the Treasurer regarding this.

**NEXT MEETING:**

The next meeting will be held Tuesday, May 7, 2013.

**ADJOURNMENT:**

The meeting was adjourned at 10:39 a.m.

**Present:** Councillor Dan Yake (Chair)  
Councillor Mark Goetz  
Lori Heinbuch, Chief Administrative Officer/Clerk  
Darren Jones, Chief Building Official  
Patty Wright, Building Inspector  
Mayor Raymond Tout

**Also Present** Councillor Lennox,  
Linda Redmond, Township Planner

The meeting was held in the Council Chamber at the Municipal Office in Kenilworth, starting at 9:00 am

**Minutes – February 20, 2013**

Moved by: Councillor Mark Goetz  
Seconded by: Mayor Raymond Tout

*That the Minutes of February 20, 2013 be accepted.*

*Carried*

**Business Arising from the Minutes**

**Potential sale of Industrial Land**

CAO L. Heinbuch reported that the 3 industrial lot owners have been contacted and responded that only 2 wish to purchase industrial lands to the rear of their industrial lots, with one willing to purchase the adjacent rear parcel also. Sale of these additional Industrial lands - \$15,000/acre, plus all costs for legal agreements and registration and survey.

Moved by: Darren Jones, Chief Building Official  
Seconded by: Patty Wright, Building Inspector

*THAT the Building and Property Committee recommend to Council that Chief Administrative Officer Lori Heinbuch be directed to proceed with the process with respect to the sale of additional industrial lands to existing industrial lots located at 570 & 580 Perth Street.*

*Carried*

Zoning Amendment-Storage Containers

Discussion took place with Linda Redmond, Planner regarding proposed amendments to the Zoning By-law in respect to use of trailers/storage containers with direction being given to Linda Redmond to draft a By-law for the uses of containers for consideration by the Building and Property Committee at their next meeting and for further discussion.

**Other Business**

Zoning amendment – Residential Conversions

CBO D. Jones advised committee of the Zoning Amendment re: Residential Conversions to be considered by Council at the public meeting to be held April 22, 2013.

CAO/Clerk's Report 4/13 Request from Mount Forest Heritage Society for continuation of Lease Agreement for Mount Forest Archives (copy attached)

Moved by: Lori Heinbuch, Chief Administrative Officer/Clerk  
Seconded by: Mayor Raymond Tout

*That the Building and Property Committee recommend to Council approval for the preparation of a 10 year lease agreement between the Township and the Arthur Historical Society and the Mount Forest Heritage Society with respect to the Arthur Archives and Mount Forest Archives.*

*Carried*

OPP Training Centre-Washroom Repairs

CBO D. Jones informed committee that the trough sink in the men's restroom was beyond repair and has been replaced with two sinks.

**Former Arthur Municipal Office**

Barrier Free Ramp

A grant has been obtained for \$10,000 from Wellington County for the construction of a barrier free ramp. The CBO was directed to send out a request for quotation for the work.

Repair Broken Windows and replace Shingles

The CBO was directed to send out a request for quotation for the work for both replacement windows and glass replacement and proceed with the most practical.

**Mount Forest Archives**

Repairs to Front and Wellington Street Entrances

The CBO was directed to send out a request for quotation for the work.

Repair/Replace plywood at loading dock

The building department has been directed to send out a request for quotation for the work.

**Auction Request**

Mr. James Hewson of H.F.I. has request a letter allowing a clearing auction to be held on his farm at Hewvilla Farms Inc. 7090 Sideroad 2 E. The committee directed CBO D. Jones, to reply with a letter on behalf of the Township acknowledging the auction and stating there are no objections.

**Victory Church and Mount Forest Lawn Bowling Club**

The committee directed Patty Wright, Building Inspector to set up a meeting with the parties involved and the committee for April 26, 2013, 10:00 a.m. at the Mount Forest Lawn Bowling Club to discuss options for the snow situation.

**Martin Tile Drainage Business**

Planning comments were received from Mark van Patter, Planner regarding the Martin-Pt. Lot 4, Concession 2 Tile Drainage Business Draft Zoning By-law Amendment.

**Building Permit Monthly Report**

Moved by: Councillor Mark Goetz  
Seconded by: Lori Heinbuch, Chief Administrative Officer/Clerk

*Building Permit Monthly Report be accepted for the Period Ending February, 2013.  
Building Permit Monthly Report be accepted for the Period Ending March, 2013.*

*Carried*

**New Business**

**Arthur Seniors**

Darren Jones, Chief Building Official to request Recreation Co-ordinator Barry Lavers and Councillor Sherry Burke attend the next meeting to discuss the future of the Arthur Seniors.

**Date of Next Meeting**

May 22, 2013 at 9:00 a.m.

**Motion to adjourn**

Moved by: Mayor Raymond Tout  
Seconded by: Patty Wright, Building Inspector

*That the meeting adjourn at 10:52 a.m.*

TOWNSHIP OF WELLINGTON NORTH

FIRE COMMITTEE MEETING MINUTES

April 16, 2013 – 7:00 pm - Council Chambers

Members Present: Mark Goetz – Chair (Councillor)  
Fire Chief Jeff Dahms, Wellington North Fire Service  
Mike Givens - Treasurer  
Jim Morrison, Arthur Station Chief  
Ron MacEachern, Mount Forest Station Chief  
Bill Hieber, Mount Forest Deputy Station Chief

Also Present: Michelle Stone, Administration Support

Absent: Dan Yake, Councillor  
Troy Lawlor, Arthur Deputy Station Chief

Meeting was called to order at 7:00 pm.

1. **Declarations of Pecuniary Interest**

- None declared.

2. **Approval of Minutes from January 15<sup>th</sup>, 2013 Minutes**

**Moved By:** Jim Morrison

**Seconded by:** Bill Hieber

*THAT the Minutes from the January 15<sup>th</sup>, 2013 be accepted.*

3. **Welcome**

Committee Chair and Councillor Goetz welcomed Fire Chief Jeff Dahms to the Fire Committee.

4. **Business Arising**

- Fire Agreements with Other Municipalities – Mark Goetz updated the Committee on the status of the discussions with Mapleton and Southgate (Grey County). Cao/Clerk Lori Heinbuch & Station Chief Ron MacEachern had a meeting scheduled with West Grey and it was cancelled. The meeting will need to be re-scheduled. Councillor Goetz will follow up on the letter sent to Mapleton.
- Social Media Policy – The Township is looking at one for the whole Township not just the Fire Department.
- Mount Forest now has their new thermal imaging camera. It has a new location in the Mount Forest Station and training is being completed.
- The new tankers are slated for delivery mid-August. There was discussion regarding the UL Testing as it was in the tender but after some checking it is not necessary and they have opted to get a 3000 gallon porta tank in lieu with no price difference. Ron and Jim will get more information on the progress and delivery time when at Chiefs conference.

5. New Business

- A decision will be made prior to new tankers arriving as to what logos will go on the new tankers and all other fire department vehicles. It was suggested that they could ask the firefighters for suggestions. Fire Station signage will be done later.
- There are some generator issues in Mount Forest. It is 23 years old and after receiving an estimate, a decision will be made as to whether to replace or fix. Arthur has a new generator that was installed last year.
- Arthur Fire Station received a monetary donation in 2012 and they have had a request from the donor for a tax receipt. A confined space cutter was purchased with part of the monies and they will use the rest for a manual pump.

6. Announcements

Chief MacEachern asked Treasurer Mike Givens if they could have a copy of the approved budget for the Fire Department.

Fire Chief Jeff Dahms gave a brief overview of his first 10 days. He has had a few meetings with both fire stations and has also met with Brad Patton and Chris Harrow at the County.

His cell phone and laptop are both activated and he is using the office space at the Arthur Fire Hall at this time. He will stop in Mount Forest and Kenilworth on his way to pick up or drop off paperwork as needed. He will look into centralizing phones.

He reviewed how he would like the Burn Permits dealt with. He would like copies to be emailed to him as well as faxed to the fire stations.

Ron MacEachern invited Jeff to participate in a Mount Forest Station tour with a group from a Mennonite School group which he enjoyed.

Chair Goetz thanked both departments for their efforts and positivity through the process of putting our new fire chief in place. Jeff commented he has received a warm welcome from all.

7. Next Meeting

- The next meeting will be on Tuesday, May 21, 2013

8. Adjournment

**Moved By:** Jim Morrison

**Seconded:** Jeff Dahms

*THAT the meeting be adjourned at 7:35 pm*

Carried

TOWNSHIP OF WELLINGTON NORTH  
ECONOMIC DEVELOPMENT COMMITTEE

MOVED BY: SHAWN McLEOD DATE: April 17, 2013

SECONDED BY: STEPHEN DINEN RES. NO. 1

*THAT THE Economic Development Committee recommend to the Council of the Township of Wellington North that they approve the revised Economic Development Mandate to include Workforce Development Recruitment and Attraction as one of its key responsibilities.*

COMMITTEE CHAIR



CARRIED

DEFEATED





# Mandate

## ECONOMIC DEVELOPMENT

### Standing Committee of Council

(revised April 2013)

#### Responsibilities

- Generally act as advisory committee to the Manager's on issues and policies that affect Business, Economic Development, Tourism, Marketing and Promotion
- Promote economic growth through the development of the business base including agriculture, in order to enhance and create new sustainable opportunities
- Promote enhancement of prosperity and employment by focusing on 7 main areas of activity as identified in the Strategic Plan
  - Downtown Revitalization
  - Tourism, Marketing & Promotion
  - Professional Medical Recruitment
  - Workforce Development Recruitment and Attraction
  - Business Retention & Expansion
  - Land Development
  - Rural Revitalization
- Provide input to the Manager's related to budget preparation, including both operational and capital projects
- Review existing practices and policies and when appropriate, make recommendations to improve the delivery of services to the public
- Review and make recommendations to Council regarding issues relating to Economic Development Initiatives

#### Membership

- The Committee shall be composed of the Mayor, 4 Councillors, Business Economic Manager, Tourism, Marketing & Promotions Manager, 6 members of the public selected to provide specific areas of committee representation
- Mayor appointed as the Committee Chair

#### Meeting Schedule

- Meetings shall be held on the 3<sup>rd</sup> Wednesday of each month, from 4:30 p.m. to 6:30 p.m. and at the call of the Chair as required

#### Reporting

- The Chair is responsible for regular reporting to Council
- Council shall receive minutes of all committee meetings
- The Manager's shall provide activity reports at each committee meeting, and to the Chief Administrative Officer/Clerk

#### Compensation

- Compensation to be determined for staff for committee meetings held outside normal working hours; public members as determined by resolution of Council



# Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

## Business Economic Manager Report

**TO: Mayor and Members of Council**

**FROM: Dale Small, Business Economic Manager**

**Date: April 18<sup>th</sup>, 2013**

**RE: Community Improvement Program**

### **BACKGROUND**

The council of the Township of Wellington North approved our Community Improvement Plan on May 7<sup>th</sup>, 2012 and since that time the Economic Development Committee has been actively promoting the program and encouraging applications from Community Groups, Building Owners and Business Owners. During the first year of this ten year program four applications were recommended by the Community Improvement Program Review Panel for funding and all were approved by council.

With the approval of the 2013 budget we now have three more applications to be decisioned. All three applications have been signed by the Building Owners, who with two of the applications are also the Business Owners, of the following locations:

- 207 George Street, Arthur (Public Arts Grant Application also signed by the Arthur Historical Society)
- 142 Main Street North, Mount Forest (Facade Improvement Grant & Loan Application)
- 142 Main Street North, Mount Forest (Application Fees & Development Charges Application)

The process to approve applications is as follows:

1. **Community Improvement Plan Review Panel** reviews all applications and makes recommendation to the Economic Development Committee/Business Economic Manager.
2. **Business Economic Manager/Economic Development Committee** obtains the Review Panels findings and forwards a motion/report to council to approve or decline the application.
3. **Wellington North Council** will provide final decision.



# Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 W • Kenilworth • ON • N0G 2E0

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As Business Economic Manager and on behalf of the Community Improvement Plan Review Panel and the Economic Development Committee we are providing the following recommendations to council.

## RECOMMENDATION

**That** the Business Economic Manager report dated April 18th, 2013 with regards to the Applications received under the Community Improvement Program is received;

**AND FURTHER THAT** the Council of the Township of Wellington North approve a one-time grant up to \$2,500 under the Public Arts Grant Program for the completion of a mural on the north wall of the New To You store at **207 George Street, Arthur.**

**AND FURTHER THAT** the Council of the Township of Wellington North approve a one-time grant up to \$2,500 under the Facade Improvement Grant Program to be provided upon completion of the proposed improvements to **142 Main Street North, Mount Forest**

**AND FURTHER THAT** the Council of the Township of Wellington North approve an interest free loan of \$2,500 under the Facade Improvement Loan Program to be provided upon completion of the proposed improvements to **142 Main Street North, Mount Forest.** This interest free loan is to be paid back over 5 years.

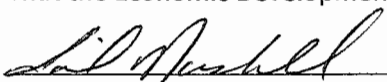
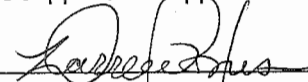
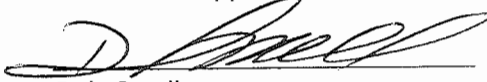
**AND FURTHER THAT** the Council of the Township of Wellington North approve a grant equivalent to the amount of eligible incurred fees or charges, up to a maximum of \$1,500 under the Application Fees & Development Charges Grant Program to be paid upon completion of the proposed improvements to **142 Main Street South in Mount Forest.**

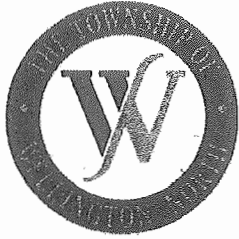
## COMMUNITY IMPROVEMENT PLAN : PUBLIC ART GRANT APPLICATION DECISION MATRIX

Applicant: **Albertino Argiro (Building Owner) and Faye Craig (Arthur Historical Society)** Date Received: **January 14<sup>th</sup>, 2013** Application #: **P.A.G. # 2**

Amount: **\$2,500.00**

Date of Community Improvement Plan Review Panel Meeting: **April 11<sup>th</sup>, 2013**

Criteria Number	Criteria	Yes	No	Comments
1	Is the applicant eligible as per the definition outlined in 4.2.4.2 of the Community Improvement Plan	X		
2	Is the Property and/or adjacent Public Land within the CIPA boundaries and eligible for funding	X		
3	Has the application been properly completed including: <ul style="list-style-type: none"> <li>• Detailed description of proposal</li> <li>• Detailed drawing of the proposed Art</li> <li>• Minimum of two quotes obtained</li> </ul>	X X	X	As a result of the work with the Aboriginal Council only one quote was required
4	Are property taxes and any other Municipal Accounts receivable up to date	X		
5	Eligible costs associated with the Public Arts Projects are as follows. Indicate which ones are included: <ul style="list-style-type: none"> <li>• Application fees</li> <li>• Preparation of building/area to receive art installation</li> <li>• Service/product fabrication of art work</li> <li>• Installation charges of proposed art work</li> </ul>	X X X	X	
6	What percentage of the overall costs is being requested from the Public Arts Grant Program. If the overall project costs exceed the grant application how are the remaining costs being covered?	38.5%  X		Cost of Overall Project: \$6,450.00 38.5%/\$2,500 requested from Public Arts Grant 61.5%/\$4,000 received from the Aboriginal Community Council
7	Will the goods and services to complete the Art work be performed by local businesses/suppliers.	X		Supplies from MARCC Apparel and signs Mount Forest Local Artist, Cliff Smith, to complete design and artwork
8	Is the targeted completion date within 6 months from date of approval or is an extension required?	X		Completion targeted for May 2013
9	Other comments from the Review Panel			
<b>Recommendation</b>	That the Economic Development Committee support this application and make a motion for council approval: Yes <u>XX</u> No _____			
	 April Marshall	 Darren Jones	 Dale Small	



Township of Wellington North  
 7490 Sideroad 7 West,  
 Kenilworth, ON N0G 2E0  
 Phone: 519-848-3620  
 www.wellington-north.com

## Public Art Grant Application Form

The purpose of this program is to encourage the inclusion of art programming such as mural work, sidewalk art, commemoration, custom site amenities, etc in the Community Improvement Areas of Arthur and Mount Forest. Grant assistance is provided in the form of a one-time grant for the cost of the art-related work. This program will allow for a grant up to \_\_\_\_\_ value for works. Please review the specific grant program term and conditions found in the Community Improvement Plan and contact the Business Economic Manager for current limits.

Application Number (assigned by staff):	P. A. G. # 2
Date Application Received:	JANUARY 14, 2013

PROPERTY INFORMATION			
Municipal Address	Street Num: 207	Street Name: GEORGE STREET	Unit Num: ARTHUR
Commercial Name (if applicable)	NEW TO YOU		
Registered Plan Number:	Registered Plan Lot/Block No. 011-11700		

OWNER and APPLICANT INFORMATION			
Property Owner Information (check one)		Person(s)	Company
Registered Land Owner:	Surname: Argiro	First name: Albertino	
Name:	(if Company) 207	GEORGE	Company Officer
Address:	Street No. 207	Street Name: CHARLES ST	Unit Num:
Municipality: Wellington North	Province: Ontario	Postal Code: NOG 1A0	
Telephone: 519 (848 3952)	Fax: ( )	Email: lucyargiro@hotmail.com	
Applicant Information (if different than Owner):			
Application Contact:	Surname: Craig	First name: Faye	
Name:	(if Company) Arthur Area Historical Society	Company Officer	
Address:	Street No. 160	Street Name: CLARKE ST	Unit Num:
Municipality: Wellington North	Province: ON	Postal Code: NOG 1A0	
Telephone: No. 519 843 5410	Fax: ( )	Email: greysonbunny@hotmail.com	

I hereby make the above application for a <b>Public Art Grant</b> , declaring all the information contained herein is true and correct, and acknowledging the Township of Wellington North process the application based on the information provided.	
Signature: <i>Faye N. Craig</i>	Title: Sec't
Printed Name of Signatory: FAYE N. Craig	Date: Jan. 9, 2013

The personal information on this form is collected under the legal authority of the Planning Act, Section 2. The personal information will be used for determining your eligibility for a grant/loan. If you have any questions about the collection, please contact the Clerk-Administrator at 519-848-3620 ext. 32.

### DESCRIPTION OF IMPROVEMENTS

- Please provide a detailed, written description of the proposed improvements. Attach one (1) copy of a prepared sketch showing the proposed improvements.

panels of artwork to be mounted on exterior wall 8' x 28'  
relocating air conditioning unit  
removal of old existing ~~sign~~  
removal of 2 old venting pipes

### PHOTOGRAPHS

- Please attach a photograph of the project site and proposed public art.

Male Small has seen the proposed mural.

The mural can be produced upon request at any time.

The Aboriginal Community Council has contributed \$4,000.00 towards the mural, we are requesting an additional \$2,500.00 to complete the mural.

CLIFFPHOTOGRAPHIC WALL MURAL CONTRACT

Artist Wall Mural Painting Proposal

Date: Dec 4, 2012 – Proposal valid for 30 days

FOR: Township of Wellington North      Contact Name: Faye Craig      Phone: 519-843-5410  
Billing Address: Kenilworth, On.

Description: Client wishes to enhance their space with original artwork in the form of a mural and enhancements by Cliff Smith (Artist)

Price Breakdown:

Designs by Artist in sketch form / includes up to 2 changes to sketch \$500 (add'l sketches \$100 each)

Wall Mural sized 224 Square Feet / Artist to prime surface      \$ 4,480.00 CDN

Price Includes: Paint Materials including primer / Expense of an assistant required to help with the painting and 2 coats of appropriate clear. One year maintenance for tagging, but not wall or mural substrate structural problems. Images of the mural may be used freely by the client for promotion with no additional fees to Cliff Smith.

Price does not include: Substrate or design changes.

PRICE/TERMS: \$ 500.00 to firm contract and deposit of \$ 2,240.00 required 14 days in advance of scheduled work.

**\*DEPOSIT MUST BE PAID 14 DAYS IN ADVANCE OF SCHEDULED WORK\***

Full balance of \$ 1,740.00 due on the day of completion. Checks should be made out to Cliffphotographic, 425 Clyde Street ss3, Mount Forest, Ontario N0G 2L3

By signing below, we state that we agree to the terms set forth in this document:

FOR ARTIST:                      Cliff Smith

FOR CLIENT:

AUTHORIZED BY:

AUTHORIZED BY:

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

To Whom it may concern.

April 8/13.

Removal of air conditioner, removal of pipes and removal of white board.

8-10 hours of labour @ 35.00 per hr. on JONES BASELINE MUREZ

Albertino Argiro *[Signature]*

519 580 0185 (cell)

RECEIPT  
REÇU

RECEIVED FROM REÇU DE	DATE	APRIL 8/13
QUOTE FOR REMOVAL OF		\$ 350.-
AIR CONDITIONER / PIPES / WHITE FRAME 100 DOLLARS		
FOR POUR	10 HRS. @ 35.00 - \$350.-	
TAX REG. NO. N° DE TAXE	BY PAR	<i>[Signature]</i> SDC71SE





181 Durham Street West  
 Mount Forest, Ontario, N0G 2L1  
 T: 1-519-323-2282 F: 1-519-323-1170  
 E: orders@marccapparel.com www.marccapparel.ca

apparel and promotions

INVOICE

REMITTANCE STUB

Marcc Apparel Co.,

03/07/13

Invoice date

Invoice # 20770

Order # 12801

Job #

Township of

Customer

Customer # 11200

7 2L Salesperson

Customer # 11200	S O L D T O	Township of Wellington North Box 125 Kenilworth ON NOG2EO	S H I P T O	Township of Wellington North Attn: Faye Craig Box 125 Kenilworth ON NOG2EO
Job # 12801			Via	

Unit 0	Customer po # 7 RM	Salesperson	Order date 03/07/13	Invoice date 03/07/13	Date shipped	Invoice # 20770
-----------	-----------------------	-------------	------------------------	--------------------------	--------------	--------------------

Ordered	Shipped	Qty BO	Item #	Description	Price Per	Amount
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7			WOOD SIGN	Aluminum panel, 4' x 8' blank for mural	160.000 EA	1120.00
---	--	--	-----------	--	------------	---------

Invoice Approval

Acct No: \_\_\_\_\_

Approved By: \_\_\_\_\_

Terms Net 30	1120.00	0.00	0.00	145.60	PLEASE PAY THIS AMOUNT >>>>>	1265.60
Tax # CN	Sub-total	Insurance	Shpa/Hdlg	Sales tax		<b>Total</b>
GST/HST # 130908775RT0001						

Total due 1265.60

Please note our new mailing/shipping address.

E-MAILED CUSTOMER INVOICE

Augustus Ten  
contracted to  
Grand River



8' x 28'

## COMMUNITY IMPROVEMENT PLAN : FACADE IMPROVEMENT GRANT & LOAN APPLICATION DECISION MATRIX

Applicant: Frey Communications Inc.

Date Received: January 15<sup>th</sup>, 2013

Application #: F.I.L. & G. # 6

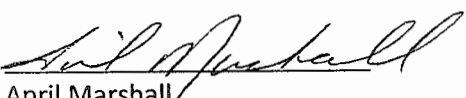
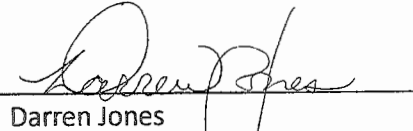
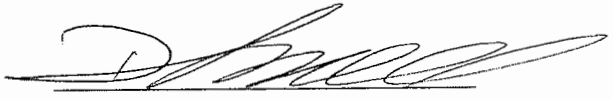
Amount: \$2,500 Grant & \$2,500 Loan

Date of Community Improvement Plan Review Panel Meeting:

April 11<sup>th</sup>, 2013

Criteria Number	Criteria	Yes	No	Comments
1	Is the applicant eligible as per the definition outlined in 4.2.4.2 of the Community Improvement Plan	X		Applicant is the building owner as well as the business owner.
2	Is the applicant applying for: a) Facade Improvement Grant b) Facade Improvement Interest Free Loan c) Both	X		Application is for: \$2,500 Facade Improvement Grant \$2,500 Facade Improvement Interest free Loan
3	Is the Property and/or adjacent Public Land within the CIPA boundaries and eligible for funding	X		142 Main Street North, Mount Forest  Previous Queen's Bush Bistro now Frey Communications Inc.
4	Has the application been properly completed including: • Detailed description of improvements • Facade Improvement Checklist • Detailed sketch of the proposed change • Minimum of two quotes obtained	X X X X		
5	Are property taxes and any other Municipal Accounts receivable up to date	X		Verified all up to date on April 11 <sup>th</sup> , 2013  Roll # 2349 000002 130000000
6	Eligible costs associated with Facade Improvement Projects are as follows. Indicate which ones are included:  • Repainting or cleaning of the facade • Restoration of facade masonry, brickwork, etc. • Replacement or Repair of cornices, eaves, parapets, etc • Replacement or Repair of Windows • Entrance-way modifications • Redesign of the store front • Removal of signage and installation of new signage	X X X X  X		

**COMMUNITY IMPROVEMENT PLAN : FACADE IMPROVEMENT GRANT & LOAN APPLICATION DECISION MATRIX**

	<ul style="list-style-type: none"> <li>• Restoration of original facade appearance</li> <li>• Replacement or Repair of canopies and awnings</li> <li>• Installation or repair of exterior lighting</li> <li>• Other similar improvements approved by CIPRP</li> </ul>	X X X		
7	Facade Improvement Grant amount available is 50% of eligible costs up to a maximum of \$2,500. What amount is being requested and what is the percentage of the overall.	X		Overall Cost of improvements: \$19,910.00 Grant Amount being requested: \$2,500.00 Percentage of overall Costs: 12.5%
8	Facade Improvement Loan amount available is an interest free loan up to a maximum \$2,500. This loan must be paid off in equal installments with a maximum amortization of five years. What amount is being requested and what is the amortization period?	X		Loan Amount being requested: \$2,500.00 Amortization Period: 5 years
9	Will the goods and services to complete the required work be performed by local businesses/suppliers.	X		
10	Is the targeted completion date within 8 months from date of approval or is an extension required?	X		Start date targeted for May24th with completion by first of June.
11	Other comments from the Review Panel			
<b>Recommendation</b>	That the Economic Development Committee support this application and make a motion for council approval: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
	 April Marshall	 Darren Jones	 Dale Small	



Township of Wellington North  
 7490 Sideroad 7 West,  
 Kenilworth, ON N0G 2E0  
 Phone: 519-848-3620  
 www.wellington-north.com

## Facade Improvement Loan and Grant Program Application Form

The purpose of this program is to encourage facade improvements for privately owned commercial buildings in the Community Improvement Areas within Arthur and Mount Forest. Grant assistance is provided in the form of a 50/50 matching interest free loan, which is paid upon completion of the previously approved work(s). This program offers a loan for eligible work to a maximum limit of \$\_\_\_\_\_ per property. Please review the specific grant program terms and conditions found in the Community Improvement Plan and contact the Business Economic Manager for current limits.

Application Number (assigned by staff):	FILE # 6
Date Application Received:	JAN 15, 2013

PROPERTY INFORMATION			
Municipal Address	Street Num: 142	Street Name: Main St. N	Unit Num:
Commercial Name (if applicable)		Frey Communications Inc.	
Registered Plan Number:	Registered Plan Lot/Block No. 2349 000002 130000000		

OWNER and APPLICANT INFORMATION			
Property Owner Information (check one)		Person(s)	Company
Registered Land Owner:	Surname: Frey	First name: Ken + Alicia	
Name:	(if Company) Frey Communications Inc.	Company Officer: Ken + Alicia	
Address:	Street No. 340	Street Name: Wellington St. W	Unit Num:
Municipality:	Wellington North	Province: ON	Postal Code: N0G 2L1
Telephone:	No. 519-509-8226	Fax: 519-509-9036	Email: alicia@frey.com.ca
Applicant Information (if different than Owner):			
Application Contact:	Surname:	First name:	
Name:	(if Company)	Company Officer	
Address:	Street No.	Street Name:	Unit Num:
Municipality:	Province:		Postal Code:
Telephone:	No: ( )	Fax: ( )	Email:

I hereby make the above application for a **Facade Improvement Loan and Grant**, declaring all the information contained herein is true and correct, and acknowledging the Township of Wellington North process the application based on the information provided.

Signature:	Title:
Printed Name of Signatory: Alicia Frey	Date: 12/10/12

The personal information on this form is collected under the legal authority of the Planning Act, Section 2. The personal information will be used for determining your eligibility for a grant/loan. If you have any questions about the collection, please contact the Clerk-Administrator at 519-848-3620 ext. 32.

## DESCRIPTION OF IMPROVEMENTS

- Please provide a detailed, written description of the proposed improvements. Attach one (1) copy of a prepared sketch showing the proposed improvements.

We are going to repair the facade masonry including eaves, cladding and other elements in order to restore the structural integrity of the brickwork while maintaining the historical feel of the building. The brickwork will be repointed where possible and severely damaged areas removed + refinished or capped as necessary.

In addition we will be having the wooden moldings repaired or replaced to improve the overall effect of our historical building. We are encouraging our neighbours on either side to do the same in order to maintain a consistent, professional + appealing effect.

We will need to paint the finished product.

Old bracketing will be removed + a new sign + bracket implemented.

## PHOTOGRAPHS

- Please attach a photograph of the existing façade/signage.

Plaster, Cap + re-point  
as needed

replace bracket  
+ mount new sign

replace moldings  
+ paint

Frey Com



repaint,  
repair +  
remove brick  
as necessary  
+ cap.

① Old  
brackets  
removed +  
brick sealed/  
repaired

② moldings  
deteriorating,  
pulling apart  
Pigeons attempt  
to roost in  
gaps





Façade projects within the Township of Wellington North's CIPA's should respond to the following 'best practices' to help with its efforts to create a relevant and quality improvement for both the building and the street. Please complete the following checklist to determine the degree in meeting 'best practices' for the proposed facade improvements.

Façade Project Design Checklist				
Criteria/Description	Yes	No	N/A	Comments
<b>1. Responding to Core Context</b>				
i) Does the façade design enhance its context and adjacent buildings?	✓			
<b>2. Building Envelopes in the CIPA</b>				
i) Does the façade work/align with existing facades and reinforce the clarity of the public network and the cohesion of building groups?	✓			
<b>3. Beneficial Building / Street Relationships</b>				
i) Does the building façade and street establish a supportive relationship, in which indoor and outdoor spaces animate and are connected to each other?	✓			
ii) Does the façade define the building as a distinct space with a strong sense of identity and place?		✓		Unify with neighbours + heritage feel
<b>4. Response to Climate</b>				
i) Does the façade design respond to the climate of area, taking into account all seasons?	✓			
<b>5. Identifiable Building Entrances</b>				
i) Does the façade project help to make the buildings entrance more identifiable?			✓	
<b>6. Long Life / Loose Fit</b>				
i) Is the façade treatment capable of being adapted to new / future building uses?	✓			
<b>7. Safety Within CIPA</b>				
i) Does the façade design provide personal safety and impart a sense of comfort to all users?	✓			
<b>8. Community Expression</b>				
i) Does the façade design express a sense of permanence and durability?	✓			
ii) Does the façade promote traditional roots and express historical continuity?	✓			
<b>9. Appropriate Scale</b>				
i) Does the scale of the proposed façade relate to the scale and size of the building as well as the human body, making space comfortable for users?			✓	
<b>10. Exterior Materials for Facades</b>				
i) Does the proposed façade materials reinforce the cohesion of related groups of buildings?	✓			
ii) Are proposed exterior building materials durable and of high aesthetic quality?	✓			
<b>11. Technical Performance</b>				
i) Does the proposed façade determine a balance capital costs, operating costs and maintenance costs?			✓	
<b>12. Accessibility</b>				
i) Does the façade design provide equal means of access to all users regardless of ability?			✓	

Clean Martin  
 RR 5 McForest  
 ON N0G 240

Frey Con

Date

April 9/13

Terms

Estimated Delivery Date

We thank you for the opportunity of submitting the following prices and specifications.

Quantity	Description	Unit Price	Amount
-	Take down old sign pole		
-	Take down Brick at top		
-	of building		
-	Cap top of Building with Flashing		
-	Repoint what needs to be repointed		
-	Replace and fix concrete around sign		
-	Put up new sign pole if it is built and decided to put up (has to be ready or it will not be included in this quote)		
-	Manlift is included in this quote		7000
-	Getting rid of debris		
		GST	910
		PST	
		<b>Total</b>	<b>8910</b>

This quotation is valid for

2 weeks

By

*Chris Plater*

This is not an invoice

207799<sup>54</sup>

QUOTATION

#0146

**S&S MASONRY**  
 RESIDENTIAL BRICKLAYING & STONE MASONRY  
 NEW HOMES & RENOVATIONS

HST#85550 6838  
 18073 Kennedy Road,  
 Caledon, Ontario  
 L7K 1Y7  
 Phone # (519)927-3746

TO: Alicia Frey  
 142 Main Street,  
 Mount Forest, ON

Ph: (519) 323-9036

QUOTATION DATE: September

**TERMS: Deposit of \$5000 will be required before work begins.**  
Payment of each invoice to be paid in at least 14 days . 5% Per Month Charged on Past Due Accounts

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	<i>Repairs to Brick work on front and rear of property at 142 Main Street, Mount Forest. Work includes repointing and repair of decorative buttress at the front of the property, repair of the walls on the 2<sup>nd</sup> floor deck and repointing around the entrance at the back of the building.</i>		
	<b>MATERIALS / LABOUR</b>		
1	Flat Rate ( Includes All Materials, Set-up, Masonry Work and Cleanup)	20,000	\$20000
	<b>SCAFFOLDING / NETTING</b>		
1	Flat Rate (Approximate)	10,000	\$10,000
	* Please note that this estimate does not include any costs or expenses due to building permits, permits for scaffold, or engineering required.		
	**If the work is to be completed in cold weather add 30% to the Materials / Labour line to pay for heat and added labour		
	<b>Please see page 2 for added comments.</b>		
		<b>SUBTOTAL</b>	<b>\$30,000.00</b>
		<b>HST</b>	<b>\$3,900.00</b>
		<b>GRANDTOTAL</b>	<b>\$33,900.00</b>

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION. THIS QUOTATION IS VALID FOR 90 DAYS.

BY: \_\_\_\_\_ ACCEPTED: \_\_\_\_\_ DATE: \_\_\_\_\_

QUOTATION

#0146

**S&S MASONRY**  
RESIDENTIAL BRICKLAYING & STONE MASONRY  
NEW HOMES & RENOVATIONS

HST#85550 6838  
18073 Kennedy Road,  
Caledon, Ontario  
L7K 1Y7  
Phone # (519)927-3746

- 1) The buttress with the white plaque on it at the front of the building requires total repointing (tuck pointing). This process would involve the cutting out of the mortar joints using a specialty mortar saw to a depth of approximately 1 ½ inches. The joints are then refilled using a matching mortar. This repair will ensure that the wall will regain its' structural integrity. In addition, the area at the base of the buttress where cement is cracked and flaking off will be removed and redone. Please note that this process will create a fair bit of masonry dust, so netting on the scaffold will be required to avoid debris and dust from falling to the street below. The metal flashing and the wood scrollwork on the buttress may require replacement, but certainly repair.
- 2) As discussed the walls on the second floor deck quite a bit of work to clean them up. The walls will require that the old parge is chipped off . If the mortar between the bricks turns out to be rotten, the bad mortar joints will need to be repointed. The wall can then either be reparged, or left as is.
- 3) The area immediately around the rear door needs to be repointed. The wall to the right of the rear door should be looked at by an engineer.
- 4) There may be areas that will require more work than they appear outwardly. This could possibly result in extra cost.

**COMMUNITY IMPROVEMENT PLAN : APPLICATION FEES & DEVELOPMENT CHARGES DECISION MATRIX**


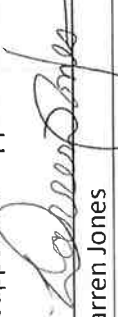

Applicant: Frey Communications Inc.

Date Received: January 15<sup>th</sup>, 2013

Application #: A.F. & D.C. # 1

Amount: up to a maximum of \$1,500

Date of Community Improvement Plan Review Panel Meeting: April 11<sup>th</sup>, 2013

Criteria Number	Criteria	Yes	No	Comments
1	Is the applicant eligible as per the definition outlined in 4.2.3.2 of the Community Improvement Plan	X		Applicant is the building owner as well as the business owner.
2	Is the Property and/or adjacent Public Land within the CIPA boundaries and eligible for funding	X		Location is 142 Main Street North Mount Forest
3	Has the application been properly completed including: <ul style="list-style-type: none"> <li>• Detailed description of proposal</li> <li>• Detailed sketch of the proposed change</li> <li>• Minimum of two quotes obtained</li> </ul>	X X X		
4	Are property taxes and any other Municipal Accounts receivable up to date	X		Verified and all up to date as at April 11 <sup>th</sup> , 2013 Roll # 2349 000002 130000000
5	Eligible costs associated with the Application Fees & Development Charges Grant Program are as follows. Indicate which ones are included: <ul style="list-style-type: none"> <li>• Application fees</li> <li>• Building permit fees</li> <li>• Planning fees (minor variance)</li> <li>• Development Charges</li> </ul>	X X		
6	Is the grant amount being requested within eligible amounts	X		Maximum relief of \$1,500 with the Township paying up to 100% of eligible costs.
7	Is the applicant aware that they must first cover the fees then submit a request for payment upon project completion	X		
8	Is the targeted completion date within 6 months from date of approval or is an extension required?	X		Start date targeted for May24th with completion by first of June.
9	Other comments from the Review Panel			
<b>Recommendation</b>	That the Economic Development Committee support this application and make a motion for council approval: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			
	 April Marshall	 Darren Jones	 Dale Small	



Township of Wellington North  
 7490 Sideroad 7 West,  
 Kenilworth, ON N0G 2E0  
 Phone: 519-848-3620  
 www.wellington-north.com

## Application Fees and Development Charges Grant Application Form

The purpose of this program is to reduce the cost of improvements by offering a grant for any required planning application fees, building permit fees or development charges for privately owned commercial properties in the community improvement areas of Arthur and Mount Forest. Grant assistance will provide successful applicants a grant equivalent to the amount incurred fees or charges. This program offers a maximum relief of \$1,500.00 with the Township paying up to 100% of eligible costs. Please review the specific grant program term and conditions found in the Community Improvement Plan and contact the Business Economic Manager for current limits.

Application Number (assigned by staff):	A.F + D.C.G. #1
Date Application Received:	JANUARY 15TH, 2013

PROPERTY INFORMATION			
Municipal Address	Street Num: 142	Street Name: Main St N	Unit Num:
Commercial Name (if applicable)	Frey Communications Inc.		
Registered Plan Number:	Registered Plan Lot/Block No. 2349 000 002 13000 0000		

OWNER and APPLICANT INFORMATION			
Property Owner Information (check one)		Person(s)	Company
Registered Land Owner:	Surname: Frey	First name: Kent + Alicia	
Name:	(if Company) Frey Communications Inc	Company Officer: Kent + Alicia	
Address:	Street No. 340	Street Name: Wellington St N	Unit Num:
Municipality: WN	Province: ON	Postal Code: N0G 2L1	
Telephone:	No: 519 879 8226	Fax: (-) -	Email: alicia@frey.com.ca
Applicant Information (if different than Owner):			
Application Contact:	Surname:	First name:	
Name:	(if Company)	Company Officer:	
Address:	Street No.	Street Name:	Unit Num:
Municipality:	Province:	Postal Code:	
Telephone:	No: ( )	Fax: ( )	Email:

I hereby make the above application for a **Application fees and Development Charges Grant**, declaring all the information contained herein is true and correct, and acknowledging the Township of Wellington North process the application based on the information provided.

Signature:	Title: Officer
Printed Name of Signatory: Alicia Frey	Date: 12/10/12

The personal information on this form is collected under the legal authority of the Planning Act, Section 2. The personal information will be used for determining your eligibility for a grant/loan. If you have any questions about the collection, please contact the Clerk-Administrator at 519-848-3620 ext. 32.

## DESCRIPTION OF IMPROVEMENTS

- Please provide a detailed, written description of the proposed improvements. Attach one (1) copy of a prepared sketch showing the proposed improvements.

We are going to repair the facade masonry including eaves, cladding and other elements in order to restore the structural integrity of the brickwork while maintaining the historical feel of the building. The brickwork will be repointed where possible and severely damaged areas removed + refinished or capped as necessary.

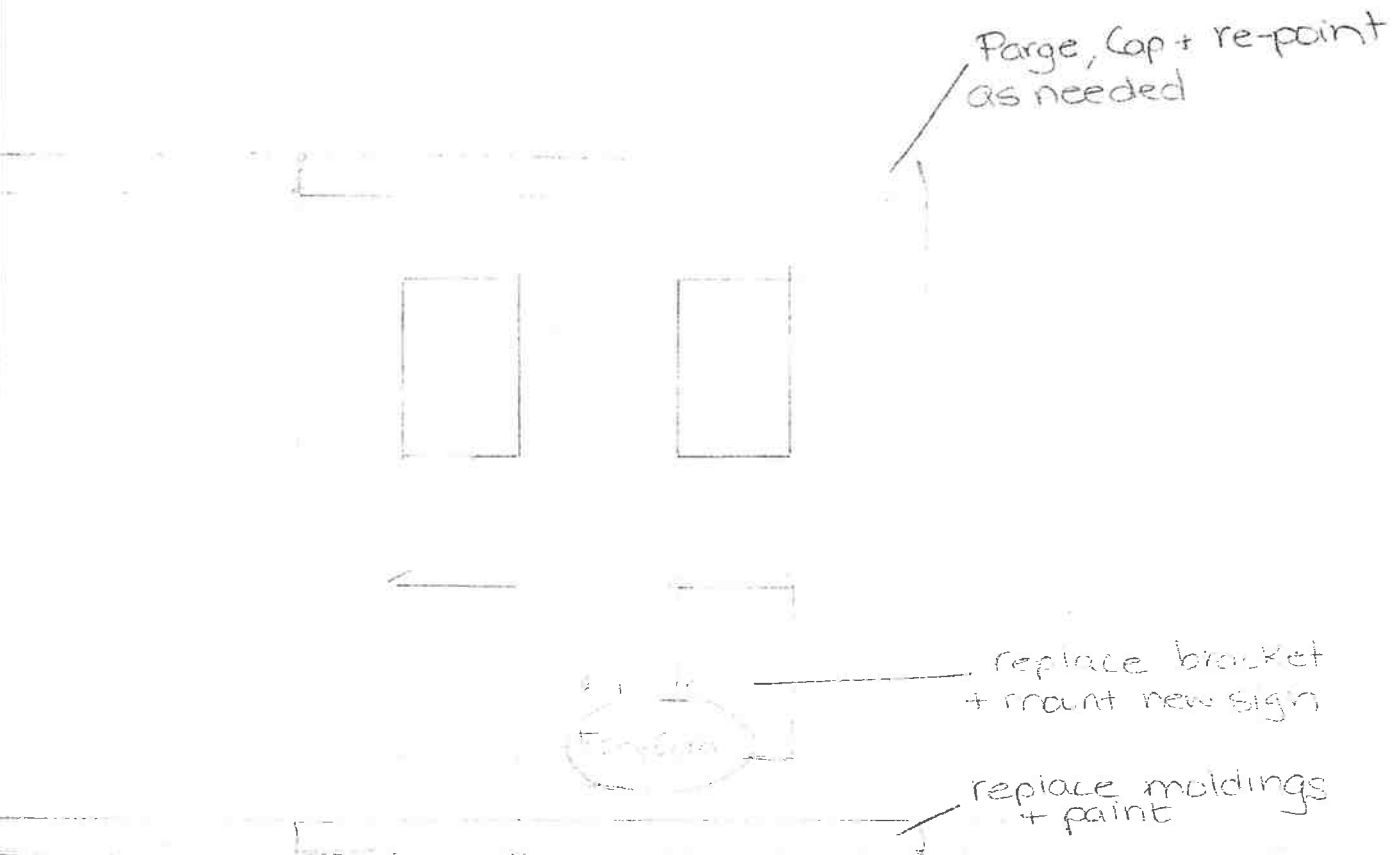
In addition we will be having the wooden moldings repaired or replaced to improve the overall effect of our historical building. We are encouraging our neighbours on either side to do the same in order to maintain a consistent, professional + appealing effect.

We will need to paint the finished product.

Old bracketing will be removed + a new sign + bracket implemented.

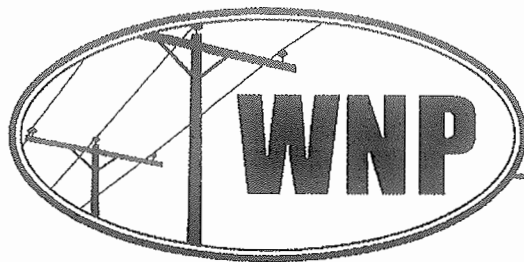
## PHOTOGRAPHS

- Please attach a photograph of the existing façade/signage.







**Wellington North Power Inc.**290 Queen Street West, PO Box 359, Mount Forest, ON N0G 2L0  
Phone: 519.323.1710 Fax: 519.323.2425 E-mail: [wnp@wellingtonnorthpower.com](mailto:wnp@wellingtonnorthpower.com)[www.wellingtonnorthpower.com](http://www.wellingtonnorthpower.com)

April 10, 2013

Mayor Ray Tout and Members of Council  
Township of Wellington North  
7490 Sideroad 7 West  
P.O. Box 125  
Kenilworth, ON N0G 2E0

Dear Mayor Tout and Members of Municipal Council:

Re: **Wellington North Power Inc. - 2013 Annual Shareholder Meeting**

The Board of Directors and staff of Wellington North Power Inc. are arranging the Annual Shareholder Meeting for **Tuesday, May 28, 2013 at 6:00 p.m. in the Leisure Hall at the Mount Forest & District Sports Complex 850 Princess Street, Mount Forest.**

All Members of the Township of Wellington North and Township of Southgate Council are invited to attend, and at least three (3) members of the majority shareholder, the Township of Wellington are required to form a quorum.

One representative, of each of the respective Councils, will be appointed to act as Scrutineers for the meeting, to pass resolutions on behalf of the Corporation. Senior municipal management staff members are also invited to attend the meeting.

Please forward names and contact information, including e-mail addresses of those attending, who will be representing the Township of Wellington North. An agenda and pertinent information will be forwarded to them directly for review prior to the Annual Shareholder Meeting.

If you need any questions please do not hesitate to call me.

Yours truly,

Judy Rosebrugh, President & CEO  
Wellington North Power Inc.



Public Health

Head Office:  
474 Wellington Road 18  
Suite 100  
RR #1  
Fergus, ON N1M 2W3  
T: 519.846.2715  
F: 519.846.0323  
[www.wdghu.org](http://www.wdghu.org)  
[info@wdghu.org](mailto:info@wdghu.org)

April 18, 2013

Dear Mayor and Members of Council,

Wellington-Dufferin-Guelph Public Health works to make the places we live, work, and play in our community safe and healthy.

Public Health would like to take this opportunity to share with you its plan to conduct community consultation surveys throughout Wellington, Dufferin, and Guelph on the issue of smoking in outdoor public spaces. Health Promotion Specialists will be visiting community events, activities, and hubs to conduct surveys to gather public feedback regarding smoke-free outdoor spaces.

There are numerous benefits of smoke-free outdoor spaces to individuals and the community. Smoke-free outdoor spaces:

- Decrease negative role modeling for young people
- Protect the environment and reduce litter
- Provide protection from direct exposure to second-hand smoke
- Increase motivation for smokers to quit or cut back

We would like to invite you to be a partner in this consultation process should you be interested in doing so. The results of the consultation will be shared with local municipal leaders and will give you a clear picture of the level of support for smoke-free outdoor spaces in your community. A high level of community support may lead to a request for your municipality to consider a smoke-free outdoor spaces by-law.

Pending the results of this survey, Public Health would also like to offer any support you may need to address this issue. We can offer support in the form of data and background literature, drafting policy, policy promotion including signage design and answering questions based on the experiences of other municipalities that have already implemented smoke-free by-laws.

If you want to discuss the upcoming community surveys, please contact Laura Campbell, Health Promotion Specialist – [laura.campbell@wdgpublichealth.ca](mailto:laura.campbell@wdgpublichealth.ca), 519-846-2715 ext. 3711.

Sincerely,

**Nicola J. Mercer, MD, MBA, MPH, FRCPC**  
Medical Officer of Health and CEO  
Wellington-Dufferin-Guelph Public Health  
474 Wellington Road 18, Suite 100, RR #1, Fergus, ON N1M 2W3  
Ph.: 519- 846-2715 Ext. 2500 or 1-800-265-7293  
Fax: 519-846-0323

Wellington-Dufferin-Guelph Public Health

## Smoke-Free Outdoor Spaces

Wellington, Dufferin, and Guelph

### Why should we make outdoor spaces smoke-free?

Smoke-free by-laws make public spaces, such as parks and playgrounds, healthier and cleaner places that everyone can enjoy without the concern of exposure to second-hand smoke.

### Smoke-free outdoor spaces:

- Decrease negative role modeling for children which helps prevent youth from starting to smoke
- Ensure public spaces remain healthy and accessible to everyone, especially children and families
- Increase the motivation for smokers to quit or cut back
- Decrease litter and clean-up costs while protecting the air and the environment
- Decrease fire risk

### Why is this issue important?

Tobacco remains the leading preventable cause of death in Ontario. Overall, our region has a higher smoking rate than the provincial average (19% in WDG vs. 16% across Ontario). Smoke-free outdoor spaces help smokers quit or cut back because the temptation to smoke is reduced when it is restricted in public spaces.

Eighty percent of adults who smoke started in their youth. In Wellington, Dufferin, and Guelph, an estimated 11% of youth ages 12 to 17 currently smoke. Creating smoke-free environments reduces youth exposure to smoking and research has shown that youth are less likely to start smoking if they are not regularly exposed to adults who smoke.

### Why now?

Among Ontarians, public support for smoke-free outdoor spaces continues to grow. Currently 120 municipalities in Ontario have implemented by-laws that go beyond the Smoke-Free Ontario Act and 34 municipalities have implemented by-laws prohibiting smoking in parks. The outdoor spaces that have been designated as smoke-free in municipal by-laws include municipal properties such as parks, playgrounds, beaches, sports fields, and transit stops. In some communities like Ottawa, Kingston, and Collingwood restaurant patios have also become smoke-free.

### Enforcement

Municipalities across the province which have had a by-law for one year or more have reported that by-laws are generally self-enforcing and complaint-driven. As a result, enforcement costs are low and compliance is high. With appropriate public education and signage, smoke-free spaces by-laws require little maintenance.

## Lori Heinbuch

---

**From:** Susan O'Neill [susan\_oneill@cooperators.ca]  
**Sent:** Tuesday, April 16, 2013 9:41 PM  
**To:** Lori Heinbuch  
**Cc:** Myrna Hutchison  
**Subject:** Request for Permission for a 5K Memory Run "Get in Touch for Hutch" - Sat. June 29, 2013  
**Attachments:** 5K Map for Memory Run Jne 29 2103\_Arthur.pdf

Good Evening Lorraine: I am working together with Myrna Hutchison to organize a 5 Km Memory Run "Get in Touch for Hutch" in memory of Stuart and Myrna's son. This event would be added into the July 1<sup>st</sup> Optimist week-end, as part of Canada Day celebrations. Both the Hutchison's and the Arthur Optimists have granted permission, for this event to proceed.

We would like to request permission from Wellington North Council to hold this event. We are not requesting any road closures from the Township for this event to proceed. We have vetted and obtained input regarding the run route from Dale Clark.

**Run Date:** Saturday, June 29, 2013  
**Start Time** 10am – **Approximate End time:** 11:30 am

Once approval is received we can then move into the next phase and ensure critical factors are in place to ensure the safety of all participants and the success of this event.

I have listed my work contact information below. I can be reached daily from 7:30-4pm should you have any comments or questions. Or you may call me at my home in Arthur, after 5:00 pm, 519-848-2903.

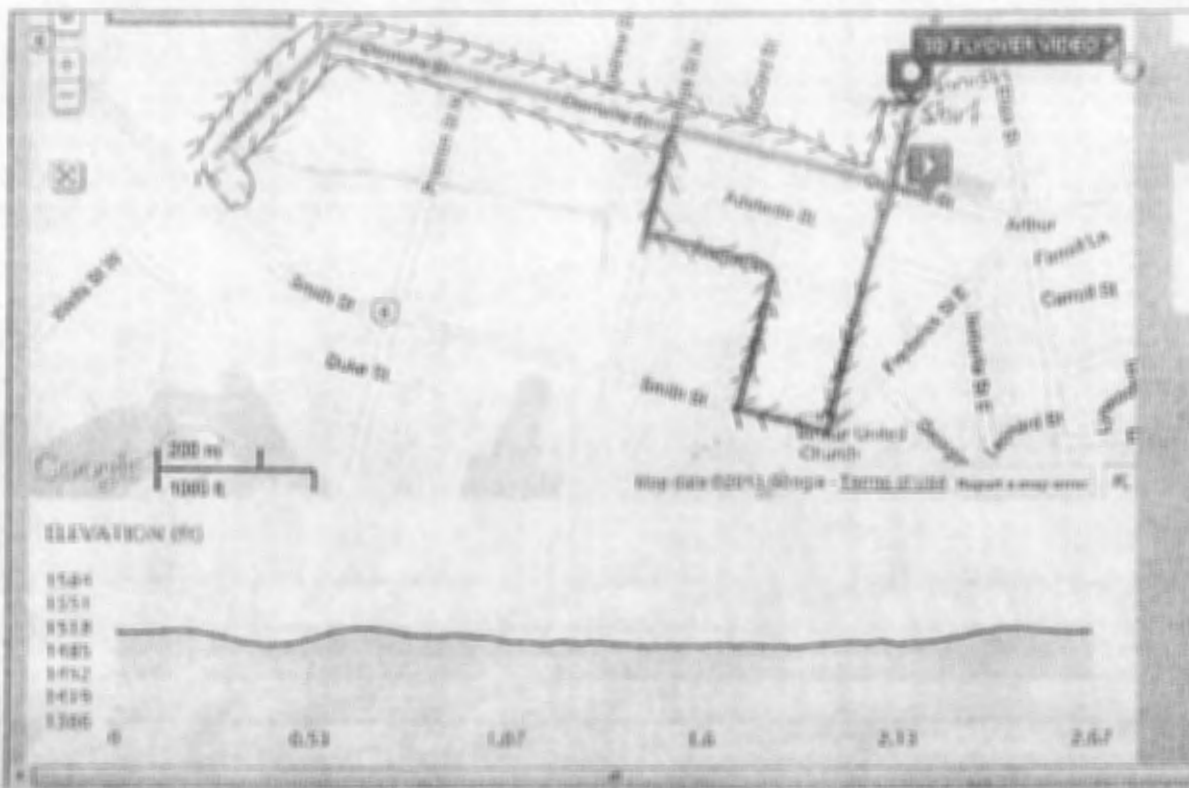
Sincerely,

Susan O'Neill                      and                      Myrna Hutchison  
519-824-4400, ext 302234                      519-824-4400, ext 302648

Please consider the environment before printing this email.

This message, including any attached documents, is intended for the addressees only. It may contain information that is confidential, privileged and/or exempt from disclosure. No rights to privilege or confidentiality have been waived. Any unauthorized use or disclosure is prohibited. If you have received this message in error, please reply to the sender by e-mail and delete or destroy all copies of this message.

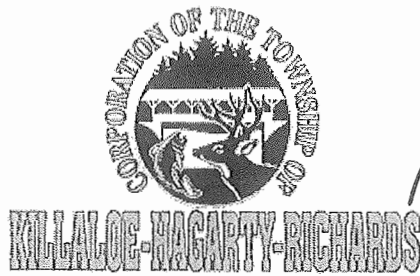
Avant d'imprimer ce courriel, pensez ? l'environnement.



Similar Arthur, Co

View more existing route

Support



*Naturally Spirited*

**1 John Street, P.O. Box 39**  
**Killaloe, ON K0J 2A0**  
**Telephone: (613)757-2300 – Fax: (613)757-3634**  
email: [info@khrtownship.ca](mailto:info@khrtownship.ca)  
*Web Site: [killaloe-hagarty-richards.ca](http://killaloe-hagarty-richards.ca)*

April 17, 2013

Dave Bryans  
CEO, Ontario Convenience Stores Association  
Suite 217-466 Speers Road  
Oakville, On  
L6K 3W9

Dear Mr. Bryans

Re: Proposed Motion on Contraband Tobacco

In reference to the above and further to your letter, please be advised that Council for the Township of Killaloe, Hagarty and Richards passed a resolution at its Regular Meeting on April 2, 2013 to support stopping the spread of contraband tobacco.

Should you have any questions, please feel free to contact our office.

Yours truly

Susan Sheridan, CMO  
Deputy CAO Clerk-Treasurer

SS/dcao

cc: Ontario Minister of Finance  
Municipalities in Ontario

Encl:



Dear Community Leader,

On behalf of the Ontario Convenience Stores Association (OCSA) and the many convenience store retailers across this province, I would like to address a serious problem impacting not only small businesses in our communities, but the safety and security of our residents.

The distribution and sale of contraband (illegal) tobacco is a growing concern throughout Ontario. The sale of contraband hurts small business and government through tax evasion, resulting in millions of dollars in lost tax revenue annually. The sale of contraband also contributes to organized crime schemes and the deterioration of community safety; according to the RCMP, over 175 organized crime groups are involved in the distribution of contraband tobacco in Canada. It is a serious public safety concern that must be addressed at all levels.

The health and safety of our young people is also at risk. Contraband is sold at very low prices and without age verification checks, making it highly accessible to young people, who should not be smoking at all.

The Ontario government has taken the important step of addressing contraband tobacco in their 2012 provincial budget. Measures in that budget included increased fines for those convicted of contraband offenses, more authority for law enforcement officials to deal with these offences, and working with other jurisdictions to help tackle the contraband problem.

**We ask that you join over 50 municipalities in supporting a motion which ensures the timely implementation of the proposed measures set out by the Minister of Finance.**

Attached, you will find our proposed motion which has been passed by municipalities representing 43% of the Ontario population. Communities including Thunder Bay, Sault Ste. Marie, Sudbury, London, Windsor, Oshawa, Mississauga and North Bay have all supported stopping the spread of contraband tobacco by passing this motion.

I hope that Ontario's convenience store retailers can count on your support to address this vital community safety and health issue.

Best Regards,

Dave Bryans  
CEO, Ontario Convenience Stores Association (OCSA)

## PROPOSED MOTION FOR ADOPTION BY COUNCIL

WHEREAS Contraband tobacco has negative public consequences and impacts such as unrestricted youth access to tobacco products, and an increase in criminal activity

AND WHEREAS contraband tobacco products are easily accessible in our community;

AND WHEREAS small businesses are sometimes forced to close because of the sale of contraband tobacco;

AND WHEREAS small business in our community and government in general stand to benefit from the institution of tougher restrictions on contraband tobacco;

THEREFORE be it resolved that this Council request the Mayor write a letter to the Ontario Minister of Finance in support of the Ontario Government's 2012 Budget commitments to eradicate contraband tobacco through the implementation of additional regulatory, enforcement and other provisions in Bill 186 and amendments to the Tobacco Tax Act. Particularly, in support of measures such as:

- Increased fines for those convicted of offenses related to contraband tobacco;
- more authority for law enforcement officials with respect to: forfeiture of items seized, and impounding of vehicles.
- drawing on the best practices of other jurisdictions and working collaboratively with the federal government and other jurisdictions to enhance contraband tobacco control through joint enforcement efforts.

AND that the provincial government be encouraged to continue to strengthen their strategies to address the manufacture and supply of contraband tobacco and maintain their commitment to introduce amendments this fall to implement these measures.

AND that surrounding municipalities be made aware of the actions taken by this Council to address the concerns presented by contraband tobacco.



## TOBACCO ENFORCEMENT (FROM THE 2012 ONTARIO BUDGET)

Tobacco use continues to be the leading cause of preventable disease and premature death in Ontario. The government's Smoke-Free Ontario Strategy has made the province a leader in tobacco control. Ontario remains committed to reducing smoking among youth and other vulnerable persons, and to achieving the lowest smoking rate in Canada.

As part of this commitment, the government intends to take the necessary steps to increase fines on those convicted of selling tobacco to youth and to impose stronger sanctions for repeat offenders of Ontario's tobacco-related laws. These sanctions would include prohibiting a retailer from selling tobacco products or lottery tickets and would be implemented by the fall.

The availability of cheap, illegal tobacco makes it easier for non-smokers, especially youth, to start smoking, and removes an incentive for smokers to quit, undermining the government's policies to reduce smoking.

The government will work with key partners to further educate the public about health and social problems associated with tobacco and will undertake research to help measure the impact of its tobacco strategies on smoking levels in the province.

Ontario has also committed to doubling enforcement efforts to address the supply of cheap, illegal tobacco. As part of this commitment, the government will focus on the implementation of additional regulatory, enforcement and other provisions in Bill 186, which was enacted in 2011.

With the goal of enhancing oversight over the distribution of raw leaf tobacco in the province, Bill 186 provides for the regulation of raw leaf tobacco under the *Tobacco Tax Act*, effective October 1, 2012. In this context, raw leaf tobacco includes flue-cured tobacco as well as black and burley tobacco, and it also includes fully or partially processed tobacco. Tobacco growers, dealers, processors, importers, exporters and certain transporters will be required to register and report with the Ministry of Finance in order that this key component in the manufacture of tobacco products can be tracked throughout the supply chain. As the regulations are drafted, the Ministry of Finance will consult with key stakeholders including First Nations leadership.

Ontario also proposes to introduce amendments to the *Tobacco Tax Act* in the fall to provide additional enforcement and compliance tools. As part of this process, the government is actively exploring a number of measures, including:

- increased fines for those convicted of offences related to illegal tobacco;
- enabling law enforcement officers to ticket those found with smaller amounts of untaxed, illegal tobacco;
- impounding vehicles used to transport illegal tobacco;
- providing for the use of court-authorized tracking devices;
- forfeiture of items seized as evidence of a contravention of the *Tobacco Tax Act*;
- authorizing a vehicle to be stopped, detained and searched if there are reasonable and probable grounds to believe that it contains raw leaf tobacco and, if there has been a contravention, to seize that tobacco;
- strengthening the registration system for retail dealers;
- replacing Ontario's yellow tear tape with the federal stamp;

- adopting best practices that have proven to be effective in other provinces; and
- strengthening other provisions to improve the effectiveness of the statute in meeting the government's commitments.

Consultation and discussions with stakeholders and key partners, including First Nations communities and organizations, will take place as part of this process.

Ontario will continue its ongoing dialogue with First Nations communities and organizations, band councils, and on-reserve tobacco manufacturers with the goal of expanding its understanding of tobacco issues on reserves. The government will also work with First Nations to explore ways to modernize the system for allocating untaxed tobacco products as well as options related to First Nations self-regulation of tobacco on reserve.

The availability of cheap, illegal tobacco is a significantly complex issue and requires the active involvement of governments of neighbouring provinces; the federal government; First Nations leadership; and numerous policing and enforcement agencies including the Ontario Provincial Police, Royal Canadian Mounted Police, First Nations policing services, municipal public health units and municipal police services. The ministry will continue to actively build relationships with other ministries, governments, First Nations leadership, and various enforcement agencies to work together on common goals and share best practices.

Ontario is working collaboratively with the federal government and other provinces to enhance tobacco enforcement. To effectively address illegal tobacco, joint tobacco enforcement and administration agreements are needed between Ontario, other provinces and jurisdictions, and various federal agencies. Ontario is particularly concerned about the impact of the proposed relocation of the Canada–U.S. border crossing currently located in Cornwall.

Over the next three years, the implementation of Bill 186 measures as well as the proposed measures to address illegal tobacco would raise revenues of \$375 million. By 2014–15, additional annual revenue would be \$175 million, with additional annual enforcement costs of \$34 million.

Source: 2012 Ontario Budget: Chapter IV: Tax and Pension Systems, March 2012

## How Can Your Municipality Help?

In its 2012 budget, the Ontario government introduced a variety of measures that will help eradicate contraband tobacco, including more power for law enforcement, tougher fines for violators, and working with other jurisdictions to eliminate this serious problem. These will be enforced through the Tobacco Tax Act and Bill 186.

We are asking for municipal governments and community leaders to take action by passing a supportive motion at their local councils. Specifically, we're requesting the Mayor of a municipality to write a letter to the Ontario Minister of Finance in support of the Ontario Government's anti-contraband commitments, in an effort to eliminate contraband tobacco.

Our towns, villages and cities are the ones that feel the impact of contraband tobacco, which affects their local economies and community safety. Support from our municipalities will continuously remind the government how important the issue of contraband tobacco is in ensuring safer, more prosperous communities.

### Municipalities that have already taken action include:

Ajax	Fort Erie	La Salle	Sudbury
Aurora	French River	Lincoln	Thunder Bay
Brantford	Ganonoque	London	Waterloo
Belleville	Grimsby	Mississauga	Windsor
Brockville	Haldimand	Niagara Region	Muskoka District
Burlington	Hamilton	Oshawa	
Cambridge	Kingston	Sault Ste. Marie	
Cornwall	Kitchener	Richmond Hill	

And many others across the province.

## About Ontario's Convenience Stores

- More than 10,000 convenience stores in Ontario
- Industry employs over 75,000 individuals
- Economic footprint of \$5.5 billion annually
- 2.7 million customers visit a convenience store every day in Ontario
- For family-run stores, tobacco sales can account for up to 60% of store revenue

### "We Expect I.D." Program

- Program created to train, test and certify convenience store employees on their legal obligations when selling age-restricted products
- Used throughout 8,000 locations across Ontario
- Program available in English, French and Korean
- Currently available as online training

## Ontario Convenience Stores Association



## CONTRABAND TOBACCO AND COMMUNITY SAFETY

### Ontario Convenience Stores Association

466 Speers Road, Suite #217  
Oakville, ON L6K 3W9  
T: 905-845-9152  
[www.conveniencestores.ca](http://www.conveniencestores.ca)

### What You Need to Know

# How Contraband Tobacco Impacts Our Communities

## What is Contraband Tobacco?

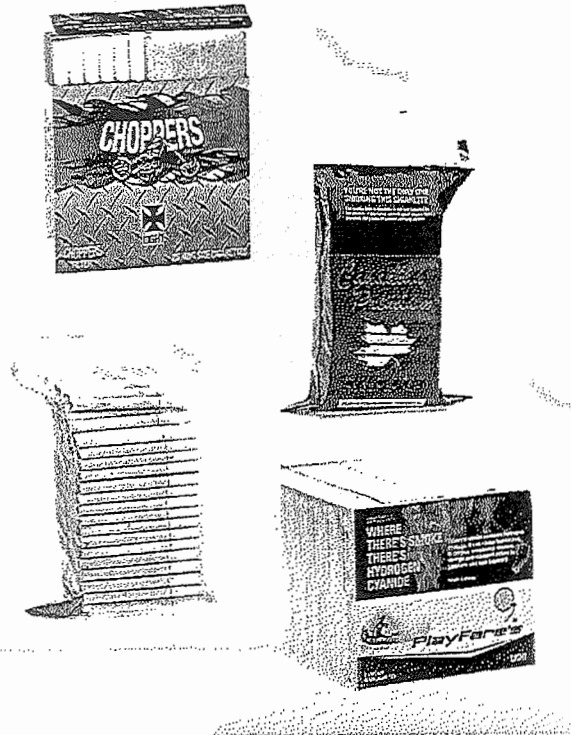
- Illegal cigarettes, or "contraband tobacco", are products that do not comply with Canada's tobacco regulations – such as labelling/ health warnings, importation, stamping, manufacturing, distribution and taxation.
- Contraband cigarettes are typically manufactured in illegal facilities on First Nations reserves in both Canada and the US. These products are sold and distributed via 350 smoke shacks in Ontario and Quebec, which sell baggies of 200 contraband cigarettes for as little as \$10 - \$15 per baggie.

## How does it impact my community?

- Supports organized crime, putting communities at risk: The spread of contraband results in the growth of an underground, illegal economy. The RCMP has identified over 175 organized crime groups involved in the contraband trade.
- Lost revenue for government and small business: Contraband products are not subject to all levels of taxation and can be purchased at a much lower cost to consumers than legal products, resulting in lost revenue from taxes. This adds up to millions of dollars annually that could be used towards alternative government spending, including municipal funding. It also results in less sales for convenience stores, ultimately leading to store closures.
- More accessible to young people: Contraband products are sold without age verification checks, making them far more accessible to young people to whom they are sold without mandated health warnings.

## What Does Contraband Look Like?

From baggies to knockoffs, contraband comes in many different forms. These products are sold without age verification checks, tax-free, and without adhering to any of the tobacco industry's manufacturing requirements.



## Some important facts about contraband tobacco:

- Organized crime groups are extensively involved in the distribution of contraband tobacco. When you buy contraband tobacco products you contribute to a major underground economy worth hundreds of millions of dollars.
- Profits from the sale of contraband tobacco are used to fund other illegal activities, such as the movement of drugs, weapons and money laundering operations. Contraband tobacco sales also support the sale of tax-exempt gasoline to those not on reserve. New fuel stations constructed on reserve are selling fuel at \$0.10 to \$0.12 cents cheaper than other businesses.
- There are 6 categories of contraband tobacco:
  - ⇒ Cigarettes that are illegally manufactured by unlicensed producers.
  - ⇒ Cigarettes legally purchased in the US at a lower price, and illegally imported across the border
  - ⇒ Counterfeit name-brand cigarettes that are illegally manufactured in other jurisdictions and imported into Ontario.
  - ⇒ "Secondary run" cigarettes produced at legal tobacco manufacturing plants, but are unclaimed, not subject to Ontario's tax regime, and distributed through the underground market
  - ⇒ Tax-exempt (excise only) cigarettes sold to First Nations communities, identified with a peach coloured band, that are sold to non-Natives, tax-free, and for a lower cost.
  - ⇒ Tax-exempt (PTT and excise only) sold through legal retail channels to non-status natives, who then re-sell them to the public through the underground market.

Ministry of  
the Environment  
Office of the Minister  
77 Wellesley Street West  
11<sup>th</sup> Floor, Ferguson Block  
Toronto ON M7A 2T5  
Tel.: 416 314-6790  
Fax: 416 314-6748

Ministère de  
l'Environnement  
Bureau du ministre  
77, rue Wellesley Ouest  
11<sup>e</sup> étage, édifice Ferguson  
Toronto ON M7A 2T5  
Tél. : 416 314-6790  
Télec. : 416 314-6748



ENV1283MC-2013-763

APR 08 2013

RECEIVED

APR 11 2013

TWP. OF WELLINGTON NORTH

His Worship Raymond Tout  
Mayor  
Township of Wellington North  
7490 Sideroad 7 West  
PO Box 125  
Kenilworth ON N0G 2E0

Dear Mayor Tout:

I want to take this opportunity to thank you and your delegation for meeting with me at the 2013 Rural Ontario Municipal Association/Ontario Good Roads Association Combined Conference.

It is always a pleasure to meet with our partners from rural municipalities. I know you share our government's focus on protecting your community's environment and the health of your residents. Please be assured, I understand the importance of working with you to achieve our common goals.

I appreciated learning about the steps that your municipality has taken with respect to source protection planning, and I was pleased to receive the documentation you provided. Local leadership plays a key role in protecting drinking water sources across Ontario. The *Clean Water Act* has enabled a local process for developing collaborative, watershed-based source protection plans that are based on science. Regarding the recommendations in your presentation, we welcome new ideas about how to effectively implement these plans.

While land use planning mechanisms such as the Provincial Policy Statement can help prevent water sources from being affected by new land uses in the future, the risk management approach is an important new, flexible tool enabled under the *Clean Water Act*. This tool empowers municipalities to address specific high-risk activities on individual properties both now and in the future. Municipalities also have the flexibility to share risk management duties with other municipalities or delegate them to a conservation authority, planning board or board of health.

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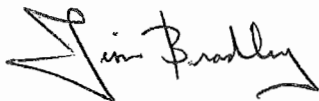
His Worship Raymond Tout  
Page 2.

We are continuing to provide funding to the conservation authorities to help local partners, including municipalities, prepare for implementation of plans. This work includes gathering information so that the authorities can support municipalities to undertake a more accurate assessment of the effort, resources, and cost required to implement the plans. I encourage all stakeholders, including municipalities, to work with the conservation authorities and each other to evaluate options and look for cost-efficient opportunities to help with the implementation of the plans.

I was pleased by your invitation to visit the Township of Wellington North and I will keep your offer in mind should my schedule permit. In the meantime, I have also forwarded the request to the Chairs of the local source protection committees who have indicated that they would be pleased to meet with you and township officials to discuss these matters more thoroughly.

Once again, thank you for taking the time to meet, and please accept my best wishes.

Yours sincerely,

A handwritten signature in black ink that reads "Jim Bradley". The signature is stylized with a large, sweeping initial "J" and a long, horizontal flourish at the end.

Jim Bradley  
Minister

c: Mr. Craig Ashbaugh, Chair  
Lake Erie Source Protection Committee

Mr. Larry Brown, Chair  
Ausable Bayfield Maitland Valley Source Protection Committee

Mr. Michael Traynor, Chair  
Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Committee

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**

**BY-LAW NUMBER 27-13**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01 BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH (Part Lot 4, Concession 3, former Township of West Luther, 8172 Line 2, Ruby and John Martin)**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01;

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part of Lot 4, Concession 3, as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural Exception (A-104) to Agricultural Commercial (AC)**.
2. THAT Section 33.104, Exception Zone 3 – Rural Areas, is deleted in its entirety.
3. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
4. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 22ND DAY OF APRIL, 2013.**

---

**RAYMOND TOUT  
MAYOR**

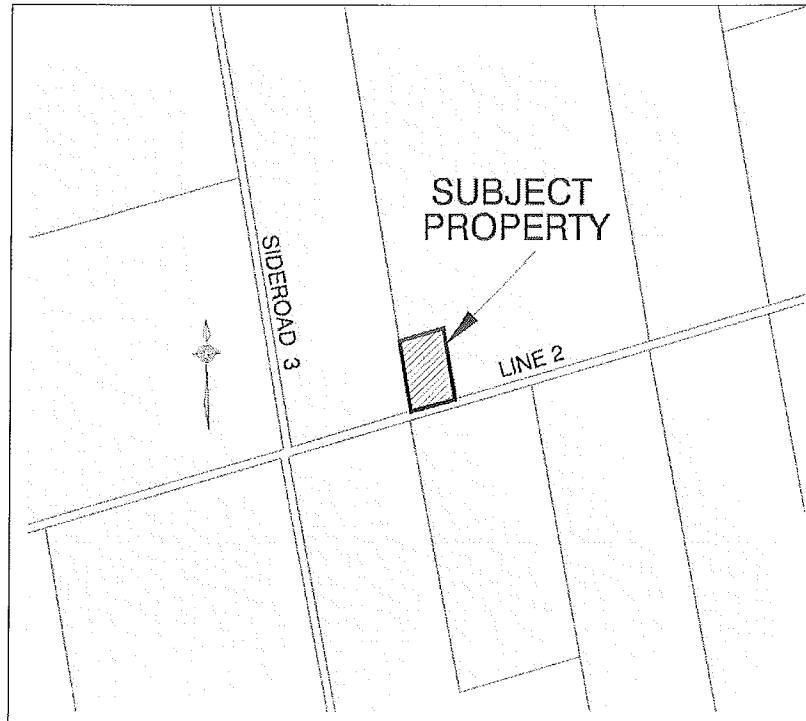
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**LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NUMBER 27-13

Schedule "A"



Rezone from Agricultural Exceptions (A-104) to Agricultural Commercial (AC)

This is Schedule "A" to By-law No. 27-13  
Passed this 22nd day of April, 2013

---

RAYMOND TOUT  
MAYOR

---

LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK



***EXPLANATORY NOTE***

***BY-LAW NUMBER 27-13***

**THE LOCATION** being rezoned is in Part Lot 4, Concession 3, and is municipally known as 8172 Line 2. The property is approximately 4.8 acres in area and is occupied residence and storage building.

**THE PURPOSE AND EFFECT** of the amendment is to amend the zoning of the property from Agricultural Exception (A-104) to Agricultural Commercial (AC). This would provide for the expansion of the tile drainage business, which is currently permitted but limited to an existing 3,200 sq. ft. accessory building. The rezoning would allow the owner to construct a 9,600 sq. ft. building for the business.

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**

**BY-LAW NUMBER 32-13**

**A BY-LAW TO RAISE MONEY TO AID IN THE CONSTRUCTION  
OF DRAINAGE WORKS UNDER THE *TILE DRAINAGE ACT*.**

**AUTHORITY:** *Tile Drainage Act, Section 2.*

The Council of the Corporation of the Township of Wellington North pursuant to the *Tile Drainage Act*, enacts as follows:

1. The Corporation may from time to time, subject to the provisions of this by-law, borrow on the credit of the Corporation such sums not exceeding in the whole \$1,000,000.00, as may be determined by the council, and may in manner hereinafter provided, issue debentures of the Corporation for the amount so borrowed as provided in the Act payable to the Treasurer of Ontario at the Ministry of Treasury and Economics at Toronto, which debentures shall reserve the right to prepay the whole or any part of principal and interest owing at the time of such prepayment.
2. Where an application for a loan under the Act is approved by the council and the inspector of drainage has filed with the clerk an inspection and completion certificate, the council may include a sum, not exceeding the amount applied for or 75 per cent of the total cost of the drainage work with respect to which the loan is made, in a debenture payable to the Treasurer of Ontario in accordance with the Act, and may approve of the Corporation lending the said sum to the applicant.
3. A special annual rate shall be imposed, levied and collected over and above all other rates upon the land in respect of which the money is borrowed, sufficient for the payment of the principal and interest as provided by the Act

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 22ND DAY OF APRIL, 2013.**

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**RAYMOND TOUT,  
MAYOR**

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**LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**

**BY-LAW NUMBER 33-13**

**BEING A BY-LAW TO AUTHORIZE A CONVEYANCE OF LAND  
TO A SUBSIDIARY CORPORATION (Wellington North Power  
Inc.)**

**WHEREAS** Wellington North Power Inc. (the "Power Corporation") is a subsidiary corporation of The Corporation of the Township of Wellington North (the "Township").

**AND WHEREAS** the following lands are **registered** in the name of the Township and contain infrastructure of the Power Corporation and the Power Corporation is the **beneficial** owner of the said lands:

Part of Lot 85 according to the Crown Survey of the Village of Arthur as described in registered Instrument No. DN24289, in the Township of Wellington North and County of Wellington having Property Identifier Number 71100-0048 (hereinafter called "the lands")

**AND WHEREAS** the parties wish to rectify the registered title to the lands.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH** enacts as follows:

1. The Township shall transfer and convey the lands to the Power Corporation for nil consideration.
2. The Mayor and the Clerk of the Corporation are hereby authorized and directed to sign all documentation required to complete and duly register the said transfer.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 22ND DAY OF APRIL, 2013.**

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**RAYMOND TOUT  
MAYOR**

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**LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

# THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

## BY-LAW NUMBER 34-13

### BEING A BY-LAW TO REGULATE AND PROVIDE FOR THE KEEPING, CONTROL AND LICENSING OF DOGS WITHIN THE TOWNSHIP OF WELLINGTON NORTH

**AUTHORITY:** Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, Section 11(3)9 and Section 103

**WHEREAS** the Council of the Corporation of the Township of Wellington North has deemed it necessary to pass a by-law regulating or prohibiting the keeping of dogs and the establishment of kennels and to provide for the leashing, muzzling, licensing and control of dogs and the licensing of kennels.

**NOW THEREFORE** the Council of the Corporation of the Township of Wellington North hereby enacts as follows:

#### 1. DEFINITIONS

- 1.1 **Animal Control Officer** - shall mean the person or persons appointed by the Township to enforce this By-law and includes the person appointed by the municipality to control dogs and any servants or agents of such person, any peace officer having jurisdiction within the municipality.
- 1.2 **At Large** - shall be deemed to mean the location of a dog when it is found in any place other than the premises of the owner of the dog and not under the control of any person;
- 1.3 **Clerk** means the clerk of The Corporation of the Township of Wellington North.
- 1.4 **Council** means the council of The Corporation of the Township of Wellington North.
- 1.5 **Dangerous Dog** - shall mean:
  - a) a dog, that in the absence of any mitigating factor, has attacked, bitten or caused injury to a person or has demonstrated a propensity, tendency or disposition to do so;
  - b) a dog that, in the absence of any mitigating factor, has significantly injured a domestic animal, or

1. DEFINITIONS (continued)

- c) a dog previously designated as a potentially dangerous dog that is kept or permitted to be kept by its owner in violation of the requirements for such dog.
- 1.6 **Dog** - shall mean any member of the species canis familiaris which is over twelve (12) weeks of age;
- 1.7 **Farm Dog** - shall mean a dog which is actively herding farm animals, such as cattle or sheep and such dog is under the control of its owner;
- 1.8 **Guide Dog** - shall mean a dog trained as a guide for a disabled person and having the qualifications prescribed by the regulations to the Blind Persons' Rights Act, R.S.O. 1990, c.B.7, or having certification by Hearing Ear Dogs of Canada or Special Skills Dogs of Canada;
- 1.9 **Hunting Dog** - shall mean a dog properly licensed through the Ministry of Natural Resources for the purpose of hunting moose, deer or raccoons, while hunting pursuant to the Provincial regulations;
- 1.10 **Kennel** - means an establishment where dogs are housed, groomed, bred, boarded, trained or sold on a lot or parcel which is 25 acres or greater in size within an Agricultural Zone;
- 1.11 **Mitigating Factor** - shall mean a circumstance which excuses aggressive behaviour of a dog and, without limiting the generality of the foregoing, may include circumstances where:
- a) the dog was, at the time of the aggressive behaviour, acting in defense to an attack by a person or domestic animal;
  - b) the dog was, at the time of the aggressive behaviour, acting in defense of its young or to a person or domestic animal trespassing on the property of its owner; or
  - c) the dog was, at the time of the aggressive behaviour, being teased, provoked, or tormented.
- 1.12 **Municipality** – means The Corporation of the Township of Wellington North.

1. **DEFINITIONS** (continued)

- 1.13 **Muzzle** - shall mean a humane fastening or covering device that is of adequate strength placed over a dog's mouth to prevent it from biting and which has been or is approved by an animal control officer.
- 1.14 **Noise** - shall mean the sound made by any dog which unreasonably disturbs the peace, quiet, comfort or repose of any person in any dwelling unit for a period longer than one hour;
- 1.15 **Owner** - shall mean any person, group of persons, partnership or corporation who or which possesses or harbours a dog; the words "own", "owns" or "owned", shall have a corresponding meaning, and shall include a person or persons who are temporarily the keeper of dogs; and where the owner is a minor, shall include the person or persons having the custody of the minor;
- 1.16 **Police Working Dog** - shall mean a dog trained to aid Law Enforcement Officers and which dog is actually being used for Police Work purposes for the protection of the public, including the investigation of crime and the apprehension of law violators;
- 1.17 **Potentially Dangerous Dog** -shall mean:
- a) dog that, in the absence of any mitigating factor, chases or approaches any person or domestic animal, anywhere other than on the property of the owner, in a menacing fashion or apparent attitude of attack, including, but not limited to, behavior such as growling or snarling; or
  - b) a dog that has been impounded by the animal control officer or for whom the owner has been convicted on a total of three occasions within a twenty-four (24) month period for such dog being at large in the municipality.
- 1.18 **Pound** - includes a veterinary facility or other place(s) designated by resolution of the Council of the municipality;
- 1.19 **Pound Fee** includes any daily charge that may be collected by the operator of a pound;
- 1.20 **Pound Keeper** - shall mean the person, or persons, or agency that act as keeper of the pound;

1. **DEFINITIONS** (continued)

1.21 **Township** - shall mean the Corporation of the Township of Wellington North

1.20 **Zoned** means a land use designation in a zoning by-law passed under the provisions of the Planning Act.

2. **DOGS RUNNING AT LARGE**

2.1 Every owner shall keep his or her dog under restraint at all times.

2.2 No person shall allow a dog to run at large in the Municipality.

2.3 A dog shall not be considered running at large if it is,

- a) A guide dog
- b) Police working dog
- c) Hunting dog
- d) Farm dog

providing it is actively engaged in the performance of its trained duties.

2.4 Any dog found running at large contrary to this by-law may be seized and impounded by an animal control officer.

2.5 An animal control officer may enter on any public property, or private property with the consent of the owner or tenant, for the purpose of capturing any dog running at large.

### 3. IMPOUNDMENT

- 3.1 It shall be the duty of the animal control officer to capture dogs found running at large and return them to the owner's habitual residence if known, or to impound same, when practical, where they can be confined subject to the right of the owner to redeem the dog within seventy-two (72) hours from the time of impoundment, exclusive of Sundays and holidays and the day of impoundment, by paying to the Township the applicable fees as set out in accordance with the municipality's "Fees and Charges By-law Schedule E "Licensing and Lotteries" as amended from time to time.
- 3.2 The owner of every dog impounded, if known, whether or not the dog is claimed by the owner from the pound, shall be liable for the payment of the pound fee, the boarding fee, and any euthanasia and disposal fees applicable, and shall pay all fees on demand to the Township's Treasurer.
- 3.3 Where at the end of the seventy-two (72) hour period described in section 3.1 possession of the dog has not been restored to the owner, the operator of the pound may dispose of the dog in accordance with the provisions of the Animals for Research Act, R.S.O. 1990, c. A. 22, as amended.
- 3.4 No dog shall be returned to its owner unless it has been licensed for the then current year in accordance with the provisions of this by-law.
- 3.5 Where a dog is seized and impounded, is injured or should be destroyed without delay for humane reasons, or for the safety of persons or animals, an animal control officer may dispose of, or have the dog disposed of as soon after seizure as deemed fit, in a humane manner without permitting any person to reclaim the dog or animal or without offering it for sale and in that event no damages or compensation shall be recoverable on account of its killing.
- 3.6 All monies received for the sale or adoption of unclaimed dogs shall become the property of the Township.
- 3.7 Where a dog is alleged to have bitten any person or domestic animal, such dog may be impounded and held by the pound until proceedings under the Dog Owners' Liability Act, R.S.O. 1990, c. D.16, section 4, as amended, have been followed, provided that no dog shall be so impounded or held for a period in excess of twenty-one (21) days unless otherwise ordered by a Judge.



#### 4. DESIGNATING POTENTIALLY DANGEROUS DOGS

Where an animal control officer designates a dog as a potentially dangerous dog, the animal control officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with any or all of the following requirements:

- 4.1 To keep the potentially dangerous dog, when it is on the lands and premises of the owner, confined:
  - a) within the owner's dwelling and under the effective control of an adult; or
  - b) in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a minimum depth of 30 centimeters or as otherwise approved by the animal control officer. The pen shall provide humane shelter for the potentially dangerous dog while preventing it from escaping there from and preventing the entry therein of unsupervised children;
- 4.2 To keep the potentially dangerous dog under the effective control of an adult person and under leash, such leash to be approved by the animal control officer and not to exceed 1.8 meters in length, at all times when it is not confined in accordance with subsection 4.1 (a);
- 4.3 To securely attach a muzzle to the potentially dangerous dog at all times when it is not confined in accordance with subsection 4.1 (a);
- 4.4 To permit the animal control officer to insert a microchip implantation in the potentially dangerous dog for the purpose of identifying the potentially dangerous dog;
- 4.5 To provide the animal control officer with the new address and telephone number of the owner within two (2) working days of moving the potentially dangerous dog;
- 4.6 To provide the animal control officer with the name, address and telephone number of the new owner within two (2) working days of selling or giving away the potentially dangerous dog;
- 4.7 To advise the animal control officer within two (2) working days of the death of the potentially dangerous dog;

4. DESIGNATING POTENTIALLY DANGEROUS DOGS (continued)

- 4.8 To advise the animal control officer forthwith if the potentially dangerous dog is running at large or has bitten or attacked any person or animal; and
- 4.9 To purchase and display at the entrances to the owner's dwelling a warning sign provided by the animal control officer. The sign shall be posted in such a manner that it cannot be easily removed by passersby and shall be clearly visible to a person approaching the entrance.

5. DESIGNATING DANGEROUS DOGS

Where an animal control officer designates a dog as a dangerous dog, the animal control officer shall serve notice upon the owner of such dog requiring the owner, upon receipt of such notice, to comply with the following requirements;

- 5.1 To keep the dangerous dog, when it is on the lands and premises of the owner confined:
  - a) within the owner's dwelling and under the effective control of an adult; or
  - b) in an enclosed pen constructed with a secure top and sides and either a secure bottom effectively attached to the sides or sides embedded in the ground to a minimum depth of 30 centimeters or as otherwise approved by the animal control officer. The pen shall provide humane shelter for the dangerous dog while preventing it from escaping there from and preventing the entry therein of unsupervised children;
- 5.2 To keep the dangerous dog under the effective control of an adult person and under leash, such leash to be approved by the animal control officer and not to exceed 1.8 meters in length, at all times when it is not confined in accordance with subsection 5.1 (a);
- 5.3 To securely attach a muzzle to the dangerous dog at all times when it is not confined in accordance with subsection 5.1 (a);

5. DESIGNATING DANGEROUS DOGS (continued)

- 5.4 To permit the animal control officer, or designate, to insert a microchip implantation in the dangerous dog for the purpose of identifying the dangerous dog;
- 5.5 To provide the animal control officer with the new address and telephone number of the owner within two (2) working days of moving the dangerous dog;
- 5.6 To provide the animal control officer with the name, address and telephone number of the new owner within two (2) working days of selling or giving away the dangerous dog;
- 5.7 To advise the animal control officer within two (2) working days of the death of the dangerous dog;
- 5.8 To advise the animal control officer forthwith if the dangerous dog is running at large or has bitten or attacked any person or animal; and
- 5.9 To purchase and display at the entrances to the owner's dwelling a warning sign provided by the animal control officer. The sign shall be posted in such a manner that it cannot be easily removed by passersby and shall be clearly visible to a person approaching the entrance.
- 5.10 Not to keep or harbour the dangerous dog in a multiple dwelling or a lodging house, and, where the owner's dwelling is a multiple dwelling or a lodging house, the dangerous dog may be kept or harboured at other premises for the purpose of Subsection 5.1 and subject to all other provisions of this Section 5.

6. LICENSING AND REGISTRATION OF DOGS

- 6.1 No person or persons shall own, harbour or keep more than three dogs per dwelling unit in areas zoned other than agricultural and on lots or parcels containing less than 25 acres of land.

6. **LICENSING AND REGISTRATION OF DOGS** (continued)

- 6.2 Notwithstanding Sections 7 and 9 of this by-law, no person shall own, harbor or keep more than 3 (three) dogs within or about any household or building within the Township of Wellington North save and except persons with licensed kennels legally established prior to the passing of this By-law or after the passing of this By-law in compliance with the provisions of the applicable zoning by-law and licensing by-law for the operation of the kennel within the Township of Wellington North.
- 6.3 No person shall within the Township own any dog without having obtained a license and dog tag for the dog from the Township.
- 6.4 The license shall be taken out annually on or before May 1st of each year and shall expire on December 31<sup>st</sup>.
- 6.5 The annual fee payable by the owner of a dog for a license shall be in accordance with the municipality's "Fees and Charges By-law Schedule E "Licensing and Lotteries" as amended from time to time.
- 6.6 Every dog tag shall bear the serial number and the year in which it was issued and a record shall be kept by the municipality showing the name and address of the owner and the serial number of the tag.
- 6.7 No person shall use a tag on a dog other than the dog for which such tag is issued.
- 6.8 No license or registration shall be transferable and the license and registration referred to herein shall expire and become void upon the sale, death or other disposal of a dog to which such license and registration relates.
- 6.9 No person other than the owner of the dog shall remove the tag from such dog.
- 6.10 The owner shall keep the dog tag securely fixed on the dog at all times.
- 6.11 A fee shall be charged for the replacement of a lost dog tag as set out in the municipality's "Fees and Charges By-law Schedule E "Licensing and Lotteries" as amended from time to time.

## 7. KENNELS

- 7.1 Notwithstanding any other provision of this By-law, every owner or operator of a kennel shall no later than the 30<sup>th</sup> day of April in each year apply for a kennel license, and upon the approval of the Township and payment of a license fee as set in accordance with the municipality's "Fees and Charges By-law Schedule E "Licensing and Lotteries" as amended from time to time.
- 7.2 The fee for a kennel license shall cover all dogs owned and maintained by the kennel owner or operator.
- 7.3 Every person who owns or operates a kennel shall comply with the applicable by-laws of the municipality. No kennel license shall be issued unless such kennel complies with the by-laws of the municipality. Where an owner or operator of a kennel fails to comply with a by-law of the municipality, the kennel license may be suspended or revoked.
- 7.4 Every person who owns or operates a kennel shall permit an animal control officer, upon production of proper identification, to enter and inspect the kennel at all reasonable times for the purposes of determining compliance with the license and the provisions of this by-law or any other by-laws of the municipality applicable to a kennel.
- 7.5 Every person who owns or operates a kennel shall have regard to the guidelines set out in "A Code of Practice for Canadian Kennel Operations", (Canadian Veterinary Medical Association) September 1994).
- 7.6 No person who owns or operates a kennel shall keep dogs in an unsanitary condition. Conditions shall be considered unsanitary where the keeping of the animal or animals results in an accumulation of fecal matter, an odour, insect infestation or rodent attractants which endanger the health of the animal or any person.
- 7.7 Every person who owns or operates a kennel shall provide the animals under care, or cause them to be provided with,
  - a) clean, fresh drinking water and suitable food of sufficient quantity and quality to allow normal, healthy growth and the maintenance of normal, healthy body weight;

7. KENNELS (continued)

- b) food and water receptacles kept clean and disinfected and located so as to avoid contamination by excreta;
  - c) the opportunity for periodic exercise sufficient to maintain good health including the opportunity to be unfettered from a fixed area and exercised regularly under appropriate control; and,
  - d) necessary veterinary medical care when any animal exhibits signs of pain, illness or suffering.
- 7.8 Every animal enclosure shall provide the animal with protection from heat, cold and wet and be of sufficient size to allow the animal the ability to turn around freely and lie in a normal position.
- 7.9 Every run or pen area must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.
- 7.10 Subsequent to the passing of this by-law, every run, pen, or exercise yard shall be surrounded by a sturdy fence with a minimum height of 1.2 meters.
- 7.11 Every person who owns or operates a kennel shall undertake measures to ensure that residences on adjacent properties are not subjected to persistent barking, calling, whining or other similar persistent noise making by the dogs kept at such kennel.
- 7.12 Where the municipality receives a complaint about noise emissions from a licensed kennel, an animal control officer shall investigate such complaints and may at his or her sole discretion initiate a prosecution with respect to an alleged contravention of subsection 7.1 1.
- 7.13 Where a kennel is found guilty of 3 or more violations of subsection 7.1 1 in one license term, the animal control officer or Council may order the owner or operator to submit, at its expense, a noise evaluation study prepared by a qualified acoustical consultant and may suspend the license to operate a kennel until such time as the noise evaluation study has been reviewed and approved by the municipality and satisfactory arrangements for the implementation of any noise abatement measures have been made, including the entering into of any agreements and the posting of any securities required to ensure the completion of any required noise abatement measures.

7. KENNELS (continued)

- 7.14 Section 7.13 may also apply to an application for a building permit to increase the housing capacity of a licensed kennel.
- 7.15 An application for a kennel license or renewal shall be submitted in the proper form, attached as Schedule "B" to this by-law, and shall include a detailed site plan, the appropriate fee paid to the Township and, in the case of a first application for a kennel license, unless such requirement is waived by Council of the Township, a noise evaluation study prepared by a qualified acoustical consultant.
- 7.16 Any application for a new kennel shall be subject to circulation of notice of the application to all owners of property within 60 meters of subject property in order to obtain public input. A public hearing will be held only if deemed necessary by Council of the Township.
- 7.17 A license to operate a kennel shall be subject to such terms and conditions set out in the license and no person shall operate a kennel except in accordance with the terms and conditions of the kennel license issued by the Township.
- 7.18 Notwithstanding the provisions of this by-law, the Township may attach a condition to a kennel license limiting the number of dogs which may be kept in the kennel.

8. DOG WASTE

- 8.1 Every person who owns, harbours, possesses or is in control of any dog shall remove forthwith and dispose of any excrement left by the said dog on any property in the former geographic area of the Town of Mount Forest and the former geographic area of the Village of Arthur as it existed prior to the annexation of a portion of the Township of Mapleton on the 1<sup>st</sup> day of January 1999.

8. **DOG WASTE** (continued)

- 8.2 Every person who owns, harbours, possesses or is in control of any dog shall remove forthwith and dispose of any excrement left by the said dog on any property in the former geographic area of the Township of Arthur, the former geographic area of the Township of West Luther (including the portion thereof annexed from the former geographic area of the Township of West Garafraxa) and in the portion of the Township of Mapleton annexed to the former geographic area of the Village of Arthur on the 1<sup>st</sup> day of January 1999, other than on the premises of the owner of the dog if such premises contain 25 acres of land or more.

9. **PROTECTION OF LIVESTOCK AND POULTRY FROM DOGS ACT**

- 9.1 According to Section 2 of the *Protection of Livestock and Poultry from Dogs Act*, any person may kill a dog:
- that is found killing or injuring livestock or poultry;
  - that is found straying at any time, and not under proper control, upon premises where livestock or poultry are habitually kept.
- 9.2 According to Sections 8(1) and 8(2) of the *Protection of Livestock and Poultry from Dogs Act* the owner of a dog who has knowledge that the dog has killed or injured livestock or poultry shall destroy the dog or cause the dog to be destroyed within 48 (forty-eight) hours after acquiring such knowledge.

An owner of a dog who refuses or neglects to destroy it when required so to do by subsection 8(1) may be summoned before a provincial judge who may order the dog to be destroyed, and for the purpose of carrying out the order a constable may enter upon the premises of the owner and destroy the dog, and the provincial judge may, in addition to any other penalty provided by this Act, direct the owner of the dog to pay the cost of the proceedings and of the destruction of the dog.



## 10. MISCELLANEOUS MATTERS

- 10.1 No person or persons shall own, harbour, or keep any more than three (3) dogs per household or dwelling unit.

The provisions of this subsection do not apply to:

- a) an animal hospital owned and operated by a veterinarian licensed by the Ontario Veterinary Association,
  - b) a pet store,
  - c) an Ontario Humane Society Shelter or the Pound which complies with this by-law.
  - d) a licensed kennel
  - e) dogs under twelve (12) weeks of age
  - f) any owner or occupier of premises, who, at the time of enactment of this by-law, has more than three (3) dogs on a property, may continue to maintain those dogs on that property provided that any dogs, exceeding the regulated number (3), may not be replaced.
- 10.2 No owner of a dog shall permit the dog to make any persistent barking, calling or whining noise likely to disturb the residents of adjacent properties.

## 11. APPEAL TO THE APPEAL COMMITTEE

- 11.1 Council hereby appoints the Township's Administration Committee as the Appeal Committee to conduct hearings on its behalf pursuant to this by-law and the Municipal Act, 2001, S.O. 2001, c. 25.

11. **APPEAL TO THE APPEAL COMMITTEE** (continued)

11.2 Where the owner of a dog who receives a notice from an animal control officer designating such dog as a potentially dangerous dog or a dangerous dog, requests by notice in writing delivered to the Clerk of the Township within five (5) working days of receipt of such notice, the Appeal Committee shall hold a hearing pursuant to the provisions of the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22 within thirty (30) days of the Clerk's receipt of the written request for a hearing and such committee may:

- a) affirm or rescind the animal control officer's designation of the dog;
- b) substitute its own designation of the dog as a potentially dangerous dog or dangerous dog ; or
- c) substitute its own requirements of the owner of a potentially dangerous dog or dangerous dog pursuant to section 4 or 5.

12. **INQUIRY**

Animal control officers may either on his or her own initiative, or as a result of a complaint received by him or her from a resident of the Township, conduct an inquiry into whether a dog should be designated as a potentially dangerous dog or a dangerous dog, as the case may be.

13. **IMPOSITION OF REQUIREMENTS OF SECTIONS 4 AND 5**

Any of the requirements of sections 4 and 5, except for subsections 4.2 and 4.3 and 5.2 and 5.3, which may be imposed by notice on a dog owner by the animal control officer pursuant to such sections, shall not be enforceable until:

- a) the time for requesting an appeal has expired without an appeal being requested;
- b) an appeal has been requested and the request has been withdrawn or abandoned; or
- c) an appeal has been requested and the Appeal Committee has issued its decision.

**14. SERVING NOTICES**

Any notices served by an animal control officer or requests for hearings made by an owner pursuant to this by-law, shall be provided by hand delivery or prepaid registered mail and, in the event of service by prepaid registered mail, shall be deemed received on the fifth (5<sup>th</sup>) day after the date of mailing.

**15. LIABILITY FOR DAMAGES**

The Township, its agents and servants, and any animal control officer shall not be liable for damages or compensation for any dog killed under the provisions of this by-law and no such damages or compensation shall be paid to any person.

**16. PENALTY PROVISIONS**

Every person who contravenes any of the provisions of this by-law

(a) is guilty of an offence; and

(b) upon conviction thereof shall be liable to a penalty as set out in Section 61 of The Provincial Offences Act, R.S .O. 1990, Chapter P.33, or any successor thereof.

**17. SEVERABILITY**

If any section, subsection, clause, paragraph or provision of this by-law is found by any Court of competent jurisdiction to be invalid or beyond the powers of the Council to enact, such section, subsection, clause, paragraph or provision shall be deemed to be severable from the remainder of this by-law and all other sections or parts of this by-law shall be deemed to be separate and independent there from and are enacted as such.

**18. REPEAL SECTION**

By-law No. 31-99 and 49-00 are hereby repealed in their entirety.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 22ND DAY OF APRIL, 2013.**

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**RAYMOND TOUT,  
MAYOR**

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**LORRAINE HEINBUCH,  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

## Schedule A of By-law Number 34-13

Township of Wellington North

### PART 1 PROVINCIAL OFFENCES ACT

A by-law to regulate and provide for the keeping,  
control and licensing of dogs within the  
Township of Wellington North

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision creating or defining offence	COLUMN 3 Set Fine (includes cost)
1	Dog running at large	Section 2.2	\$100.00
2	Potentially dangerous dog not confined	Section 4.1	\$500.00
3	Potentially dangerous dog not under the effective control of an adult person and under leash approved by Animal Control Officer	Section 4.2	\$500.00
4	Not securely attaching a muzzle to potentially dangerous dog	Section 4.3	\$500.00
5	Not permitting Animal Control Officer to insert a microchip implantation in potentially dangerous dog	Section 4.4	\$400.00
6	Not providing Animal Control Officer with new address and telephone number of owner within two (2) working days of moving potentially dangerous dog	Section 4.5	\$100.00
7	Not providing Animal Control Officer with name, address and telephone number of new owner within two (2) working days of selling or giving away potentially dangerous dog	Section 4.6	\$100.00
8	Not advising Animal Control Officer within two (2) working days of death of potentially dangerous dog	Section 4.7	\$50.00

9	Not advising Animal Control Officer forthwith if potentially dangerous dog is running at large or has bitten or attached any person or animal	Section 4.8	\$100.00
10	Not displaying a warning sign	Section 4.9	\$200.00
11	Dangerous dog not confined	Section 5.1	\$500.00
12	Dangerous dog not under the effective control of an adult person and under leash approved by Animal Control Officer	Section 5.2	\$500.00
13	Not securely attaching a muzzle to dangerous dog	Section 5.3	\$500.00
14	Not permitting Animal Control Officer to insert a microchip implantation in dangerous dog	Section 5.4	\$400.00
15	Not providing Animal Control Officer with new address and telephone number of owner within two (2) working days of moving dangerous dog	Section 5.5	\$100.00
16	Not providing Animal Control Officer with name, address and telephone number of new owner within two (2) working days of selling or giving away dangerous dog	Section 5.6	\$100.00
17	Not advising Animal Control Officer within two (2) working days of death of dangerous dog	Section 5.7	\$50.00
18	Not advising Animal Control Officer forthwith if dangerous dog is running at large or has bitten or attacked any person or animal	Section 5.8	\$100.00
19	Not displaying a warning sign	Section 5.9	\$200.00
20	Harbouring dangerous dog in a multiple dwelling or a lodging house	Section 5.10	\$500.00
21	Dog not registered and licensed	Section 6.3	\$100.00

22	Using a dog tag for a dog other than the dog for which tag was issued	Section 6.7	\$50.00
23	Transfer of license or registration	Section 6.8	\$150.00
24	Tag not securely fixed on dog	Section 6.10	\$150.00
25	Not obtaining a license to operate a kennel	Section 7.1	\$350.00
26	Not Permitting inspector to enter and inspect kennel	Section 7.4	\$250.00
27	Operating kennel in unsanitary condition	Section 7.6	\$200.00
28	Not providing clean, fresh drinking water and suitable food	Section 7.7	\$200.00
29	Not keeping food and water receptacles clean and disinfected	Section 7.7	\$200.00
30	Not providing opportunity for exercise	Section 7.7	\$200.00
31	Not providing necessary veterinary care	Section 7.7	\$200.00
32	Not providing enclosure with protection from elements and of sufficient size	Section 7.8	\$200.00
33	Not regularly cleaning run or pen	Section 7.9	\$200.00
34	Run or pen surrounded by sturdy fence with minimum height of 1.2 metres	Section 7.10	\$200.00
35	Not ensuring the residents on adjacent properties to a kennel are not subjected to persistent barking, calling, whining, etc.	Section 7.11	\$200.00
36	Not disposing of dog waste on property	Section 8.1	\$100.00
37	Not disposing of dog waste on property	Section 8.2	\$100.00
38	Keeping more than three dogs per household or dwelling unit	Section 10.1	\$200.00
39	Allowing dog to make persistent barking, calling or whining noise	Section 10.2	\$200.00

**NOTE:** The general penalty provision for the offences listed above is section 61 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

BY-LAW NUMBER 35-13

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF  
WELLINGTON NORTH AT ITS REGULAR MEETING HELD ON  
APRIL 22, 2013.

**AUTHORITY:** Municipal Act, 2001, S.O. 2001, c.25, as amended, Sections 5(3) and 130.

**WHEREAS** the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents and its powers shall be exercised by by-law.

**AND WHEREAS** the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 130 provides that every council may pass such by-laws and make such regulations for the health, safety and well-being of the inhabitants of the municipality in matters not specifically provided for by this Act and for governing the conduct of its members as may be deemed expedient and are not contrary to law.

**NOW THEREFORE** the Council of The Corporation of the Township of Wellington North hereby **ENACTS AS FOLLOWS:**

1. That the action of the Council at its Regular Meeting held on April 22, 2013 in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by separate by-law.
2. That the Mayor and the proper officers of the Township are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Township to all such documents.
3. That this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its power to proceed with, or to provide any money for, any undertaking work, project, scheme, act, matter or thing referred to in subsection 65 (1) of the Ontario Municipal Board Act, R.S.O. 1990, Chapter 0.28, shall not take effect until the approval of the Ontario Municipal Board with respect thereto, required under such subsection, has been obtained.
4. That any acquisition or purchase of land or of an interest in land pursuant to this by-law or pursuant to an option or agreement authorized by this by-law, is conditional on compliance with Environmental Assessment Act, R.S.O. 1990, Chapter E.18.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 22ND DAY OF APRIL, 2013.**

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RAYMOND TOUT  
MAYOR

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LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK



## MEETINGS, NOTICES, ANNOUNCEMENTS

Monday, April 29, 2013	Administration and Finance Committee	5:00 p.m.
Monday, May 6, 2013	Regular Meeting of Council	7:00 p.m.
Tuesday, May 7, 2013	Recreation Committee Rescheduled	8:30 a.m.
Monday, May 13, 2013	Committee of Adjustment	7:00 p.m.
Monday, May 13, 2013	Regular Meeting of Council	Following Committee of Adjustment
Tuesday, May 21, 2013	Fire Committee	7:00 p.m.
Wednesday, May 22, 2013	Building/Property Committee	9:00 a.m.
Wednesday, May 22, 2013	Economic Development Committee	6:00 p.m.
Tuesday, May 28, 2013	Water & Sewer Committee	8:30 a.m.
Tuesday, May 28, 2013	Works Committee	Following Water & Sewer Committee

**The following accessibility services can be made available to residents upon request with two weeks notice:**

**Sign Language Services – Canadian Hearing Society – 1-800-668-5815**

**Documents in alternate forms – CNIB – 1-866-797-1312**