



# Township of Wellington North

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

## Regular Meeting of Council

Monday, September 24, 2012

7:00 p.m.

Municipal Office Council Chambers, Kenilworth

## A G E N D A

Page 1 of 4

AGENDA ITEM	PAGE NO.
<b><u>CALLING THE MEETING TO ORDER</u></b>  - Mayor Tout	
<b><u>O' CANADA</u></b>	
<b><u>PASSING AND ACCEPTANCE OF AGENDA</u></b>	
<b><u>DECLARATION OF PECUNIARY INTEREST</u></b>	
<b><u>DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS</u></b>  1. Presentation of Certificates to Winners of the Fall Fair Ambassador Competitions	
<b><u>MINUTES</u></b>	
1. Leroy Martin Drainage Works, September 10, 2012	01
2. Public Meeting, September 10, 2012	03
3. Regular Meeting of Council, September 10, 2012	13

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<b><u>BUSINESS ARISING FROM MINUTES</u></b>	
1. County of Wellington, Planning and Land Division Committee Re: Consent Applications:	
- B68/12 – Piller Poultry Ltd.	22
- B96/12 – Piller Farms Ltd.	31
(NOTE: Mr. Piller will be in attendance to discuss severances with Council)	
<b><u>STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS</u></b>	
1. Wellington North Fire Service	
- Arthur Fire Station	
- August 2012 Fire Report	39
- August 2012 Fire Prevention Officer’s Reports	40
- Mount Forest Fire Station	
- August 2012 Fire Report	41
- August 2012 Fire Prevention Officer’s Reports	42
2. Fire Committee	
- Minutes, September 18, 2012	43
3. Recreation & Culture Advisory Committee	
- Minutes, September 11, 2012	46
- Mandate for Arthur Trail Sub Committee	50
4. Water and Sewer Committee	
- Minutes, September 18, 2012	52
5. Works Committee	
- Minutes, September 18, 2012	59
6. Finance Committee	
- Report from Mike Givens, Treasurer	62
- Recommendation regarding Asset Management Planning	63

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<b><u>CORRESPONDENCE FOR COUNCIL'S INFORMATION AND DIRECTION</u></b>	
1. Sgt. Michael Ashley, Ontario Provincial Police, Wellington County Detachment Re: Request for Waiver of Fees for Mount Forest Sports Complex Leisure Hall Rental on October 12, 2012 – Bridge Dedication	65
2. Randy Pettapiece, MPP, Perth-Wellington Re: Pettapiece passes motion to get province listening to rural Ontario	66
3. Randy Pettapiece, MPP, Perth-Wellington Re: Thank You for Township of Wellington North Support of Bill 76	67
4. Ontario Municipal Board Re: Dismissal of Appeal Application by Jens Dam - Delegate Authority Development Charges Deferred Payment	69
5. City of Hamilton Re: Request for Support of Emerald Ash Borer (EAB) Action Plan	70
<b><u>BY-LAWS</u></b>	
1. 74-12 Being a By-law to Authorize a Second Amendment to the Site Plan Agreement (Princess Street, Mount Forest – Schlegel)	72
2. 75-12 Being a By-law to Authorize the Execution of a Site Plan Agreement (Conestoga Estates, Part of Lot 23, Concession 8, geographic Township of Arthur)	76
<b><u>OTHER/NEW BUSINESS</u></b>	
<b><u>ITEMS FOR COUNCIL'S INFORMATION</u></b> (copies available for review in Clerk's Office and at Council Meeting)	
Cheque Distribution Report dated September 19, 2012	82
Township of Mapleton - Notice of Public Meeting for an Amendment to the Mapleton Zoning By-law and Notice of Complete Application, ZBA 2012-15	

AGENDA ITEM	PAGE NO.
<p><b><u>NOTICE OF MOTION</u></b></p> <p><b><u>ANNOUNCEMENTS</u></b></p> <p><b><u>CLOSED MEETING SESSION</u></b></p> <p>1. "Property, Personnel and Legal" matters</p>	
<p><b><u>CONFIRMING BY-LAW NO. 76-12 BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL</u></b></p>	102
<p><b><u>ADJOURNMENT</u></b></p> <p>Lorraine Heinbuch, Chief Administrative Officer/Clerk</p>	

THE CORPORATION OF  
THE TOWNSHIP OF WELLINGTON NORTH

LEROY MARTIN DRAINAGE WORKS

PUBLIC MEETING

Monday, September 10, 2012

6:30 p.m.

Members Present:

Mayor: Raymond Tout  
Councillors: Sherry Burke  
Mark Goetz  
Andy Lennox 6:35  
Dan Yake

Also Present:

Deputy Clerk: Cathy More  
Executive Assistant: Cathy Conrad  
Drainage Engineer: Neal Morris

Mayor Tout opened the meeting.

Pecuniary interest – none declared.

Neal Morris, K. Smart Associates Ltd., explained that the purpose of the meeting is for Council to consider the Drain Report. The report, dated August 10, 2012, outlined the area requiring drainage, history, on-site meeting, survey, work required, allowances, assessment, etc. The proposed work includes 200 metres of closed ditch work due to environmental concerns regarding the drain going through wetlands.

This work was originally petitioned by the majority of the landowners. The estimated cost of the project is \$159,745. The next step of the process would be a Court of Revision where any assessed land owner can appeal their assessment. The total cost of the drainage works would remain the same; but the costs would be allocated differently. Approximate breakdown of costs is \$78,000 is construction cost, \$50,000 for engineering, \$20,000 for administration and construction review and \$1,000 for allowances.

THE CORPORATION OF  
THE TOWNSHIP OF WELLINGTON NORTH

LEROY MARTIN DRAINAGE WORKS

PUBLIC MEETING

Monday, September 10, 2012

Page Two

An opportunity was given for questions from Council or those affected by the drain.

Comments received:

Saugeen Conservation  
- acceptable

Councillor Lennox asked if the drain outlet will be beyond the wetland.

Mr. Morris explained that the drain will outlet into the wetland. This is in accordance with the third option provided by the Conservation Authority.

An opportunity was given for anyone to add or delete their names from the petition.

No one was added or deleted.

Mayor Tout explained that will consider provisionally adopting the by-law.

The meeting was adjourned.

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**C.A.O./CLERK**

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**MAYOR**

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

The Public Meeting was held Monday, September 10, 2012 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:**

**Deputy Clerk:** Cathy More  
**Executive Assistant:** Cathy Conrad  
**Township Planner:** Linda Redmond

Mayor Tout called the meeting to order.

**Declaration of Pecuniary Interest:**

None declared.

**Owner/Applicant:** HFI Services Inc.

**Location of the Subject Land**

The property subject to the proposed amendment has a municipal address of 350 Dublin St. in Mount Forest. The property is approximately 0.53 ha. (1.31 ac.) in size.

**The Purpose and Effect of the Application**

The purpose and effect of the proposed amendment is to rezone the subject lands to permit a site specific zoning for the sale of used vehicles, new and used car parts and accessories and some general retail sales of antiques and memorabilia. The existing structure will be retained for a proposed commercial use.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Two

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 the public meeting was sent to property owners within 120 m and required agencies and posted on the property on August 20, 2012.
2. Application for Zoning By-law Amendment
3. Presentation by:

Linda Redmond, Planner, reviewed her comments dated August 15, 2012.

This zoning by-law amendment would allow for the sale of used vehicles as well as some accessory uses such as the sale of auto parts and memorabilia. The property is currently zoned Industrial and is located within a primarily residential area. The County Official Plan has provisions which recognize legally established uses which do not conform with the policies of an Official Plan but may be recognized as a permitted use in the local Zoning By-law. It further provides direction that a Council may consider zoning the property to allow a similar or more compatible use. In this instance the current industrial zoning would permit a wide variety of uses that may not be compatible with the surrounding residential area. It is staff's opinion that the proposed site specific commercial zoning would be more compatible with the surrounding area. Additionally, with the C3 zoning category, it is possible that other future uses which are more in keeping with the intentions of the Official Plan designation could be accommodated on the subject lands in the future and would not adversely affect the transition to more compatible uses in the future.



# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Three

The subject land is legally described as Pt Lot 2 Lot 3 Lot 4 Pt Lot; 2 To Pt Lot 4, municipally described as 350 Dublin Street. The land is approximately 0.53 ha. (1.31 ac.) ha in size and is occupied by an existing industrial building.

The purpose of the amendment is to rezone the subject lands to permit the sale of used cars and parts on an industrial zoned property within a residential area of Mount Forest.

The subject property is considered to be within the settlement area of Mount Forest. Section 1.1.3.1 of the Provincial Policy Statement states that "settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted." Settlement areas are encouraged to include a mix of densities and land uses.

The subject lands are designated RESIDENTIAL. Section 8.3.2 of the Wellington County Official Plan identifies objectives for the RESIDENTIAL areas of urban centres, stating that an effort be undertaken to ensure potential compatibility issues between residential and other land uses are minimized.

Permitted uses within the designated RESIDENTIAL areas of urban centres include residential dwellings, including a variety of housing types. Additionally, "non-residential uses such as schools, churches, clinics, local convenience stores, home occupations, neighbourhood parks and other public facilities may be permitted."

Section 13.8.2 of the plan deals with Status Zoning and states "A legally established use which does not conform with the policies of an Official Plan may be recognized 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 or to provide for a limited expansion of the current use".

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Four

The objectives of the Official Plan would ultimately encourage the current industrial use to cease in the future in favour of more compatible uses as described above. Section 8.3.3 - Permitted Uses in the Official Plan does not permit automotive sales in the Residential area, however, we recognize that the subject property did contain a use which was permitted in the M1 zone of the Zoning By-law. With both these considerations in mind, future changes to the property should ideally be in keeping with the Official Plan policy direction and not permit development which would hinder the movement to a more compatible use in the future.

Under the Zoning By-law the subject lands are zoned Industrial (M1). The industrial zone permits a variety of industrial uses which would not be compatible with the surrounding residential uses. The draft by-law places the property into a C3 – Neighbourhood Commercial zone and includes a site specific to allow the sale of used vehicles and uses accessory such as the sale of auto parts, antiques and automotive memorabilia.

4. Review of Correspondence received by the Township:
  - Erik Downing, Environmental Planning Technician
    - No objection
  - Karl Cook, 330 Queen Street West
    - No objection
5. 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.
6. Mayor Tout opened the floor for any questions/comments.

The applicant was available to answer any questions. Mr. Hewson explained that nothing is going to change from what the property is currently being used for. He needs to have the zoning changed to be able to get a licence to sell classic cars. This will be more in line with OMVIC and used car dealer's licence.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Five

7. Comments/questions from Council.

Lynn Keating, 565 Waterloo St., stated that her backyard backs onto the subject property. She and some of the neighbours do not approve of the amendment. They have concerns about outside of the buildings. Access to backyards has been an issue. Are batteries and radiators going to be stored? Will there be storage outside of the building? Currently there are portable toilets stored outside, will they be left there?

Mr. Hewson explained that the portable toilets are left over from his portable toilet business, which has been sold. The portable toilets on the property are for sale and once they are sold he will not be purchasing any more.

Mayor Tout commented that the application states that all storage will be inside the building.

Dave Haggett, 340 Queen St., questioned if the amendment will allow other property owners to do something similar. Although he is sure the business will be run professionally he had concerns regarding increased traffic and test drives. With antique cars there could be exhaust issues. He also had concerns regarding storage in the backyard and asked if tires will be stored.

Mr. Hewson stated that the Ministry of Environment gave the property a clean bill in August 2011. The Ministry asked that the portable toilets be washed inside the building. Nothing will be stored outside. He has approximately 30 antique cars and won't be letting anyone hop into a car and take off speeding. The use will be no different than in the past three years.

Mayor Tout clarified that this business is for retail sales, it is not a repair shop for the general public. The amendment to zoning will move the use in a direction that conforms in a residential area.

Ms. Redmond explained that the amendment will narrow the uses that could go there, which will limit future uses.

Linda McDonald, 545 Waterloo St., asked what type of memorabilia will be on site.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Six

Mr. Hewson stated that memorabilia will include items such as pop machines, signs, gas pumps and barber's chair; but, mostly automotive items.

Councillor Burke commented that this business is typically antique cars and will be trying to attract collectors of those types of memorabilia.

Mr. Hewson stated that he is not looking to be a car dealer like Arthur Chrysler. Right now he can buy all the cars he wants but he cannot sell them legally because they must be sold from a commercially zoned property.

Councillor Yake commented that he was concerned when he first read the proposal as he pictured a line up of used cars; but, if the cars are inside he does not have any concerns with the business proposed. The idea is unique and may attract people to the community. The test drives of classic cars would be different than at a new car dealer.

Mr. Hewson commented that this business is sort of man cave thing as the customers tend to be older men who are looking for classic cars or street rods. He has been in business in this area for almost 25 years and has tried to be a good corporate neighbour.

Mayor Tout stated that it is a comfort to the neighbours that everything will be inside the building.

Mr. Hewson raised a concern regarding a right of way across residential property that gives access to neighbouring backyards. Mrs. Keating has concerns with this access as well. Mr. Hewson believes there is a right of way to the lumber yard across his property and that the right of way to the backyards is actually on municipal property.

Mayor Tout questioned if this is part of the application. This concern is not about the subject property and will have to be dealt with at another time. Mayor Tout suggested setting up a meeting with Ms. Redmond, himself and those affected by the right of way.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Seven

**Owner/Applicant: Antonietta Malfara**

**Declaration of Pecuniary Interest:**

None declared.

**Location of the Subject Land**

The property being rezoned is in Part of Lot 31, Divisions 3 & 4, with a civic address of 8684 Highway 6. The subject property is 36.53 ha (90.25 acres) in size with an existing agricultural and residential use

**The Purpose and Effect of the Application**

The purpose and effect of the proposed amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property and to address the oversized shed (1930 sq.ft.) on the residential portion of the subject lands. This rezoning is a condition of severance application B23/12, that was granted provisional approval by the Wellington County Land Division Committee in May 2012. The consent will sever the existing parcel with a farm dwelling and accessory building (0.73 ha (1.8 acres)) from the remainder of the agricultural parcel (35.8 ha (88.45 acres)). The property is currently zoned Agricultural (A) and Natural Environment (NE).

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.

8. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on August 20, 2012.
9. Application for Zoning By-law Amendment

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Eight

10. Presentation by:

Linda Redmond, Planner, reviewed her comments dated August 31, 2012.

The zoning amendment is required as a condition of provisional consent (B23/12) by the Wellington County Land Division Committee. The Planning Department had no objections to implementing this decision. Both the Provincial Policy Statement and County Plan provide for surplus farm dwelling severances, provided the agricultural lands are rezoned to prohibit future residential dwellings. The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels where the impact on existing and future farm operations can be kept to a minimum.

Additionally, the applicants have requested zoning relief for the existing 1930 ft<sup>2</sup> accessory structure on the severed parcel.

The subject land is legally described as Part of Lot 31, Divisions 3 & 4, geographic Township of Arthur, and has a civic address of 8684 Highway 6. The land is approximately 36.53 ha. (90.25 ac.) in size and is occupied by a dwelling and accessory structure.

The purpose of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural portion of the property. This rezoning is a condition of severance application B23/12. The consent will sever the existing farm dwelling and oversized accessory building on 0.73 ha. (1.8 ac.) from the remainder of the agricultural parcel totaling 35.8 ha. (88.45 ac.). Additionally, as part of this application site specific zoning relief is requested for the severed property in order to permit the existing 1930 ft<sup>2</sup> accessory structure.

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.4.1(c) of the Provincial Policy Statement provides consideration for the severance of a surplus residence, provided that new residential dwellings are prohibited on the remnant parcel of farmland.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

Monday, September 10, 2012

### Page Nine

Under the Wellington County Official Plan the subject lands are designated PRIME AGRICULTURE, and CORE GREENLAND. The Core Greenland features include agricultural drains, a creek and forested area to the rear of the property. This application is required as a result of a severance application. Section 10.3.4 of the Official Plan implements the Provincial Policy Statement and requires that the remnant parcel be rezoned to prohibit dwellings.

Section 10.3.4 of the Official Plan states: "A severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) The remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) The result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) The amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) The surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) The Minimum Distance Separation formula will be met, and
- f) The vacant parcel of farmland is rezoned to prohibit a residential use."

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum."

Under the Zoning By-law the subject lands are zoned Agricultural (A) and Natural Environment (NE). The attached draft by-law places a site specific exception to prohibit a dwelling on the 35.8 ha. (88.45 ac.) agricultural parcel. An additional site specific exception would allow for the 1930 ft<sup>2</sup> shed, on the severed parcel 0.72 ha (1.8 ac.). The existing Natural Environment zone occurring on the property will remain unchanged.

TOWNSHIP OF WELLINGTON NORTH

PUBLIC MEETING - MINUTES

Monday, September 10, 2012

Page Ten

11. Review of Correspondence received by the Township:

Liz Yerex, Resource Planner, Grand River Conservation Authority

- No objection

Ministry of Transportation

- No Objection to the amendment but no new entrances will be allowed on the highway. Any new entrances to the property must be on Sideroad 10 West.

12. 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.

13. Mayor opens floor for any questions/comments.

The applicant was present. Applicant's agent, Derek Graham, was present to answer

14. Comments/questions from Council.

None.

15. Adjournment 7:34 p.m.

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C.A.O./CLERK

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MAYOR



THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Following Committee of Adjustment (7:40 p.m.)

Members Present:

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

Also Present:

Deputy Clerk: Cathy More  
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 September 10, 2012 Regular Meeting of Council be accepted and passed.*

Resolution Number: 1

Carried

D. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None declared.

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Two

E. MINUTES

1. Public Meeting, August 27, 2012
2. Regular Meeting of Council, August 27, 2012

Moved by: Councillor Goetz

Seconded by: Councillor Burke

*THAT the minutes of the Public Meeting and the Regular Meeting of Council held on August 27, 2012 be adopted as circulated.*

**Resolution Number: 2**

**Carried**

F. BUSINESS ARISING FROM MINUTES

None.

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Three

G. OTHER/NEW BUSINESS

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

B96/12 – Piller Farms Ltd.

Council supported the application with the following conditions:

- 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 receives approval from the applicable road authority if new driveway required.
- That the Owner satisfy the requirements in reference to parkland dedication.
- Barn must be removed or adjust the lot line so barn remains with retained parcel.
- Zoning relief is required for oversized frame shed on severed land.
- Frame lean-to is for animal housing and must be removed or retained is to be zoned to allow 5m setback.

B90/12 – Estate of Wilfred Costello

Council requested deferral of the application due to the size of the severed parcel and they request confirmation of the number of outbuildings and information regarding the size of the outbuildings.

Conditions:

- 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 receives approval from the applicable road authority if new driveway required.
- That the Owner satisfy the requirements in reference to parkland dedication.
- Severed must be rezoned to allow for oversized shed.

/4

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Four

G. OTHER/NEW BUSINESS (continued)

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

B102/12 – John Rooney

Council supported the application with the following conditions:

- 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.
- Owner must receive zoning relief for lot frontage.

H. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS

1. Administration Committee  
- Minutes, August 13, 2012

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Administration Committee meeting held on August 13, 2012.*

**Resolution Number: 3**

**Carried**

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Five

H. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND  
RECOMMENDATIONS (continued)

2. Finance Committee  
- Minutes, August 13, 2012

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Finance Committee meeting held on August 13, 2012.*

Resolution Number: 4

Carried

I. CORRESPONDENCE FOR COUNCIL'S INFORMATION AND  
DIRECTION

1. CUPE Ontario and Ontario Coalition for Better Child Care  
Re: Request to Proclaim Wednesday, October 24, 2012 as Child Care  
Worker & Early Childhood Educator Appreciation Day  
- received as information

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Six

I. BY-LAWS

1. 70-12 Being a By-law to Amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North (Pt. Lot 2 LOT 3 Lot 4 Pt. Lot; 2 to Pt. Lot 4 – 350 Dublin Street, Mount Forest – HFI Services Inc.)

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT By-law Number 70-12 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. (Pt. Lot 2 Lot 3 Lot 4 Pt. Lot; 2 to Pt. Lot 4 – 350 Dublin Street, Mount Forest – HFI Services Inc.)*

**Resolution Number: 5**

**Carried**

2. 71-12 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 31, Divisions 3 & 4, geographic Township of Arthur, 8684 Highway 6 – Malfara)

Moved by: Councillor Yake

Seconded by: Councillor Lennox

*THAT By-law Number 71-12 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. (Part of Lot 31, Divisions 3 & 4, geographic Township of Arthur, 8684 Highway 6 – Malfara)*

**Resolution Number: 6**

**Carried**

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Seven

I. BY-LAWS (continued)

3. 72-12 Being a By-law to Provide for a Drainage Works in the Township of Wellington North in the County of Wellington, known as the Leroy Martin Drain

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT By-law Number 72-12 being a by-law to provide for a drainage works in the Township of Wellington North in the County of Wellington, known as the Leroy Martin Drain be read a First and Second time and provisionally adopted.*

**Resolution Number: 7**

**Carried**

J. ITEMS FOR COUNCIL'S INFORMATION

Randy Pettapiece, MPP, Perth-Wellington

- Correspondence regarding September 6, 2012 introduction of motion in the Ontario Legislature

Ontario One Call

- Ontario Underground Infrastructure Notification System Act

Ministry of Community Safety and Correctional Services

- Reassignment of Fire Protection Advisers

Upper Grand District School Board

- Director's 2011 Annual Report

K. NOTICE OF MOTION

None.

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Eight

L. CULTURAL MOMENT

**Christy Doraty**  
*“Ball Hockey in Arthur”*

Watercolour artist Christy Doraty finds herself with no shortage of inspiration, as she relishes the rural scenes she loves, from her farmhouse in Wellington North. This painting, a family road hockey game on a tree-lined street in Arthur, is just one example of the way rural life inspires this artist.

Christy’s subjects include everything from neighbouring farmhouses to people enjoying their favourite activities. Doraty’s work has been widely recognized in the artistic community. In 2007, she participated in a prestigious show and sale at the McMichael Canadian art museum in Kleinburg, Ontario. Doraty has also rendered paintings for Union Station.

M. ANNOUNCEMENTS

Mayor Tout commended the organizers of the Mount Forest and Arthur Fall Fairs held within the past two weeks. The fairs were well attended and there were many participants in the events.

Mayor Tout commented that the World Suicide Prevention Day event held in Mount Forest on September 8 was well attended.

N. CLOSED MEETING SESSION

1. “Labour Relations” matter

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT Council go into a meeting at 8:22 p.m. that is closed to the public under subsections 239 (2) (d) of the Municipal Act, 2001*

*- to consider labour relations or employee negotiations.*

**Resolution Number: 8**

**Carried**

/9



THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Nine

N. CLOSED MEETING SESSION (continued)

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT Council rise from a closed meeting session at 8:52 p.m.*

Resolution Number: 9

Carried

O. CONFIRMING BY-LAW

Moved by: Councillor Yake

Seconded by: Councillor Lennox

*THAT By-law Number 73-12 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 September 10, 2012 be read a First, Second and Third time and finally passed.*

Resolution Number: 10

Carried

P. ADJOURNMENT

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT the Regular Council meeting of September 10, 2012 be adjourned at 8:53 p.m.*

Resolution Number: 11

Carried

---

C.A.O./CLERK

---

MAYOR

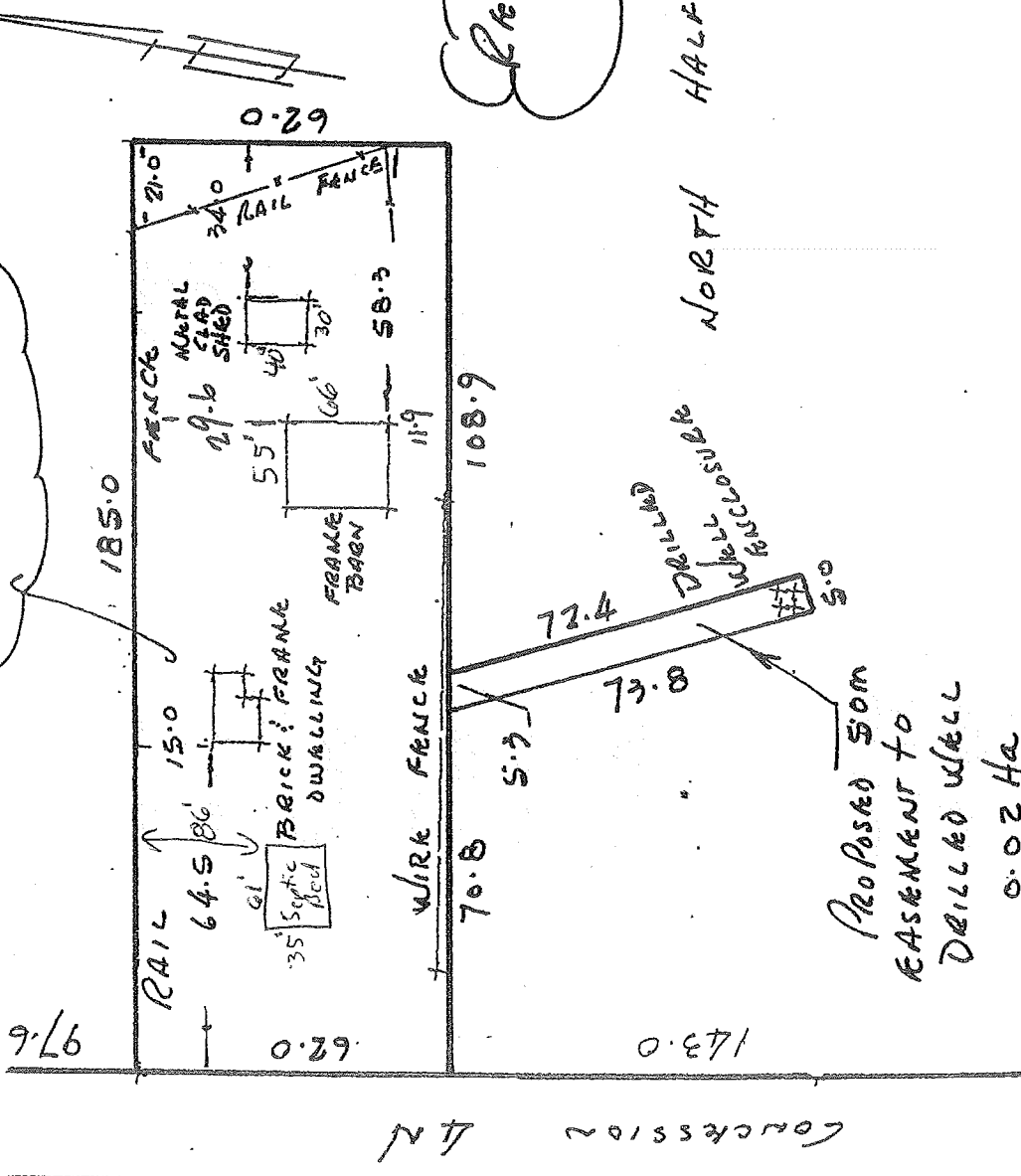
Sheet 2 of 2 Sheets

June 12 1:1500

8261

*Deilan*

SEVER 1.15 Ha



RETAIN 39.3 Ha ±

DRILLED WELL EASEMENT NORTH

PROPOSED 50M EASEMENT TO DRILLED WELL 0.02 Ha

CONCESSION LN

File B68/12

Piller Poultry Ltd  
Tony Piller  
519-323-6452

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, August 13, 2012

Page Ten

I. BY-LAWS (continued)

5. 58-12 Being a By-law to Authorize an Encroachment Agreement onto Parkside Drive (Mount Forest) (450 Parkside Drive – Howlett)

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT By-law Number 58-12 being a by-law to authorize an Encroachment Agreement onto Parkside Drive (Mount Forest) be read a First, Second, Third time and finally passed. (450 Parkside Drive – Howlett)*

**Resolution Number: 16**

**Carried**

J. OTHER/NEW BUSINESS

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

B72/12 – Sonia and Ricardo Aguirre

Council requested deferral of the application pending information regarding the reduction in size of the outbuilding.

B68/12 – Piller Poultry Ltd.

Council requested deferral of the application pending information regarding the reduction in size of the outbuilding.

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B68/12

APPLICANT

LOCATION OF SUBJECT LANDS

Piller Poultry Ltd  
9369 Concession 4  
R.R. #2  
Arthur, ON NOG 1N0

WELLINGTON NORTH (Arthur Township)  
Part Lot 9  
Concession 4

Proposed easement is 62m fr x 185m = 1.15 hectares, existing and proposed rural residential use with existing house, barn & shed. Together with a proposed easement of access drilled well.

Retained parcel is 39.3 hectares, existing and proposed agricultural use.

**PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23 49 000 008 10200 0000**

Does this description reasonably describe the parcel holdings? YES ( X ) NO ( )

If the answer is no, please provide new information:

Do you consider the proposal to conform to your Official Plan? YES ( ) NO ( )

What Section(s) does it conform to or contravene? (Please specify)

\_\_\_\_\_  
\_\_\_\_\_

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES ( ) NO ( X )

**(Please Specify)** Sections 8.3.1 and 6.1.4 of Zoning By-law 66-01

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES ( X ) NO ( )

**(Please Specify)** Section 8A of Zoning By-law 66-01.

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-law to permit the proposal to conform? YES ( ) NO ( ) N/A ( ) or **Minor Variance** YES ( ) NO ( ) N/A ( )

Is proposal on an opened maintained year-round public road YES ( X ) NO ( )

If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road?

**Please specify** \_\_\_\_\_  
\_\_\_\_\_

Is the Proposed Lot(s) serviced now by the Municipal Water YES ( ) NO ( X )

Is the Retained Lot serviced now by Municipal Water YES ( ) NO ( X )

Is the Proposed Lot(s) serviced now by the Municipal Sewers YES ( ) NO ( X )

Is the Retained Lot serviced now by Municipal Sewers YES ( ) NO ( X )

Is there a **Capital Works Project** underway to service these lots in the near future YES ( ) NO ( )

**Approximate Time of Servicing Availability:** \_\_\_\_\_

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

MUNICIPALITY COMMENTING FORM

FILE NO: B 68/12

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?

YES ( X ) NO ( )

Is there any further Information that may assist the Planning and Land Division Committee?  
(A letter may be attached if there is insufficient space to explain)

Is the Municipality in support of this application? YES ( ) NO ( )

What Conditions, if any, are requested by the Municipality if the Consent is granted?

*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 receives approval from the applicable road authority if new driveway required.*

*That the Owner satisfy the requirements in reference to parkland dedication.*

*Barn must be removed from severed parcel.*

*Severed parcel must be re-zoned to allow for oversized shed or remove shed.*

*Applicant must demonstrate to CBO that the existing septic system is >3m from the proposed property.*

Does the Municipality request a Notice of Decision YES ( X ) NO ( )

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

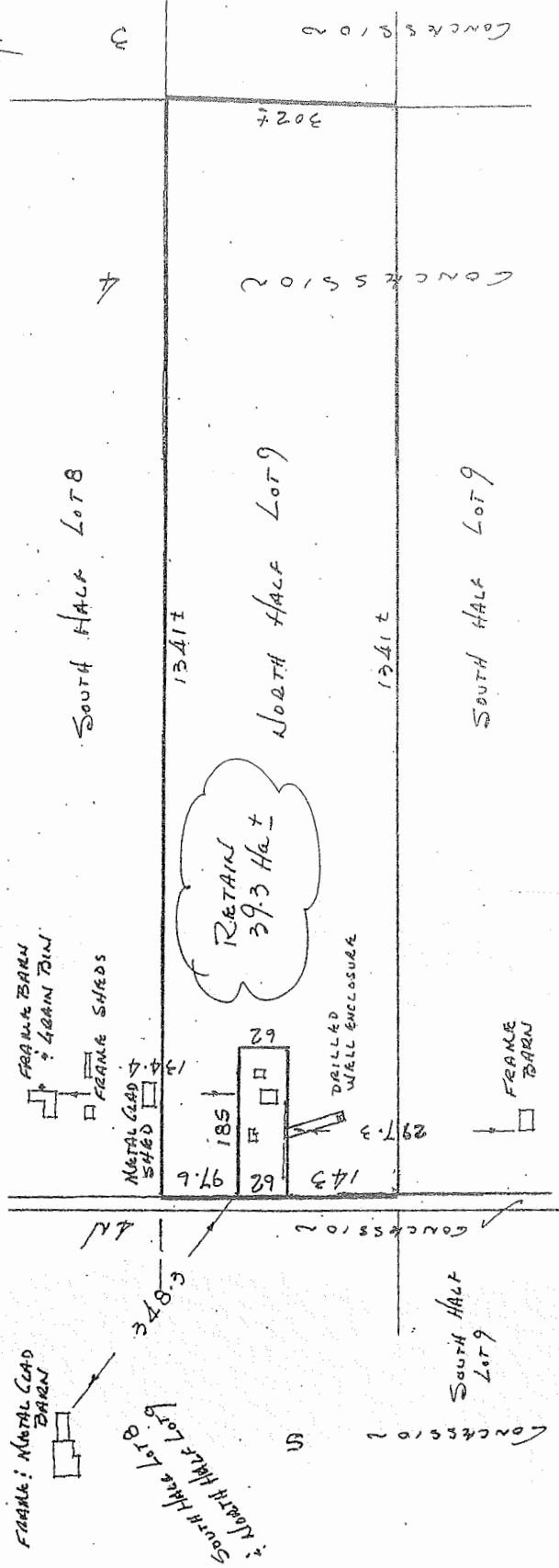
TITLE: Deputy Clerk

ADDRESS: 7490 Sideroad 7 W., Kenilworth, ON NOG 2EO

DATE: August 14, 2012

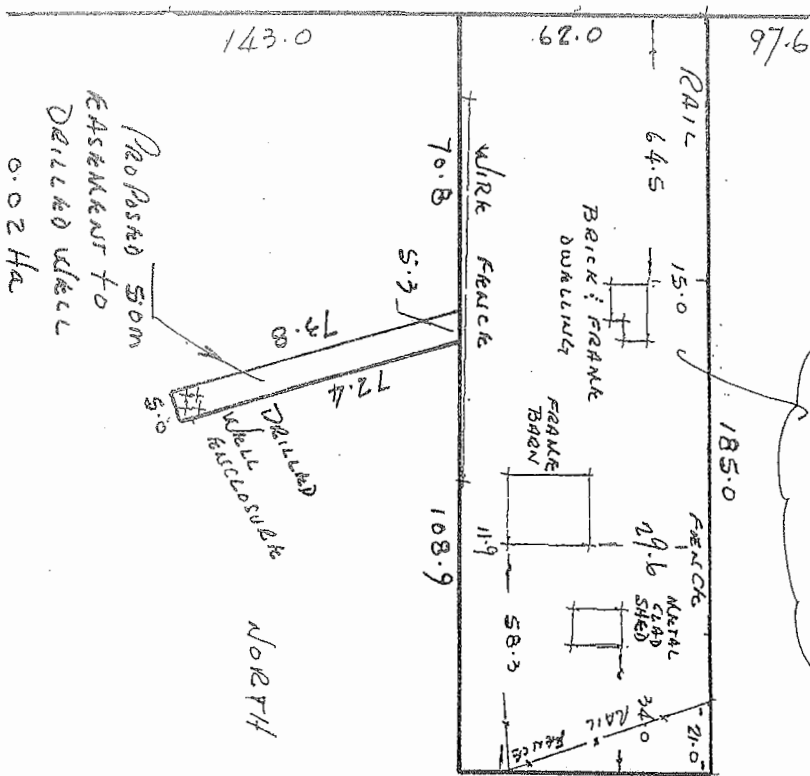
SEBRANCK SKETCH IN 1776  
(TOWNSHIP of AETHIVE)

TOWNSHIP of WELLINGTON NORTH S.W. 1/2 Alex R. Wilson Surveyors Inc  
COUNTY of WELLINGTON 8261 MOUNT FOREST  
187000 519 323 2451



212

CONCESSION 4N



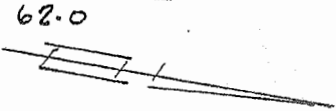
SEWER 1.15 Ha

Proposed 50m  
EASEMENT TO  
DETACHED UTILITY  
0.02 Ha

NORTH

HALF LOT 9

RETAINS  
39.3 Ha ±



SHEET 2 of 2 SHEETS  
June/12 1:1500  
B261

*Wilson*

County of Wellington Planning and Land Division Committee  
Deborah Turchet, Secretary-Treasurer  
Wellington County Administration Centre  
74 Woolwich Street, Guelph ON N1H 3T9

July 13, 2012

## NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: July 4, 2012

FILE NO. B68/12

### APPLICANT

Piller Poultry Ltd  
9369 Concession 4  
RR#2  
Kenilworth ON N0G 2E0

### LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (Arthur Township)  
Part Lot 9  
Concession 4

Proposed severance is 62m fr x 185m = 1.15 hectares, existing and proposed rural residential use with existing house, barn & shed. *Together with a proposed easement to access drilled well.*

Retained parcel is 39.3 hectares, existing and proposed agricultural use.

**IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION,  
WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE**

**August 22, 2012**

**Please note** that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT

**Please also be advised** that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

**INFORMATION REGARDING THE APPLICATION** is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-3875

### MAILED TO:

Local Municipality – Wellington North    County Planning    County Treasury Department

GRCA    Beil Canada    County Clerk    Roads

Neighbour - as per list verified by local municipality and filed by applicant with this application





APPLICATION: B68/12  
LOCATION: Part Lot 9, Concession 4  
TOWNSHIP OF WELLINGTON NORTH (Arthur)  
APPLICANT/OWNER: Piller Poultry Ltd.

**PLANNING OPINION:** This application would sever a 1.15 ha (2.8 ac) parcel with a dwelling, barn and accessory building in a Prime Agricultural area. A vacant 39.3 ha (97.1 ac) parcel would be retained. This application has been submitted under the surplus farm dwelling policies.

This application is consistent with Provincial policy and generally conforms to the Official Plan, provided that the following matters are addressed as conditions of approval:

- a) 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
- b) That zoning compliance is achieved by removal of the barn/accessory building(s) or by rezoning the severed parcel to the satisfaction of the local municipality.

An easement to a drilled well is also proposed and we have no concerns in this regard.

**PLACES TO GROW:** No issues.

**PROVINCIAL POLICY STATEMENT (PPS):** The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c). According to this policy, lot creation in prime agricultural areas may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that there is a restriction against new residential dwellings on any vacant farmland parcel created by severance. Farm consolidation is defined as the acquisition of additional farm parcels to be operated as one farm operation.

Minimum Distance Separation I (MDS I) is applied to a proposed lot with an existing dwelling when the dwelling is presently located on the same lot as the subject livestock facility. As the barn is to be kept with the severed parcel, we would have no MDS I concerns with this application.

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. According to Section 10.3.4, a severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) the surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) the Minimum Distance Separation formula will be met; and
- f) the vacant parcel of farmland is rezoned to prohibit a residential use.

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum."

With respect to the above criteria, we are satisfied that this application conforms to criteria a), b), c), d) and e). Item f) can be addressed as a condition of approval. In terms of the overall farm operation, we have been provided with a Farm Information Form including a list of other farm holdings of the applicant which demonstrate that this application would constitute a farm consolidation.

The matters under Section 10.1.3 were also considered, including d) "that all lots will have safe driveway access..." We observed an existing field access to the retained lands.



B68/12...page 2

**LOCAL ZONING BY-LAW:** The subject property is zoned Agricultural (A) and Natural Environment (NE). Both lots would meet the applicable minimum lot area and frontage requirements.

A zoning by-law amendment would be necessary to prohibit residential use on the retained parcel. Zoning relief would also be necessary for the accessory buildings being kept with the house. The application does not indicate whether the existing barn would be retained as a hobby barn or as a storage building. In either case, at approximately 3,575 sq. ft. in size it exceeds the allowable minimum hobby barn area for a lot of this size (300.3 sq. ft.) and the allowable combined ground floor area for accessory buildings of 1,000 sq. ft. In combination, the barn and shed account for approximately 4,775 sq. ft. of ground floor area.

**SITE VISIT INFORMATION:** The subject property was visited and photographed on July 30, 2012. Notice Cards were posted and the survey sketch appears to meet the application requirements.

---

Sarah Wilhelm, MCIP, RPP, Planner  
July 31, 2012

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 10, 2012

Page Three

G. OTHER/NEW BUSINESS

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

B96/12 – Piller Farms Ltd.

Council supported the application with the following conditions:

- 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 receives approval from the applicable road authority if new driveway required.
- That the Owner satisfy the requirements in reference to parkland dedication.
- Barn must be removed or adjust the lot line so barn remains with retained parcel.
- Zoning relief is required for oversized frame shed on severed land.
- Frame lean-to is for animal housing and must be removed or retained is to be zoned to allow 5m setback.

B90/12 – Estate of Wilfred Costello

Council requested deferral of the application due to the size of the severed parcel and they request confirmation of the number of outbuildings and information regarding the size of the outbuildings.

Conditions:

- 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 receives approval from the applicable road authority if new driveway required.
- That the Owner satisfy the requirements in reference to parkland dedication.
- Severed must be rezoned to allow for oversized shed.

/4

B 9/6/12

Sheet 2 of 2 Sheets

July/12

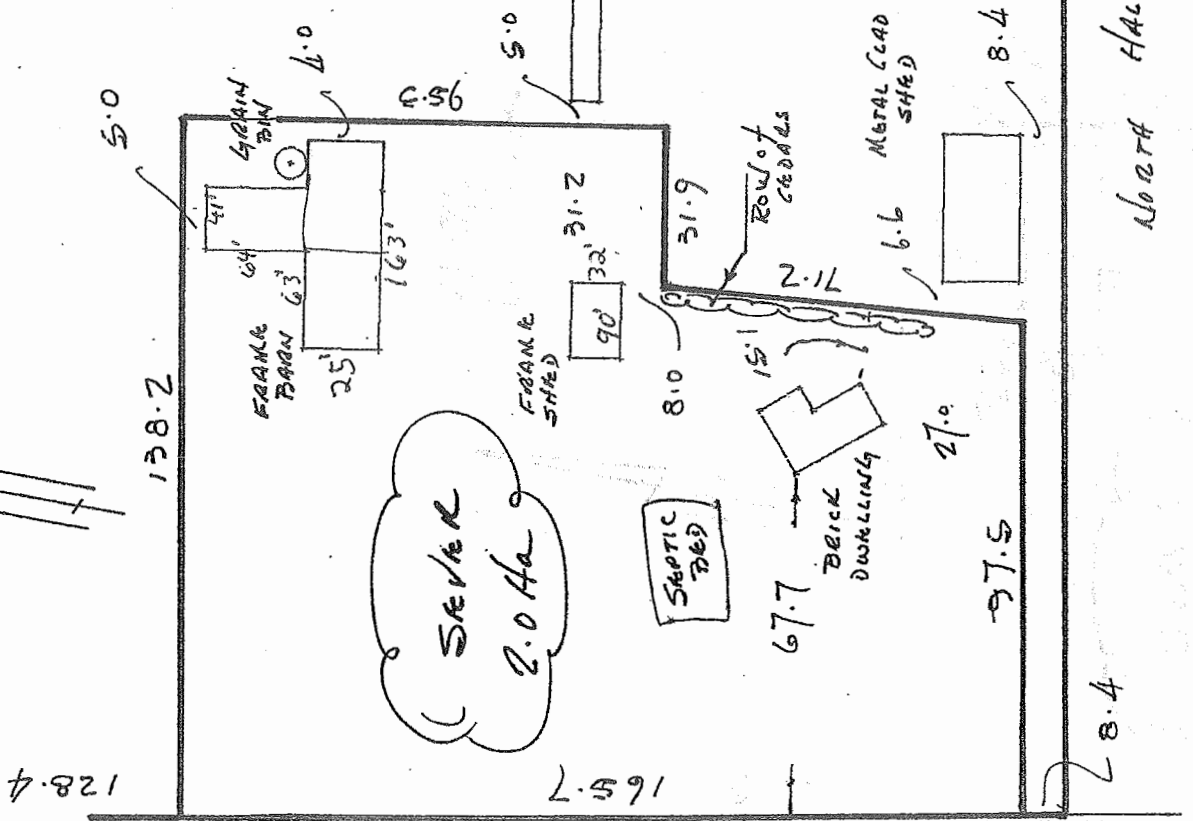
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8282

*Alula*

PERMANENT 39.7 Ha

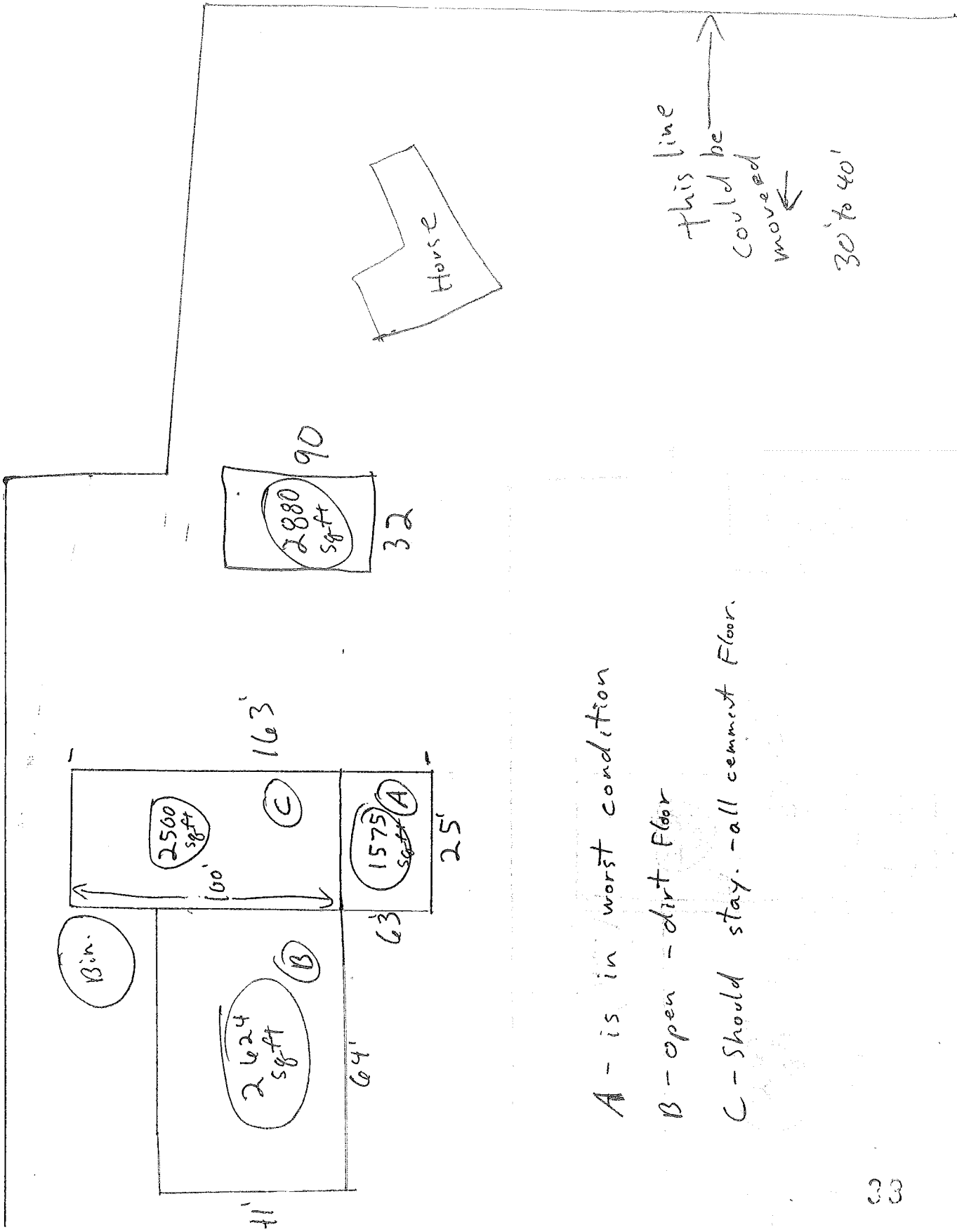
SOUTH HALF LOT 8



CONCRESSION 4 M

Filler Foyms Ltd.  
Tony Filler  
519-323-6452

NORTH HALF LOT 9



- A - is in worst condition
- B - open - dirt floor
- C - Should stay. - all cement floor.

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B96/12

APPLICANT

LOCATION OF SUBJECT LANDS

Piller Farms Ltd  
Tony Piller  
R.R. #2  
Kenilworth, ON NOG 2EO

WELLINGTON NORTH (Arthur Township)  
Lot 8  
Concession 4

Proposal is to sever a lot 2.0 hectares with 165.7m frontage, existing and proposed rural residential lot with existing dwelling, shed and barn.

Retained parcel is 39.7 hectares with 128.4m and 8.4m frontage on Concession 4N, existing and proposed agricultural use with existing shed and frame lean-to.

**PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23 49 000 008 10100 0000**

Does this description reasonably describe the parcel holdings? YES ( X ) NO ( )

If the answer is no, please provide new information:

Do you consider the proposal to conform to your Official Plan? YES ( ) NO ( )

What Section(s) does it conform to or contravene? (Please specify)

\_\_\_\_\_  
\_\_\_\_\_

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES ( ) NO ( X )

(Please Specify) Sections 6.1.4, 8.3.1 of Zoning By-law 66-01.

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES ( ) NO ( X )

(Please Specify) Section 8.2.4 c) Zoning By-law 66-01.

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-law to permit the proposal to conform? YES ( ) NO ( ) N/A ( ) or **Minor Variance** YES ( ) NO ( ) N/A ( )

Is proposal on an opened maintained year-round public road YES ( X ) NO ( )

If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road?

Please specify \_\_\_\_\_  
\_\_\_\_\_

Is the Proposed Lot(s) serviced now by the Municipal Water YES ( ) NO ( X )

Is the Retained Lot serviced now by Municipal Water YES ( ) NO ( X )

Is the Proposed Lot(s) serviced now by the Municipal Sewers YES ( ) NO ( X )

Is the Retained Lot serviced now by Municipal Sewers YES ( ) NO ( X )

Is there a **Capital Works Project** underway to service these lots in the near future YES ( ) NO ( )

Approximate Time of Servicing Availability: \_\_\_\_\_

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

MUNICIPALITY COMMENTING FORM

FILE NO: B 96/12

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?

YES ( X ) NO ( )

Is there any further Information that may assist the Planning and Land Division Committee?  
(A letter may be attached if there is insufficient space to explain)

Is the Municipality in support of this application? YES ( ) NO ( )

What Conditions, if any, are requested by the Municipality if the Consent is granted?

*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 receives approval from the applicable road authority if new driveway required.*

*That the Owner satisfy the requirements in reference to parkland dedication.*

*Barn must be removed.*

*Zoning relief is required for oversized frame shed on severed land.*

*Frame lean-to is for animal housing and must be removed or retained is to be zoned to allow a 5m setback.*

Does the Municipality request a Notice of Decision YES ( X ) NO ( )

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

TITLE: Deputy Clerk

ADDRESS: 7490 Sideroad 7 W., Kenilworth, ON NOG 2EO

DATE: September 11, 2012

County of Wellington Planning and Land Division Committee  
Deborah Turchet, Secretary-Treasurer  
Wellington County Administration Centre  
74 Woolwich Street, Guelph ON N1H 3T9

August 10, 2012

## NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

*APPLICATION SUBMITTED ON: August 3, 2012*

FILE NO. B96/12

### APPLICANT

Piller Farms Ltd.  
Tony Piller  
RR#2  
Kenilworth ON N0G 2E0

### LOCATION OF SUBJECT LANDS:

WELLINGTON NORTH (Village of Arthur)  
Lot 8  
Concession 4

Proposal is to sever a lot 2.0 hectares with 165.7m frontage, existing and proposed rural residential lot with existing dwelling, shed and barn.

Retained parcel is 39.7 hectares with 128.4m and 8.4m frontage on Concession 4N, existing and proposed agricultural use with existing shed and frame lean-to.

**IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION,  
WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE**

**September 19, 2012**

**Please note** that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

**Please also be advised** that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

**INFORMATION REGARDING THE APPLICATION** is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-3875

### MAILED TO:

Local Municipality – Wellington North    County Planning    County Treasury Department

Conservation Authority – Saugeen Valley

GRCA    Bell Canada    County Clerk    Roads

Neighbour - as per list verified by local municipality and filed by applicant with this application



UNDEVELOPED LAND

(Township of Acton)

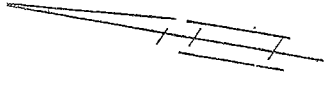
Township of Wellington North

County of Wellington

1:8000

July 12

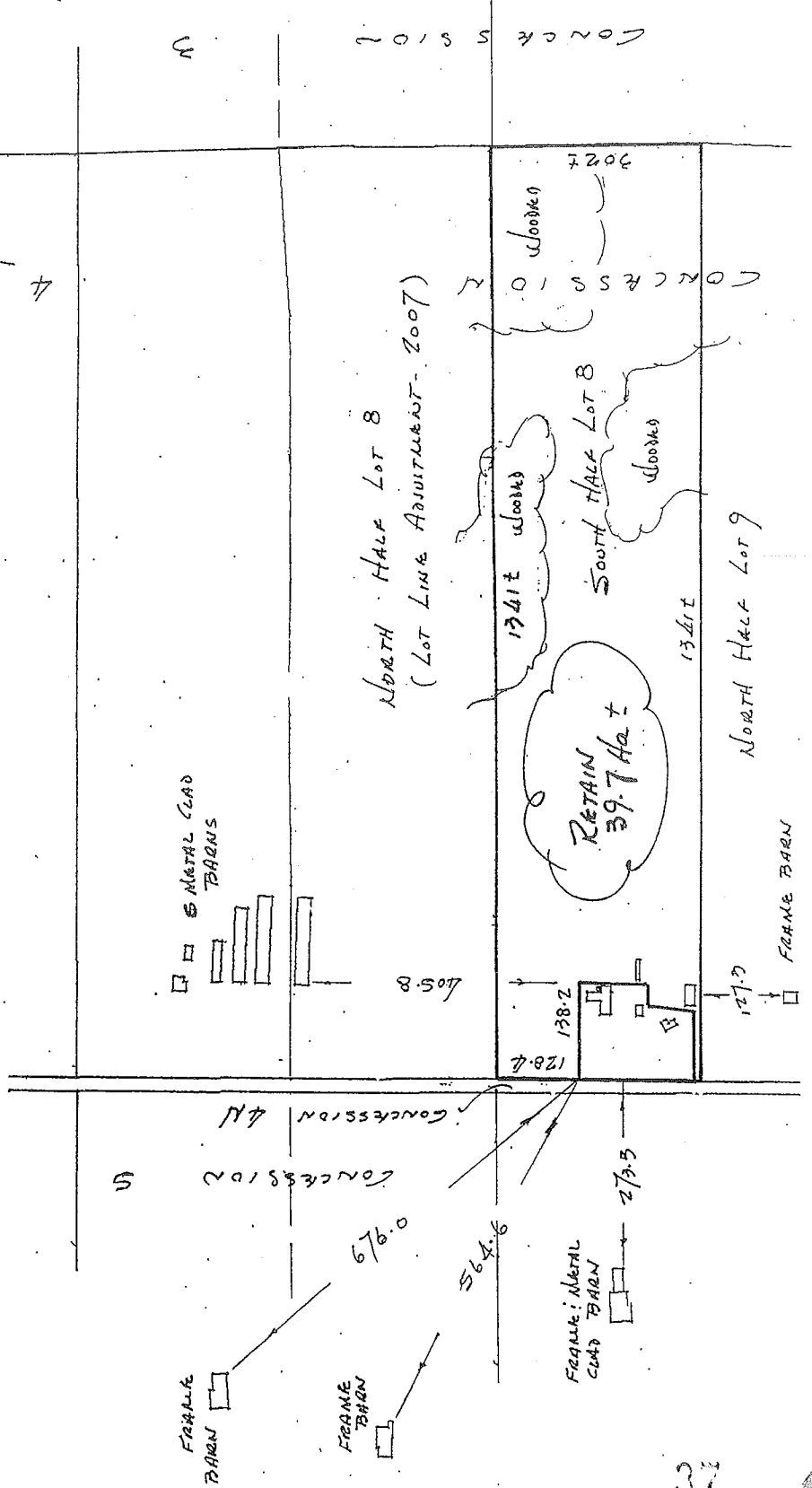
8782



*Alex R Wheson*

Alex R Wheson  
Surrey Inc

Mount Forest  
519 323 2451





APPLICATION: B96/12  
 LOCATION: Lot 8, Concession 4  
 TOWNSHIP OF WELLINGTON NORTH (Arthur Township)  
 APPLICANT/OWNER: Piller Farms Ltd.

**PLANNING OPINION:** This application would sever a 2.0 ha. (5 ac.) parcel with a dwelling, shed and barn in a Prime Agricultural area. A vacant 39.7 ha. (98.1 ac.) parcel would be retained.

The severed lot is larger than the intentions of the Official Plan policy. Staff's preference is to see a smaller parcel of approximately 0.8 ha. (2 ac.) where feasible. The committee should be satisfied that the proposal is justified based on existing site conditions.

If approved, we would request that the following matters be addressed:

- a) 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,
- b) That zoning compliance is achieved by removal of the barn/accessory building or by rezoning the severed parcel and retained to the satisfaction of the local municipality.

**PLACES TO GROW:** No issues.

**PROVINCIAL POLICY STATEMENT (PPS):** The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c). According to this policy, lot creation in prime agricultural areas may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that there is a restriction against new residential dwellings on any vacant farmland parcel created by severance. Farm consolidation is defined as the acquisition of additional farm parcels to be operated as one farm operation.

Regarding Minimum Distance Separation 1 (MDS1). Minimum Distance Separation 1 (MDS1) is not applicable to surrounding livestock facilities and those existing on the severed parcel. Under item 8 of the Implementation Guidelines, MDS1 is not applied to a proposed lot with an existing dwelling when that dwelling is already located on a parcel of land separate from the subject livestock facility.

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject lands are designated PRIME AGRICULTURAL, GREENLANDS and CORE GREENLANDS, with an area of Mineral Aggregate Overlay. The Greenlands system designation is a forest and wetland area which along with the Mineral Aggregate Overlay occurs further to the rear of the property. According to Section 10.3.4, a severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

- "a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
- b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
- c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
- d) the surplus residence is habitable and is not expected to be demolished by a future owner; and
- e) the Minimum Distance Separation formula will be met; and
- f) the vacant parcel of farmland is rezoned to prohibit a residential use.

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum."

With respect to the above criteria, we are satisfied that this application conforms to criteria a), b), d) and e), and that item f) can be addressed as a condition of approval. In terms of the overall farm operation, we understand that the vacant farm land is part of the land holdings of Tony Piller of Piller Farms Ltd.

The matters under Section 10.1.3 were also considered.

**LOCAL ZONING BY-LAW:** The subject property is zoned Agricultural (A) and Natural Environment (NE).

A zoning by-law amendment would be necessary to prohibit residential use on the retained parcel. Zoning relief also appears to be necessary for the barn and accessory buildings being kept with the house. The maximum allowable ground floor area is 92.9 sq. m. (1,000 sq. ft.) for accessory buildings. Although we have not been provided with dimensions of the existing accessory buildings, it appears to be well in excess of the maximum permitted. Additional zoning relief may be necessary for the structures on the retained lands.

**SITE VISIT INFORMATION:** The subject property was visited and photographed on August 20, 2012. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Linda Redmond, Planner  
 August 23, 2012



# Arthur Area Fire Department

103 Smith Street, P.O. Box 99, Arthur, Ontario N0G 1A0  
Ph: 519-848-3500 • Fax: 519-848-6656

## ARTHUR FIRE STATION REPORT FOR AUGUST 2012

The Arthur Fire Department responded to six calls for assistance during the month of August, 2012.

- 1 in Mapleton - 1 MVC
- 1 in Arthur Township - 1 Controlled Authorized Burn (complaint)
- 4 in West Luther - 1 Controlled Authorized Burn (complaint)  
- 1 Baler on Fire (spread to grass)  
- 2 MVC

There were five practices held in August. On August 1st, Practice # 38, the Fire Chief, Deputy Chief and ten firefighters attended. On August 8th, Practice # 39, the Fire chief and thirteen firefighters attended. On August 15th, Practice # 40, the Fire Chief and fourteen firefighters attended. On August 22nd, Practice #41, the Fire Chief, Deputy Chief and fourteen firefighters attended. On August 29th, Practice #42, the Fire Chief, Deputy Chief and ten firefighters attended.

On August 15th, Deputy Chief Lawlor attended a "Loss of Duty Death" information night in Acton. Fire Chief Morrison had attended a seminar at the Ontario Fire Chief's Convention in Toronto with regards to this topic, and felt the knowledge gained from this information night would be beneficial to Deputy Chief Lawlor, as there is proper protocol to follow when a death occurs within the Fire Department.

Fire Chief Morrison and Training Officer Hodgkinson met to discuss the progress of the Arthur Firefighters with regards to the Ontario Fire Marshal's curriculum on August 17th.

Fire Chief Morrison and Deputy Chief Lawlor attended the Fire Committee meeting in Kenilworth on August 21st.

Total number of Burn Permits issued by the Township for the Arthur fire area in the month of August was 24, plus 1 burn permit for Mapleton was issued by Mapleton Township for the Arthur Fire Department.

Submitted by:  
Fire Chief Jim Morrison, CMMII

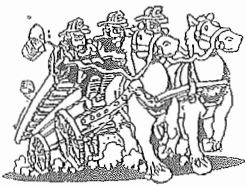
**Fire Prevention Report  
Wellington North Fire Service**

**Aug-12  
Arthur Station**

<b>Evac. Procedures</b>	0
<b>Telephone Calls</b>	46
<b>Business/Personal Service</b>	8
<b>Residential</b>	0
<b>Assembly Occ.</b>	3
<b>Misc.</b>	13
<b>Industrial</b>	2
<b>Meetings</b>	2
<b>Complaints</b>	0
<b>Mercantile</b>	0
<b>Letter/Reports</b>	6
<b>Institutional</b>	0
<b>Burn Permits/info</b>	1
<b>New Construction/Plan Review</b>	0
<b>Occupancy Permits</b>	0
<b>FE Ext. Training/Talks</b>	0
<b>Emerg. Planning</b>	0
<b>Inspection Follow Up</b>	4
<b>Pub. Ed. Lectures/Tours</b>	0
<b>Pre Incident Planning</b>	0
<b>Fire Safety Plan Review</b>	2
<b>Administration</b>	12
<b>Court/Documents/Serving</b>	0
<b>Training (OFC/Local)</b>	0

**Notes:**

**Was away at the fire college for training  
the week of August 20-24/12**



# MOUNT FOREST FIRE DEPARTMENT

Township of Wellington North

## WELLINGTON NORTH FIRE SERVICES

### MOUNT FOREST FIRE STATION REPORT AUGUST 2012

The Mount Forest Fire Station responded to ten calls for assistance during the month of August 2012

- |                      |  |
|----------------------|--|
| 5 in Mount Forest    | - 2 CO2 Alarms   |
|                      | - 1 False Alarm  |
|                      | - 2 Ambulance Assist   |
| 2 in Southgate       | - 1 MVC (Highway 6 by Grey Road 6)                                 |
|                      | - 1 False Alarm  |
| 2 in Arthur Township | - 1 Reported Combine Fire (no fire)                                |
|                      | - 1 Ambulance Assist   |
| 1 in Minto           | - 1 Mutual Aid Call to assist Harriston and Clifford at straw fire |

There were two meeting/practice sessions held during the month of August 2012. On August 13<sup>th</sup>, 2012 nineteen members were present and on August 27<sup>th</sup>, 2012 eighteen members were present.

On August 14th, 2012 the Mount Forest Fire Station hosted the Grey County Mutual Aid Meeting.

The Chief and Deputy Chief attended the Fire Committee Meeting in Kenilworth on August 21<sup>st</sup>, 2012.

Respectfully Submitted,  
Ron MacEachern  
Mount Forest Fire Chief

**Fire Prevention Report  
Wellington North Fire Services**

**Aug-12  
Mount Forest Station**

<b>Evac. Procedures</b>	0
<b>Telephone Calls</b>	24
<b>Business/Personal Service</b>	13
<b>Residential</b>	3
<b>Assembly Occ.</b>	2
<b>Misc.</b>	11
<b>Industrial</b>	2
<b>Meetings</b>	2
<b>Complaints</b>	0
<b>Mercantile</b>	3
<b>Letter/Reports</b>	5
<b>Institutional</b>	0
<b>Burn Permits</b>	1
<b>New Construction/Plan Review</b>	1
<b>Occupancy Permits</b>	0
<b>FE Ext. Training/Talks</b>	0
<b>Emerg. Planning</b>	0
<b>Inspection Follow Up</b>	3
<b>Pub. Ed. Lectures/Tours/House</b>	3
<b>Pre Incident Planning</b>	0
<b>Fire Safety Plan Review</b>	1
<b>Administration</b>	11
<b>Court/Documents/Serving</b>	0
<b>Training (OFC/Local)</b>	0

**Notes:**

**Was away for a week of training at fire college (20-24 August)**

TOWNSHIP OF WELLINGTON NORTH

FIRE COMMITTEE MEETING MINUTES

September 18th, 2012 – 7:00 pm - Council Chambers

Members Present: Mark Goetz – Chair (Councillor)  
Dan Yake - Councillor  
Jim Morrison, Arthur Fire Chief  
Ron MacEachern, Mount Forest Fire Chief  
Bill Hieber, Mount Forest Deputy Fire Chief

Also Present: Mike Givens, Treasurer  
Michelle Stone, Administration Support

Absent: Troy Lawlor, Arthur Deputy Fire Chief

Meeting was called to order at 7:00 pm.

1. Welcome to Mike Givens, Treasurer

Chair Goetz introduced Mike Givens, the new Treasurer for the Township. The Treasurer had Budget versus Year to Date Financial Summary Reports for both Fire Stations. He went over them briefly and welcomed questions. Both Departments like to receive the monthly reports and Mike said he is happy to continue providing them.

2. Declarations of Pecuniary Interest

- None declared.

3. Approval of Minutes from August 21st, 2012 Minutes

Moved By: Jim Morrison  
Seconded by: Dan Yake

*THAT the Minutes from the August 21st, 2012 be accepted.*

Carried

4. Business Arising

- Fire Agreements with Other Municipalities

Copies were provided of both the Mapleton and West Grey Agreements for the Committee to take and review. They will bring back comments to the next Committee meeting. The Committee asked for information regarding assessment calculations, annual updates and yearly increases.

- Memorandum of Understanding for the Activation of Tiered Response

Report from Lori Heinbuch, CAO re: Memorandum of Understanding for the Activation of Tiered Responses was handed out to Committee Members and discussed. The following resolution was put forward:

**Moved By: Jim Morison**

**Seconded By: Bill Heiber**

*THAT the Fire Committee recommend to Council that the 2012 Memorandum of Understanding for the Activation of Tiered Response be approved;*

*AND FURTHER THAT the Fire Chiefs from the Arthur and Mount Forest Stations be authorized to sign the Memorandum on behalf of the Township of Wellington North Fire Service.*

Carried

- Insurance Coverage Information

Insurance coverage for the Firefighters by Township – copies of the VFIS and the Township coverage were made available to the Fire Chiefs and Deputy Chiefs. The Committee asked if a representative from the Township Insurance Carrier could come to a meeting and explain that particular coverage and provide a simplified report on what, when and how much all Volunteer Firefighters are covered for under the Township.

- New Tanker Update

The Chiefs and Deputy Chiefs have agreed and finalized their specifications. Tenders will be by invitation to three suppliers and will be mailed out.

Committee concurred with the addition of an Addendum asking the cost benefit of ordering two vehicles at once.

## 5. New Business

Ron MacEachern - Ryan from Wellington North Power came with an electrician from Barrie to discuss redoing all lighting to make them energy efficient at the Mount Forest Station. Ron felt the cost to do the change was high. Ira Yake has been changing them in Arthur as they have needed to have lights fixed and will continue to do it that way. Ron will look at getting other pricing from local electricians.

## 6. Announcements

The Fire Safety House needs a few repairs – have had approximately 8,500 people through at this time and are booking it through 2013. The rental income will cover the minor repairs required.

The Generator in Arthur is up and running with auto testing in place.

Mark asked about setting a date for the two chiefs and deputy chiefs to come to a Council Meeting to show the new patches.



7. Next Meeting

- The next meeting will be on Tuesday, October 16th, 2012

8. Adjournment

Moved By: Bill Heiber

*THAT the meeting be adjourned at 8:10 pm*

Carried

RECREATION & CULTURE ADVISORY COMMITTEE MEETING  
TUESDAY, SEPTEMBER 11, 2012 AT 8:30 A.M.  
MOUNT FOREST & DISTRICT SPORTS COMPLEX

Present were: Chairperson Councillor Sherry Burke, Southgate Councillor Pat Franks, Councillor Dan Yake, 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.

Regrets: Mayor Ray Tout.

MINUTES:

Moved by Councillor Yake

Seconded by Councillor Franks

"THAT the minutes of the June 5, 2012 meeting be approved." Carried

BUSINESS ARISING FROM MINUTES:

Councillor Franks inquired about the canteen food booth at the Kinsmen Diamond. Barry gave an update during his report.

NEW BUSINESS:

**CIIF Application** - Barry explained that this was a grant (Community Investment Improvement Fund) announced by the Federal government through FedDev Ont. He met with council and the decision was made to submit the application for upgrades to the Roy Grant Lions Pool. Application deadline was August 24. The application if approved provides 50% funding and was sent in on August 22 after consultation with Triton Engineering. Councillor Yake said it was imperative that a building committee and fundraising committee be put in place now. Barry has met with Triton to come up with plans for drawings.

**Trillium Project Update** - Barry gave an update on the completion of the pavilion as well as playground installations. The Skateboard Park in Mount Forest has been installed. The Arthur Lions are working with Barry re: signage for the new playground in Arthur. Fencing and some other amenities will be completed in the fall at both locations.

**Defibrillators** - Three new defibrillators were obtained through a grant. One will be installed in the Kenilworth office, one in the Damascus Hall and one that will be shared with the Roy Grant Lions Pool and the Curling Club. Barry stated that training will be provided for up to 10 individuals at each location at no cost.

**Mount Forest Minor Baseball Canteen** - Barry sent a letter to the Mount Forest Kin Club as well as Brad Schwindt Construction for all their work helping renovate the canteen. Further improvements will be done at a later date. A new lease agreement will be looked at for 2013.

**Arthur Trails** - Barry has met with Dave Stack and Ian Turner regarding the prospective trail in Arthur. A slide show outlining the trail was made at the March 2012 meeting. Permission letters to proceed with the establishment of the trail from private landowners (4) have now all been obtained. In order to proceed further with the trail project a discussion was held and the following recommendation made. The following resolution is to be sent to council:

Moved by Councillor Yake

Seconded by Councillor Franks

"THAT the Recreation Committee recommend to council that David Stack and Ian Turner be appointed to a subcommittee of the Parks & Recreation Committee to be named the Arthur Trail Project Committee and that the subcommittee will also include Chairperson Sherry Burke, Councillor Dan Yake, and Director of Recreation Parks & Facilities Barry Lavers."

Carried

An easement agreement must be drawn up and signed with the private land owners before any work can commence.

**Arthur Olympia** - Tom stated that Dave's Auto Body finished the painting of the new Arthur Olympia. The Olympia was featured at the Arthur Fall Fair and in the Fall Fair Parade. There were many favorable comments.

#### CORRESPONDENCE/INFORMATION:

Barry provided members with a copy of a letter he sent regarding a request by the Early Learning Centre of Minto's JK/SK Program at Victoria Cross Public School. The letter gives permission to use the Mount Forest Sports Complex as an Emergency Evacuation Location. Jason Benn, Fire Prevention Officer requested the letter for permission. The request from the Centre provided little information and was received very late. This will need to be addressed for next year.

#### REPORTS:

Tom Bowden - Provided members with a report for July and August. He gave an update on the walk in cooler that has been installed and stated there have been two \$500 donations recently made. Tom was starting to make ice September 11.

Mark MacKenzie - Informed the Committee he had ice issues on the week of August 20<sup>th</sup> again due to hard water. There were two inspections at the pool over the summer resulting in some health & safety issues. These will be addressed. The phone system was shut down for two days at the Complex. A discussion about service providers was held. Mark was instructed to meet with a representative from Wightman as well as Ken Frey and report back to the Committee with possible solutions. Councillor Franks inquired about the Hockey Camp. Mark said the ice was rented half days and the numbers were down this year. The Sherpatov Ice Academy also took ice for their school which was a welcome addition.

Barry Lavers - Discussed his report for July and August.

#### MEMBER'S PRIVILEGES:

Councillor Yake - Had good news regarding the Municipal Hockey Tournament. He stated that there was \$3,100 raised. They want to give \$1,200 to the schools' breakfast programs and would like to donate the remainder of funds to other local groups. After discussion it was agreed that an advertisement will be placed in the local paper asking groups to submit a letter of request outlining their needs. Councillor Yake requested that the letters be sent to the Recreation Department. Chairperson Burke, Councillor Yake and Director Lavers will go through the letters and report on the successful submissions.

Barry Lavers - Asked Mark for an update with Can Skate and Nicole West as she still has problems with ice time and agreements negotiated at the ice allocation meeting. Sherry suggested Mark use a secretary to take minutes at these meetings. Barry stated that if there are no ice schedule changes then a meeting may not be necessary every season. Barry stated that the water problem at the Mount Forest Sports Complex needs to be monitored longer as the installation of equipment was done late in the ice season. To complete an installation for the whole building there is an estimated cost of \$6,000.

Barry also asked both facility managers to prepare a list of budget items for the next meeting for consideration.

Councillor Burke - Suggested getting together the students from Victoria Cross Public School that helped pick out the equipment for the Mount Forest Skatepark. It was felt they should be recognized and a photo taken for the newspaper. A discussion was held about the Upper Room at the Complex. Councillor Yake, Councillor Burke and Barry will form a sub committee to look after obtaining concept drawings.

ADJOURNMENT:

Meeting adjourned 10:10 a.m.

NEXT MEETING:

The next meeting will be October 2<sup>nd</sup>.



# Mandate

## Arthur Trail Sub Committee

### Purpose

The purpose of the Trails Sub Committee for the Township of Wellington North is to advise the Recreation & Culture Advisory Committee and actively work on development, utilization and maintenance specific to the Arthur walking trail project for non-motorized use by the community.

### Goals

- To review progress in the implementation of the Arthur trail project as it pertains to the community walking trail in Arthur and to make recommendations to the Recreation Committee
- To oversee the construction of the trail and ensure that safety and liability concerns are met
- To enable volunteers to work on the project and keep accurate records of active members of the project
- To promote activity for all people for recreational purposes through public access to the trail
- To educate the public on the benefits of activity
- To implement a proper ongoing maintenance schedule for the trail
- To foster a mutual respect for land, people, and nature
- To develop short term goals and long term goals for the benefit of all
- To recommend budget amounts to the Recreation & Culture Advisory Committee for the determined short and long term goals
- To acquire Committee and Council approval on all projects

### Membership

The Committee membership will consist of:

- Recreation Committee Chairperson, Recreation Committee Councillor, Director of Recreation, Parks & Facilities and 2 volunteer members of Wellington North as appointed by Council
- Arthur Facilities Manager as required
- From time to time community volunteers as appointed by Council will be involved in the specified project

### Term of Committee

- As determined by Council
- Committee will meet April and October or as determined by the Chairperson/Director

**Chairmanship & Recorder**

- Recreation Chairperson will chair meetings
- Recreation Director will be responsible for Agendas & Minutes
- The location will be determined by the Committee

**Membership Responsibilities**

- To attend and participate actively
- To make recommendations to the Recreation Committee specific to the Arthur Trail

**Quorum & Decision Making**

- A minimum of 3 members must be present to make recommendations
- Decisions by consensus

**Reporting**

- Minutes to be forwarded to Recreation & Culture Advisory Committee for ratification by Township Council

# WATER/SEWER COMMITTEE MEETING

## September 18, 2012

**Members:** Sherry Burke, Chair (Councillor)  
Andy Lennox (Councillor)  
Barry Trood (Water/Sewer Superintendent)  
Corey Schmidt (Foreman)  
Melissa Irvine (Process and Compliance Analyst)  
Dale Clark (Road Superintendent)

**Start:** 8:30 am                      **End:** 9:45 am

### Declarations of Pecuniary Interest

Minutes from the June 19, 2012 committee meeting were previously circulated and approved by Council

### Business from June 19th meeting

- Barry informed the committee that Terry Martin's services (Water/Sewer) were installed to property line on June 21. Mr. Martin owns the property on the corner of Cork St. and Princess St. and may look to build more houses on this corner if the severances get approved.

### 1. Water Restrictions in July

Barry gave a spreadsheet to the committee members giving a brief estimated usage of the water when water restrictions were put in place from July 13 to July 26. It was **estimated** a total of 2,362,415 gallons or 10,738 m<sup>3</sup>) of water was saved during the restriction (Arthur 759,840 gallons or 3,453 m<sup>3</sup> / Mt. Forest 1,602,480 gallons or 7,284 m<sup>3</sup>) when compared to the first 13 days of July. The approximate average per day combined savings of water (Arthur/Mt Forest) was just under 182,000 gallons or 825 m<sup>3</sup> per day. It should be noted that the totals are merely rough estimated values based on the first 13 days verses the next 13 days during the ban. Weather factors such as rain were not taken into consideration in the amounts.



2. **Arthur Treatment Plant RFP**

General discussion took place regarding the RFP meeting held on August 29<sup>th</sup> at the Council chambers and present ongoing work being done at the AWWTP.

**Moved by: Councillor Lennox**

**Seconded by: Melissa Irvine:**

***That XCG Consultants Ltd. be retained to undertake a Class Environmental Assessment to increase capacity at the Arthur WWTP as outlined in their proposal dated August 2, 2012 and which was further explained by XCG's presentation made on August 29, 2012, at a cost of \$124,399." The costs will be divided in half between the years 2012 and 2013.***

*Carried*

3. **Staff Reports (see attached)**

4. **Golden Valley Farms Inc (request for reduction of sampling)**

Discussion took place with the Committee involving Golden Valley Farms Inc. of 50 Wells St., Arthur. Golden Valley Farms have requested to have their reporting frequency reduced to annually from bi annually and their sampling be reduced from monthly from bi-monthly. The report dated August 13, 2012 from Triton Engineering services who have been monitoring Golden Valley's Reports for the past decade have recommended that the sampling frequency remain at bi-monthly and that they would support Golden Valley's request to reduce the reporting frequency from bi-annually from annually with the exception of the requirement for reporting Average Daily Flows (ADF). Data indicates that (ADF) remain within the permitted six month average which at present is (167m<sup>3</sup>/day) however they are approaching the limit on a consistent basis which is (181m<sup>3</sup>/day).

**Moved by: Corey Schmidt**

**Seconded by: Councillor Lennox:**

***That Golden Valley Farms Inc. sampling frequency remain at bi-monthly and that their reporting frequency be reduced to annually from bi-annually with the exception of the requirement for reporting Average Daily Flows which will remain on a bi-annual basis.***

*Carried*

## General information

- Fergus St Construction between (King St / Queen St) is ongoing. Presently the temporary watermain/services are installed and the sewer main is also installed with individual service connections ongoing. The work was delayed in starting and presently we are looking at the end of October for completion.
- OCWA reports for months of July and August reviewed with no compliance issues. The 2nd quarter financial reports for both Township Treatment plants were reviewed.
  
- **Next Meeting: October 16th @ 8:30 am**

# Water and Sewer Committee Meeting

September 18, 2012

## Foreman Report

- Installed ¾" copper water service and 6" PVC sanitary service to Terry Martin's property on Princess Street
- Leak detection was completed on the east side of Main Street and all of highway 89 in Mount Forest, one leak identified and repaired (hydrant #34)
- Stage 3 water ban was put in affect due to heat and lack of rain
- Installed new flow control on well #8 chlorine pump #2
- Water service leak at Tim Horton's/Pioneer in Arthur found to be on private property
- Received new Ford truck for the department
- Water leak on service to 180 Murphy Street found to be on private property
- Installed new sanitary service at 351 James Street due to negative fall
- Repaired leaking hydrant 103 in Arthur (replaced hydrant valve)
- Completed schedule 23 and 24 samples as well as quarterly samples in Arthur and Mount Forest as required
- Health and Safety inspections completed in Mount Forest well houses
- Completed annual main valve inspections in Mount Forest
- Attended joint water and sewer services meeting in Drayton
- Fergus Street reconstruction underway and ongoing
- Installed a ¾" copper water service at 130 Conestoga Street South
- Inspection and maintenance on well #4 pump, motor and well ongoing
- New water level transducer was installed at well #8B
- Replaced UV bulb on Municipal Office UV system

- Repaired leak on water service at Mount Forest agricultural barn (replaced curbstop)
- Repaired leak on hydrant #34 in Mount Forest (replaced drain ring)
- Began annual fire hydrant inspections in Mount Forest
- Began numbering watermain sizes on fire hydrants in Mount Forest
- Installed new water service at 351 John Street in Mount Forest (replaced ½" lead service with ¾" copper)
- Completed DWQMS tabletop exercise scenarios
- Internal health and safety training for all department staff
- Started fall lead sampling in Arthur and Mount Forest

## Process Compliance Monthly Report Analyst Report September 18th, 2012

- entered June, July, August data for Mount Forest and Arthur water systems into Ministry of Environment Water Taking Reporting System.
- backup Mount Forest and Arthur SCADA for June, July, August
- completed bill insert "Water Department News" that was sent out in July Billings
- sent letters to private system/hydrants owners notifying them that they are responsible for the up-keep/maintenance and compliance of their system/hydrants
- ordered quarterly sample bottles for Nitrates/Nitrites and THM's for Mount Forest and Arthur and reviewed results, no areas of concerns with these quarterly samples.
- ordered Schedule 23/24 sample bottles for Arthur Well #7 and reviewed results, no areas of concerns with these samples
- ordered lead sampling bottles, lead sampling will begin this month
- updated Mount Forest Operations and Maintenance Manuals
- updated Arthur Operations and Maintenance Manuals
- prepared Tabletop Exercises for staff training: Low Chlorine in Distribution System and Well House; and a Unknown Chemical in the Distribution System.
- compiled and organized staff training records, calculated staff training hours
- completed online training: Water Quality Complaint Investigation and Source Protection Initiatives and Watershed Characterization
- completed IMS 200: Basic Incident Management System 2 day training course
- started to compile 2012 data for Schedule 22 Reports and Annual Reports
- sent Scott Beemer, RJ Burnside data for Annual PTTW Monitoring Reports for the first half of 2012
- corresponded with SAI Global (QMS Accreditation Body), our desk top surveillance audit will be completed this month by their Auditor.
- delivered Staff training: Tabletop Exercises, Health & Safety Review

Water/Sewer Committee Report from RFP Meeting

Kenilworth Municipal Office

Friday, September 7, 2012

Attendance: Mayor Raymond Tout, Councillor Andy Lennox, Councillor Dan Yake, Councillor Mark Goetz, Councillor Sherry Burke, Barry Trood (Supt. Of Water/Sewer), Cory Schmidt (Foreman ), Melissa Irvine (Compliance Water/Sewer), Steve Burns (BM Ross)

The meeting started at approx. 2:03pm.

Steve Burns of BM Ross Engineering gave everyone his breakdown proponent /scoring on a spreadsheet for the four Engineering Firms involved in the awarding of the RFP for the Arthur Waste Water Treatment. General discussion took place in regards to the presentations that were done by the four Firms to council on Weds. August 29<sup>th</sup>.

Total costing was \$116,225 for Triton, XCG was \$124,399 (they handed out this corrected amount at the presentation through a handout spreadsheet), Genivar was \$146,311.27 and Amec total was \$149,949.

Steve Burns reviewed the presentation scores he gave to each Firm for Council consideration: XCG- 9, Genivar -7, Amec-6, and Triton 6. Council was in agreement with those scores. Steve suggested to the council that due to higher costing of the Amec and Genivar proposals Council should concentrate on the other two bids from Triton and XCG. Council was in agreement with this.

Steve Burns would continue to breakdown his scoring section by section. Steve Burns suggested that the two firms were very close in terms of the RFP and either firm would probably do a good job for the Township. General discussion took place along with a few questions regarding the Firms involved. Mayor Tout polled the Council on their preference between the two firms (XCG and Triton). The council preference was 4-1 in favor of XCG.

Barry will take this report to the Water/Sewer Committee meeting on Tues., Sept 18, 2012 for discussion and a resolution to council from the committee.

Meeting adjourned at approx. 3pm.

**WORKS COMMITTEE MEETING**  
**September 18th, 2012**

Committee: Andy Lennox, Councillor, Chairman  
Sherry Burke, Councillor  
Andy Morrison, Road Foreman  
Barry Trood, Water/Sewer Superintendent  
Clark, Road Superintendent

Start: 9:45 am End: 11:00 am

Minutes of the June 19th meeting were previously circulated and approved by Council.

**1) Victoria Cross Public School Safety**

Karen Armstrong and Sue Rosebush from Wellington-Dufferin- Guelph Active & Safe Routes to School Committee made a presentation to the Works Committee about a pilot project which involved Victoria Cross Public School in Mount Forest that looks at why children are not walking or biking to school. There are a number of recommendations in a report from this Committee that address the issues raised by staff and parents, some of which could only be addressed by the Township. Committee discussed some of the issues brought forward and thanked Karen and Sue for their presentation and will consider options when more information has been supplied.

**2) Sign Requests (various)**

A request has been received for a Stop sign to be installed on Line # 6 and Sideroad #13. A sign has never been placed at this location because the gates that lead into the Conservation Area have been closed for the majority of the time. Since the County of Wellington have been using the Conservation area for the Green Legacy Program and also Wellington Heights Secondary School have been using the area for classes a considerable amount of traffic have been using this road. Committee agreed to proceed with the proposed sign. A request has also been submitted for "No Parking/Stopping Signs" on Erwin Lytle Drive by Wellington Heights Secondary School. The School Board is willing to pay for signs and future maintenance of the signs. request has also been submitted from June Turnbull for placement of "Children at Play" to be placed in Conn. Committee discussed options and agreed to place signs in front of the in Park in Conn.

Committee recommend that Council approve the installation of the requested Stop sign and No Parking/Stopping signs and direct the CAO/Clerk to prepare the necessary by-laws.

**3) Arthur Village Works Yard Lighting**

Upgrades are taking place to the Arthur Works Yard building. The lighting fixtures in the shop are very old and our using a considerable amount more of electricity than fixtures installed today. The safety and lighting in the shop would be greatly increased by completion of this work. The Township has been working with Wellington North Power to determine the best way to proceed with this project. The cost to proceed with installing new light fixtures in the building is \$3900 plus HST. An incentive payment can be received from replacement of the fixtures of \$1240 towards the total project cost. After incentives the total cost of the project would be approximately \$2660 plus HST. Committee agreed to proceed with the proposed work to be funded from the Property Maintenance Account providing an additional quote is obtained.

**4) Entrance request (Gary and Susan Needham)**

An entrance request has been received from Gary and Susan Needham of 261 Smith Street in Arthur. They share their existing entrance with their neighbour and are requesting a second entrance be installed to allow for a circle entrance. The letter states that the existing driveway is inadequate and causing congestion on the driveway and causes vehicles to back out onto Smith Street which is not safe. Committee agreed to have Dale and Andy discuss options with the owners and see if a solution can be reached.

**5) General Information/Other Business**

- Paving has been completed on Line #2 and shouldering is being completed
- Fall Road gravelling operations will start on September 24<sup>th</sup>
- Gary Matthews and Dale Clark will attend Snow School from September 24<sup>th</sup> to 26<sup>th</sup> offered by Ontario Good Roads Association
- Work is progressing well on Fergus Street with completion estimated by the end of October
- Asphalt patching is taking place on Streets in Mount Forest
- Fall Roadside grass cutting operations are being completed
- Work continuing on design and approvals for Structure #6 bridge work for 2013



- Sand sheds have been filled for the 2012/2013 upcoming winter season
- Fall road grading being completed as weather conditions allow
- Owen Sound Highway Maintenance Limited has been awarded the contract to maintain all provincial highways in this area including connecting links for the next 12 years. The connecting link maintenance fee will increase 3% in Arthur and Mount Forest for the 2012/2013 winter season
- Road Construction from Hydro One Tower Gravel still proceeding until end of October
- Roadside ditching being completed
- Building renovations at Arthur Works Yard progressing well
- Highway #89 construction project from Ayrshire Street to the east connecting link in Mount Forest to start on Sept 24<sup>th</sup>
- Darrell Gingrich and Joe Flear have hired back as Term/Task employees

**Next Meeting: October 16, 2012**

## Recommendation from Finance Committee Meeting, September 17, 2012

### Treasurer's Report Asset Management Planning

Municipal Infrastructure Strategy – long term municipal asset management plans. Municipalities could be eligible to obtain money from provincial funding to help implement this plan. It is estimated that eligible applicants could receive a grant of approximately \$20,000 but the information must be submitted by October 22, 2012. The funding requirements confirm that Wellington North is eligible to apply. The Township has been contacted by other providers but we are currently working with Public Sector Digest and are using their City Wide software. PSD will help implement the Asset Management Strategy but it would require some interaction with engineers. Mike feels we can get close to what the Province is mandating with the \$20,000.

Moved By: Sherry Burke

Seconded By: Mark Goetz

THAT report TR2012-04 dated September 17, 2012 with regards to Asset Management Planning be received;

AND FURTHER THAT the Finance Committee recommend to Council that the Township of Wellington North enter into a Project Charter Agreement with Public Sector Digest.

Carried.



# Township of Wellington North

P.O. Box 125 • 7490 Sideroad 7 West • Kenilworth • Ontario • N0G 2E0

---

## TREASURER'S REPORT TR2012-04

**TO:** Finance Committee  
**FROM:** Mike Givens, Treasurer  
**DATE:** September 17, 2012  
**RE:** Asset Management Planning

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### **Background:**

As part of the Province's recently announced Municipal Infrastructure Strategy, Minister of Infrastructure Bob Chiarelli has confirmed that municipalities that request provincial infrastructure funding will be required to show how projects fit within a comprehensive asset management plan.

Through the strategy the Province is providing \$60 million over the next three years to municipalities. Up to \$8.25 million has been earmarked to help small, rural and northern communities meet capacity challenges to develop long term municipal asset management plans. It is estimated that eligible applicants will likely receive a grant of around \$20,000. Review of the funding requirements confirms that Wellington North is eligible to apply.

In order to tap into the funding, the Township must ensure that the 2011 Financial Information Return is filed, that an Expression of Interest form and declaration (in the form of a resolution or letter from Council) is submitted to the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). All items must be submitted by October 22, 2012.

The Township currently has a working relationship with Public Sector Digest (PSD) and is utilizing their CityWide Software Solution to track and maintain the Township Asset inventory. I have undertaken discussions with a representative from PSD and believe that they are well suited to assist the Township in developing a comprehensive Asset Management Plan. PSD has a Capital Planning and Analysis module that captures data from our existing Tangible Capital Asset inventory and allows for analysis and consolidation to allow for long-term asset management and lifecycle costing, the hallmarks of an Asset Management Plan.

I believe that PSD's knowledge of the Township's asset inventory, PSAB 3150 experience and broad municipal awareness will make them a valuable asset during this process.

**Recommendation:**

**THAT** report TR2012-04 dated September 17, 2012 with regards to Asset Management Planning be received;

**AND FURTHER THAT** the Finance Committee recommend to Council that the Township of Wellington North enter into a Project Charter Agreement with Public Sector Digest.



08<sup>th</sup> September 2012

Township of Wellington North  
7490 Sideroad 7 West  
PO Box 125, Kenilworth, On., N0G2E0

Attention: Municipal Council

First off let me apologize for this late request. The Ontario Provincial Police, Wellington County Detachment are hosting a bridge dedication ceremony in Mount Forest on the 12<sup>th</sup> of October 2012 at 1:30pm.

This ceremony is to recognize an officer who was killed in the line of duty on the 09<sup>th</sup> of May 1982. Cst. Richard Hopkins lost his life defending the community in which he lived and worked.

On the 12<sup>th</sup> of October 2012 I have reserved the Mount Forest Community room to host a small luncheon after the dedication ceremony is completed. There will be anywhere from 30-50 people in attendance from OPP upper management, politicians, family members and the general public. I will be using the hall from about 12 noon until about 4pm.

Please accept this letter as a request to waive the normal rental fees for the community room. Obviously there will be no money raised from this event and it will bring a positive reflection on the Community and the OPP.

Local media have been made aware of the event and will also be in attendance.

Please respond to me ASAP so that I can continue to make plans for this event.

Respectfully Submitted;

Sgt Michael ASHLEY # 10139  
519-993-8569



## NEWS RELEASE

Randy Pettapiece, MPP | Perth-Wellington

FOR IMMEDIATE RELEASE

September 6, 2012

# Pettapiece passes motion to get province listening to rural Ontario

(Queen's Park) – MPPs sent a strong signal this week that rural Ontario and the rural-urban divide cannot be ignored. Following debate on September 6 in the Ontario legislature, MPPs voted to support a motion introduced by Perth-Wellington MPP Randy Pettapiece.

His motion called on the provincial government to *"re-evaluate policies that negatively affect residents of rural and small-town Ontario and are a source of growing frustration in rural communities, which are key to a strong, healthy province."*

"I'm very pleased that we put rural Ontario back on the radar," said Pettapiece after the vote. "My intention with this motion was to highlight the rural-urban divide and some of the issues that I believe are contributing to it, as well as to get MPPs thinking about ways to bridge that divide."

During the debate, Pettapiece brought forward concerns he's heard from across Perth-Wellington, including many from local municipal leaders.

"Municipal leaders told us that the province too often imposes unfair or unrealistic pressures – financial, regulatory or environmental – on rural municipalities," Pettapiece said.

Pettapiece also blasted the Liberals for the Green Energy Act and its effect on rural and small-town Ontario.

"By forcing municipalities to accept industrial wind farms even where there is overwhelming local opposition, the province is telling rural Ontario that its views don't matter," Pettapiece said.

The Liberal government's decision to cancel the Slots at Racetracks revenue-sharing agreement, effectively killing Ontario's horse-racing industry, is also contributing to a widening rural-urban divide, Pettapiece argued. He spoke about what people said at a public meeting in Wellington County.

"They were outraged that the government would kill the horse-racing industry, seemingly to support its intention to build large casinos in urban centres. Many see their own province waging a war against them," Pettapiece told the legislature. "It's no wonder we have a divide," he added.

In his remarks, Pettapiece brought forward a range of other issues affecting rural Ontario, including over-regulation in agriculture, school transportation procurement policies, skyrocketing hydro costs affecting manufacturing, and the government's refusal to share gas tax revenues with small and rural municipalities.

Pettapiece concluded by challenging MPPs from all parties, rural and urban, to address the divide and focus on building the province to the benefit of all regions.

"Surely we can agree that a growing divide between urban and rural Ontario is not healthy," Pettapiece stated. "Surely we can agree that to bridge that divide, to move forward as one province, we need our entire province – rural, urban, north and south – to be successful."

- 30 -

Randy Pettapiece, MPP | 519-272-0660 | [www.pettapiece.ca](http://www.pettapiece.ca)



Randy Pettapiece, MPP  
Perth-Wellington

RECEIVED

SEP 12 2012

TWP. OF WELLINGTON NORTH

Perth-Wellington Constituency Office  
Stratford, Ontario

September 7, 2012

Lori Heinbuch, CAO/Clerk  
Township of Wellington North  
7490 Sideroad 7 West, Box 125  
Kenilworth, ON N0G 2E0

Dear Ms. Heinbuch:

Thank you for the information you provided concerning the Township's endorsement of a resolution supporting Bill 76.

On May 3, I voted along with a majority of MPPs in favour of Bill 76 at 2nd Reading. The legislation is currently being examined by the Standing Committee on Finance and Economic Affairs. I am hopeful that the government will respect the will of the Legislature and allow this bill to move forward for a final vote once the committee process is completed. I strongly support this legislation and intend to continue supporting it at every opportunity.

I want to bring Council's concerns to the attention of the government. Enclosed you will find my letter addressed to the Premier.

Thank you again for keeping me informed.

Sincerely,

Randy Pettapiece, MPP  
Perth-Wellington

Encl.

RP:md

67





Randy Pettapiece, MPP  
Perth-Wellington

Perth-Wellington Constituency Office  
Stratford, Ontario

September 7, 2012

The Hon. Dalton McGuinty, MPP  
Premier  
Room 281, Main Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Dear Premier:

You will find enclosed a copy of a resolution passed by the Township of Wellington North. It concerns Bill 76 and your government's plan to build new casinos across Ontario.

Bill 76 is a very important bill that will help ensure that the people of Wellington North, along with all communities across Ontario, are listened to before your government initiates new casino development. The resolution from the Township of Wellington North calls on your government to immediately act to pass Bill 76.

What is your response to this resolution from the Township of Wellington North? Will you allow Bill 76 to come forward for third reading in the Ontario Legislature after it has completed the committee process?

Please respond at your earliest convenience directly to the Township of Wellington North and issue a copy of your response to my constituency office.

Thank you for your attention to this matter.

Sincerely,

Randy Pettapiece, MPP  
Perth-Wellington

RP:md

Encl.

c. Lori Heinbuch, CAO/Clerk, Township of Wellington North

68





Environment and Land Tribunals  
Ontario

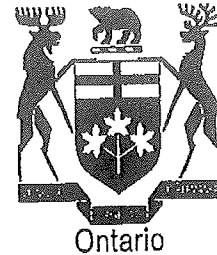
Ontario Municipal Board

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 212-6349  
Toll Free: 1-866-448-2248  
Fax: (416) 326-5370  
Website: www.elfo.gov.on.ca

Tribunaux de l'environnement et de  
l'aménagement du territoire Ontario

Commission des affaires municipales  
de l'Ontario

655 rue Bay, suite 1500  
Toronto ON M5G 1E5  
Téléphone: (416) 212-6349  
Sans Frais: 1-866-448-2248  
Télécopieur: (416) 326-5370  
Site Web: www.elfo.gov.on.ca



September 07, 2012

Jens Dam  
RR 1, 8751 Concession 9 , Arthur T.P.  
Moorefield, ON N0G 2K0

Subject:	Case Number:	DC120005
	File Number:	DC120005
	Municipality:	Wellington North
	By-Law Number:	BL-18-12
	Property Location:	Township of Wellington North
	Applicant/Appellant(s):	Jens Dam

It has come to the Board's attention, after reviewing your appeal application received May 11, 2012, that the matters regarding the case mentioned above are not within the Board's jurisdiction to adjudicate.

The application received is an appeal submitted in response to By-law 18-12 passed by the Township of Wellington North Council on April 2, 2012. By-law 18-12 was a By-law established to delegate the authority to enter into a development charges deferred payment agreement. Section 23.1(2) of the Municipal Act, 2001, governs the ability of Municipalities to delegate its powers. The Ontario Municipal Board does not have any adjudicative authority.

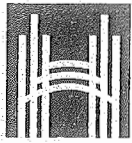
The application of appeal received by Jens Dam is hereby dismissed and our file has been closed.

Yours truly,

A handwritten signature in black ink, appearing to read "Julie Nolan".

Julie Nolan  
Case Coordinator, Planner  
(416) 326-6793

c.c.  
Lorraine Heinbuch



City of Hamilton  
71 Main Street West  
Hamilton, ON L8P 4Y5  
www.hamilton.ca

Carolyn Biggs  
Legislative Co-ordinator  
Office of the City Clerk  
Corporate Services Department  
Phone (905) 546-2424 (Ext. 2604)  
Fax # (905) 546-2095  
Carolyn.Biggs@hamilton.ca

Hamilton

September, 2012

RECEIVED

SEP 20 2012

**TO:** Municipalities in Emerald Ash Borer Regulated Areas

**FROM:** Carolyn Biggs, Legislative Co-ordinator  
General Issues Committee

**RE:** Emerald Ash Borer (EAB) Action Plan

TWP. OF WELLINGTON NORTH

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The Council of the City of Hamilton, at its meeting held on September 6, 2012, approved Item 5 of General Issues Committee Report 12-022, which reads as follows:

**5. Emerald Ash Borer (EAB) Action Plan (PW10088(a))**

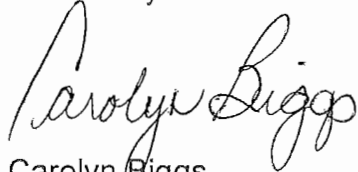
- (a) That Report PW10088a be received;
- (b) That Option 3 – Proactive Management, 1:1 planting for the City of Hamilton’s Emerald Ash Borer Action Plan, be selected based on the options presented in Table 1 (attached hereto as Appendix “A”);
- (c) That the \$26.2 million for Option 3 be referred to the 2013 Capital Budget process for further consideration;
- (d) That the implementation of Option 3 include an option for homeowners with healthy ash trees to be able to retain such City trees and/or park trees until they are in decline or are dead, or be afforded the flexibility to pay for inoculation for trees on City-owned property, and in consultation with the Ward Councillor and City staff;
- (e) That staff be directed to implement an Emerald Ash Borer Action Plan based on Council’s preferred option selected in recommendation (b) of Report PW10088a, subject to Council approval of a capital funding plan;
- (f) That staff be requested to consider using the existing Street Tree Planting Program to offset some of the costs of implementing Option 3 and report back during the 2013 capital budget process;
- (g) That staff be directed to provide an annual update to the General Issues Committee on the implementation of the Emerald Ash Borer Action Plan;

- (h) That correspondence be sent to the Canadian Food Inspection Agency, the Federal Minister of Natural Resources Canada, the Ontario Minister of Natural Resources, local M.P.'s and M.P.P.'s, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities to advocate for increased Emerald Ash Borer research funding and for the provision of financial assistance to affected municipalities in Ontario;
- (i) That the municipalities in the EAB-Regulated areas in Ontario be requested to support Hamilton's request to the senior levels of government.

The staff report on the Emerald Ash Borer Action Plan which was presented to the General Issues Committee on September 6, 2012, can be viewed in its entirety at <http://www.hamilton.ca/CityDepartments/CorporateServices/Clerks/AgendaMinutes/GeneralIssues/2012/September6GeneralIssuesCommitteeAgenda.htm>

Your consideration of Council's request is greatly appreciated.

Yours truly



Carolyn Biggs  
Legislative Co-ordinator

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

**BY-LAW NUMBER 74-12**

**BEING A BY-LAW TO AUTHORIZE A SECOND AMENDMENT TO  
THE SITE PLAN AGREEMENT (Princess Street, Mount Forest -  
Schlegel)**

**WHEREAS** pursuant to By-law No. 33-06 passed on the 24<sup>th</sup> day of April, 2006 the Township of Wellington North entered into a Site Plan Agreement under the provisions of Section 41 of the *Planning Act* with Peter Daniel Schlegel, notice of which was registered under Section 71 of the *Land Titles Act* on the 9<sup>th</sup> day of September, 2008 as instrument number WC223226;

**AND WHEREAS** the Township of Wellington North entered into an agreement with the said Peter Daniel Schlegel on the 10<sup>th</sup> day of December, 2008 to amend the said Site Plan Agreement, notice of which Amending Agreement under Section 71 of the *Land Titles Act* was registered on the 17<sup>th</sup> day of January, 2009 as instrument number WC235859;

**AND WHEREAS** the parties wish to further amend the said Site Plan Agreement.

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

1. The Mayor and the Clerk of the Corporation are hereby authorized and directed to sign an agreement with Peter Daniel Schlegel to further amend the Site Plan Agreement registered as instrument number WC223226 in the form, or substantially in the same form as advised by the municipal solicitor, of the draft Agreement to Amend a Site Plan Agreement attached hereto as Schedule "1".
2. The Clerk is directed to cause Notice of the said further amending agreement to be registered on the title to the lands described in it pursuant to Section 71 of the *Land Titles Act* after it has been duly signed by the parties.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 24TH DAY OF SEPTEMBER, 2012.**

---

**RAYMOND TOUT,  
MAYOR**

---

**LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH  
BY-LAW NUMBER 74-12  
SCHEDULE 1**

**AGREEMENT TO AMEND A SITE PLAN AGREEMENT**

**THIS AGREEMENT** made this            day of September, 2012.

**B E T W E E N:**

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

**“Wellington North”  
OF THE FIRST PART**

**- and -**

**PETER DANIEL SCHLEGEL**

**“the Owner”  
OF THE SECOND PART.**

**WHEREAS:**

A. The Owner is the owner of the following lands (hereinafter called “the lands”):

Part of Park Lot 6, South side of Princess Street, Plan for Mount Forest, Part 2 on Plan 61R-8529, together with an easement over Part 1 on Plan 61R-10734 as in instrument number WC206776, in the Township of Wellington North, in the County of Wellington having Property Identifier Number: 71054-0168(LT),

Park Lot 7, South side of Princess Street, Plan for Mount Forest, together with an easement over Part 1 on Plan 61R-10734 as in instrument number WC206776, in the Township of Wellington North, in the County of Wellington having Property Identifier Number: 71054-0072 (LT).

B. The Owner entered into a Site Plan Agreement with Wellington North under Section 41 of the *Planning Act* notice of which under Section 71 of the *Land Titles Act* was registered on the 9<sup>th</sup> day of September, 2008 as instrument number WC223226.

C. The Owner entered into an agreement to amend the said Site Plan Agreement on the 10<sup>th</sup> day of December, 2008 notice of which under Section 71 of the *Land Titles Act* was registered on the 27<sup>th</sup> day of January, 2009 as instrument number WC235859. The owner has applied to Wellington North for a second amendment to the Site Plan Agreement following changes to Phase 2 of the development from the plans comprising the “Site Plan” as described in the Site Plan Agreement and the said first amendment to the Site Plan Agreement.

**IN CONSIDERATION OF** the premises and other good and valuable consideration, the receipt and sufficiency whereof the parties irrevocably acknowledge, the parties agree as follows:

1. Phase 2 shall be as described and shown on, and the owner agrees to carry out the work, and to construct, install and maintain at its expense all of the services, works and facilities stipulated, described by words and numbers, and shown in and upon, the following plans:

- (i) The Lot Grading and Drainage Sketch Strathcona Village Mount Forest, Drawing No. 1 of 1, Revision 6 for Project No. PWW020193 prepared by R. J. Burnside & Associates Limited and sealed by J. R. Dickson Licensed Professional Engineer on the 2<sup>nd</sup> day of June, 2012.

- (ii) Site Plan Amendment Strathcona Village Mount Forest, Drawing No. 1 of 3, Revision 3 for Project No. PW020193 prepared by R. J. Burnside & Associates Limited and sealed by J. R. Dickson Licensed Professional Engineer on the 28<sup>th</sup> day of August, 2012.
- (iii) Martin Street Entrance Amendment Strathcona Village Mount Forest, Drawing No. 2 of 3, Revision 3 for Project No. PW020193 prepared by R. J. Burnside & Associates Limited and sealed by J. R. Dickson Licensed Professional Engineer on the 28<sup>th</sup> day of August, 2012.
- (iv) Phase Plan Amendment Strathcona Village Mount Forest, Drawing No. 3 of 3, Revision 3 for Project No. PW020193 prepared by R. J. Burnside & Associates Limited and sealed by J. R. Dickson Licensed Professional Engineer on the 28<sup>th</sup> day of August, 2012.
- (v) The Strathcona Hydro Servicing Plan and Details Strathcona Village Mount Forest, Drawing No. 54866-08, prepared by Henderson Paddon & Associates Limited dated June, 2007 with last revised date April 29, 2009, sealed by G. A. Davis, Registered Professional Engineer and bearing the Certificate of Approval signed on the said last revision date by George Davis under Section 4 of Regulation 22/04.

- 2. In the event of any discrepancy between the said plans incorporated through this Amending Agreement and the Site Plan Agreement as first amended, the said plans provided for herein shall prevail and be binding upon the owners.
- 3. The owner consents to the registration of Notice of this Amending Agreement under Section 71 of the *Land Titles Act* on the titles to the lands.

**THIS AGREEMENT** is executed by Wellington North this \_\_\_\_\_ day of September, 2012.

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**  
Per:

\_\_\_\_\_  
Raymond Tout – Mayor

\_\_\_\_\_  
Lori Heinbuch – Clerk  
We have authority to bind the corporation.

**THIS AGREEMENT** is executed by the Owner this \_\_\_\_\_ day of September, 2012.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Peter Daniel Schlegel

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

**BY-LAW NUMBER 75-12**

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE  
PLAN AGREEMENT (Conestoga Estates, Part of Lot 23,  
Concession 8, geographic Township of Arthur)**

**WHEREAS** the following lands owned KC Properties (GP) Limited ("the Owner") have been designated by Wellington North under subsection 41(2) of the *Planning Act*, R.S.O. 1990, c.P.13 (hereinafter called "the Act") as a Site Plan Control Area:

Part of Lot 23, Concession 8 (geographic Township of Arthur), in the Township of Wellington North as described in registered instrument number RON100524, in the County of Wellington, having Property Identifier Number: 71081-0006 (LT) ("the lands").

**AND WHEREAS** the lands presently contain a residential development provided for in an Agreement made between a processor in title of the Owner and The Corporation of the Township of Arthur (now The Corporation of the Township of Wellington North) registered on 29<sup>th</sup> day of January, 1992 as Instrument Number RO658796 and the Owner wishes to expand the development and has applied to Wellington North for approval under the Act of the Plans pertaining thereto and the location of all facilities and the works to be provided and required by Wellington North under Subsection 41(7)(a) of the Act.

**AND WHEREAS** Wellington North requires the Owner to enter into an Agreement as a condition to the approval sought by the Owner under Subsections 41(7)(c) and 41(7)(c.1) of the Act.

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

1. The Mayor and the Clerk of the Corporation are hereby authorized and directed to sign a Site Plan Agreement with the Owner in the form, or substantially in the same form as advised by the municipal solicitor, of the draft Site Plan Agreement attached hereto as Schedule "1".



2. The Clerk is directed to cause Notice of the Site Plan Agreement to be registered on the title to the lands described in it pursuant to Section 71 of the *Land Titles Act* after it has been duly signed by the parties.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 24TH DAY OF SEPTEMBER, 2012.**

---

**RAYMOND TOUT,  
MAYOR**

---

**LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH  
BY-LAW NUMBER 75-12  
SCHEDULE 1**

**SITE PLAN AGREEMENT**

THIS AGREEMENT made this            day of            , 2012.

**B E T W E E N:**

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH,  
“Wellington North”  
OF THE FIRST PART,**

- and -

**KC PROPERTIES (GP) LIMITED,  
“the Owner”  
OF THE SECOND PART.**

**WHEREAS:**

A. The Owner is the owner of the following lands (hereinafter called “the lands”):

Part of Lot 23, Concession 8 (geographic Township of Arthur), in the Township of Wellington North as described in registered instrument number RON100524, in the County of Wellington, having Property Identifier Number: 71081-0006 (LT).

- B. A predecessor in title of the Owner entered into an Agreement with The Corporation of the Township of Arthur on the 29<sup>th</sup> day of August, 1991 (now The Corporation of the Township of Wellington North) under Section 40 of the *Planning Act* (now Section 41 of the *Planning Act*) with respect to the lands which Agreement was registered on the 29<sup>th</sup> day of January, 1992 as Instrument Number RO658796 (“the 1991 Agreement”).
- C. The Owner’s predecessors in title developed the lands pursuant to the 1991 Agreement and the Owner has applied to Wellington North for approval under Section 41 of the *Planning Act* (“the Act”) of the plans for the expansion of the development on the lands and the location of facilities and works to be provided in connection therewith and required by Wellington North under Subsection 41(7)(a) of the Act.
- D. The expansion of the development includes 34 additional residential rental lots in two phases being lot numbers 92 to 105 inclusive (Phase 1) and being lot numbers 106 to 120 inclusive and 132 to 136 inclusive (Phase 2) as shown on the Site Plan.
- E. Wellington North requires the Owner to enter into this Agreement as a condition to the approval sought by the Owner under Subsections 41(7)(c) and 41(7)(c.1) of the Act.
- F. Subsection 41(10) of the Act permits the registration of this Agreement on the title to the lands.

**IN CONSIDERATION OF** the premises and other good and valuable consideration, the receipt and sufficiency whereof the parties irrevocably acknowledge, the parties agree as follows:

1. **Site Plan.** The Owner agrees to carry out the work, and to construct, install and maintain at its expense all of the works and facilities stipulated, described by words and numbers, and shown in and upon the following plans which in total comprise and are herein called "the Site Plan":
  - (i) The Site Plan and Drawing Index being drawing no. 1, file no. N0238, prepared by B.M. Ross and Associates Limited Consulting Engineers, Goderich, Ontario for "Conestoga Estates" dated August 23, 2012 and bearing the signature and seal of F.C. Vanderloo, Licensed Professional Engineer.
  - (ii) The General Servicing Plan being drawing no. 2, file no. N0238, prepared by B.M. Ross and Associates Limited Consulting Engineers, Goderich, Ontario for "Conestoga Estates" dated August 23, 2012 and bearing the signature and seal of F.C. Vanderloo, Licensed Professional Engineer.
  - (iii) The Lot Grading Plan being drawing no. 3, file no. N0238, prepared by B.M. Ross and Associates Limited Consulting Engineers, Goderich, Ontario for "Conestoga Estates" dated August 23, 2012 and bearing the signature and seal of F.C. Vanderloo, Licensed Professional Engineer.

The requirements under this Agreement include all of the notes and printed text contained in and on the said documents making up the Site Plan.

2. **Further Description of Work and Location of Site Plan.** Without limiting the generality of the forgoing, all specifications and requirements contained in the Site Plan which is on file at Wellington North's Municipal Office shall be adhered to and satisfied by the Owner.
3. **Certification.** As part of the obligations under paragraph 1 and 2, the Owner shall grade the lands and maintain the grading elevations in order to provide for surface drainage which shall be as provided for in the Site Plan. The Owner shall not use or cause or permit to be used any new construction on the lands until after a professional engineer or architect has given Wellington North, at the Owner's expense, a letter addressed to the clerk and signed by the engineer or architect certifying that all services, works and facilities on or in the lands which fall within the provisions of Section 41 of the Act and are required for this development by the Site Plan and this Agreement and not contained within a building, have been installed and completed in a manner satisfactory to the engineer or architect.
4. **Maintenance.** The Owner agrees that all of the services, works, facilities and matters required under this Agreement to be located on the lands that fall within the provisions of Section 41 of the Act shall be maintained for the life of the proposed development covered by the Site Plan at the Owner's cost and expense and the Owner shall give Wellington North and its agents reasonable access on reasonable notice to the lands for purposes of verification of compliance with the terms of this Agreement.

5. **Lands Charged with Maintenance Obligations.** The Owner charges the lands and any leasehold or other interest which it may give, with the maintenance obligations for the facilities and works provided for herein and required by Wellington North under Subsection 41(7)(a) of the Act.
  
6. **Security.** As a condition of the approval to be given by Wellington North pursuant to the said application, the Owner shall file with and deliver to Wellington North either a banker's draft or cheque made payable to Wellington North or an irrevocable letter of credit satisfactory to the clerk, to guarantee all the provisions of this Agreement, with the exception of the future maintenance provisions, in the principal sum of \_\_\_\_\_ . The said banker's draft or cheque or letter of credit shall be kept in full force and effect until such time as the Owner's engineer or architect confirms at the Owner's expense that the Owner has carried out the work and constructed and installed all of the structures, services, works and facilities which are required by this Agreement. For purposes of this paragraph the reference to a letter of credit means a letter of credit from a Canadian charged bank which is irrevocable.
  
7. **Mortgage Postponement.** As a condition of the approval to be given by Wellington North pursuant to the said application, the Owner shall obtain and register a postponement agreement in a form approved by Wellington North whereby Royal Bank of Canada postpones its mortgage from the Owner registered on 17<sup>th</sup> day of June, 2011 as Instrument No. WC314079 to the within Site Plan Agreement as registered. The postponement agreement shall be effective to subordinate the interest of Royal Bank of Canada in the lands to the interest of Wellington North to the extent that this Agreement shall take effect and have priority as if it had been and registered prior to the execution and registration of the said Mortgage No. WC314079. This clause shall apply, with the necessary changes, to any other undischarged mortgage registered on the title to the land prior to the registration of this Site Plan Agreement.
  
8. **Waiver.** The failure of Wellington North at any time to require performance by the Owner of any obligations under this Agreement shall in no way effect its right thereafter to enforce such obligation, nor shall the waiver by Wellington North of the performance of any obligations hereunder be taken or be held to be a waiver of the performance of the same or any other obligation hereunder at any later time. Wellington North shall specifically retain its right at law to enforce this Agreement.
  
9. **Enforcement.** The Owner acknowledges that Wellington North, in addition to any other remedy it may have at law, shall also be entitled to enforce this Agreement in accordance with Section 446 of the *Municipal Act, 2001* as amended.
  
10. **The 1991 Agreement.** The Owner covenants and agrees that this Site Plan Agreement shall be in addition and will not lessen or derogate from the duties and obligations of the Owner under the 1991 Agreement, and that any conflict between the two agreements shall be resolved according to the requirements of, and to the satisfaction of, Wellington North.

- 11. No Challenge to the Agreement. The parties covenant and agree with each other not to call into question or challenge, directly or indirectly, in any proceeding or action in court, or before any administrative tribunal, the parties' right to enter into and enforce this Agreement. The Law of Contract applies to this Agreement and the parties are entitled to all remedies arising from it, notwithstanding any provisions in Section 41 of the Act interpreted to the contrary. The parties agree that adequate consideration has flowed from each party to the other and that they are not severable. This provision may be pleaded by any party in any action or proceeding as an estoppel of any denial of such right.
- 12. Mediation. Without affecting Wellington North's statutory right under subsection 41(11) of the Act, at its complete discretion, invoke the provisions of Section 446 of the *Municipal Act, 2001* as amended in which case this paragraph shall be inoperative and inapplicable, in the event that a dispute relating to this Agreement or its implementation arises that cannot be resolved by negotiation between the parties, the parties agree to use the services of a mediator to attempt to resolve their differences and failing agreement on the procedure to be followed, it shall be conducted in accordance with the rules of procedure for the conduct of mediation of the ADR Institute of Ontario Inc. or its successor body.
- 13. Registration of Notice. The Owner consents to the registration of this Agreement or notice of this Agreement on the title to the lands.
- 14. Enurement Clause. The covenants, agreements, stipulations, declarations and provisions contained herein shall run with the lands and shall be binding upon the Owner and its successors and assigns and the benefit thereof shall enure to Wellington North and its successors and assigns.

**THIS AGREEMENT** is executed by Wellington North this \_\_\_\_\_ day of September, 2012.

**THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH**  
Per:

\_\_\_\_\_  
Raymond Tout – Mayor

\_\_\_\_\_  
Lori Heinbuch – Clerk  
We have authority to bind the corporation.

**THIS AGREEMENT** is executed by the Owner this \_\_\_\_\_ day of September, 2012.

**KC PROPERITES (GP) LIMITED**  
Per:

\_\_\_\_\_  
\_\_\_\_\_  
We have authority to bind the corporation.

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

**BY-LAW NUMBER 76-12**

**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  
SEPTEMBER 24, 2012.**

**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 September 24, 2012 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 24TH DAY OF SEPTEMBER, 2012.**

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**RAYMOND TOUT  
MAYOR**

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**LORRAINE HEINBUCH  
CHIEF ADMINISTRATIVE OFFICER/CLERK**

## MEETINGS, NOTICES, ANNOUNCEMENTS

Wednesday, September 26, 2012	Economic Development Committee	4:30 p.m.
Monday, October 1, 2012	Administration/Finance Committee	7:00 p.m.
Tuesday, October 2, 2012	Recreation Committee	8:30 a.m.
Wednesday, October 10, 2012	Building/Property Committee	9:00 a.m.
Monday, October 15, 2012	Court of Revision (Leroy Martin Drain)	7:00 p.m.
Monday, October 15, 2012	Committee of Adjustment	7:15 p.m.
Monday, October 15, 2012	Public Meeting	7:30 p.m.
Monday, October 15, 2012	Regular Council Meeting	Following Public Meeting
Tuesday, October 16, 2012	Water/Sewer Committee	8:30 a.m.
Tuesday, October 16, 2012	Works Committee	Following W/S Committee
Tuesday, October 16, 2012	Fire Committee	7:00 p.m.
Monday, October 29, 2012	Regular Council Meeting	7:00 p.m.

**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**