



# Township of Wellington North

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

## Regular Meeting of Council

Monday, October 7, 2013

Following Public Meeting

Municipal Office Council Chambers, Kenilworth

## AGENDA

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<b><u>CALLING THE MEETING TO ORDER</u></b>	
- Mayor Tout	
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# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

**Monday, September 23, 2013**

The Public Meeting was held Monday, September 23, 2013 at 7:00 p.m. at the Township of Wellington North Council Chambers, Kenilworth to consider an Official Plan Amendment application.

**Present:**

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

**Also Present:**

**Acting C.A.O.: Michael Givens**  
**Deputy Clerk: Catherine More**  
**Executive Assistant: Cathy Conrad**  
**Township Planner: Linda Redmond**

**Mayor Tout called the meeting to order. (7:00 p.m.)**

**Declaration of Pecuniary Interest:**

None declared.

**Owners/Applicant: 2073022 Ontario Inc. (J. Coffey– Eastridge Landing)**

**Location of the Subject Lands**

The primary subject land is located in the southeasterly part of the Arthur Urban Centre and is legally described as Part of Lots 118 to 121 & Part of Lots 110 to 114, 122, 169 & 170; Part of Lorne Avenue, including a 16.5' reserve at south end of Lorne Ave, Chadwich & Anderson's Survey – Registered Plan 120; Part Lot 1, Concession 1, geographic Township of West Luther, now Township of Wellington North. This land has an area of 6.608 hectares (16.3 acres) and is currently vacant. The second subject land is the parkland area immediately north of the above-noted 16.3 acres and south of the sewage lagoons.

# TOWNSHIP OF WELLINGTON NORTH

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#### **The Purpose and Effect of the Application**

The main purpose and effect of the proposed Official Plan amendment is to redesignate the 16.3 acres from Future Development to Residential. The proposed Zoning By-law amendment will rezone this area from Future Development to Residential (R1C & R2). The amendments are required in order to facilitate the proposed Draft Plan of Subdivision (23T-13001). Consideration will also be given to the noted parkland area, redesignating from Industrial to Recreational, and rezoning from Industrial (M1-2) to Open Space.

The applications for an Official Plan Amendment, Draft Plan of Subdivision and Zone Amendment will result in the creation of a mixed density residential development on lands that are currently vacant. Specifically the overall proposal will create 37 single detached residential lots, 19 semi-detached residential lots and 7 townhouse blocks which will accommodate 28 townhouse units. The plan will result in the near completion of the existing residential neighbourhood accessed by way of Schmidt Drive and Eastview Drive. The existing parkland will also be recognized for its current use.

#### **Power of OMB to Dismiss Appeals**

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Wellington before the proposed Official Plan amendment is adopted or in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, or Township of Wellington North before the proposed Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the County of Wellington or the Council of the Township of Wellington North to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Wellington before the proposed Official Plan amendment is adopted or in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, or Township of Wellington North before the proposed Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

1. Notice for this public meeting was sent to property owners within 120 m and required agencies and posted on the property on August 30, 2013.

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# TOWNSHIP OF WELLINGTON NORTH

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### Page Three

2. Presentation by:

Linda Redmond reviewed her preliminary planning comments dated September 18, 2013.

The applications for an Official Plan Amendment, Draft Plan of Subdivision and Zone Amendment will result in the creation of a mixed density residential development on lands that are currently vacant. Specifically the overall proposal will create 37 single detached residential lots, 19 semi-detached residential lots and 7 street townhouse blocks which will accommodate 28 townhouse units for a total of 103 residential units. The plan will result in the near completion of the existing residential neighbourhood accessed by way of Schmidt Drive and Eastview Drive.

The Wellington County Official Plan provides consideration for the establishment of new residential areas within the Urban Area of the County. The County Official Plan growth strategy identifies Greenfield density and affordable housing targets within urban areas. This proposal will contribute to and support these targets.

The subject property is located in the southeasterly part of the Arthur Urban Centre and abuts the easterly boundary of the urban centre. This 6.608 hectare (16.3 acre) parcel is legally described as Part of Lots 118 to 121 & Part of Lots 110 to 114, 122, 169 & 170; Part of Lorne Avenue, including a 16.5' reserve at south end of Lorne Ave, Chadwich & Anderson's Survey – Registered Plan 120; Part Lot 1, Concession 1, geographic Township of Luther, now Township of Wellington North.

The subject property is currently zoned Future Development (FD) in the Township of Wellington North Zoning By-law 66-01 and is located within the built boundary of the Arthur Urban area. The surrounding land uses are primarily residential and agricultural. The lands to the north include a municipal park and the Township of Wellington North's sewage treatment lagoons. Lands to the west are developed with detached and semi-detached residential dwellings and the lands east and south are currently farmed.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

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### Page Four

The purpose of the amendments is to redesignate the subject lands from Future Development to Residential and rezone the lands from Future Development (FD) to Residential (R1C & R2). A draft plan of subdivision has also been submitted. The overall proposal will create 37 single detached residential lots, 19 semi-detached residential lots and 7 street townhouse blocks.

The purpose of the amendments for the Park land is to redesignate the subject lands from Industrial and Future Development to Recreational. These lands formed part of the parkland dedication required at the time of the approval of Phase 1 and 2 of the Eastridge Landing subdivision (23T-89010). The proposed amendment would be considered a minor housekeeping amendment.

These comments should be considered as preliminary input to the public meeting. Final comments will be made after we have received public input and agency comments. The following comments will first address the Official Plan Amendment application, which establishes the principle of the land use. This is followed by the Draft Plan of Subdivision Application, which considers the subdivision of the property in various lots and blocks. The County is the approval authority for both of the above applications. Finally the Zoning By-law application will be addressed, where the approval authority is the Township.

Amendments have been made to the Wellington County Official Plan previously to ensure that the Plan is in conformity with both Places To Grow and Provincial Policy Statement.

The policies of Section 3 of the Official Plan outline the general strategies for guiding growth within the County. Section 3.3 sets out objectives for growth and encourages growth in urban areas as follows:

- To encourage growth in urban areas
- To encourage efficient land use and increased densities in Greenfields
- To maintain a healthy balance between jobs and housing to reduce the need for long-distance commuting
- To provide choice for residents and businesses through a variety of growth opportunities...including recreation activities
- To encourage mixed-use development

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Section 3.5 of the Plan allocates growth to the local municipalities. Wellington North is anticipated to grow from 11,710 persons in 2006 up to 15,600 persons in 2031. An additional 1640 households are predicted.

Section 4.4.3 of the Official Plan encourages intensification in urban centres and further states in subsection b) that the plan “supports appropriate intensification in all areas within the built boundary.

Section 4.4 of the Plan outlines Housing policies. The main applicable policy, Section 4.4.4, deals with Greenfield Housing, and requires a gross density of 6.5 residential units per acre. The development as proposed has a gross density of 6.4 units/acre, however this minor variance can be justified by the existing road pattern and the existence of a storm sewer easement on the subject lands.

Section 4.4.5, Affordable Housing, requires a minimum of 25% of new housing units in the County to be affordable. This is to be accomplished mainly through accessory apartments, semi-detached, duplex, townhouse and apartment units. This proposal will exceed this target and is providing 64% of affordable housing.

The policies of Section 8.3.2 of the Official Plan sets out a number of objectives for residential development including, b) “to provide a variety of dwelling types to satisfy a broad range of residential requirements, e) to ensure that an adequate level of municipal services will be available to all residential area’s and g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighbourhoods”.

Further, the policies of Section 8.3.5 of the Official Plan sets out a number of objectives for medium density development in areas designated Residential, such as density, size and scale of the development and services. In particular section b) states that “the design of the proposed height, setbacks, landscaping and vehicular circulation, will ensure that it will be compatible with existing or future development on adjacent properties”. Site plan approval will be required should the site be proposed for multi residential uses, at which time the design and layout of the site and buildings will be reviewed.

The purpose of the County Official plan amendment is to redesignate an area from Future Development to Residential. Amendments are required to Wellington North Township Schedule A6-2. Please refer to the draft Official Plan amendment.



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The County of Wellington's Planning and Development Department has prepared a draft study entitled Comprehensive Review of Residential and Employment – Township of Wellington North. As of October, 2009 housing supply and demand figures indicate that the short term residential land supply in Arthur is adequate. However, the owners of the subject lands are also the owners of an approved draft plan of subdivision referred to as the Elderbrook subdivision. It is the intention of the owners to relinquish approval of this subdivision as part of the draft plan of subdivision for this current application. The Elderbrook subdivision was approved with 91 residential units whereas, the current proposal is 103 residential units.

As stated earlier the owners of the subject lands are proposing to remove approval of the draft plan of subdivision referred to as the Elderbrook subdivision. Recognizing that Arthur has restrictions on its sewage treatment capacity, the lands may have to be placed into a holding zone until such time that services are available.

The County of Wellington has received application No. 23T-13001 for a proposed draft plan of subdivision. The purpose of the draft plan is to consider a proposed residential subdivision of approximately 37 single detached residential lots, 19 semi-detached residential lots and 7 street townhouse blocks which will accommodate 28 townhouse units. Total residential dwellings will equal 103.

The Planning Impact Study submitted with the application indicates that an archaeological impact assessment was completed for the entire property, prior to approval of Phase 1 of the Eastridge Landing subdivision.

A park is not being proposed as part of the residential development. Therefore the developer should be providing "cash-in-lieu" of to the Township.

The purpose of the zoning by-law amendment is to rezone the residential subdivision area to appropriate residential zones. The property is currently zoned Future Development. The proposal is to rezone the subject land to Residential exception (R2 & R1C) which would permit a variety of residential housing types including, single, semi detached and townhouse development. The site specific exception will address reductions in the interior side yards from 1.8m to 1.2m and a reduction in the minimum frontage requirement for the single detached lots from 15m to 12m. This allows recent Greenfield density requirements to be met. The proposed zoning is a continuation of the zoning currently in place in Phases 1 and 2 of the Eastridge subdivision.

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Under the Planning Act, the Township of Wellington North cannot approve the zoning by-law until the related Official Plan amendment is adopted by the County. As such a draft zoning amendment will be presented to Wellington North Council at a later date.

The following technical reports have been prepared in support of the application:

- Preliminary Stormwater Management and Servicing Report (March, 2013) K.J Behm & Associates.
- Planning Impact Study (April, 2013) Black, Shoemaker, Robinson & Donaldson.
- Comprehensive Review of Residential and Employment Growth for the Township of Wellington North (2009) County of Wellington Planning and Development Department.

To date we have received the following comments from circulated agencies:

Grand River Conservation Authority (GRCA) - No objection Subject to Conditions - In comments of August 22, 2013 the GRCA advised of no objection to the proposed OPA or Subdivision subject to 1) the submission of a final SWM and Servicing Report.

Canada Post - No objection - In comments of July 10, 2013 Canada Post indicated that they would provide mail service delivery through Community Mail Boxes.

Bell - No objection Subject to Conditions - In comments of July 17, 2013 Bell indicated that an easement may be required to service the property and this should form a condition of Draft Plan of approval. The Developer must confirm that sufficient wire-line infrastructure is currently available.

Upper Grand District School Board (UGDSB) - No objection - In comments of July 8, 2013 the UGDSB indicated that development charges are applicable, as digital plan of subdivision is required and adequate sidewalks, lighting and snow removal is provided.

Comments are still required from Provincial agencies, the Township's consulting engineer and others. Issues may arise in these reviews that need to be addressed.

# TOWNSHIP OF WELLINGTON NORTH

## PUBLIC MEETING - MINUTES

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Planning staff had no concerns in terms of the Official Plan amendment or zone amendment at this time. If Council is in support of the Official Plan Amendment, a resolution in support of it should be passed by Council after the public meeting and forwarded to the County along with required records.

3. Review of Correspondence received by the Township:
  - Jackie Hope, Planning Department, Upper Grand District School Board
    - Does not object.
  - Tammy Pringle, 12 Eastview Drive, Arthur
    - Concern regarding: traffic/sidewalks on Eastview Drive.
4. Mayor Tout opened the floor for any questions/comments.

Nancy Shoemaker, applicant's planner, was present to discuss the application. The proposal is for mixed density residential development. Since Phase 1 was approved there have been changes to the Official Plan regarding higher density. They are working to achieve density that meets the OP and fits with residential. Townhouses will be included in Phase 3. Storm water management block has been designed to accommodate all of the development. The pond will accommodate future land development. The park block, which was set aside during Phases 1 and 2, represents park land dedication for the entire subdivision and is being zoned as parkland. There is no cash in lieu of parkland. There will be a future meeting regarding the zoning amendment.

Mary Jo Marshall, 22 Eastview Drive, Arthur, raised concern that original part of Eastview Drive will see more traffic. The road is not up to current municipal standards. The sidewalk and curb are at least 30 years. As well she is concerned about heavier trucks using the road during construction.

Mayor Tout asked Ms. Redmond why the sidewalks and curbs are not to standard. Ms. Redmond responded that they may have been to standard at the time of construction; but will follow up on it.

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5. Comments/questions from Council.

None

6. Those wishing to be notified of the decision for the Official Plan Amendment must make a written request to the Director of Planning and Development, Gary Cousins, County of Wellington, 74 Woolwich Street Guelph, ON N1H 3T9.

7. Those wishing to be notified of the decision for the Zoning By-law Amendment must make a written request to Cathy More, Deputy Clerk, Township of Wellington North, 7490 Sideroad 7 West, Kenilworth, ON N0G 2E0.

8. Adjournment 7:11 p.m.

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DEPUTY CLERK

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MAYOR

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

Monday, September 23, 2013

Following Public Meeting - 7:13 p.m.

Members Present:

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

Also Present:

CAO: Michael Givens  
Deputy Clerk: Catherine More  
Executive Assistant: Cathy Conrad  
Director of Public Works: Deb Zehr  
Fire Chief: Jeff Dahms

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 Yake  
Seconded by: Councillor Lennox

*THAT the Agenda for the September 23, 2013 Regular Meeting of Council be accepted and passed.*

Resolution Number: 1

Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

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D. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE  
THEREOF

None declared.

E. MINUTES

1. Public Meeting, September 9, 2013
2. Regular Meeting of Council, September 9, 2013

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT the minutes of the Public Meeting and the Regular Meeting of Council held on September 9, 2013 be adopted as circulated.*

Resolution Number: 2

Carried

F. BUSINESS ARISING FROM MINUTES

None.

G. DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS

1. Presentation of Certificates to Winners of the Fall Fair Ambassador Competitions

Mayor Tout congratulated the winner of the Arthur Fall Fair Ambassador competition and presented a certificate to the Ambassador

Arthur Fall Fair

- Samantha Binkley, Ambassador

THE CORPORATION OF THE  
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G. DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS  
(continued)

2. Steve Harrison, Union Gas Utility Service Manager Waterloo North  
Re: Presentation of grant for emergency training materials

Mr. Harrison appeared before Council to present a cheque in the amount of \$5,000. Project Assist provides grants that will be used to purchase emergency training materials and is a partnership with the Fire Marshal's Public Fire Safety Council and Union Gas. Wellington North Fire Service was one of seven chosen via a random draw of all applications Union Gas received during a call out for interested departments in the company's service area. Also present were Joe Casey of the Fire Marshal's Office; Jeff Dahms, Fire Chief; Don Irvine Mount Forest Station Training Officer; and David Hodgkinson, Arthur Station Training Officer.

H. STANDING COMMITTEE, STAFF REPORTS, MINUTES AND RECOMMENDATIONS

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

**Moved by: Councillor Yake**  
**Seconded by: Councillor Lennox**

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

**Resolution Number: 3**

**Carried**

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

2. Fire Committee  
- Minutes, September 17, 2013

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Fire Committee meeting held on September 17, 2013.*

Resolution Number: 4

Carried

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT the Council of the Corporation of the Township of Wellington North declare the 1991 Sommers 60kw 120/208V Cummins Diesel generator previously utilized at the Mount Forest Fire Station as surplus;*

*AND FURTHER THAT Council authorize Chief Dahms to explore the sale of the generator to the repair provider to ascertain the best possible value, as recommended by the Fire Committee.*

Resolution Number: 5

Carried

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North declare the 1989 Ford 1500 gl. tanker and the 1988 International 1500 gl. tanker as surplus;*

*AND FURTHER THAT Council authorize Chief Dahms to explore the sale of the two tankers that are surplus through means of advertising through a web based company, as recommended by the Fire Committee.*

Resolution Number: 6

Carried

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

3. Recreation & Culture Advisory Committee  
- Minutes, September 10, 2013

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Recreation & Culture Advisory Committee meeting held on September 10, 2013.*

Resolution Number: 7

Carried

4. Sewer and Water Committee  
- Minutes, September 17, 2013

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Sewer and Water Committee meeting held on September 17, 2013.*

Resolution Number: 8

Carried

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North direct staff to proceed with adding the Sludge Building roof to the existing work contracted to Wm. Green Roofing for the additional cost of \$11,230. plus HST and an additional cost to North American Roofing of \$617.65 plus HST as recommended by the Water and Sewer Committee. The grand total for the Arthur WWTP roofing replacement cost is \$56,896.15 and will be funded from the Arthur Sewage reserve funds.*

Resolution Number: 9

Carried

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

5. Roads Committee  
- Minutes, September 17, 2013

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the minutes of the Roads Committee meeting held on September 17, 2013.*

Resolution Number: 10

Carried

6. Deb Zehr, Director of Public Works, Report PW 2013-02  
- O'Donnell Severance Application

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the Director of Public Works Report PW2013-02;*

*THAT Council directs staff to update the Winter Roads Maintenance Policy.*

Resolution Number: 11

Carried

Moved by: Councillor Lennox  
Seconded by: Councillor Yake

*THAT Council direct staff to split the cost with the applicant for road upgrades related to severance application B129/12;*

*AND FURTHER THAT this work be funded from the roads reserves.*

Resolution Number: 11A

Carried

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

7. Building/Property Committee  
- Minutes, September 18, 2013

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 Building/Property Committee meeting held on September 18, 2013.*

**Resolution Number: 12**

**Carried**

8. Mike Givens, CAO/Treasurer, Report TR2013-29  
- WNP Proposal - Conservation Committee

Moved by: Councillor Burke  
Seconded by: Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North receive the CAO/Treasurer's Report TR2013-29 with regard to Wellington North Power to form a Conservation Committee;*

*AND FURTHER THAT the CAO notify Wellington North Power of the acceptance of their Committee proposal and the Township representatives on the Conservation Committee as listed below:*

- *Director of Public Works*
- *Director of Recreation*
- *Chief Building Official*
- *Admin Support*

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

8. Mike Givens, CAO/Treasurer, Report TR2013-29  
- WNP Proposal - Conservation Committee (continued)

*AND FURTHER THAT the Committee shall operate in an Advisory capacity and will be responsible for reviewing and providing recommendations to the Council of the Township of Wellington North on the implementation of the suggested actions contained in the Energy Assessment Report and the development of a 5-year Energy Conservation and Demand Management Plan meeting the requirements of Ontario Regulation 39/11.*

Resolution Number: 13

Carried

9. Mike Givens, CAO/Treasurer, Report TR2013-30  
- 2012 Development Charges – Reserve Funds

Moved by: Councillor Goetz

Seconded by: Councillor Burke

*THAT the Council of the Corporation of the Township of Wellington North receive and file for information Report TR2013-30 dated September 23, 2013 with respect to 2012 Development Charges- Reserve Funds.*

Resolution Number: 14

Carried

I. CORRESPONDENCE FOR COUNCIL'S INFORMATION

None

THE CORPORATION OF THE  
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J. BY-LAWS

1. 64-13 Being a by-law to amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North (Storage Containers)

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

**THAT By-law Number 64-13 being a By-law to amend Zoning By-law Number 66-01 being the Zoning By-law for the Township of Wellington North be read a First, Second and Third time and finally passed. (Storage Containers)**

**Resolution Number: 15**

**Defeated**

2. 81-13 Being a by-law to authorize the execution of a Development Agreement (Part Lot 32, Part Mill Property, Mitchell's Survey, Arthur Village, Parts 1 and 2 RP 61R7408, Edward Earl Watt)

Moved by: Councillor Burke  
Seconded by: Councillor Goetz

*THAT By-law Number 81-13 being a by-law to authorize the execution of a Development Agreement be read a First, Second and Third time and finally passed. (Part Lot 32, Part Mill Property, Mitchell's Survey, Arthur Village, Parts 1 and 2 RP 61R7408, Edward Earl Watt)*

**Resolution Number: 16**

**Carried**

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REGULAR MEETING OF COUNCIL

Monday, September 23, 2013

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K. OTHER/NEW BUSINESS

1. Resolution regarding proposed Official Plan amendment  
Re: Part of Lots 118 to 121 & Part of Lots 110 to 114, 122, 169 & 170;  
Part Lorne Avenue, including a 16.5' reserve at south end of Lorne  
Ave., Chadwich & Anderson's Survey – Registered Plan 120; Part  
Lot 1, Concession 1, geographic Township of West Luther, now  
Township of Wellington North

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT the Council of the Corporation of the Township of Wellington North support the Wellington County Official Plan Amendment dated September, 2013 – 2073022 Ontario Inc. (J. Coffey) Eastridge Landing Phase 3 to designate the 16.3 acres from Future Development to Residential.*

Resolution Number: 17

Carried

L. ITEMS FOR COUNCIL'S INFORMATION

Cheque Distribution Report dated September 18, 2013

Randy Pettapiece, MPP, Perth-Wellington

- News Release, MPPs Pettapiece, Harris push for fair and open tendering
- Correspondence regarding *Fair and Open Tendering Act*

AMO Report to Members

- Highlights of the August 2013 Board Meeting

Grand River Conservation Authority

- Minutes, General Membership Meeting, August 23, 2013

City of Kenora

- Resolution regarding Provincial Ban of Flying Lanterns

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

REGULAR MEETING OF COUNCIL

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M. NOTICE OF MOTION

None.

N. ANNOUNCEMENTS

Councillor Goetz reminded everyone that the Mount Forest Chamber of Commerce "Business After Five" event will be held on Thursday, September 26 at Schwindt's.

Mayor Tout announced that the Grand Opening of Isabella's Consignment & Decor will take place on Saturday, September 28.

O. CONFIRMING BY-LAW

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT By-law Number 82-13 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Regular Meeting held on September 23, 2013 be read a First, Second and Third time and finally passed.*

Resolution Number: 18

Carried

P. ADJOURNMENT

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT the Regular Council meeting of September 23, 2013 be adjourned at 8:36 p.m.*

Resolution Number: 19

Carried

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DEPUTY CLERK

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MAYOR

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

Special Council Meeting

Monday, September 30, 2013

5:00 p.m.

Members Present:

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

Also Present:

Deputy Clerk: Catherine More  
Acting CAO/Treasurer: Mike Givens  
Director of Public Works: Deb Zehr  
Water/Sewer Superintendent: Barry Trood  
Executive Assistant: Cathy Conrad  
Dale Small

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

- A. Mayor Tout called the meeting to order.

Moved by: Councillor Yake  
Seconded by: Councillor Lennox

*THAT the Agenda for the September 30, 2013 Special Meeting of Council be accepted and passed.*

Resolution Number: 1

Carried

- B. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None declared.



THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

Special Council Meeting

Monday, September 30, 2013

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C. PURPOSE OF MEETING

To consider:

- a report from Stephen Nutt, M.Eng., P.Eng, Senior Consultant, XCG Consultants Ltd. regarding Arthur WWTP Class EA
- Correspondence from Golden Valley Farms requesting increase in average daily flow to sewer

To consider authorization of a Road Use Agreement and By-law

To conduct a Closed Meeting to consider a Personnel matter regarding labour relations (Sec. 239 (2) (d))

D. DELEGATIONS, DEPUTATIONS, PETITIONS, PRESENTATIONS

1. Stephen Nutt, M.Eng., P.Eng, Senior Consultant, XCG Consultants Ltd.
  - Technical Memorandum Assimilative Capacity Study Arthur WWTP Class EA, dated April 12, 2013
  - Memorandum Mixing Zone Analysis, dated August 19, 2013
  - Correspondence dated August 13, 2013 from Keith Hehn, Plant Manager, Golden Valley Farms Inc. regarding request for increase in Average Daily Flow to sewer to meet Golden Valley Farms future production demand
  - Correspondence dated August 19, 2013 from Stephen Nutt, M.Eng., P.Eng, Senior Consultant, XCG Consultants Ltd. regarding request for increase in Average Daily Flow to sewer to meet Golden Valley Farms future production demand

Mr. Nutt appeared before Council to provide a status update with regards to the Class EA for the Arthur Waste Water Treatment Plant. The report was ready to go to MOE in June. A meeting was held in Guelph in August with MOE to discuss the study. Further information regarding the Effluent Mixing Zone Analysis was requested and has been provided to MOE. The MOE Reviewer has changed. Sarah Day will now be reviewing Arthur WWTP Class EA. She will provide a report by October 7. Once the information comes back from MOE we should still be in a position to hold a public meeting in November and file the Class EA in the New Year.

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

Special Council Meeting

Monday, September 30, 2013

Page Three

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

Golden Valley Farms Inc. is requesting an increase in Average Daily Flow to sewer to meet future production demand. No increase in capacity will be possible until the EA is completed and expansion or upgrades are completed. The anticipated completion of the expansion project would be the end of 2016. An initial review identified limitation on sludge management. Having the plant re-rated would require some construction of civil works. It is unlikely that this could be completed before the end of 2015. Any increase in flow from Golden Valley to the Arthur WWTP before a new EA is issued that increases the plant capacity will likely result in the plant flow exceeding its approved capacity which could lead to non-compliance and possible enforcement action by MOE.

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive the Assimilative Capacity Study for the Arthur Waste Water Treatment Plant Class EA, dated April 12, 2013, prepared by XCG Consultants Ltd.*

Resolution Number: 2

Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

Special Council Meeting

Monday, September 30, 2013

Page Four

E. BY-LAW

1. Report from Deb Zehr, Director of Public Works regarding Road Use Agreement

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT the Council of the Corporation of the Township of Wellington North receive report PW2013-03 with regard to the WPD Springwood Wind Farm Agreement;*

*AND THAT Council endorse and accept the agreement;*

**Resolution Number: 3**

Carried

By-law Number 83-13 being a by-law to authorize a Road Use Agreement (former Township of West Garafraxa)

Moved by: Councillor Lennox

Seconded by: Councillor Yake

*THAT By-law Number 83-13 being a by-law to authorize a Road Use Agreement be read a First, Second and Third time and finally passed. (former Township of West Garafraxa – WPD Springwood Wind Incorporated)*

**Resolution Number: 4.**

Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

Special Council Meeting

Monday, September 30, 2013

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F. CLOSED MEETING SESSION

1. "Personnel" matter to consider labour relations (Sec. 239 (2) (d))

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

*THAT Council go into a meeting at 5:43 p.m. that is closed to the public under subsections 239 (2) (d) of the Municipal Act, 2001*

*- to consider labour relations*

Resolution Number: 5 Carried

Moved by: Councillor Goetz  
Seconded by: Councillor Burke

*THAT Council rise from a closed meeting session at 6:27 p.m.*

Resolution Number: 6 Carried

G. CONFIRMING BY-LAW NO. 84-13 BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL

Moved by: Councillor Burke  
Seconded by: Councillor Goetz

*THAT By-law Number 84-13 being a By-law to Confirm the Proceedings of the Council of the Corporation of the Township of Wellington North at its Special Meeting held on September 30, 2013 be read a First, Second and Third time and finally passed.*

Resolution Number: 7 Carried

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

Special Council Meeting

Monday, September 30, 2013

Page Six

H. ADJOURNMENT

Moved by: Councillor Burke

Seconded by: Councillor Goetz

*THAT the Special Council meeting of September 30, 2013 be adjourned at  
6:28 p.m.*

Resolution Number: 8

Carried

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DEPUTY CLERK

---

MAYOR



RECEIVED

SEP 30 2013

TWP. OF WELLINGTON NORTH

**His Worship Mayor Ray Tout,  
Township Of Wellington North  
Kenilworth On. N0G 2E0**

**September 26<sup>th</sup>. 2013.**

**Dear Mr. Mayor:**

**On Behalf of The Royal Canadian Legion BR.134, Mount Forest we are requesting at this time, permission to distribute poppies in the above noted town within your jurisdiction.**

**Furthermore , it is requested that a proclamation be made declaring “November 11<sup>th</sup> 2013 as Remembrance Day”. Also it is requested that the Board of Works Dept. detour traffic while The Cenotaph services are being conducted as per previous years.**

**We look forward to receiving your reply at your earliest convenience.**

**Respectfully submitted;**

**Valentine Glen  
1<sup>st</sup>.Vice President  
Poppy Chairman  
Br. 134 Legion  
190, Sarah Road  
Mount Forest, On.  
N0G 2L2  
519-509-7622**

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

**BY-LAW NUMBER 85-13**

**BEING A BY-LAW TO TEMPORARILY CLOSE MAIN STREET,  
MOUNT FOREST FOR THE PURPOSE OF HOLDING A  
REMEMBRANCE DAY PARADE**

**AUTHORITY:** Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, Section 45.

**WHEREAS** Section 45 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides for the temporary closing of a street to vehicular traffic for such period as shall be specified in the by-law for such community purpose as may be specified in the by-law;

**AND WHEREAS** the Royal Canadian Legion - Mount Forest is planning to hold a Remembrance Day Parade and have requested that Main Street be closed to vehicular traffic on Monday, November 11, 2013 between the hours of 10:30 a.m. and 11:30 a.m.

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

1. That Main Street between Murphy Street and Queen Street is hereby temporarily closed on Monday, November 11, 2013 between the hours of 10:30 a.m. and 11:30 a.m.
2. The effective date of this by-law shall be the date of final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 7TH DAY OF OCTOBER, 2013.**

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**RAYMOND TOUT,  
MAYOR**

---

**CATHERINE MORE,  
DEPUTY CLERK**

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

**BY-LAW NUMBER 86-13**

**BEING A BY-LAW TO TEMPORARILY CLOSE PORTIONS OF  
GEORGE, ISABELLA, GEORGINA AND CHARLES STREETS,  
ARTHUR FOR THE PURPOSE OF HOLDING A REMEMBRANCE  
DAY PARADE.**

**AUTHORITY:** Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, Section 45.

**WHEREAS** Section 45 of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides for the temporary closing of a street to vehicular traffic for such period as shall be specified in the by-law for such community purpose as may be specified in the by-law;

**AND WHEREAS** the Royal Canadian Legion - Arthur is planning to hold a Remembrance Day Parade and have requested that certain Streets be closed to vehicular traffic on Monday, November 11, 2013 between the hours of 10:30 a.m. and 11:30 a.m.

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

1. That George Street and Smith Street between Eliza Street and Conestoga Street; and the following Isabella Street north to Georgina, west to Charles Street, south east to George Street north to Frederick Street are hereby temporarily closed on Monday, November 11, 2013 between the hours of 10:30 a.m. and 11:30 a.m.
2. The effective date of this by-law shall be the date of final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 7TH DAY OF OCTOBER, 2013.**

---

**RAYMOND TOUT,  
MAYOR**

---

**CATHERINE MORE,  
DEPUTY CLERK**



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

**BY-LAW NUMBER 87-13**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01 BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH (Part Lot 4, Concession 1, geographic Township of West Luther, civic address 8174 Wellington Road 109)**

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

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

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 4, Concession 1 as shown on Schedule "A" attached to and forming part of this By-law from:
  - **Agricultural (A) to "Agricultural Exception (A-152)**
  - **Agricultural (A) to "Agricultural Exception (A-153)**
  
2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<b>33.152</b>  Part Lot 4, Concession 1	<b>A-152</b> Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses, that are not accessory to a dwelling, are permitted.
--	--

3. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

<b>33.153</b>  Part Lot 4, Concession 1	<b>A-153</b> Notwithstanding Section 6.1.4 ii or any other section of this by-law, the shed existing on the day of passing of this by-law may have a maximum floor area of 245 sq.m. (2,637 sq.ft).
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4. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
5. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 7TH DAY OF OCTOBER, 2013.**

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**RAYMOND TOUT,  
MAYOR**

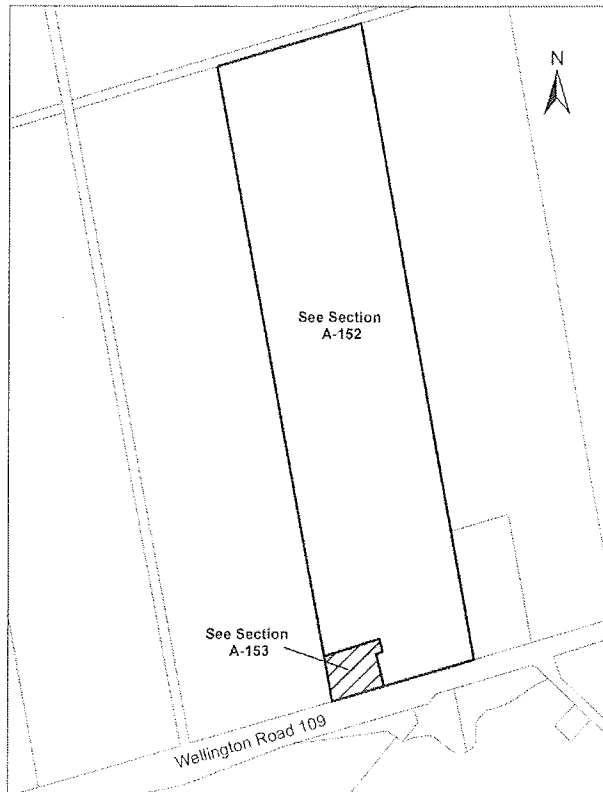
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**CATHERINE MORE,  
DEPUTY CLERK**

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NUMBER 87-13

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-152 and A-153)

This is Schedule "A" to By-law No. 87-13  
Passed this 7th day of October, 2013

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RAYMOND TOUT  
MAYOR

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CATHERINE MORE  
DEPUTY CLERK

## EXPLANATORY NOTE

### BY-LAW NUMBER 87-13

**THE LOCATION** being rezoned is in Part Lot 4, Concession 1 , geographic Township of West Luther, with a civic address of 8174 Highway 109. The property is approximately 40 hectares (98.8 acres) in size and is occupied by a residence and drive shed.

**THE PURPOSE AND EFFECT** of the amendment is to rezone the subject lands to restrict any future residential development on the agricultural land (A-152) and to allow an oversized drive shed with a floor area of 245 sq.m (2,637 sq.ft), which exceeds the allowable ground floor area of 102.2 sq.m (1,100 sq. ft) for an accessory building (A-153). This rezoning is a condition of severance application B53/13, that was granted provisional approval by the Wellington County Land Division Committee in April 11<sup>th</sup>, 2013. The consent will sever the agricultural parcel (39.4 ha. (97.4 ac) from the retained lands which include the existing farm dwelling and accessory building (1.06 ha. (2.6 ac).

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

**BY-LAW NUMBER 88-13**

**BEING A BY-LAW TO AUTHORIZE A CONVEYANCE OF LAND  
AND TRANSFERS OF TRANSMISSION LINE EASEMENTS TO A  
SUBSIDIARY CORPORATION (Wellington North Power)**

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

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

Part of Park Lot 2, south of King Street, Mount Forest, Part 7, Plan 61R20168, in the Township of Wellington North and County of Wellington being Part of Property Identifier Number 71060-0037 (LT) (hereinafter called "**the lands**")

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

**AND WHEREAS** the Power Corporation has unwritten and unregistered easement rights over the following lands owned by the Township for the Power Corporation's hydro transmission lines and the parties wish to formalize these easements:

Part of Lot 4, Survey Hart's, Mount Forest, Part of Lot 5, Survey Hart's, Mount Forest, Part 1, Plan 61R20168; Part of Lot 16, Survey Hart's, Mount Forest, Part 2, Plan 61R20168, Part of Park Lot 1, South of Wellington Street, Plan Town of Mount Forest, Mount Forest, Part 4, Plan 61R20168; Township of Wellington North; being Part of Property Identifier Number 71060-0008 (LT);

Part of King Street, Plan Town of Mount Forest, Mount Forest, partially closed by Bylaw BLN192 between Egremont Street and London Road, Part 3, Plan 61R20168, Township of Wellington North; being Part of Property Identifier Number 71060-0110 (LT);

Part of Park Lot 2, South side of King Street, Plan Town of Mount Forest, Mount Forest, Part 5, Plan 61R20168; Part of Park Lot 2, South side of King Street, Plan Town of Mount Forest, Part 8, Plan 61R20168; Township of Wellington North; being Part of Property Identifier Number 71060-0037 (LT);

Part of King Street, Plan Town of Mount Forest, Mount Forest, Part 6, Plan 61R20168; Township of Wellington North; being Part of Property Identifier Number 71060-0112 (LT);

(hereinafter called "**the easement lands**")

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

1. The Township shall transfer and convey **the lands** to the Power Corporation for nil consideration.
2. The Township shall transfer an easement to the Power Corporation over each of the four said components of the **easement lands** for the purpose of constructing, installing, operating, repairing, maintaining, inspecting, upgrading, replacing and removing on and under the **easement lands** an electrical transmission line or lines including all material and equipment associated therewith.
3. The Mayor and the Deputy-Clerk of the Corporation are hereby authorized and directed to take all steps and to sign all documentation required to complete and duly register the said transfer and the said easements.

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**RAYMOND TOUT,  
MAYOR**

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**CATHERINE MORE,  
DEPUTY CLERK**

THE CORPORATION OF THE  
TOWNSHIP OF WELLINGTON NORTH

BY-LAW NUMBER 89-13

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE  
COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF  
WELLINGTON NORTH AT ITS REGULAR MEETING HELD ON  
OCTOBER 7, 2013.

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

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

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

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

1. That the action of the Council at its Regular Meeting held on October 7, 2013 in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by separate by-law.
2. That the Mayor and the proper officers of the Township are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Township to all such documents.
3. That this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its power to proceed with, or to provide any money for, any undertaking work, project, scheme, act, matter or thing referred to in subsection 65 (1) of the Ontario Municipal Board Act, R.S.O. 1990, Chapter 0.28, shall not take effect until the approval of the Ontario Municipal Board with respect thereto, required under such subsection, has been obtained.
4. That any acquisition or purchase of land or of an interest in land pursuant to this by-law or pursuant to an option or agreement authorized by this by-law, is conditional on compliance with Environmental Assessment Act, R.S.O. 1990, Chapter E.18.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 7TH DAY OF OCTOBER, 2013.**

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RAYMOND TOUT  
MAYOR

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CATHERINE MORE  
DEPUTY CLERK

## MEETINGS, NOTICES, ANNOUNCEMENTS

Tuesday, October 15, 2013	Water/Sewer Committee	8:30 a.m.
Tuesday, October 15, 2013	Roads Committee	Following Water/Sewer Committee
Tuesday, October 15, 2013	Fire Committee	7:00 p.m.
Wednesday, October 16, 2013	Building and Property Committee	9:00 a.m.
Wednesday, October 16, 2013	Economic Development Committee	4:30 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**