



C01/13

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

REGULAR MEETING OF COUNCIL AGENDA

TUESDAY, JANUARY 8TH 2013, at 7:00 P.M.

COUNCIL CHAMBERS

1. **Call to Order**
2. **National Anthem**
3. **Opening Prayer**
 - a) Mayor April Jeffs
4. **Disclosure of Pecuniary Interest and the General Nature Thereof**
5. **Presentations**

No presentations scheduled
6. **Public Hearings**

Purpose of the Meeting:

The purpose of the meeting is to provide information and gather public comments regarding fees for Mandatory Onsite Sewage System Inspections to be provided by exp. Services Inc. The Public Meeting is held to meet the requirements of Ontario Building Code Act S.O. 1992., c.23 as amended under (Section 7 Bylaws, Resolution and Regulation) and Bill 124 (O.Reg. 305-03 Section 2. 23.1.2 Change of Fees).

7. **Delegations**

No delegations scheduled
8. **Business Arising from Delegations**

Deferred Motion

“**THAT** Council defer making a decision regarding Mr. Luciano and Mr. Veenhof’s request for a resolution of support for their proposed solar projects in order to obtain more information regarding the projects, to the January 8, 2013 Council meeting.”

9. **Mayor’s Announcements & Remarks**

10. Adoption of the Minutes

- a) Minutes of the Regular Meeting of Council held on December 18th, 2012

11. Staff Reports and Recommendations

- a) Planning Staff Reports
No report(s) submitted
- b) Administration Staff Reports
No report(s) submitted
- c) Drainage Staff Reports
No report(s) submitted
- d) Building Staff Reports
i) BSR-001/2013 Re: Building Permit Report – December 2012
- e) Public Works Staff Reports
No report(s) submitted
- f) Fire Staff Reports
No report(s) submitted
- g) Bylaw Enforcement Staff Reports
No report(s) submitted

12. Review of Correspondence

13. Bylaws

First & Second Reading

Third & Final Reading

14. Notices of Motion

15. Proclamations

16. Other Business

- a) Council Requested Resolution – Disband Ontario Municipal Board

17. Closed Meeting

18. Bylaw to Confirm the Proceeding of Council

- a) Bylaw No. 001-2013 being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 8th day of January, 2013.

19. Adjournment of Meeting



Township of Wainfleet

"Wainfleet - find your country side!"

PUBLIC INFORMATION MEETING

AGENDA: PRIVATE SEWAGE SYSTEM REGULATION FEES FOR SERVICES

DATE: TUESDAY, JANUARY 8, 2013

TIME: 7:00 P.M.

1) PURPOSE OF MEETING: (Chair)

The purpose of the meeting is to provide information and gather public comments regarding fees for mandatory onsite sewage system inspections to be conducted in the Boil Water Advisory area and related services to be provided by the exp Services Inc. This public meeting is held to meet the requirements of Ontario Building Code Act S.O. 1992., c.23 as amended under (Section 7 Bylaws, Resolution and Regulation) and Bill 124 (O. Reg. 305-03 Section 2. 23.1.2 Change of Fees).

2) EXPLANATION OF RATES: (CAO)

Fees that have been added to the Fees schedule for sewage systems include the following:

Leaching Bed Repair only \$500.00

Mandatory Onsite Sewage System Inspections

Only applicable to properties located within the Boil Water Advisory Area of Wainfleet.

- Inspection by exp. Services Inc (includes two attempts) \$114.00
- Additional site inspections (after two attempts) \$76.00+actual costs
- To expose septic tank lid \$90/hr or part thereof
- Exempt (Grandfathered) properties \$38
- Other fees not described above actual costs

NOTE: If an invoice remains unpaid 30 days after the due date, the total invoice amount shall be applied to the related property tax account, accompanied by applicable transfer fees.

3) QUESTIONS FROM COUNCIL: (Chair)

4) REQUEST FOR COMMENT, QUESTIONS, INPUT FROM ATTENDEES: (Chair)

5) NEXT STEPS: (CAO)

Township Staff will submit the attached Fees Bylaw to Council for approval at the January 22, 2013 Council meeting.

6) CLOSING: (Chair)

**THE CORPORATION OF THE
TOWNSHIP OF WAINFLEET**

BYLAW NO. XXX-2011

Being a bylaw for the Regulation of Private On-Site Sewage Systems in the Township of Wainfleet

WHEREAS subsection 3(1) of the *Building Code Act, 1992*, R.S.O. 1992, c.23, as amended (the "*Act*") provides that the council of each municipality is responsible for the enforcement of the *Act* in the municipality;

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** in this bylaw:
 - (a) "Building" means a building as defined in the *Act*;
 - (b) "Building Code" means the regulations made under section 34 of the *Act*, as amended from time to time;
 - (c) "Chief Building Official" means a chief building official as defined in the *Act*, and as appointed by bylaw of the Municipality for the purposes of the enforcement of the *Act*;
 - (d) "Groundwater" means groundwater as defined in the Building Code;
 - (e) "Inspector" means an inspector as defined in the *Act*;
 - (f) "Leaching Bed" means leaching bed as defined in the Building Code; and
 - (g) "Sewage Systems" means sewage systems as defined in the Building Code.
2. The Township of Wainfleet Building Department is hereby designated (as prescribed by the *Act* and its regulations) as the department responsible for the administration and enforcement of Part 8 of the Ontario Building Code within the Municipality.
3. The Chief Building Official will be responsible for the purposes of administrating and enforcing Part 8 of the Ontario Building Code within the Municipality.
4. In addition to any information required under the *Act*, the Ontario Building Code, or this bylaw, an Applicant for a permit shall submit sufficient information with each application to enable the Chief Building Official to determine whether or not the undertaking complies to the design, construction, operation, and maintenance requirements and standards for the class of Sewage System so as to conform with the *Act*, the Ontario Building Code, and any other applicable law.

5. Every application for a Sewage System permit under the *Act* shall be submitted to the Chief Building Official, and include the following:
- (a) the name(s), address(es), and telephone number(s) of the owner, and where applicable, the architect, engineer, or other designer or constructor;
 - (b) a complete description of where the work is to be done, identifying the building lot;
 - (c) a comprehensive description of, and complete plans and specification, as described in this bylaw, for the work to be covered by the permit and the occupancy of all parts of the building;
 - (d) a written acknowledgement by the owner that he/she has retained an architect or professional engineer to carry out the field review of the construction where required by the Building Code;
 - (e) where the application relates to a lot less than one (1) hectare in area, and where that lot forms part of more than five continuously connecting lots (whether or not the lots are deemed as individual lots), the results of a hydrogeological analysis conducted in accordance with the Ministry of the Environment Procedure, D-5-4 "Technical Guideline for On-Site Sewage Systems – Water Quality Risk Impact Assessment" ("Procedure D-5-4"), as may be amended or replaced from time to time;
 - (f) where the Chief Building Official, in his/her sole discretion, believes that development of the lot with a private Sewage System may impair the quality of the area Groundwater, the results of a hydrogeological analysis conducted in accordance with Procedure D-5-4;
 - (g) where required by the Chief Building Official, for review and approval, a detailed engineering and drainage report that describes the storm water management techniques to be employed to ensure that surface water does not negatively impact on the operation of the private Sewage System;
 - (h) where required by the Chief Building Official, for review and approval, an individual lot grading plan that provides a building envelope, a Sewage System envelope (including a spare area), and a backyard amenities envelope;
 - (i) a site evaluation report including the following items, unless otherwise specified by the Chief Building Official:
 - i. the date the evaluation was done;
 - ii. the name, address, telephone number and signature of the person who prepared the evaluation;
 - iii. a scaled map of the site showing:

- 1) the legal description, lot size, property dimensions, existing rights-of-way, easements or municipal/utility corridors;
 - 2) the clearance, distances listed in Table 8.2.1.5., Table 8.2.1.6.A., Table 8.2.1.6.B., and Table 8.2.1.6.C. of Division B – Part 8 of the Building Code;
 - 3) the location of the proposed Sewage System;
 - 4) the location of any unsuitable, disturbed or compacted areas; and
 - 5) proposed access routes for Sewage System maintenance;
- iv. the depth to bedrock;
 - v. the depth to zones of soil saturation;
 - vi. the soil properties, including soil permeability; and
 - vii. the soil conditions, including the potential for flooding
- j. a statement of the valuation of the proposed work, including materials and labour;
 - k. the name, address, telephone number, and licence number of the person installing the Sewage System;
 - l. where the person named in (k) above requires a licence under the *Act* and/or the Building Code;
 - i. the number and date of issuance of the licence; and
 - ii. the name of the qualified person supervising the work to be done under the Sewage System permit.
 - m. the prescribed fee as set out in Appendix “B” attached hereto;
 - n. the signature of the owner or his or her authorized agent who shall certify the truth of the contents of the application; and
 - o. If the Applicant is not the owner, a signed statement by the Owner authorizing the Applicant to make the application on the Owner’s behalf.
6. Where soils in the Leaching Bed area have been compacted, their ability to function has been compromised, or they are otherwise not satisfactory to the Chief Building Official, the Chief Building Official, at his/her sole discretion, may require their removal and replacement with suitable material.
 7. Each application shall, unless otherwise specified by the Chief Building Official, be submitted in duplicate and be accompanied by two (2) complete sets of any documentation required under this bylaw.

- 8. Plans shall be drawn to scale on paper, cloth or other durable material, shall be legible, and, without limiting the generality of the foregoing, unless otherwise specified by the Chief Building Official, shall include such working drawings as set out in Appendix "A" to this bylaw and any other such plans or drawings that may be specified by the Chief Building Official.
- 9. Fees for a required Sewage System permit shall be as set out in Appendix "B" to this bylaw.
- 10. The Applicant shall submit the prescribed fee as set out in Appendix "B" upon submission of an application for a permit.
- 11. The forms prescribed for use as applications for sewage permits, orders, and inspection reports shall be determined by the Chief Building Official, and may be amended from time to time provided that the forms conform to the requirements as set forth in the *Act* and its regulations, including the Building Code.
- 12. Pursuant to 7.1 of the *Building Code Act*, a Code of Conduct for the Chief Building Official and Inspectors is attached to this bylaw as Appendix "C".
- 13. This bylaw comes into force on the date on which it is passed.

BYLAW READ A FIRST TIME THIS XX DAY OF _____, 2013.

BYLAW READ A SECOND TIME THIS XX DAY OF _____, 2013.

BYLAW READ A THIRD TIME AND FINALLY PASSED THIS XX DAY OF _____, 2013.

A. Jeffs, MAYOR

T. Lamb, CLERK

APPENDIX "A" TO BYLAW NO. XXX-2012

**PLANS TO BE SUBMITTED WITH APPLICATION FOR A SEWAGE SYSTEM
CERTIFICATE OF APPROVAL AND A USE PERMIT**

PUBLIC WORKS DEPARTMENT

ATTACH A LOT DIAGRAM AND SEWAGE SYSTEM PLAN: Draw to scale indicating North point and showing at a minimum:

- (a) location of Sewage System components (e.g., tanks, Leaching Bed). Locate and show horizontal distances from system to adjacent existing or proposed buildings, water supplies (including neighbours), existing on-site sewage systems, driveways, property lines, lakes, rivers, water courses, swimming pools;
- (b) lot dimensions, topographic features (e.g., swamps, steep slopes) near Sewage System;
- (c) if any part of proposal conforms to a specific standard drawing, give reference number(s); and
- (d) when required by the Chief Building Official, an individual lot grading plan that provides a building envelope, a Sewage System envelope (including a spare area), and a backyard amenities envelope.

**APPENDIX B TO BYLAW NO. 001-2012
AS AMENDED BY BYLAW NO. XXX-2013**

FEE SCHEDULE

Wainfleet Sewage System Department

Sewage System Applications

- | | |
|----------------------------|----------|
| • New system | \$975.00 |
| • Holding tank | \$975.00 |
| • Replacement tank only | \$525.00 |
| • Leaching Bed Repair only | \$500.00 |

Land Severance Application

- | | |
|-----------------------|----------|
| • Each parcel severed | \$350.00 |
| • Parcel retained | \$350.00 |

Subdivision Condominiums

- | | |
|--------------------|----------|
| • Each lot or unit | \$350.00 |
|--------------------|----------|

Minor Variances/Planning Applications

- | | |
|------------|----------|
| • Each lot | \$350.00 |
|------------|----------|

NOTE *The above fees apply only to those lots serviced by private sewage systems.*

Special Requests

- | | |
|---|----------|
| • For preliminary site inspections related to proposed lot development where no other application has been made | \$350.00 |
|---|----------|

Real Estate Inquiries Which Include Site Inspection Visits

- | | |
|---|-------------------|
| • Initial Fee* | \$400.00 + H.S.T. |
| • Each additional hour or part thereof over 2 hours | \$120.00 + H.S.T. |
| • Real Estate inquiries which include existing file searches only | \$200.00 + H.S.T. |

Mandatory Onsite Sewage System Inspections

Only applicable to properties located within the Boil Water Advisory Area of Wainfleet.

- | | |
|---|-------------------------|
| • Inspection by exp. Services Inc (includes two attempts) | \$114.00 |
| • Additional site inspections (after two attempts) | \$76.00 + actual costs |
| • To expose septic tanklid | \$90/hr or part thereof |
| • Exempt (Grandfathered) properties | \$38 |
| • Other fees not described above | actual costs |

NOTE: If an invoice remains unpaid 30 days after the due date, the total invoice fee shall be put on the related property tax account, accompanied by applicable transfer fees.

REFUND OF PERMIT FEES:

- | | |
|---|-----|
| 1. Where only administrative functions have been completed (<i>application received and cost analysis complete</i>) | 90% |
| 2. Where only administrative and zoning functions have been completed | 80% |
| 3. Where administrative, zoning and plans examination functions have been performed | 60% |
| 4. Where the permit has been issued and no field inspections have been performed subsequent to permit issuance | 50% |
| 5. Deduction for each field inspection performed subsequent to permit issuance | 5% |
| 6. No fees shall be refunded after twelve (12) months from the date of permit issuance | |

**APPENDIX “C” TO BYLAW NO. XXX-2013
CODE OF CONDUCT FOR BUILDING OFFICIALS**

1.0 Introduction

The Township of Wainfleet maintains this Code of Conduct in accordance with the provisions of The *Building Code Act*. Building Officials undertake building certification functions that ensure the quality, structural integrity and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and the behaviour of Township of Wainfleet’s Building Official reflects the Building and Bylaw Enforcement Department’s commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. Building Officials observe both the letter and the spirit of this Code of Conduct as it pertains to situations that bear on their responsibilities.

2.0 Purpose

The purposes of this Code of Conduct are:

- To promote appropriate standards of behaviour by Building Officials in the exercise of their powers and performance of their duties;
- To prevent practices which may constitute an abuse of power, and
- To promote appropriate standards of honesty and integrity.

3.0 Standards of Conduct and Professionalism

- 1) Act in the public interest, particularly with regard to the safety of building works and structures;
- 2) Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
- 3) Commit themselves to a process of continuous education so as to constantly be aware of developments in building design, practice and the law relevant to their duties;
- 4) Comply with the provisions of the *Building Code Act*, the Building Code and any other Act or Law that regulates or governs Building Officials and/or their functions;
- 5) Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;

- 6) Not act beyond their level of competence or outside their area of expertise;
- 7) Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties;
- 8) Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
- 9) Not divulge any confidential or sensitive information or material, that they became privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy;
- 10) To avoid any conduct that could bring Building Officials or the Township of Wainfleet into disrepute;
- 11) Extend professional courtesy to all;
- 12) Accept responsibility for the conduct of their subordinate employees;
- 13) Maintain current accreditation to perform the functions assigned to them; and
- 14) Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties.
- 15) Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their status as a building official.

4.0 Guideline for responding to misconduct allegations

The *Building Code Act* provides that the performance of Building Officials will be measured against this Code of Conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this Code of Conduct. Where the allegation is against the Chief Building Official, the Chief Administrative Officer will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the Chief Building Official or Chief Administrative Officer will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct.

Disciplinary Action arising from violations of this Code of Conduct is the responsibility of The Township of Wainfleet's administration and is subject to relevant employment laws and standards.



C27/12

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
REGULAR MEETING OF COUNCIL MINUTES

Minutes of the Regular Meeting of Council held in the Wainfleet Council Chambers located at 31940 Highway #3, Wainfleet, Ontario, on Tuesday, December 18th, 2012 at 7:00 p.m.

PRESENT: A. Jeffs, R. Dykstra, T. Hessels, B. Konc, D. Wyatt

STAFF PRESENT: J. Boerema, H. Flagg, T. Lamb, S. Luey, R. Madere, G. Munday, G. Wuisman

1. CALL TO ORDER

Mayor Jeffs noted that there was quorum present and she called the meeting to order at 7:00 p.m.

2. NATIONAL ANTHEM

3. OPENING PRAYER

Mayor April Jeffs delivered the opening prayer.

4. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Alderman Richard Dykstra declared a pecuniary interest to PWSR-039/2012 Re: Shields Road Bridge as he is an abutting land owner. Mayor Jeffs declared a pecuniary interest with regard to correspondence item no. 281 as she resides on Morgan's Point Road.

5. PRESENTATIONS

a) 2012 Wainfleet Fall Fair Holiday Card Competition Winners

Mayor Jeffs presented, Kaitlyn Balicki, Marisa Giammarco, Martha Augustine, and Matthew Roszell whose artwork was used for the 2012 Township Holiday Cards, with a framed version of their card.

6. PUBLIC HEARINGS

There were no public hearings scheduled.

7. **DELEGATIONS**

- a) Lynne Cunningham, Municipal Property Assessment Corporation (MPAC)
Ms. Cunningham appeared before Council to present the 2012 Assessment Update.

A copy of the presentation is enclosed in the December 18th, 2012 Council meeting folder.

- b) Terry Gilmore, Arena Renovations Public Liaison Committee
Mr. Gilmore presented the Arena Renovations Public Liaison Committee's recommendations for Council consideration.

- 1) **That** Council include the costs for a Building Condition Assessment in the 2013 Budget;
- 2) **That** staff use the results of the building condition assessment to determine the priority and costs of future maintenance and repairs to the arena, and plan for those maintenance and repairs in future budgets;
- 3) **That** since the mandate of the committee has been fulfilled, the Arena Renovations Public Liaison Committee be disbanded.

A copy of Mr. Gilmore's speaking notes is enclosed in the December 18th, 2012 Council meeting folder.

- c) Raymond Luciano, Sentinel Solar
Mr. Luciano, Sentinel Solar, approached Council on behalf of Mr. Zavitz to request that Council pass a resolution for a ground mount solar project located at 54029 Wellandport Road. Mr. Luciano noted that favorable points are given for applications if they are endorsed by the municipality in which the projects are located.

A copy of Mr. Luciano presentation and supporting documentation is enclosed in the December 18th, 2012 Council meeting folder.

- c) Keith & Joanne Veenhof (Lewis Nickerson, Agent)
Mr. Veenhof readdressed Council to provide additional information relative to their previous request for a municipal resolution to support their roof-top solar project, and to request that the Anti-Green Energy/Anti-Wind Resolution passed at the November 27th, 2012 Council meeting be amended to exclude roof-top solar.

A copy of Mr. Veenhof's presentation is enclosed in the December 18th, 2012 Council meeting folder.

8. BUSINESS ARISING FROM DELEGATIONS

Resolution No. C-411-2012

Moved by David Wyatt
Seconded by Ted Hessels

“THAT the presentations made by Lynn Cunningham, Terry Gilmore, Raymond Luciano and Keith Veenhof (Lewis Nickerson) be received.”

CARRIED.

Resolution No. C-412-2012

Moved by Richard Dykstra
Seconded by Betty Konc

“THAT the Clerk be directed to express Council’s appreciation to Frank Stoop, Herman Stolk, William Altoft, Linda Fletcher, Jason Mous, Ross Emerson, Bob Shoalts, Terry Gilmore, Diane Chase, Terry Maxner, Jim Wright, Barb Mylieff, and Jeremy Worrall for their volunteer efforts in serving on the Arena Renovations Public Liaison Committee for the Township of Wainfleet.”

CARRIED.

Resolution No. C-413-2012

Moved by David Wyatt
Seconded by Richard Dykstra

“THAT Council defer making a decision regarding Mr. Luciano and Mr. Veenhof’s request for a resolution of support for their proposed solar projects until the January 8th, 2013 Council meeting.”

CARRIED.

9. MAYOR’S ANNOUNCEMENTS & REMARKS

The Mayor’s comments are enclosed in the December 18th, 2012, Council meeting folder.

10. ADOPTION OF THE MINUTES

a) Minutes of the Regular Meeting of Council held on November 27th, 2012

Resolution No. C-414-2012

Moved by David Wyatt
Seconded by Ted Hessels

“**THAT** the minutes of the Regular Council meeting held on November 27th, 2012 be adopted as circulated.”

CARRIED.

11. STAFF REPORTS AND RECOMMENDATIONS

a) Planning Staff Reports

- i) PSR-023/2012 Re: Niagara Region Wind Corporation – Review of Municipal Consultation Package

RECOMMENDATION(S):

THAT this report be received;

THAT Jones Consulting Group Ltd. be retained by the Township to review and complete the Municipal Consultation Package submitted by Niagara Region Wind Corporation (NRWC);

AND THAT the NRWC be requested to reimburse the Township for the financial costs (\$8200.00 plus disbursements and HST) of having their Municipal Consultation Package reviewed by Jones Consulting Group Ltd. as outlined in Appendix “A”.

AND THAT Township staff be authorized to advertise in the local newspaper for a notice of a public meeting to be held on February 12, 2013 concerning the NRWC project in Wainfleet and the completion of the Municipal Consultation Form and to coincide with the Township Council meeting.

Resolution No. C-415-2012

Moved by Richard Dykstra
Seconded by David Wyatt

“**THAT** Planning Staff Report PSR-023/2012 Re: Niagara Region Wind Corporation – Review of Municipal Consultation Package and the recommendations therein be adopted as circulated.”

CARRIED AS AMENDED (see below).

Resolution No. C-416-2012

Moved by Betty Konc
Seconded by Richard Dykstra

“**THAT** the recommendations contained in Planning Staff Report PSR-023/2012 Re: Niagara Region Wind Corporation – Review of Municipal Consultation Package be amended to include the following:

***THAT** the Manager of Planning be directed to inquire whether NRWC will pay for the cost of advertising the Public Meeting in the amount of \$500.00.”*

CARRIED.

b) **Administration Staff Reports**

- i) ASR-027/2012 Re: Mandatory On-Site Private Sewage Inspection Program Deficit (deferred from November 27, 2012)

RECOMMENDATION(S):

THAT this report be received for information;

AND THAT Council direct staff as to how the Mandatory On-Site Sewage Inspection Program accumulated deficit should be funded.

Resolution No. C-417-2012

Moved by Ted Hessels
Seconded by David Wyatt

“**THAT** Administration Staff Report ASR-027/2012 Re: Mandatory On-Site Private Sewage Inspection Program Deficit and the recommendations therein be adopted as circulated.”

CARRIED AS AMENDED (see below).

Resolution No. C-418-2012

Moved by Betty Konc
Seconded by Ted Hessels

“**THAT** the recommendations in Administration Staff Report ASR-027/2012 Re: Mandatory On-Site Private Sewage Inspection Program Deficit be amended as follows:

***THAT** the Mandatory On-site Sewage Inspection Program accumulated deficit be funded by the 2012 Anticipated Surplus.”*

CARRIED.

- ii) ASR-028/2012 Re: 2013 Regular Council Meeting Schedule

RECOMMENDATION(S):

THAT this report be received;

AND THAT the meeting schedule for 2013 be approved and posted immediately.

Resolution No. C-419-2012

Moved by Richard Dykstra
Seconded by David Wyatt

“THAT Administration Staff Report ASR-028/2012 Re: 2013 Regular Council Meeting Schedule and the recommendations therein be adopted as circulated.”

CARRIED AS AMENDED (see below).

Resolution No. C-420-2012

Moved by Betty Konc
Seconded by Ted Hessels

“THAT the recommendations in Administration Staff Report ASR-028/2012 Re: 2013 Regular Council Meeting Schedule be amended as follows:

***THAT** the 2013 meeting schedule be amended to by deleting December 17th and inserting December 10th.*

CARRIED.

- iii) ASR-029/2012 Re: Municipal Infrastructure Investment Initiative Capital Program Expression of Interest

RECOMMENDATION(S):

THAT this report be received;

THAT Council authorize the Treasurer to submit an Expression of Interest for Municipal Infrastructure Investment Initiative Capital Program for Gents Road Bridge Replacement;

AND THAT Council approve a resolution attached as Appendix “B” certifying that the information in the Expression of Interest is factually accurate and that the municipality is committed to developing a comprehensive asset management plan that includes all of the

information and analysis described in Building Together: Guide for Municipal Asset Management Plans by December 31, 2013.

Resolution No. C-421-2012

Moved by David Wyatt
Seconded by Betty Konc

“THAT Administration Staff Report ASR-029/2012 Re: Municipal Infrastructure Investment Initiative Capital Program Expression of Interest and the recommendations therein be adopted as circulated.”

CARRIED.

- iv) ASR-030/2012 Re: Chief Administrative Officer Bylaw

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council approve the Chief Administrative Officer Bylaw attached as Appendix “A” to this report.

Resolution No. C-422-2012

Moved by David Wyatt
Seconded by Betty Konc

“THAT Administration Staff Report ASR-030/2012 Re: Chief Administrative Officer Bylaw and the recommendations therein be adopted as circulated.”

CARRIED.

- v) ASR-031/2012 Re: Mandatory Private Sewage System Inspection Fee

RECOMMENDATION(S):

THAT this report be received for information;

AND THAT Council direct staff to prepare a bylaw for Mandatory Private Sewage System Inspection Fee of \$190.00 per inspection;

AND THAT a Public Meeting be held on January 8, 2013 with respect to Mandatory Private Sewage System Inspection Fee.

Resolution No. C-423-2012

Moved by Richard Dykstra
Seconded by Betty Konc

“**THAT** Administration Staff Report ASR-031/2012 Re: Mandatory Private Sewage System Inspection Fee and the recommendations therein be adopted as circulated.”

CARRIED AS AMENDED (see below).

Resolution No. C-424-2012

Moved by David Wyatt
Seconded by Betty Konc

“**THAT** the recommendations in Administration Staff Report ASR-031/2012 Re: Mandatory Private Sewage System Inspection Fee be amended as follows:

***THAT** Council direct staff to prepare a bylaw for the Mandatory Private Sewage Inspection Fee of \$114.00 per inspection based on 1,200 properties.”*

CARRIED.

Resolution No. C-425-2012

Moved by Betty Konc
Seconded by David Wyatt

“**THAT** all properties having received a septic permit for new installations or repair within 36 months of commence of the Mandatory Inspection Program are exempt (grandfathered) from mandatory inspections;

AND THAT exempted properties will be charged a \$38.00 administration fee to have their permit information entered into the Mandatory Inspection database.”

CARRIED.

- c) **Drainage Staff Reports**
No report(s) submitted.

d) **Building Staff Reports**

- i) BSR-015/2012 Re: Building Permit Report – November 2012

RECOMMENDATION(S):

THAT this report be received for information.

Resolution No. C-426-2012

Moved by Ted Hessels
Seconded by David Wyatt

“**THAT** Building Staff Report BSR-015/2012 Re: Building Permit Report – November 2012 and the recommendation therein be adopted as circulated.”

CARRIED.

e) **Public Works Staff Reports**

Alderman Dykstra vacated his seat from around the dais and did not participate in the discussion or vote on this matter.

- i) PWSR-039/2012 Re: Shields Road Bridge

RECOMMENDATION(S):

THAT this report be received;

THAT Council direct staff to prepare a bylaw to eliminate responsibility for maintaining the unopened portion of Shields Road and the Shields Road Bridge;

AND THAT Council direct staff not to maintain the unopened portion of Shields Road and the Shields Road Bridge.

Resolution No. C-427-2012

Moved by Ted Hessels
Seconded by David Wyatt

“**THAT** Public Works Staff Report PWSR-039/2012 Re: Shields Road Bridge and the recommendations therein be adopted as circulated.”

CARRIED AS AMENDED (*see Other Business*).

Alderman Dykstra returned to his seat

- ii) PWSR-040/2012 Re: Cleaning Services Contract 2013 Recommendation

RECOMMENDATION(S):

THAT this report be received;

THAT the cleaning contract to clean the Municipal Building, Council Chambers, and the Operations Offices and carry out stripping and waxing of the Wainfleet Firefighters' Community Hall (Option 2) for the period January 1, 2013 to December 31, 2013 be awarded to the low bidder, Toure Cleaning Services in the amount of \$1,280.00/month plus HST (\$15,360.00/year plus HST), conditional upon reference checks;

THAT Council direct staff to carry out reference checks on Toure Cleaning Services prior to entering into a formal agreement;

AND THAT pending favourable reference checks, Council authorize staff to enter into agreement with Toure Cleaning Services for the 2013 Cleaning Contract.

Resolution No. C-428-2012

Moved by Betty Konc
Seconded by David Wyatt

"**THAT** Public Works Staff Report PWSR-040/2012 Re: Cleaning Services Contract 2013 Recommendation and the recommendations therein be adopted as circulated."

CARRIED.

- iii) PWSR-041/2012 Re: Roads Capital Budget Surplus Allocation

RECOMMENDATION(S):

THAT this report be received;

AND THAT Council approve allocating the unspent monies in the 2012 Capital Roads Budget, estimated to be approximately \$40,000.00, to paving a surface course on the roadway/parking area between the Memorial Firefighter's Community Hall and the Public Works garages.

Resolution No. C-429-2012

Moved by Ted Hessels
Seconded by Betty Konc

“**THAT** Public Works Staff Report PWSR-041/2012 Re: Roads Capital Budget Surplus Allocation and the recommendations therein be adopted as circulated.”

CARRIED.

- iv) PWSR-042/2012 Re: Wainfleet Ambulance Garage Recommendation

RECOMMENDATION(S):

THAT this report be received;

THAT Council approve funding in the amount of \$53,000 to bring the east end Public Works garage bay into compliance with post disaster classification;

AND THAT Council authorize staff to enter into agreement with the architect and contractors for services to bring the east end Public Works garage bay into compliance with post disaster classification.

Resolution C-430-2012

Moved by Ted Hessels
Seconded by David Wyatt

“**THAT** Public Works Staff Report PWSR-042/2012 Re: Wainfleet Ambulance Garage Recommendation and the recommendations therein be adopted as circulated.”

LOST.

f) **Fire Staff Reports**

- i) FSR-005/2012 Re: Niagara Regional Police Grow Operations Protocol

RECOMMENDATION(S):

THAT this report be received for information;

AND THAT Council pass a bylaw (attached as Appendix “A”) authorizing the Clerk to enter into an agreement on behalf of the Corporation of Township of Wainfleet and the Niagara Regional Police (NRP) regarding Marihuana Grow Operations Protocol (forming part of Appendix “A”).

Resolution No. C-431-2012

Moved by Betty Konc
Seconded by David Wyatt

“**THAT** Fire Staff Report FSR-005-2012 Re: Niagara Regional Police Grow Operations Protocol and the recommendations therein be adopted as circulated.”

CARRIED.

- g) **Bylaw Enforcement Staff Reports**
No report(s) submitted.

12. **REVIEW OF CORRESPONDENCE**

Resolution No. C-432-2012

Moved by David Wyatt
Seconded by Betty Konc

“**THAT** the report of the correspondence to Council dated December 18th, 2012 and the recommendations contained therein be adopted as circulated.”

CARRIED.

Correspondence Item 281 was lifted and considered separately Mayor Jeffs vacated her seat from around the dais and did not participate in the discussion or vote on this matter. Alderman Hessels acted as Chair in the Mayor’s absence.

Resolution No. C-433-2012

Moved by Betty Konc
Seconded by David Wyatt

“**THAT** correspondence item 281 be referred to the 2013 Budget.”

CARRIED.

Mayor Jeffs returned to her seat around the dais and resumed chairing the meeting.

Resolution No. C-434-2012

Moved by David Wyatt
Seconded by Betty Konc

“**THAT** correspondence item 271 be amended to direct the Clerk to compose a letter to the Honorable Deborah Matthews on behalf of Council addressing the proposed cost of the new hospital;

AND THAT Wainfleet Council support City of Welland’s petition but not the proposed location for the Niagara South Hospital.”

CARRIED.

Resolution No. C-435-2012

Moved by Betty Konc
Seconded by David Wyatt

“**THAT** correspondence item 273 be amended to support the Town of Grimsby’s initiative and to direct the Manager of Planning to draft a similar resolution on Council’s behalf for support.”

CARRIED.

Resolution No. C-436-2012

Moved by Betty Konc
Seconded by David Wyatt

“**THAT** correspondence item 268 recommendation be amended to support the City of Welland’s resolution.”

CARRIED.

Resolution No. C-437-2012

Moved by Richard Dykstra
Seconded by Betty Konc

“**THAT** correspondence item 282 recommendation be amended to receive for information.”

CARRIED.

CORRESPONDENCE REFERRED TO COUNCIL 2012 12 18

- 268.** From the City of Welland providing enclosing a resolution passed by its Council endorsing the Provincial Attracting Investment and Creating Jobs Act establishing the Southwestern Ontario Development Fund, insisting that Niagara be included in the area of eligibility for investment by the Fund and requesting that all municipalities within Niagara as well as the Region of Niagara pass a similar motion to be forwarded to the Honourable Brad Duguid, Minister of Economic Development and Innovation. A copy of this correspondence has been circulated to Council. **REC. – refer to Council support resolution.**
- 269.** From Denise Landry, Planner, Region of Niagara, enclosing Proposed Regional Policy Plan Amendment (RPPA 1-2011) and requesting comments be forwarded by January 4th, 2013. A hard copy of this correspondence has been circulated to the Manager of Planning. **REC. – refer to Manager of Planning for comment, if required.**

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270. From Joanne Kembel, Executive Director of the United Way Thunder Bay, expressing appreciation for the donation to the 2012 Thunder Bay Disaster Relief Fund. **REC.** – receive for information.
271. From the City of Niagara Falls supporting Welland City Council petition related to hospital services, notably maternity and pediatrics, not be diverted from local hospitals to new “north” healthcare complex prior to completion of new South Niagara Hospital, providing notice of support of Fort Erie Council’s resolution in support of an urgent care centre in that municipality, and advising that Niagara Falls City Council supports the recommended location of a new South Niagara hospital in the QEW and Lyons Creek area of Niagara. A copy of this correspondence has been circulated to Council. **REC.** – receive for information.
272. From Stantec Consulting regarding the Niagara Region Wind Farm Project, providing Notice of Draft Site Plan, Notice of Final Public Meetings to be held February 5th, 6th and 7th, 2013 (in Wainfleet at the Firefighters’ Community Hall on February 7th from 1 to 4 p.m.), 60 Day Public Review of Draft Renewable Energy Approval (REA) and providing minor changes made to the Draft REA Reports since the Municipal REA submission on November 5, 2012. A hard copy of the Draft REA is available for viewing at the Township of Wainfleet Municipal Office and the Wainfleet Public Library. A copy of this correspondence has been circulated to Council and to the Manager of Planning. **REC.** – receive for information.
273. From the Town of Grimsby a resolution passed by its Council in support of the motions circulated by the City of Toronto and the City of Mississauga to disband the Ontario Municipal Board (OMB). A copy of this correspondence has been circulated to Council and to the Manager of Planning. **REC.** – receive for information.
274. From the City of Port Colborne enclosing notice of the passing of Bylaw 5880/134/12, being a bylaw to adopt the City of Port Colborne Gateway Community Improvement Plan. A copy of this correspondence has been circulated to the Manager of Planning. **REC.** – refer to the Manager of Planning to comment, if required.
275. From the Region of Niagara enclosing Notice of a Public Meeting regarding the Proposed Regional Policy Plan Amendment 5-2012 to Implement the New Niagara Region Environmental Impact Study Guidelines. A copy of this correspondence has been circulated to the Manager of Planning. **REC.** – refer to the Manager of Planning for comment, if required.
276. From Mary Lou Tanner, Associate Director, Regional Policy Planning, Region of Niagara, regarding the filing of an appeal to the Ontario Municipal Board of Regional Council’s decision to approve the new Township of Wainfleet Official Plan by the Province of Ontario Ministry of Municipal Affairs and Housing. A copy of this correspondence has been forwarded to the Manager of Planning. **REC.** – receive for information.
277. From Grant Thornton LLP providing a Report to Council – Initial communication on audit planning for the year ending December 31, 2012. A hard copy has been

circulated to the Treasurer. To view the report, please contact the Treasurer directly.
REC. – receive for information.

- 278.** From the Director of Planning & Building Services, City of Thorold, regarding a Memorandum of Understanding Designation of the Selected Portions of the Welland Canal Corridor, City of Thorold and providing a copy of Planning & Building Services Report PBS2012-91. **REC.** – receive for information.
- 279.** From St. Elizabeth Catholic Elementary School requesting use of the Wainfleet Firefighters' Community Hall for a turkey lunch for students on Tuesday, December 18th, 2012 and asking that the rental and deposit fees be waived. A copy of this correspondence has been to Council and the Manager of Operations. **REC.** – waive deposit and rental fee.
- 280.** From Craig Rohe, Planner, Region of Niagara, enclosing Notice of Regional Council's decision to approve the new City of Port Colborne Official Plan, adopted September 10, 2012. A copy of this correspondence has been circulated to the Manager of Planning. **REC.** – receive for information.
- 281.** From Robert Myers, 11409 Morgans Point Road, regarding request for repairs to the south end of Morgans Point Road to be considered in 2013 budget. A copy of this correspondence has been circulated to Council and to the Manager of Operations. **REC.** – refer to 2013 Budget.
- 282.** From the City Clerk, City of Thorold enclosing a resolution passed by its Council expressing opposition to the Proposed Federal Electoral Boundary Changes and requesting support from area municipalities. A copy of this correspondence has been circulated to Council **REC.** – refer to Council receive for information.
- 283.** From the Office of the Regional Clerk, Niagara Region, regarding Report CSD 152-2012 – 2012 Claw Back Percentages and Municipal Tax Adjustments, and enclosing a certified true copy of associated Bylaw 119-2012. A copy of this correspondence has been circulated to the Treasurer. **REC.** – receive for information.
- 284.** From the Office of the Regional Clerk, Niagara Region, regarding Regional Council's approval of the recommendation of its Public Works Committee to reduce the speed limit on Regional Road 63 (Canborough Road) from Caistor Gainsborough Townline Road to 50 metres east of Regional Road 15 (Robinson Road) from 80km/h to 50km/h. **REC.** – receive for information.
- 285.** From the Office of the Regional Clerk, Niagara Region, enclosing a certified copy of a bylaw enacted by Regional Council to reduce the speed limit on Regional Road 63 (Canborough Road) from Caistor Gainsborough Townline Road to 50 metres east of Regional Road 15 (Robinson Road) from 80km/h to 50km/h. **REC.** – receive for information.

Unregistered

Niagara Regional Housing (NRH) 3rd Quarter Report to Council, NRH 12-2012.

Environment Canada, Lake Erie Lakewide Management Plan Annual Report 2012.

13. BYLAWS

First & Second Reading

Resolution No. C-438-2012

Moved by David Wyatt
Seconded by Betty Konc

“**THAT** the following bylaws be now read a first and second time this 18th day of December, 2012:

- a) Bylaw No. 056-2012 being a bylaw to provide for interim tax levies for the year 2013 for the Township of Wainfleet;
- b) Bylaw No. 057-2012 being a bylaw to appoint an Inspector, Bylaw Enforcement Officer, and Property Standards Officer for the Corporation for the Township of Wainfleet;
- c) Bylaw No. 058-2012 being a bylaw to establish and define the duties and powers of the Chief Administrative Officer;
- d) Bylaw No. 059-2012 being a bylaw to authorize the Clerk to enter into a Marihuana Grow Operations Protocol agreement on behalf of the Corporation of the Township of Wainfleet and the Niagara Regional Police (NRP).”

CARRIED.

Third & Final Reading

Resolution No. C-439-2012

Moved by David Wyatt
Seconded by Betty Konc

“**THAT** Section 15.7 of the Procedural Bylaw No. 021-2010, as amended be waived to allow the third reading and final passing of Bylaw No. 056-2012, Bylaw No. 057-2012, Bylaw No. 058-2012 and Bylaw No. 059-2012”

CARRIED.

Resolution No. C-440-2012

Moved by Betty Konc
Seconded by Richard Dykstra

“**THAT** the following bylaw be now read a third time and finally passed this 18th day of December, 2012:

- a) Bylaw No. 054-2012 being a bylaw to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2013;
- b) Bylaw No. 056-2012 being a bylaw to provide for interim tax levies for the year 2013 for the Township of Wainfleet;
- c) Bylaw No. 057-2012 being a bylaw to appoint an Inspector, Bylaw Enforcement Officer, and Property Standards Officer for the Corporation for the Township of Wainfleet;
- d) Bylaw No. 058-2012 being a bylaw to establish and define the duties and powers of the Chief Administrative Officer;
- e) Bylaw No. 059-2012 being a bylaw to authorize the Clerk to enter into a Marihuana Grow Operations Protocol agreement on behalf of the Corporation of the Township of Wainfleet and the Niagara Regional Police (NRP).”

CARRIED.

14. NOTICE OF MOTION

There were no notices of motion.

15. PROCLAMATIONS

There were no proclamations.

16. OTHER BUSINESS

O'Reilly's Road

Alderman Dykstra brought forth concerns from residents regarding the road repairs that were done at the corner of O'Reilly's and River Roads. Mr. Wuisman confirmed that the repair work was completed by CP Rail and that all road upgrades are up to significant standard.

Drainage Committee

Alderman Dykstra informed Council that the Drainage Committee recently met with Steve Miller, NPCA, Allan Reid, OPG and Joan Frain, OPG, as a result of the meeting the Committee is requesting the Wainfleet Council pass a motion requesting that OPG provide the Township with all applicable environmental impact and/or environmental studies that have been completed in the last 50 years.

Resolution No. C-441-2012-2012

Moved by Richard Dykstra

Seconded by Ted Hessels

“**THAT** Council for the Township of Wainfleet formally requests that Ontario Power Generation provide the Township with copies of any environmental concerns, impact

or studies that have been completed within the last 50 years associated with the Welland River, or the surrounding lands;

AND FURTHERMORE THAT a copy of the most recent study pertaining to the new hydro tunnel scheduled to be completed in early 2013 be forwarded to the Township's attention.

CARRIED.

Reconsideration

Alderman Dykstra vacated his seat from around the dais and did not participate in the discussion or vote on this matter.

Resolution No. C-442-2012

Moved by Ted Hessels
Seconded by Betty Konc

"THAT PWSR-039/2012 Re: Shields Road Bridge be reconsidered."

CARRIED.

Resolution No. C-443-2012

Moved by Ted Hessels
Seconded by Betty Konc

"THAT staff explore the option to dispose of the unopened road allowance and accompanying subject bridge in accordance with its Land disposal policy."

CARRIED.

Extend Curfew

Resolution No. C-444-2012

Moved by David Wyatt
Seconded by Richard Dykstra

"THAT Section 5.13 of the Wainfleet Procedural Bylaw as amended, be waived to allow the Council proceeding to extend beyond the 11:00 p.m. curfew."

CARRIED.

17. CLOSED MEETING

Resolution No. C-445-2012

Moved by Richard Dykstra
Seconded by David Wyatt

“THAT Council now move in closed session to discuss the following items:

- a) Adoption of Minutes of the In-Camera Meeting of Council for November 27th, 2012
- b) Item under Section 239 (2) (b) of the *Municipal Act, 2001 S.O. 2001, c.25*, personal matters about an identifiable individual, including municipal or local board employees – Confidential Staff Report BESR-004/2012 Re: Bylaw Infractions (1 item)
- c) Item under Section 239 (2) (b) (d) of the *Municipal Act, 2001 S.O. 2001, c.25*, personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations – an employee matter (1item)

CARRIED.

18. RISE AND REPORT

Council reconvened at 11:14 p.m. Mayor Jeffs noted that Council met in closed session to discuss items under Section 239 (2) (b) and (d) regarding personal matters about identifiable individuals and labour relations. Confidential Staff Report BESR-004/2012 was received for information.

18. BYLAW TO CONFIRM THE PROCEEDING OF COUNCIL

Resolution No. C-446-2012

Moved by David Wyatt
Seconded by Ted Hessels

“THAT the following bylaw be now read a first, second and a third time and finally passed this 18th day of December, 2012:

- a) Bylaw No. 060-2012 being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 18th day of December, 2012.”

CARRIED.

18. ADJOURNMENT

Resolution No. C-447-2012

Moved by Ted Hessels
Seconded by David Wyatt

“**THAT** Council for the Township of Wainfleet do now adjourn.”

CARRIED.

Council adjourned at 11:19 p.m.

A. Jeffs, MAYOR

T. Lamb, CLERK

DRAFT

BUILDING STAFF REPORT

BSR-001/2013

TO: Mayor Jeffs & Members of Council
FROM: J. Boerema, Chief Building Official
DATE OF MEETING: January 8, 2013
SUBJECT: Building Permit Report – December 2012

RECOMMENDATION(S):

THAT this report be received for information.

EXECUTIVE SUMMARY:

Attached as Appendix "A" is the summary report of building activity within the Township of Wainfleet for the month of December 2012.

BACKGROUND:

None.

OPTIONS/DISCUSSION:

None.

FINANCIAL CONSIDERATIONS:

None.

OTHERS CONSULTED:

None.

ATTACHMENTS:

1. Appendix "A" – Summary Chart of the Building Permit Report – December 2012

Respectfully submitted by,



John Boerema
Chief Building Official

Approved by,



Scott Luey
Chief Administrative Officer

APPENDIX "A"

Township of Wainfleet Building Permit Report - December 2012

Permit #	Date Issued	Owner	Builder	Municipal Address	Description of Work	Value of Construction	Building Permit Fees
W131-2012	3-Dec-12	James Patterson	Not Specified	63447 Concession 6 Rd.	Replace existing storage shed	\$ 97,000.00	\$ 1,000.00
W136-2012	20-Dec-12	Michael Edwards	Not Specified	10849 Lakeshore Road	Addition to SFD -	\$ 3,500.00	\$ 270.00
W137-2012	3-Dec-12	James Reesor	Not specified	21629 Dixie Rd	Accessory Building	\$ 150,000.00	\$ 1,000.00
W139-2012	4-Dec-12	Peter Vanderploeg	Not Specified	11106 Maple Rd	Addition to SFD -	\$ 12,000.00	\$ 435.20
W140-2012	17-Dec-12	Paul Muileboom	Not specified	11632 Highway 3	Single Family Dwelling	\$ 300,000.00	\$ 2,874.20
W141-2012	17-Dec-12	Alan Skea	Not specified	32760 Old River Rd	Deck	\$ 10,000.00	\$ 214.72
W142-2012	18-Dec-12	Bob Nadeau	Not specified	12131 Augustine Rd	Deck	\$ 12,000.00	\$ 375.76
W143-2012	18-Dec-12	Leo Droppert	Not specified	53658 Smith Rd	Addition to barn	\$ 10,000.00	\$ 500.00
W144-2012	18-Dec-12	Roger Smit	Not specified	43618 Hwy 3	Deck	\$ 2,000.00	\$ 270.00
W145-2012	18-Dec-12	Steve Atkin	Not specified	10719 Lakeshore Road	Pergola	\$ 2,500.00	\$ 270.00
W146-2012	20-Dec-12	Brian Wicks	White Cap Construction	12132 Hock Rd	Replace piers	\$ 25,000.00	\$ 284.80
W148-2012	20-Dec-12	Andrew Traver	Not specified	53255 Winger Rd	Farm building	\$ 45,000.00	\$ 1,000.00
						\$669,000.00	\$8,494.68

001. From Tom Lewis, Project Manager, IPC Energy providing Notice of Posting on Environmental Registry of the proposal to engage in the Wainfleet Wind Energy Project. A copy of this correspondence has been circulated to Council and to the Manager of Planning. **REC.-** receive for information.
002. From the Welland & District SPCA enclosing its statistical report for the month of November, 2012. **REC.** – receive for information.
003. From Dan Augustine, 12150 Gallinger St., Wainfleet, providing payment of taxes in protest and demanding that Bylaw 013-2012 regarding Wind Turbine Setbacks be rescinded immediately. A copy of this correspondence has been circulated to Council. **REC.** – receive for information.
004. From Environment and Land Tribunals Ontario, Ontario Municipal Board, acknowledging receipt of File/Case No. PL121370 – Appeal of Wainfleet’s Official Plan (Appellant(s) – Ministry of Municipal Affairs and Housing). The file has been assigned to Tamara Zwarycz, Planner. A copy of this correspondence has been circulated to Council and to the Manager of Planning. **REC.** – receive for information.
005. From Gary Carr, Regional Chair, Halton Region, requesting support for a resolution passed by its Council at their meeting on December 12, 2012 requesting the Province cover all appeal costs to the Ontario Municipal Board for Growth Plan Conformity Exercises. A copy of this correspondence has been circulated to Council and to the Manager of Planning. **REC.** – support resolution.
006. From Scott A. Stoll, Aird & Berlis LLP, on behalf of Wainfleet Wind Energy Inc. requesting Council to rescind its decision made at its September 25th, 2012, wherein Council refused the application for municipal for a utility crossing for the Wainfleet Wind Energy Project. Repeal of the decision is requesting prior to January 31, 2013 at which point an application will be made to the Ontario Energy Board under Section 41(9) of the *Electricity Act, 1998*, S.O. 1998, C. 15, Sched. A. A copy of this correspondence has been circulated to Council and to the Manager of Planning. **REC.** – refer to Council.

Unregistered

Niagara Regional Police Services Board Report, Volume 8, Issue 10

WHEREAS the Ontario Municipal Board (OMB) in many circumstances favours the developer, even when evidence presented shows that this is an unwise decision; and

WHEREAS OMB decisions against the wishes of local government cost taxpayers millions of dollars each year; and

WHEREAS decisions in one community affect communities in the rest of the Province;

AND FURTHER THAT the Province puts it's faith in local governments to make the best decisions for their communities;

NOW THEREFORE BE IT RESOLVED that the Corporation of the Township of Wainfleet supports the motions of the Town of Grimsby, City of Toronto and the City of Mississauga to disband this outdated institution;

AND FURTHER THAT Township of Wainfleet Clerk be directed to circulate this Resolution to the Minister of Municipal Affairs and Housing, AMO, the City of Mississauga, the City of Toronto, Malcolm Allen, M.P., Cindy Forester, M.P.P. and Niagara Region Municipalities.

**THE CORPORATION OF THE
TOWNSHIP OF WAINFLEET
BYLAW NO. 001-2013**

Being a bylaw to adopt, ratify and confirm the actions of the Council at its regular meeting held on the 8th day of January, 2013

WHEREAS Subsection 5 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter M.25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS section 5 (3) of the *Municipal Act 2001*, S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by bylaw;

AND WHEREAS it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by bylaw;

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. (a) The actions of the Council at its meeting held on the 8th day of January, 2013 including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this bylaw.

(b) The above-mentioned actions shall not include:
 - (i) any actions required by law to be taken by resolution, or
 - (ii) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
2. The Mayor and proper officials of the Corporation of the Township of Wainfleet are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
3. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the corporation of the Township of Wainfleet to all documents necessary to give effect to the above-mentioned actions.
4. This bylaw shall come into force on the day upon which it is passed.

BYLAW READ A FIRST TIME THIS 8TH DAY OF JANUARY, 2013.

BYLAW READ A SECOND TIME THIS 8TH DAY OF JANUARY, 2013.

BYLAW READ A THIRD TIME AND FINALLY PASSED THIS 8TH DAY OF JANUARY, 2013.

A. Jeffs, MAYOR

T. Lamb, CLERK