



Day One:  
Committee of the Whole  
Highways, Facilities, Planning & Corporate

Minutes - October 14, 2009

GODERICH, ONTARIO



## DAY 1 COMMITTEE OF THE WHOLE

Goderich, Ontario  
October 14<sup>th</sup>, 2009

The Day 1 Committee of the Whole met in the Court House Council Chambers in Goderich on Wednesday October 14<sup>th</sup>, 2009. Chair J. Fergusson called the meeting to order at 9:00 a.m.

All members of Council were present. Warden Oke left the meeting at 10:30 a.m. and returned at 11:53 a.m. Councillor Dowson left the meeting at 11:37 a.m.

Declarations of Pecuniary Conflict of Interest and the General Nature Thereof:

There were no declarations of pecuniary conflict of interest.

### **Councillor's Issues:**

There were no Councillor's issues.

### **4. Report from the Regional Information Co-ordinator OMAFRA:**

Jane Muegge, Regional Information Co-ordinator, Ontario Ministry of Agriculture Food and Rural Affairs (OMAFRA) highlighted some of the information in the package she handed out to members of the Committee.

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor D. Kelly:

THAT:

The verbal report of the Regional Information Co-ordinator, Ontario Ministry of Agriculture, Food and Rural Affairs be received.

CARRIED

### **5. Public Works Department:**

#### **5.1 Administrative Update**

Dave Laurie, Director of Public Works and Mike Alcock, Civil Engineering Technologist presented the following reports for the information of Committee.

MOTION:

Moved by: Councillor J. Dietrich and Seconded by: Councillor G. Robertson:

THAT:

The Report entitled Information Report be received.

CARRIED

#### **5.2 Contract HC 09-120 – Salt Hauling Quotation:**

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor N. Vincent:

THAT:

Motion Con't. on Page 2.

Motion Con't. from Page 1.

The Report entitled Contract HC09-120-Salt Hauling Quotation be received.

CARRIED

MOTION:

Moved by: Councillor Johnston and Seconded by: Councillor Robertson:

THAT:

The recommendation from Mike Alcock, Civil Engineering Technologist that the County award the quotation submitted by Jim Brown & Sons Trucking for Contract HC 09-120 in the amount of \$51,200 (based on estimated quantities and excluding GST) be approved.

CARRIED

### **5.3 Weed Complaints on Municipal Right-of-Ways:**

MOTION:

Moved by: Councillor M. Scott and Seconded by: Councillor M. Demaray:

THAT:

The Report entitled Weed Complaints on Municipal Right-of-Ways be received.

CARRIED

There was some discussion about lawn spraying for noxious weeds. Mike Alcock confirmed that if there are noxious weeds on a residential lawn and the weeds are impacting agriculture; under the Weed Control Act, it is permissible to spray the residential lawn.

A question about how detailed the weed control program is for the County of Huron was asked. Mike Alcock confirmed that the program is quite simple. The Public Works Department is responsible to the environment and the weeds are mapped. They spray only the areas that need to be sprayed. There has been good success over the past four years by spraying at the right time of the year. They have been able to reduce their weed spraying substantially.

There was a request for some documentation to be sent out to the lower tier municipalities to assist them with the County's procedures for weed spraying.

### **5.4 Two (2) Tandem Plow Trucks – Tender Results:**

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor N. Vincent:

THAT:

The Report entitled Two (2) Tandem Plow Trucks – Tender Results be received.

CARRIED

Mike Alcock confirmed the two tandem plow trucks are 2010 models. There was some discussion regarding the 2010 Budget and the capital costs to pay for the plow trucks coming from reserves, that have been built up over the past five years to work in conjunction with the 10 Year Fleet Replacement Schedule. Once Council approves the purchase of the two plow trucks, the

trucks will be purchased and paid for in January 2010, then sent to Viking Cives for the installation of the equipment necessary for a plow truck to be used for that operation. The trucks will be ready for the fall of 2010. It is necessary to act now in order for these trucks to be ready for the next winter season.

**MOTION:**

Moved by: Councillor D. Shewfelt and Seconded by: Councillor B. MacLellan:

**THAT:**

The recommendation from Walter Johnston, Fleet Manager that the County Public Works Department proceed with placing an order from Waycon International Trucks Ltd. of Goderich for two 2010 International tandem cab and chassis trucks complete with Viking Cives plow and sander/pre-wet equipment be approved;

**AND FURTHER THAT:**

The costs be from the fleet reserve in 2010.

**CARRIED**

## **6. Planning and Development:**

### **6.1 Consents:**

The authority to grant or refuse to grant consents is delegated to the Committee of the Whole under By-law 5-2009. Decisions become effective upon a carried motion of the Committee of the Whole. County Council is notified for information and appeal purposes only.

#### **a) B3/09 Robert Morrissey (owner) Community Planners Inc. (Ted Halwa, agent)**

##### **Pt Lot 7, Concession 13 & 14, Stephen Ward, Municipality of South Huron.**

The purpose and effect of the application is to create a new 50 ac (20.2 ha) parcel and retain a 99.5 ac (40.3 ha) parcel. The 50 ac (20.2 ha) parcel is currently vacant and is a combination of natural environment and agricultural land uses. The land to be retained contains a double wide mobile home and farm buildings. The proposed use of the severed 50 ac (20.2 ha) parcel is to be recreational for horse riding with no proposed buildings or structures planned. To date, the ABCA has not been supplied with additional information from the applicant or agent to determine if it recommends an Environmental Appraisal be undertaken as part of the requested severance. (ABCA letter of October 13<sup>th</sup>, 2009).

This application was deferred by Committee of the Whole-Day 1 at the May 13, 2009 meeting to allow the applicant to make a presentation about the severance to South Huron Council. At the September 21<sup>st</sup>, 2009 meeting, South Huron Council made the decision to recommend the County of Huron approve this application.

Senior Planner Craig Metzger presented his report. Staff recommended that the application be denied, and further if the Committee of the Whole does wish to deny the application at this time, it was recommended that the application be deferred to allow South Huron Council to consider an Official

Plan Amendment to establish policies that would permit this type of severance.

Agent Ted Halwa, Community Planners Inc. on behalf of the applicant, and Bob Morrissey addressed the Committee.

Chairman Fergusson gave the public an opportunity to speak or ask questions. No one came forth.

**MOTION:**

Moved by: Councillor MacLellan and Seconded by: Councillor Van Diepenbeek:  
THAT:

Severance application B3/09 be granted provisional consent with the following conditions

- Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If the conditions are fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of decision;
- All municipal requirements be met to the satisfaction of the Municipality including servicing connections if required, cash in lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures, and any related requirements, financial or otherwise;
- The subject parcel be numbered and addressed for 9-1-1 purposes to the satisfaction of the Municipality;
- The sum of \$500 be paid to the Municipality as cash-in-lieu of parkland if required by the Municipality;
- A survey be submitted to the County and the Municipality showing the lot lines of the severed parcel and the location of any building thereon. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning shall be obtained before the deed is stamped;
- The severed land (South Part Lot 7, Concession 14, Stephen Ward) be rezoned to a special natural environment and general agricultural zone to recognize the lot size and prohibit the construction of a residence to the satisfaction of the municipality;
- Section 65 of the Drainage Act be addressed to the satisfaction of the Municipality.

A Recorded Vote was requested by Councillor J. Bezaire.

**RECORDED VOTE:**

YEAS: Bezaire  
Johnston  
Collyer  
Rintoul  
MacLellan  
Grace  
Demarary  
Van Diepenbeek  
Dietrich  
Robertson

Vincent  
Kelly  
Shewfelt  
Seili  
Dowson

NAYS: Fergusson  
Siemon  
Dykstra  
Scott

ABSENT: Oke

YEAS – 15, NAYS – 4, ABSENT – 1.  
CARRIED

**b) B30/09 Robin Farms Ltd. (owner), Douglas Culbert, O.L.S (agent)  
Part Lots 36 & 37, Concession 1, LRS, Tuckersmith Ward,  
Municipality of Huron East.**

The purpose and effect of this application is for the creation of new residential lot. The land to be severed is approximately 2.1 ac (0.85 sq ha) with an existing house, garage and two sheds. The vacant land to be retained is approximately 148 ac (60 ha).

Planner Carol Leeming presented her report and recommended that the application be denied.

Chairman Fergusson gave the public an opportunity to speak or ask questions. Cindy Eaton and Larry Morrison tenants in the subject residence addressed the Committee. Municipality of Huron East Clerk Administrator Jack McLachlan addressed the Committee.

**MOTION:**

Moved by: Councillor J. Seili and Seconded by: Councillor B. MacLellan:

**THAT:**

Severance application B30/09 be granted provisional consent with the following conditions:

- Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If the conditions are fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of decision;
- All municipal requirements be met to the satisfaction of the Municipality including servicing connections if required, cash in lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures, and any related requirements, financial or otherwise;
- The sum of \$350 be paid as cash-in-lieu of parkland to the satisfaction of the municipality if required;
- A survey be submitted to the County and the Municipality showing the lot lines of the severed parcel and the location of any building thereon. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning shall be obtained before the deed is stamped;

- The severed land be rezoned to the appropriate zone to the satisfaction of the municipality;
- The retained land be rezoned to the appropriate zone to prohibit a residence, to the satisfaction of the municipality;
- Section 65 of the Drainage Act be addressed the satisfaction of the municipality;
- Applicant to provide a letter from a licensed contractor advising that the tank has been pumped and is functioning properly for the severed parcel of land to the satisfaction of the Huron County Health Unit.
- Severed lands to have a minimum lot frontage of 45 metres to the satisfaction of the Ministry of Transportation.

A Recorded Vote was requested by Councillor J. Bezaire.

**RECORDED VOTE:**

YEAS: Dowson  
Dykstra  
Grace  
Johnston  
Dietrich  
Robertson  
Seili  
MacLellan  
Van Diepenbeek  
Collyer  
Kelly  
Bezaire  
Demaray  
Scott  
Rintoul  
Shewfelt  
Vincent

NAYS: Siemon  
Fergusson

ABSENT: Oke

YEAS – 17, NAYS – 2, ABSENT – 1.  
CARRIED

**6.2 Delegated Consents:**

The authority to grant undisputed consents is delegated to the Director of Planning and Development under By-law 5-2009. A list of the applications which received provisional consent approval since the last report was reviewed by the Committee. County Council is notified for information and appeal purposes only.

**MOTION:**

Moved by: Councillor J. Dietrich and Seconded by: Councillor N. Vincent:

**THAT:**

The Report entitled Delegated Consents be received;

**AND FURTHER THAT:**

No objections be lodged.

CARRIED

### **6.3 Zoning By-laws:**

Zoning By-laws and amendments are circulated to the County from local municipalities. These By-laws are reviewed for conformity with the County Official Plan and with the local Secondary/Official Plan.

MOTION:

Moved by: Councillor D. Kelly and Seconded by: Councillor M. Scott:

THAT:

The Report entitled Zoning By-laws be received;

AND FURTHER THAT:

No objections be lodged.

CARRIED

### **6.4 Subdivisions**

#### **a) 40T09004 Public Meeting-Draft Plan of Subdivision**

##### **B. Salton (property owner (Upper Thames Realty Ltd.)**

##### **Lots 3 & 4, Range L, Village of Bayfield, Municipality of Bluewater**

The County of Huron and the Municipality of Bluewater are holding a joint public meeting on Monday November 9, 2009 at 7:00 pm in the Council Chambers of the Municipality of Bluewater (Stanley Complex just west of Varna) regarding a 19 unit Draft Plan of Subdivision for Lots 3 & 4, Range L, Village of Bayfield, Municipality of Bluewater called Bayshore Estates.

MOTION:

Moved by: Councillor D. Kelly and Seconded by: Councillor B. Siemon:

THAT:

The Report entitled 40T09004 Public Meeting – Draft Plan of Subdivision be received.

CARRIED

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor Tim Collyer:

THAT:

The Council of the County of Huron agree to appoint Councillor J. Bezaire to represent County Council at the joint public meeting of the County of Huron and the Municipality of Bluewater regarding a 19 unit Draft Plan of Subdivision for Lots 3 & 4, Range L, Village of Bayfield, Municipality of Bluewater; called Bluewater Estates.

Carried

#### **b) 40T09003 Public Meeting-Draft Plan of Subdivision**

##### **McIlwain Holdings Corp.**

##### **Part of Lot 11, Concession 1, West Ward, Municipality of Central Huron:**

The County of Huron and the Municipality of Central Huron are holding a joint public meeting on Tuesday October 27<sup>th</sup>, 2009 at 5:00 p.m. in the Council Chambers of the Municipality of Central Huron regarding a proposed five lot plan of subdivision.

**MOTION:**

Moved by: Warden K. Oke and Seconded by: Councillor G. Robertson:

**THAT:**

The Report entitled 40T09003 Public Meeting – Draft Plan of Subdivision be received.

CARRIED

**MOTION:**

Moved by: Councillor Vincent and Seconded by: Councillor Van Diepenbeek:

**THAT:**

The Council of the County of Huron agree to appoint Councillor J. Grace to represent County Council at the joint public meeting of the County of Huron and the Municipality of Central Huron regarding a proposed five lot plan of subdivision for Part of Lot 11, Concession 1, West Ward, Municipality of Central Huron.

CARRIED

**6.5 Community Economic Development:**

**a) Huron Small Business Enterprise Centre:**

**MOTION:**

Moved by: Councillor T. Collyer and Seconded by: Councillor J. Dietrich:

**THAT:**

The Report entitled Huron Small Business Enterprise Centre (HSBEC) Update be received.

CARRIED

**b) 4<sup>th</sup> Annual Manufacturing Excellence Awards:**

The Huron Manufacturing Association will be holding the 4<sup>th</sup> Annual Manufacturing Excellence Awards in Central Huron on November 12, 2009. The event will feature an expanded trade show and a key note address from Marvin Devries of Trojan Technologies Inc. The awards are generously sponsored by: Gold Sponsor, United Communities Credit Union and a number of other sponsors including Silver Sponsors, Town of Goderich and Municipality of Central Huron. Bronze sponsors include the Municipalities of South Huron, North Huron and Bluewater. The awards will be presented at the new Regional Equine and Agricultural Centre of Huron (REACH). More information and tickets are available through the Huron Manufacturing Association website.

**MOTION:**

Moved by: Councillor M. Scott and Seconded by: Councillor N. Vincent:

**THAT:**

The verbal Report entitled 4<sup>th</sup> Annual Manufacturing Excellence Awards be received.

CARRIED

**6.6 Tourism:**

**a) Culinary Tourism with [www.tasteofhuron.ca](http://www.tasteofhuron.ca) – The Taste of Huron Culinary Festival:**

MOTION:

Moved by: Councillor D. Kelly and Seconded by: Councillor N. Rintoul:

THAT:

The Report entitled Culinary Tourism with [www.tasteofhuron.ca](http://www.tasteofhuron.ca) – The Taste of Huron Culinary Festival be received.

CARRIED

Jenna Ujiye, Tourism Marketer provided a video highlighting the events from the Taste of Huron. It was a very successful event and it is being anticipated by all who attended this year with great enthusiasm for 2010.

**b) Buy Local Buy Fresh Map – Huron Perth – Second Edition:**

With 57 Huron County participants and 71 from Perth County, the new brochure was successfully launched on August 24, 2009 at a special event in Mitchell. The Huron Perth Farm to Table committee, with the financial assistance of several partners (including OMAFRA's OMIF program) received positive feedback from the producers and retailers indicating that this map is a key marketing and promotional tool for their agricultural and value-added products. Cindy Fisher, Tourism Co-ordinator addressed the Committee.

MOTION:

Moved by: Councillor B. Dowson and Seconded by: Councillor D. Kelly:

THAT:

The verbal Report entitled the Buy Local Buy Fresh Map – Huron Perth – Second Edition be received.

CARRIED

**c) Toronto Star coverage of Huron County and Local Foods:**

On Wednesday August 26, 2009, Huron County enjoyed full colour front page and full inside page coverage in the Entertainment and Living Section of the Toronto Star. The article entitled "Touring Ontario's West Coast" featured three local producers (Bayfield Berry Farm, The Garlic Box and Sugar & Spice Chocolates) in addition to a great map of the county highlighting twenty local producers. Susan Sampson, an Ontario travel writer, produced the article after a summer FAM trip to our area. This illustrates the importance of maintaining relationships with travel writers in the region since editorials and features are considered to be eight times more effective than advertisements. Cindy Fisher, Tourism Co-ordinator addressed the Committee.

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor J. Dietrich:

THAT:

The verbal Report entitled Toronto Star coverage of Huron County and Local Foods be received.

CARRIED

**d) Annual General Meeting and Dinner – Huron Tourism Association:**

Huron County Councillors are invited to attend the HTA AGM on Wednesday evening, November 4, 2009 at the Red Pump in Bayfield – to obtain further information or pre-purchase a ticket, contact Cindy Fisher in the Planning and Development Department by October 23, 2009 .

**6.7. Water Protection Steering Committee:**

The September 17, 2009 meeting of the WPSC meeting focussed on sewage and waste water treatment in Huron County. The Committee received a presentation from Steve Burns of B.M. Ross regarding sewage treatment in Huron County.

The second presentation was from Matt Pearson of B.M. Ross regarding septic system inspection programs in Ontario, and specifically a mandatory program in the Municipality of Huron-Kinloss, Bruce County. Following this presentation, there was discussion regarding a septic system program in Huron County.

Susanna Reid, Planner addressed the Committee. The Water Protection Steering Committee recommends that County Council proceed with the implementation of a mandatory septic system inspection program.

**MOTION:**

Moved by: Councillor D. Kelly and Seconded by: Councillor G. Robertson:

**THAT:**

The verbal Report entitled Water Protection Steering Committee be received.

**CARRIED**

**MOTION:**

Moved by: Councillor J. Bezaire and Seconded by: Councillor J. Grace:

**THAT:**

The recommendation from The Water Protection Steering Committee that County Council proceed with the implementation of a mandatory septic system inspection program be approved;

**AND FURTHER THAT:**

Staff be directed to bring back a report to the Committee.

**CARRIED**

**6.8 Notices of Intent Under the Tree By-law**

<b>NOTE:</b> Abbreviations are for municipalities, the Wards are named in the following table.			
Bluewater (B)	Howick	North Huron (NH)	Ashfield-Colborne-
Central Huron (CH)	Huron East (HE)	South Huron (SH)	Wawanosh (A-C-W)
Goderich	Morris-Turnberry (MT)		

2.	Martin's Cutting & Skidding Inc.	Bill Gibson.	20	Pt. Lots 49, 50, Con. 1 LRS, HE, Tuckersmith Ward
3.	Martin's Cutting & Skidding	Warren Beuerman	8	Lot. 25, Con. 11, HE, McKillop Ward
4.	Kitchener Forest Products	Ed Salverda	34	Lot 5, Con 10, CH, Ward 2 (Hullet)
5.	Morely Logging	Joe and Isabel Gibson	12	Lot 36, Con. 15, CH
6.	Dave DeVries	Larry Henderson	20	Lot 8, Con. 14, A-C-W (Wawanosh Ward)
7.	Miller Wood Products	Al Hendricks	20	Part Lot 19 &20, Con, 12, B Hay Ward
8.	Miller Wood Products	Ed Van Miltenburg	6	Lot. 9, Con. 2, B, Stanley Ward
9.	Miller Wood Products	Maria and Josef Knap	35	Lot 21, Bayfield River Rd, CH, Goderich twp.)

MOTION:

Moved by: Councillor D. Kelly and Seconded by: Councillor J. Dietrich:

THAT:

The Notices of Intent Under the Tree By-law Report be received.

CARRIED

### **7. Facilities:**

Larry C. Adams, CAO, presented the Facilities' report for the information of Committee.

MOTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor D. Kelly:

THAT:

The Report entitled Information Report be received.

CARRIED

CAO Adams delivered an update on the progress between the Town of Goderich and the County of Huron in terms of the options put forth by the County for the upgrades at the Court House.

### **8. Administration, Policies & Other Issues:**

#### **a) AMO's Message to the Province: Accessibility and Municipalities at Risk with Initial Proposed Built Environment Standard:**

MOTION:

Moved by: Councillor D. Kelly and Seconded by: Councillor T. Collyer:

THAT:

The Council of the County of Huron endorse *The Case for Harmonization of the AODA Standards*;

AND FURTHER THAT:

*The Case for Harmonization of the AODA Standards* be used as a recommendation in the County of Huron's public review response to the initial proposed Built Environment Standard.

CARRIED

### **9. Correspondence:**

MOTION:

Moved by: Councillor J. Seili and Seconded by: Councillor B. Siemon:

WHEREAS:

Communities across Ontario are concerned with the Accommodation Review Committee process and the impact this flawed process has on the socio-economic fabric of our municipalities;

AND WHEREAS:

Many schools are the hubs of their communities; a better accommodation review system is needed to address the educational facility needs of our residents;

Motion Con't. on Page 12.

Motion Con't. from Page 11.

AND WHEREAS:

A system to address the educational facility needs in Ontario must ensure that school boards and municipal councils partner on decisions regarding education infrastructure;

AND WHEREAS:

Greater accountability for school board decisions is needed;

AND WHEREAS:

A thorough review of the governance model for school accommodation decisions must include an opportunity to appeal these decisions;

AND WHEREAS:

The accommodation review process should respect and value the input of students, parents, the community and municipality;

THEREFORE BE IT RESOLVED THAT:

The Province of Ontario be petitioned to implement a "smart moratorium" on disputed school closings to provide the opportunity for the Minister of Education, school boards and municipalities to work together to develop policies addressing such issues as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee process, a review of funding to rural and small community schools, and transparency and accountability between municipalities and school boards.

CARRIED

#### 10. Accounts and Financial Statement:

Accounts for September 2009 will be reviewed.

Highways	\$2,575,475.50
Fleet	38,926.60
Buildings	44,944.44
Planning	122,470.86

Financial statements for the period ending August 31<sup>st</sup>, 2009 will be reviewed.

	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	\$168,197	\$2,326,582	\$13,254,229	\$9,176,074	\$13,086,032	\$6,849,492
Fleet	1,101,039	1,382,720	1,074,289	1,198,010	(26,750)	(184,710)
Buildings	1,050,153	1,064,229	1,336,452	1,496,678	286,299	432,449
Planning	439,276	572,056	1,915,406	2,029,921	1,476,130	1,457,865

MOTION:

Moved by: Councillor D. Johnston and Seconded by: Councillor T. Collyer:

THAT:

The accounts for September 2009 and financial statement as of August 31<sup>st</sup>, 2009 be received.

CARRIED

CAO Adams reviewed the mandatory AODA training for Councillors. Accessibility Co-ordinator Sarah Clemons is providing training for Councillors, Senior Management Team members, Committee members and staff on

Wednesday November 4<sup>th</sup> at 1:00 p.m. This will be following County Council's 11<sup>th</sup> Session.

CAO Adams will present the follow up Report on the Service Delivery Review at the next Day 2 Committee of the Whole which is Friday October 16<sup>th</sup>, 2009.

**Next Meeting:**

The next meeting of Day 1 Committee of the Whole will be in Goderich on Tuesday November 10<sup>th</sup>, 2009 at 9:00 a.m.

**Adjournment:**

MOTION:

Moved by: Councillor N. Vincent and Seconded by: Councillor J. Dietrich:

THAT:

The meeting adjourn at 12:02 p.m.

CARRIED

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Chair J. Fergusson