



Planning, Agriculture and Public Works Committee

Minutes - April 9, 2008

GODERICH, ONTARIO



Goderich, Ontario
April 9, 2008

The PLANNING, AGRICULTURE AND PUBLIC WORKS COMMITTEE met in the Court House at 9:00 a.m. with all members present except Councillor B. Dowson.

1. Minutes

Moved by B. Siemon

Seconded by J. Dietrich

That the minutes of the Planning, Agriculture and Public Works Committee meeting of March 12, 2008 be adopted as circulated.

CARRIED

2. Report of the Regional Information Coordinator OMAFRA

Jane Muegge, Regional Information Coordinator, Ontario Ministry of Agriculture, Food and Rural Affairs, distributed and presented the following materials for the information of committee and Council.

- E-Bulletin April 2008
- 2008 Field Crop Budgets, Publication 60
- 2008-09 Regular Advance Payment Program
 - Hog Factsheet
 - Cattle Factsheet
- Agricultural Adaptation Council, Growing Your Farm Profits: Planning for Future Business Success
- Factsheets October 2007
 - Coping with Hay Shortages in Beef Cow Wintering Rations
 - Yew Poisoning in Horses and Ruminants

Councillor B. Dykstra highlighted the conference "Is the Coast Clear?" to be held on May 23rd. The Coastal Centre's Fifth Conference on Lake Huron's Coastal Environment, CAW Family Education Centre, Port Elgin. Check the centre's website (www.lakehuron.on.ca) for more information.

Moved by Warden J. Bezaire

Seconded by M. Demaray

That the report be received.

CARRIED

PLANNING AND AGRICULTURE

3. Consents

Decision authority on consents has been delegated to the Planning, Agriculture and Public Works Committee by County Council pursuant to the Planning Act. The following is therefore for the information of County Council.

Mark Sully Consent File B65/06
Part Lot 4 (Part Lots 2 & 6, Registered Plan 534), Concession 1
Municipality of Central Huron (West Ward)

Larry McCabe, representative of the Town of Goderich, spoke to this application.

This consent received conditional approval at the April 2007 Planning Agriculture and Public Works Committee meeting and will lapse on April 24, 2008 if conditions are not met. The severed lot of 1.4 ha is proposed to be developed for a building material retail store and warehouse.

Correspondence (attached) received from Mark Sully on March 26, 2008 requests that:

- condition 11 be changed to allow for on-site services (this condition requires full services through a servicing agreement between Central Huron, Goderich and the developer) and,
- the lapsing date of April 24, 2008 be extended.

The Planning Act does not permit an extension of the lapsing date unless there is a change to a condition (which would allow for an additional year). There has been insufficient time for the department to consult with the affected municipalities on this request.

It is recommended that no change in condition be granted.

A lengthy discussion ensued. Mr. McCabe requested that it be noted in the minutes that the Town of Goderich did not have the opportunity to address Mr. Sully's request. The Chair allowed Mr. McCabe to speak to the correspondence. Mr. McCabe stated that a servicing study should be completed that would address urban and rural standards; he also noted that boundary issues between Central Huron and the Town of Goderich have been ongoing and unresolved.

The Director of Planning and Development clarified that if the condition is granted the applicant would have a second year to meet all the conditions.

Moved by Warden J. Bezaire

Seconded by J. Dietrich

That condition No. 11 be removed from the provisional consent and replaced with the condition to allow for onsite services, and when or if municipal services become available, that the severed lands connect to full municipal services.

Moved by D. Shewfelt

Seconded by N. Rintoul

That this motion be tabled pending a facilitated review of the servicing between all three parties.

MOTION DEFEATED

Councillor D. Shewfelt requested a Recorded Vote on the original motion.

RECORDED VOTE

YEAS: Dietrich, Bezaire, Dykstra
 Demaray, Siemon = 5

NAYS: Shewfelt, Rintoul = 2

ABSENT: Dowson = 1

**CARRIED
FOR INFORMATION**

4. Delegated Consents

The authority to grant undisputed consents is delegated to the Director of Planning and Development under By-law No. 3, 2006. The following applications have been approved since the last report, for the information of County Council.

B77/07 Neil & Gladys Gingerich
Pt Lot 12, Concession 9, Hay East Ward, Municipality of Bluewater

This undisputed consent was granted provisional consent on February 29, 2008 subject to conditions. The purpose and effect of this application was to sever a surplus farm dwelling. The land to be severed contains a house and shed and is approximately 1 ac (0.4 ha). The vacant land to be retained is approximately 202 acres (82 ha).

FOR INFORMATION

5. 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. The by-laws are listed in the attached report (Appendix A).

It is recommended that no objections be lodged.

Moved by B. Siemon
Seconded by M. Demaray
That no objections be lodged.

CARRIED

6. Subdivisions

- a) File 40T 08001
Owners: James and Doris Meldrum
Agent: Bradley Oke
Part Lot 41, Concession 1 in the Geographic Township of Tuckersmith, now in the East Ward, Municipality of Central Huron, fronting Ransford St. in Clinton

James Meldrum, owner, and Bradley Oke, agent, appeared on behalf of the application.

This plan of subdivision proposes to create 13 lots (12 building lots for detached dwellings and 1 open space lot). The total area of the property to be subdivided is 1.94 ha. The 12 residential lots represent .77 ha and the open space represents 1.17 ha.

The attached report was distributed at the meeting due to recent comments received from the Municipality of Central Huron and the Conestoga Rovers peer review of a noise study.

It is recommended that the Plan of Subdivision 40T 08001 be approved with the conditions attached (dated April 8, 2008) as well as one additional condition:

That the developer's consultant demonstrate that the development complies with the Ministry of the Environment noise guidelines to the satisfaction of the Municipality of Central Huron and the County of Huron.

The Planner, Susanna Reid, also distributed the attached correspondence from Fleming Feed Mill Limited received February 8, 2008 submitted as their written opposition to the proposed subdivision.

Moved by B. Siemon
Seconded by D. Shewfelt
That the recommendation be approved.

Councillor D. Shewfelt requested a Recorded Vote.

RECORDED VOTE

YEAS: Rintoul, Siemon, Shewfelt = 3
NAYS: Bezaire, Dietrich, Dykstra, Demaray = 4
ABSENT: Dowson = 1

MOTION DEFEATED

Moved by Warden J. Bezaire
Seconded by B. Siemon
That the Plan of Subdivision 40T 08001 be approved with the conditions attached (dated April 8, 2008) as well as one additional condition: That the developer's consultant demonstrate that the development complies with the Ministry of the Environment noise guidelines to the satisfaction of the Municipality of Central Huron, the County of Huron and Fleming Feed Mill.

MOTION DEFEATED

Moved by D. Shewfelt
Seconded by J. Dietrich
That the Plan of Subdivision 40T 08001 be approved with the conditions attached (dated April 8, 2008).

CARRIED

7. Public Meetings

<u>Municipality</u>	<u>Purpose</u>	<u>Date</u>
Huron East (Tuckersmith Ward)	Rezoning	March 4/08
Central Huron (Clinton Ward)	Rezoning	March 25/08
Morris-Turnberry (Ward M)	Rezoning	April 1/08
Ashfield-Colborne-Wawanosh	Comprehensive Zoning By-law	April 17/08

FOR INFORMATION

8. Notices of Intent Under the Tree By-law

NOTE: 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)		

<u>Contractor</u>	<u>Property Owner</u>	<u>Acres</u>	<u>Location</u>
1. Morley Logging	David Hodgins	20	Lot 3, Con. 19, SH, Ward 1 (Stephen Township)
2. Miller Wood Products	Scot Morgan	5	Lot 27, Con. 4, SH, Ward 3 (Usborne)
3. Miller Wood Products	Hank Hendricks	20	Lot 1, Con. 3, HE, Tuckersmith Ward
4. Elam Martin	Don Buchanan	24	Lot 9 & 10, Con. 10, CH, Ward 2 (Hullett)
5. Elam Martin	Gary Buchanan	18	Lot 24 E, W 23, Con. 11, HE, McKillop Ward

Moved by D. Shewfelt
Seconded by B. Siemon
That the report be received.

CARRIED

9. Conviction under the Forest Conservation By-law

Mr. Jim Shaw of Bluevale appeared in the Ontario Court of Justice, Goderich on March 20, 2008 and entered a guilty plea. The presiding Justice of the Peace imposed a \$500 fine (plus victim sur-charge). Mr. Shaw was the bulldozer operator in this case (the landowner's charge was reported previously).

The charge:

Between August 9, 2007 and August 23, 2007 in the Township of North Huron (formerly the Township of East Wawanosh) in the County of Huron, specifically Part of Lot 36, Concession 11, and Part of Lot 36, Concession 12 of the said township;

Did commit the offence of

(1) being the contractor, by himself or through another person, destroy or injure, or cause or permit to be destroyed or injured, living trees located in a woodlot of the species described in and having not attained the measurements specified in Schedule A of By-law No. 10, 2006 of the County of Huron contrary to Section 2 of the said by-law.

FOR INFORMATION

10. Waste Management

Mr. Steve Janes, waste management consultant, was present to discuss the following matters with the committee.

- a) Household Hazardous Waste (HHW) Depot at the Mid-Huron Landfill Site Agreement for Service

The County's permanent HHW depot is being developed at the Mid-Huron Landfill Site with COMRIF funding assistance. A draft agreement is attached (Appendix B) to permit the establishment of the depot and to arrange for service to be provided by staff of the Mid-Huron Landfill Site. The draft agreement will be reviewed by the Mid-Huron Landfill Board at its April meeting.

It is recommended that Huron County enter into an agreement with the municipalities operating the Mid-Huron Landfill Site for the establishment and operation of a permanent Household Hazardous Waste depot.

Councillor B. Siemon noted that Clause 8 requires clarification that insurance will be for the HHW depot only.

Moved by D. Shewfelt
Seconded by Warden J. Bezaire
That the recommendation be approved.

CARRIED

The Director of Planning and Development explained that it would be preferable to extend the Hotz contract for one more year until the HHW depot is fully operational, after which a request for proposal would be tendered.

Moved by Warden J. Bezaire
Seconded by B. Siemon
That the contract with Hotz Environmental for conducting Household Hazardous Waste (HHW) services be extended for 2008 from within the approved budget.

CARRIED

- b) Long-term Waste Management Solution
Terms of Reference for an Environmental Assessment

Meetings with the Ministry of the Environment are being planned to ascertain the scope of the terms of reference, including such alternatives as thermal technologies (as requested by the Wingham Landfill Public Liaison Committee), the possibility of export out of the county, and the possible expansion of the Wingham Landfill. When developed, the draft Terms of Reference will be reviewed by the Wingham Landfill Public Liaison Committee before a public meeting is held. A letter updating affected parties in North Huron is attached (Appendix C).

FOR INFORMATION

- c) Interim Waste Management Solution
Use of Exeter Landfill by certain Municipalities

County and municipal staff are working with South Huron (new CAO and Council) toward implementing the Memorandum of Understanding to enable certain municipalities to utilize the Exeter Landfill commencing in 2010. County Council approval will be required, and draft agreements will be brought to the committee once the parties are satisfied with the terms.

FOR INFORMATION

11. Condition on Consents for Inspection of Septic System

The Municipality of Morris-Turnberry sent the attached letter stating its objection to the new condition to all consent applications for properties with septic systems that would require the system to be inspected and confirmed to be functioning properly.

Mayor Dorothy Kelly of Morris-Turnberry submitted correspondence dated April 9, 2008 regarding this septic condition. The Administrator of Morris Turnberry, Nancy Michie, also submitted a letter of concern (attached). The CAO read the correspondence for the information of committee and Council. A lengthy discussion ensued.

Moved by D. Shewfelt
Seconded by B. Siemon
That the correspondence be noted and filed.

CARRIED

**** 12. Inter-Municipal Issues - Central Huron and Goderich**

Despite concerted effort by both parties, Central Huron and Goderich have been unable to reach an agreement on servicing and land issues. The municipalities appear to have reached an impasse, which has resulted in appeals to the Ontario Municipal Board over current development applications. A resolution to the matter is desirable for reasons of good planning, coordinated servicing and economic development.

The unresolved issues pertain to matters directed by the Provincial Policy Statement (PPS). Municipal decisions are required to be consistent with the PPS, and the PPS places the role of coordination on the upper-tier (County) for matters which cross municipal boundaries. The report dated April 9, 2008 is attached.

It is recommended that Huron County engage an independent consultant/advisor(s), to be selected with the agreement of Central Huron and Goderich, to proceed in accordance with the suggested work plan.

Moved by D. Shewfelt
Seconded by Warden J. Bezaire
That the recommendation be approved.

CARRIED

13. Shakespeare to the Shoreline

Attached is correspondence received March 28, 2008 from J. R. McLachlan, Clerk-Administrator, Municipality of Huron East, requesting that the County of Huron provide the necessary funds for the Shakespeare to the Shoreline program in 2009. The CAO requested direction on this matter.

Moved by D. Shewfelt

Seconded by B. Siemon

That the request from the Municipality of Huron East to fund the Shakespeare to the Shoreline program be forwarded for consideration in the 2009 Budget.

CARRIED

14. Accounts

Planning accounts for March 2008 in the amount of \$97,520.32 were reviewed.

Moved by N. Rintoul

Seconded by B. Siemon

That the accounts be received.

CARRIED

Warden J. Bezaire left the chambers at 12 noon and returned at 12:40 p.m.

HIGHWAYS

15. Report of the Acting Director of Public Works

Dave Laurie, Acting Director of Public Works, presented the following reports for the information of committee and Council.

- a) Administrative Update (Appendix D)

Moved by D. Shewfelt

Seconded by B. Siemon

That the report be received and the recommendations contained therein be approved.

CARRIED

- b) Purchase of two (2) Pickup Trucks (Appendix E)

It is recommended with the current American Axle and Manufacturing strike in the U.S. and the early cut-off for 2008 pickup model orders closing April 15, 2008, that the quotation submitted by McGee Motors, in the amount of \$25,187.76 (excluding GST) be accepted for one 2008 model year ½ ton, two-wheel drive pickup truck for use by the Highways Department.

It is further recommended that the quotation submitted by McGee Motors in the amount of \$34,302.96 (excluding GST) be accepted for one 2008 model year 3/4 ton, four-wheel drive pickup truck for use by the Facilities Department, and that staff be authorized to proceed with the purchase of the specified vehicles by the April 15, 2008 cut-off date.

Moved by J. Dietrich

Seconded by D. Shewfelt

That the recommendations be approved and forwarded to the April 15, 2008 Committee of the Whole for endorsement.

CARRIED

c) Tender - Ausable River Bridge Rehabilitation

Tenders for this project closed on April 4, 2008 the report entitled, "Ausable River Bridge Rehabilitation Project (83-25.0) Located on County Road No. 83 (East of Exeter)" is attached.

It is recommended that the County accept the tender submitted by Finnbilt General Contracting Limited, for the Ausable River Bridge Rehabilitation Project (Contract No. 2008-001), for the tendered price of \$256,665.58 (excluding GST), based on estimated quantities. The tendered price does not include; Engineering / Site Supervision, Contingencies, Provisional Items or County Administration.

Moved by J. Dietrich

Seconded by B. Siemon

That the recommendation be approved.

CARRIED

d) 2008 Bridge and Culvert Projects – Single Phase Construction (Roads Closed)

It is recommended that the 2008 Bridge and Culvert projects be completed using Single Phase Construction. Single Phase is the preferred method for several reasons, those being: cost savings, better quality of repairs, shorter duration of project, safety for motorists and workers.

The Acting Director of Public Works noted that this recommendation would not include the Gorrie Bridge project. This recommendation would confirm the County policy for the Ethel Bridge, Ausable River Bridge and the Culvert Replacement on County Road 2.

Moved by D. Shewfelt

Seconded by Warden J. Bezaire

That the recommendation be approved.

CARRIED

The following items were introduced to the committee for discussion and presented orally with the consent of the CAO.

e) County Road No. 5, Mount Carmel Drive

Middlesex County recently contacted Huron County regarding the resurfacing (paving) of a boundary road, County Road No. 5. The Huron County Public Works Department recommends a commitment be made to Middlesex County to complete the resurfacing of County Road No. 5 in 2009.

Furthermore, the Public Works Department recommends the issue of the ownership of Greenway Drive (part of Middlesex County Road No. 5, from Greenway to the Tri-County bridge) be discussed and that Middlesex County and the Municipality of South Huron agree on the timing and costs of those capital improvements. The County of Huron does not own this portion of Greenway Drive (5.1 km) and is therefore not required to cost-share the capital improvements.

It is recommended that the County of Huron cost-share the remaining portions of County Road No. 5 that require resurfacing. The two road portions are 2.1 km and 8.0 km in length. The estimated cost of Huron's 50% share is 1.0 million dollars.

Moved by B. Siemon

Seconded by D. Shewfelt

That the Acting Director of Public Works advise Middlesex County that Huron County will include our 50% share of the cost to re-pave Mount Carmel Drive with an estimated cost of \$1 million in the 2009 Budget.

CARRIED

There was a general consensus that staff forward applicable documentation to the Municipality of South Huron to help resolve the road ownership issue regarding capital improvements of Greenway Drive (Greenway to the Tri-County bridge).

f) Crediton Restoration

The Acting Director of Public Works advised the committee that the scheduled work in Crediton (surface asphalt/curb & gutter) has been cancelled for 2008 due to the required remedial work relating to the ongoing sewer contract. The budgeted amount of \$950,000 is not required for 2008.

The work in Crediton will be re-scheduled for 2009 and the appropriate amount will be shown in the 2009 Public Works Department budget.

It was suggested that a portion of the \$950,000. for the Crediton Restoration project be re-allocated within the 2008 Public Works budget for the Gorrie Bridge Rehabilitation (\$400,000), with the remainder representing a possible levy reduction of \$550,000.

Moved by B. Siemon

Seconded by D. Shewfelt

That the \$950,000 for resurfacing for Crediton be withdrawn from the 2008 Budget due to concerns with the current state of the road.

CARRIED

g) Gorrie Bridge (28-7.5) Rehabilitation

The Public Works Department recommends that the County include the rehabilitation of the Gorrie Bridge in the 2008 Budget.

The bridge requires phased rehabilitation which is expected to span two years. For 2008 it is proposed that Phase 1 will include restoration of the top of the bridge. The remaining work, below the bridge (soffit and fascia), is proposed for 2009 and would be Phase 2.

For 2008, Phase 1 costs are estimated at \$400,000 including contingencies and engineering.

For 2009, Phase 2 costs are estimated at \$300,000 including contingencies and engineering.

The Public Works Department recommends that Phase 1 proceed in 2008 and if so the required \$400,000 be allocated, using part of the \$950,000 that is not required in 2008 for the CREDITON Restoration project.

Moved by B. Siemon

Seconded by D. Shewfelt

That \$400,000 be put in the 2008 Budget for the Gorrie Bridge project re-habilitation and further that discussion on Gorrie Bridge project options be forwarded to the April Committee of the Whole for inclusion with budget deliberations.

CARRIED

16. Deputation of Position

With the recent change to the status of the County Engineer position the CAO appointed Dave Laurie as Acting Director of Public Works for the interim.

Moved by D. Shewfelt

Seconded by J. Dietrich

That the Council for the County of Huron endorse the appointment of Dave Laurie as Acting Director of Public Works effective March 19, 2008.

CARRIED

17. Appointment of Area Weed Inspector

It is necessary to update our current by-law to appoint an Area Weed Inspector. Under authority of the Weed Control Act, R.S.O. 1990, Chapter W.5 Section 6(1) - the council of every upper-tier and single-tier municipality shall by by-law appoint one or more persons as area weed inspectors to enforce this Act in the area within the council's jurisdiction and fix their remuneration or other compensation.

At the April 2, 2008 Session of County Council the Acting Director of Public Works requested that the draft by-law be brought back to committee to reconsider the appointment. D. Laurie, Acting Director of Public Works, submitted the attached report dated April 3, 2008.

It is recommended that, due to recent changes within the Public Works Department, the County appoint a staff member to assume the responsibilities of County Area Weed Inspector. It is further recommended that the current staff member holding the position of "Civil Engineering Technologist", within the Public Works Department, be appointed as Weed Inspector for the County of Huron.

Moved by Warden J. Bezaire

Seconded by B. Siemon

That the recommendations be approved and the necessary by-law passed.

CARRIED

18. Correspondence Attached – For Information

- a) Ministry of the Environment, Mike Moroney, Director, Ontario Regulation 362, regarding PCB Storage Site #10488AH08.
- b) County of Wellington, draft Forest Conservation By-law. Comments requested by May 16, 2008.

FOR INFORMATION

19. Accounts

Accounts for March 2008 were reviewed.

Highways	\$492,484.27
Fleet	105,719.78
Buildings	77,279.17

**Moved by D. Shewfelt
Seconded by M. Demaray
That the accounts be received.**

CARRIED

20. Next Meeting

The next meeting of the Planning, Agriculture and Public Works Committee will be held on Wednesday, May 14, 2008 at 9:00 a.m.

"IN CAMERA"

**Moved by Warden J. Bezaire
Seconded by J. Dietrich
That the committee proceed "In Camera" at 1:15 p.m. to discuss personnel matters and that Larry C. Adams remain in attendance.**

CARRIED

**Moved by D. Shewfelt
Seconded by J. Dietrich
That the committee rise from "In Camera" at 1:21 p.m.**

CARRIED

21. Adjournment

**Moved by J. Dietrich
Seconded by B. Siemon
That the meeting adjourn at 1:22 p.m.**

CARRIED

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Chair

Huron County Council
May 7, 2008

**Clause #12 Inter-Municipal Issues – Central Huron and Goderich

Original motion:

“It is recommended that Huron County engage an independent consultant/advisor(s), to be selected with the agreement of Central Huron and Goderich, to proceed in accordance with the suggested work plan.

Moved by D. Shewfelt

Seconded by Warden J. Bezaire

That the recommendation be approved. Carried”

Discussion took place.

Councillor N. Vincent requested a Recorded Vote:

RECORDED VOTE:

YEAS: Robertson, Oke, Fergusson, Rintoul, Grace, Shewfelt, Dykstra,
Scott, Van Diepenbeek = 9

NAYS: Siemon, Dietrich, Dowson, MacLellan, Demaray, Seili, Collyer,
Vincent, Kelly, Johnston, Bezaire = 11

MOTION DEFEATED