



Day One: Committee of the Whole

Highways, Planning & Corporate

Minutes - August 1, 2012

GODERICH, ONTARIO



COMMITTEE OF THE WHOLE DAY 1

Goderich, Ontario
August 1st, 2012

The Committee of the Whole Day 1 met in the Court House Council Chambers in Goderich on the 1st of August, 2012. All members of Council were present except for Councillors Grace and Jewitt. At 11:00 a.m. Councillor Dowson left the meeting. At 11:50 a.m. Councillor Shewfelt left the meeting.

In Chair Grace's absence, Vice Chair P. Gowing called the meeting to order at 9:00 a.m.

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

Councillor Van Diepenbeek advised of a pecuniary conflict of interest with item 7.5 on the Consent Agenda. Councillor Ginn advised of a pecuniary conflict of interest with item 9.2.

RESOLUTION:

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

THAT:

The Committee of the Whole Day 1 Agenda for August 1st, 2012; be accepted and all Reports included in the Agenda; be received.

CARRIED

Delegations:

Bob Worsell, Public Health Manager – Safe Water was unavailable to deliver an overview of Ontario Building Code Part 7 (Plumbing) and Part 8 (Sewage Systems) Programs Delivered by the Huron County Health Unit. Bob Worsell is scheduled to attend the Committee of the Whole Day 2 meeting to update Council on the Mandatory Septic Inspection Program on August 8th, 2012. He may be able to deliver his presentation on the Ontario Building Code Part 7 and Part 8 at that time.

Councillor's Issues:

Councillor Shewfelt questioned when the Lower Tiers are going to receive a copy of the proposed County Composition By-law. Acting CAO Heather Adams reported that at the Special Council meeting that is scheduled for August 8th, 2012; the proposed County Council Composition By-law will receive first reading, a Notice of Council's intention to pass the By-law and hold a Public Meeting will be considered for Council's approval, as well as a Motion for Council to consider to forward the By-law to the Lower Tier Municipalities.

Councillor Ginn advised he has met with the Race Horse Issue Panel recently. The report from the Panel is expected to be completed by the middle of August and a decision from the Provincial Government by September 1st, 2012.

**6. Report of the Agriculture & Rural Economic Development Advisor
OMAFRA:**

Jane Muegge, Agriculture & Rural Economic Development Advisor, Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) delivered a presentation for the information of the Committee.

7. Consent Agenda:

**7.1 2012 Guide Rail Contract:
(Contract No. 12-601)**

ACTION:

The recommendation of Dave Laurie, Director of Public Works, that the tender for the supply and installation of Guide Rail, in various locations on County Roads, be awarded to Elliott Fence Inc., in the amount of \$168,132.70 (including HST and Provisional Items); be approved.

7.2 Winter Sand Contracts:

ACTION:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the following winter sand contracts be awarded:

a) Contract 12-101 for the supply and haul of winter sand in Zurich be awarded to Merner Contracting Ltd., for the tendered price of \$16,468.00 (including HST), based on estimated quantities; be approved.

b) Contract 12-102 for the supply only of Auburn winter sand to be hauled by County Forces be awarded to Johnston Bros. (Bothwell) Ltd., for the tendered price of \$13,729.50 (including HST), based on estimated quantities; be approved.

c) Contract 12-103 for the supply and haul of winter sand in Wroxeter be awarded to J & R Trucking for the tendered price of \$21,046.25 (including HST), based on estimated quantities; be approved.

7.3 2012 Bridge Repairs – Maintenance (Contract BR072B):

Londesborough Bridge (4-8.4)

Jervis Bridge (31-26.3)

Grieves Bridge (12-17.5)

ACTION:

The Recommendation of Dave Laurie, Director of Public Works, that the tender for the following bridge repair projects; Londesborough Bridge (4-8.4), Jervis Bridge (31-26.3) and Grieves Bridge (12-17.5), be awarded to Lavis Contracting Company Limited; at the tendered price of \$129,548.85 (including HST); be approved;

AND FURTHER THAT:

The tendered price does not include Engineering or County Administration.

7.4 Ontario One Call (“ON1Call”) Membership:

ACTION:

The recommendation of Dave Laurie Director of Public Works and Travis Jeffray, Construction Technologist, Property Services, that the County of Huron become a member of Ontario One Call for locates of underground facilities, services and utilities; be approved;

AND FURTHER THAT:

A By-law; be prepared authorizing the appropriate authorities to sign the Agreement between the County of Huron and Ontario One Call.

7.5 Delegated Consents:

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

ACTION:

The recommendation of Senga Smith, Land Division Secretary, Planning and Development Department, that no objections be lodged further to the Delegated Consents submitted with the report of August 1st, 2012; be approved.

7.6 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 Official Plan. The By-laws are listed in the attached report.

ACTION:

The recommendation of Scott Tousaw, Director, Planning and Development Department, that no objections be lodged further to the Zoning By-laws submitted with the report of July 19th, 2012; be approved.

7.7 Part Lot Control By-laws:

7.7 a) Municipality of Bluewater By-law No. 69-2012:

Bluewater By-law No. 69-2012 will allow townhouse dwelling units situated on Lot 11, Registered Plan 22M-5, Bayfield Ward, Municipality of Bluewater, to be conveyed such that each unit is located on a separate parcel.

This By-law requires County Council approval pursuant to *Section 50(7) of the Planning Act, RSO 1990, as amended*. The By-law exempts the lands from the part lot control provisions of *the Planning Act*. These lands are zoned to permit townhouse dwelling units in accordance with OMB Decision PL060613, which zoned the lands R2-4 (Residential Medium Density – Special Provisions).

ACTION:

The Municipality of Bluewater By-law No. 69-2012; be approved.

7.7 b) Municipality of Huron East By-law No. 46-2012:

Huron East By-law No. 46-2012 will allow townhouse dwelling units situated on Lot 196, Plan 131, Tuckersmith Ward, Vanastra, in the Tuckersmith Ward, Municipality of Huron East, to be conveyed such that each unit is located on a separate parcel.

This By-law requires County Council approval pursuant to *Section 50(7) of the Planning Act, RSO 1990, as amended*. The By-law exempts the lands from the part lot control provisions of *the Planning Act*. These lands are zoned to permit townhouse dwelling units in accordance with Zoning By-Law 52-2006, as amended, which zoned the lands R3 (Residential High Density).

ACTION:

The Municipality of Huron East By-law No. 46-2012; be approved.

7.8 Forest Conservation:

7.8 a) Notices of Intent Under the Tree By-law:

	<u>Contractor</u>	<u>Property Owner</u>	<u>Acres</u>	<u>Location</u>
1.	G & D Forestry c/o Gord Fritz	Bill Shaddick	14	Pt. Lot 19, Con 3 CH, Hullett Ward
2.	Elam Martin	Elam Martin	25	Lots 40 / 41, Con 8 NH, East Wawanosh Ward
3.	G & D Forestry c/o Gord Fritz	Arnold Riley	17	Lot 15, Con 10 CH, Hullett Ward
4.	G & D Forestry c/o Gord Fritz	Vernon Hewitt	20	Lot 28, Con 9 NH, East Wawanosh Ward
5.	Bill McGlynn	Allan Peel	8-10	Lot 30, Con 14 CH, Hullett Ward
8.	Kevin Shea	Deborah Jamieson	15	Lot 33, Con. 1 HRS, HE, Tuckersmith Ward
9. ***	Bauman Sawmill	John, Andrew, Peter Imanse	50	Lot 15, Con. 4, Bluewater, Stanley Ward
10. ***	Willis Frey	Richard and Ruth Keller	17	Lot 4/5, Con. 14, HE, McKillop Ward
11. ***	O'Connor Logging Ltd.	Dave Kipfer	12	Lot 7, Con. 4, Bluewater Stanley Ward

	<u>Contractor</u>	<u>Property Owner</u>	<u>Acres</u>	<u>Location</u>
12.	Jim Schreinert	Ken Wilson	42	Lot 14/15, Con. 5, CH Goderich Ward

*** Marked by and woodlot prescription prepared by a member or associate member of the Ontario Professional Foresters Association in accordance with "Good Forestry Practice"

ACTION:
Received for information.

7.9 AMO Watch File:

- a) July 12th, 2012
- b) July 5th, 2012
- c) June 28th, 2012
- d) June 21st, 2012

ACTION:
For information only.

7.10 AMO Breaking News:

- a) Community Infrastructure Investment Fund Launched in Ontario
- b) Policing Issues – Update to Members

ACTION:
For information only.

7.11 AMO Communication:

- a) AMO makes submission to the Ontario Distribution Sector Panel
- b) AMO Report to Members Highlights of the June 2012 Board Meeting

ACTION:
For information only.

7.12 Revised Report of the Secretary-Treasurer On Nominations to the 2012-2014 AMO Board of Directors:

ACTION:
For information only.

7.13 News Release – The Government of Canada Takes Action to Improve Community Facilities Across the County – MP Lobb Celebrates the Launch of the Community Infrastructure Improvement Fund in Ontario:

ACTION:

For information only.

7.14 News Release – Health Canada Announces Wind Turbines Noise and Health Study:

ACTION:

For information only.

7.15 Ontario Property and Environmental Rights Alliance:

ACTION:

For information only.

7.16 Correspondence from Minister of Municipal Affairs and Housing, the Honourable Kathleen Wynne – re: Important Changes to the *Strong Action for Ontario Act (Budget Measures), 2012:*

ACTION:

For information only.

7.17 SWEA Assembly delegates launch Intelligent Region initiative:

ACTION:

For information only.

7.18 Great Lakes and St. Lawrence Cities Initiative:

- a) Ontario Funding for Great Lakes Community Projects
- b) 9th Annual Cities Initiative Conference highlights Sustainable Municipal Waste Management
- c) Mayors make 'Declaration on Water Sustainability' to protect Great Lakes and St. Lawrence
- d) Supplemental Brief re: Shale Gas Resolution

ACTION:
For information only.

7.19 The Municipality of Lambton Shores – Electromagnetic Radiation (EMR), requesting support to their Resolution:

ACTION:
For information only.

7.20 The Town of Tillsonburg – Business Tax Capping Reform:

ACTION:
For information only.

7.21 The County of Norfolk – Policing costs and services levels and delivery methods:

ACTION:
For information only.

7.22 The Municipality of Grey Highlands – Municipal road allowances as it applies to the Green Energy Act:

ACTION:
For information only.

7.23 The South West CCAC's 2011-2012 Annual Report to the Community *Our Community Speaks*:

ACTION:
For information only.

7.24 AMEMSO Name Change:

ACTION:
For information only.

7.25 Notice of Draft Site Plan for a Renewable Energy Project:

ACTION:
For information only.

7.26 Landowner Information Package – Proposed Wireless Telecommunication Antenna Installation – 37408 Huron Road, R.R. #2, Clinton, Bell Mobility Site: W3847:

ACTION:
For information only.

7.27 Correspondence from AMEC Environment & Infrastructure – Notice of Step Down, Detail Design and Class Environmental Assessment Study Rehabilitation of Highway 21 and Bayfield to Goderich, G.W.P. 843-93-00:

ACTION:
For information only.

7.28 Drinking Water Source Protection Profile Bulletin – July 2012:

ACTION:
For information only.

7.29 OMERS Update: July 9, 2012 – OMERS SC Board Decision on 2012 Specified Plan Change Proposals:

ACTION:
For information only.

7.30 Local Authority Services Ltd. (LAS) introduces LAS Energy Workshop Sessions:

ACTION:
For information only.

7.31 Accounts and Financial Statement:

Accounts up to and including June 29th, were reviewed.

Highways	\$197,912.55
Fleet	\$44,979.94
Planning	\$91,879.54

Accounts up to and including July 26th, were reviewed.

Highways	\$1,618,307.53
Fleet	\$58,246.17
Planning	\$113,147.84

Financial statements for the period ending June 30th, 2012; were reviewed.

	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	23,908	175,000	7,726,975	6,868,144	7,703,067	6,693,144
Fleet	897,823	1,152,992	752,862	988,861	(144,961)	(164,131)
Planning	349,810	437,415	1,544,015	1,754,641	1,194,205	1,317,226

ACTION:

The accounts up to and including July 26th, 2012 and the financial statements as of June 30th, 2012; be received.

Consent Agenda:

RESOLUTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor A. Versteeg:
 The Council of the County of Huron; approve Items 7.1 through 7.31 with the actions as noted.

CARRIED

8. Public Works Department:

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

8.1 Request to Acquire Portion of Road Allowance for Gas Bar:

RESOLUTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor P. Klopp:

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the County of Huron declare the portion of County Road 84 road allowance (approximately 5m wide adjacent to properties 27, 29 and 31 Main Street, Zurich) surplus, for the purpose of transferring three parcels to the adjacent landowners; be approved.

AND FURTHER THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the requirement of an appraisal of the fair market value of the land for the three parcels to the adjacent landowners; be waived; be approved.

AND FURTHER THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that all costs associated with the sale of the three parcels to the adjacent landowners, including land survey, legal and registration fees along with a nominal transfer fee of \$1,000 for the land to be borne by the purchasers of the land adjacent to the non-County owned property, including any other County-related costs; be approved.

AND FURTHER THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the purchasers investigate any utilities that may be present on the property proposed for transfer and satisfy those utilities as necessary at the expense of the purchasers and to the satisfaction of the County of Huron; be approved.

AND FURTHER THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that following the advertising period, it is recommended that a By-law be prepared by the County Clerk to stop up and close this portion of road allowance and convey the three (3) Parts to the adjacent landowners; be approved.

CARRIED

9. Planning and Development:

9.1 Consent Applications:

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.

9.1 a) B20/2012-James Daryl Keys (owner), Douglas A. Culbert, O.L.S. (applicant), Lot 15, Conc. 4, Osborne Ward, Municipality of South Huron:

The purpose and effect of this application is to create a new residential lot in the agricultural designation under surplus severance policies. The land to be severed is approximately 3.83 ac (1.56 ha) with a house, 3 sheds, barn and silo. The vacant land to be retained is approximately 47 ac (19 ha). This application does not qualify as a surplus dwelling severance because the owner

of this subject parcel does not own another farm containing a dwelling. As such this severance does not comply with the Provincial Policy Statement, *Section 51(24) of the Planning Act*, the Huron County Official Plan and the South Huron Official Plan (s. 5.3.1.9). The severed dwelling does not comply with the MDS-Minimum Distance Separation Formula 1-Type A land use. There are three barns in proximity to the dwelling. The proposed severed lot complies with the MDS to the Bierling barn, but not to the Lynn barn, nor the Rasenberg barn. The Planning and Development Department is therefore recommending denial of this application. The Municipality of South Huron is recommending approval to provisional consent, subject to conditions.

Claire Dodds, Planner with the Planning and Development Department reviewed the application with the Committee.

Doug Culbert, representing the applicant James Daryl Keys commented on the application for the Committee.

James Daryl Keys, the applicant commented on the application for the Committee.

RESOLUTION:

Moved by: Councillor D. Shewfelt and Seconded by: Councillor J. Steffler:

THAT:

The Consent Application B20-2012 by James Daryl Keys (owner) requesting separation and conveyance of a parcel of land described as Lot 15, Conc. 4, Osborne Ward, Municipality of South Huron; be given provisional consent, with conditions.

CARRIED

9.2 Official Plans:

9.2 a) Central Huron Appeal to the County Official Plan (Five Yr. Review – OPA 3):

Craig Metzger, Senior Planner, Planning & Development Department was available to follow up with the discussions that are underway between representatives of Central Huron, Huron County and the Ministry of Municipal Affairs and Housing in an effort to resolve Central Huron's appeal, as outlined in the report.

9.3 Community Economic Development:

9.3 a) Municipal Boundary Adjustment between Central Huron and Goderich:

The Municipality of Central Huron and the Town of Goderich have reached an agreement related to development land and the provision of services affecting an area in Central Huron to the south of Goderich and west of Highway 21. As part of the agreement, the municipal boundary will be moved southerly to add land to the Town of Goderich.

A triple majority is required for the submission of boundary adjustment documents to the Ministry of Municipal Affairs and Housing for approval. In this case, a triple majority means approval from both participating municipalities and the County.

The Municipal Act requires a public meeting to be advertised and held prior to considering approval. A public meeting is proposed for the September 5, 2012 County Council meeting, after which Council may consider approving the boundary adjustment. Declaring the proposed public meeting and advertising it on the County's website will comply with the County's Notice By-law No. 8-2003.

This boundary adjustment was agreed to previously by the municipalities and the County (March 23, 2011) but the municipalities subsequently modified the agreement and are seeking County Council approval again.

RESOLUTION:

Moved by: Councillor N. Vincent and Seconded by: Councillor T. Hessel:

THAT:

The recommendation of Scott Tousaw, Director of Planning and Development to approve the boundary adjustment agreement between the Municipality of Central Huron and the Town of Goderich; be considered by By-law at the September 5, 2012 meeting of County Council following a public meeting to be held for this purpose on the same date; be approved;

AND FURTHER THAT:

It is hereby declared that the County of Huron will hold a public meeting on the proposed boundary adjustment agreement between the Municipality of Central Huron and the Town of Goderich on September 5, 2012 at 9:00 a.m. in the Council Chambers, Court House, Goderich, and that any person may attend the public meeting to address Council on the matter, and any person may provide

written comments to Council in advance of the meeting by submitting same to the Clerk, County of Huron, Court House, Goderich, Ontario, N7A 1M2 or by email to bwilson@huroncounty.ca

CARRIED

10. Administration, Policies & Other Issues:

10.1 Donation to the Thunder Bay Disaster Assistance Relief Fund:

RESOLUTION:

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

THAT:

The County of Huron; agree to donate \$5,000 to the City of Thunder Bay Assistance Relief Fund.

Councillor Dowson requested a Recorded Vote:

YEAS:

Rintoul, Vincent, Shewfelt, MacLellan, Ginn, Steffler, Gowing, Versteeg, Dietrich, Van Diepenbeek, Hessel, Robertson

NAYS:

Dowson, Klopp

ABSENT:

Grace, Jewitt

YEAS – 12; NAYS – 2; ABSENT - 2
CARRIED

10.2 County of Huron Appreciation and Recognition Day for Emergency Workers – Sunday September 9th, 2012:

A report has been prepared by Deputy Treasurer Nancy Rennick, for the information of the Committee.

"Closed to the Public Session":

RESOLUTION:

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

THAT:

The Committee do now go into a "Closed to the Public Session" at 11:37 a.m. under Section 239 of the Municipal Act, 2001 as amended to discuss an item that relates to:

- Personal matters about an identifiable individual, including municipal or local Board employees;
- A proposed or pending acquisition or disposition of land by the municipality or local Board;

AND FURTHER THAT:

Acting CAO Heather Adams, Senior Economic Development Officer Mike Pullen, The Municipality of South Huron CAO Roy Hardy and Clerk Barb Wilson, remain in attendance for the proposed or pending acquisition or disposition of land and Acting CAO Heather Adams remain in attendance for the personal matters about an identifiable individual.

CARRIED

RESOLUTION:

Moved by: Councillor T. Hessel and Seconded by: Councillor J. Ginn:

THAT:

The Committee rise from the "Closed to the Public Session" at 12:44 p.m.

CARRIED

Next Meeting:

The next meeting of Committee of the Whole Day 1 will be in Goderich on Wednesday September 12th, 2012 at 9:00 a.m.

Adjournment:

MOTION:

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

THAT:

The meeting adjourn at 12:45 p.m.

CARRIED

Vice Chair P. Gowing