



Day One:
Committee of the Whole
Highways, Facilities, Planning & Corporate
Minutes - August 6, 2014

GODERICH, ONTARIO



**COMMITTEE OF THE WHOLE
DAY 1 – MEETING MINUTES**

Goderich, Ontario
August 6, 2014

The Committee of the Whole Day 1 met in the Court House Council Chambers in Goderich on the 6th day of August 2014.

1. Call to Order:

All members of Council were present. Chair Klopp called the meeting to order at 9:00 a.m.

2. Declaration of Pecuniary Interest:

Councillors Ginn and Van Diepenbeek declared pecuniary interest with regards to agenda item 8.3 as they have a wind energy lease.

Warden Steffler congratulated Councillor Grace on being appointed as Chair of the South West Economic Alliance.

3. Approval of the Agenda:

MOTION:

Moved By: Councillor Gowing and Seconded By: Councillor Robertson

THAT:

The Committee of the Whole Day 1 Agenda for August 6, 2014 be accepted and all reports included in the Agenda be received as presented.

CARRIED

4. Delegations:

4.1 Regional Equine & Agricultural Centre of Huron Inc. (REACH Huron)

Larry Langan, President of REACH Huron, Alex Westerhout, Vice President of REACH Huron, Brian Barnim, Councillor Central Huron and Peggy Van Mierlo-West, CAO Central Huron were in attendance.

MOTION:

Moved by: Councillor MacLellan and Seconded by: Councillor Ginn

THAT:

County Council do now go into a "Closed to the Public Session" at 9:39 a.m. under Section 239 of the Municipal Act, 2001 as amended; to discuss an item that relates to:

- A matter in respect of which a Council, Board or Committee or other body may hold a closed meeting under another Act – Contract negotiation between REACH and a potential educational partner;

AND FURTHER THAT:

CAO Brenda Orchard, Clerk Susan Cronin, Acting Treasurer Michael Blumhagen and REACH delegates Larry Langan, Alex Westerhout and Peggy Van Mierlo-West remain in attendance.

DEFEATED

Moved By: Councillor Shewfelt and Seconded By: Councillor MacLellan

THAT:

The Committee of the Whole Day 1 adhere to the grant policy and direct staff to prepare a report for presentation to Council with regards to the request for \$300,000 over five years, in financial support by the Regional Equine & Agricultural Centre of Huron Inc.

CARRIED

5. Councillor's Issues:

Warden Steffler informed members that there is another meeting August 14, 2014 with regards to the SWIFT project where he will continue to state Huron County's support for the local providers. He will report back to Council.

Councillor Vincent thanked the Huron County Roads department for a job well done in North Huron.

Councillor Grace informed members that an update from the Economic Development Committee will be given on September 17, 2014.

Councillor Ginn informed members that he has been asked to present "The Healthy Rural Lens" project to the AMO Board. Further details will be forwarded to members of Council. He also stated that funding from the federal government will be released soon and Huron County should be lobbying for financial assistance now.

Moved By: Councillor Ginn and Seconded By: Councillor Vincent

THAT:

The Committee of the Whole Day 1 direct staff to arrange a meeting with Ben Lobb, MP Huron-Bruce to lobby for financial support.

CARRIED

6. Report of the Agricultural & Rural Economic Development Advisor OMAF/MRA:

Daryl Ball, Agricultural & Rural Economic Development Advisor, Ontario Ministry of Agriculture and Food was not in attendance.

7. Consent Agenda – Items 7.1 through 7.14:

Planning and Development

7.1 Delegated Consents under the Planning Act: (prepared by Senga Smith)

The authority to grant undisputed consents is delegated to the Manager of Planning under By-law No. 54-2014. 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:

THAT:

The recommendation of Senga Smith, Land Division Secretary, that no objections be lodged to the Delegated Consents submitted with the Report of July 21, 2014, be approved.

Huron County Committee of the Whole – Day 1 Minutes
August 6, 2014

7.2 Zoning By-laws: (prepared by Scott Tousaw)

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 were listed in the report.

ACTION:

THAT:

The recommendation of Scott Tousaw, Director that no objections be lodged to the Zoning By-laws.

7.3 Forest Conservation: (prepared by Dave Pullen)

The Notices of Intent under the Forest Conservation By-law were listed in the report.

ACTION: Receive for information.

7.4 Town of Penetanguishene resolution re: Call for a Formation of Small and Rural School Alliance

ACTION: Receive for information.

7.5 Ausable Bayfield Maitland Valley Source Protection Region Municipal Update, June 2014

ACTION: Receive for information.

7.6 Ausable Bayfield Conservation Authority:

- July 2014 Newsletter - Main Bayfield Watershed Plan
- Board of Directors Meeting Minutes for June 19, 2014
- Board of Directors Meeting Agenda for July 17, 2014
- General Manager's Report for July 17, 2014

ACTION: Receive for information.

Item 7.7 removed for discussion.

7.8 Correspondence from Anne Melady re: Goderich to Guelph trail (G2G)

ACTION: Receive for information.

7.9 Huron County Road Supervisors Association re: 2015 Association of Ontario Road Supervisors Municipal Trade Show

ACTION: Receive for information.

7.10 Drinking Water Source Protection Committee minutes for May 30, 2014

ACTION: Receive for information.

7.11 Consent File B4-2014, Township of Howick, Appeal to the Ontario Municipal Board (prepared by Sandra Weber)

Huron County Committee of the Whole – Day 1 Minutes
August 6, 2014

Cuesta Planning Consultants, as agent for the applicant BJ&S Enterprises and J&K Agro Services, has appealed the May 14th, 2014 decision of the Committee of the Whole to deny Consent File B4-2014, Township of Howick. The application was for a surplus residence severance. The appeal and required documentation has been forwarded to the Ontario Municipal Board.

ACTION: Receive for information.

7.12 Huron Economic Development Partnership (HEDP) (prepared by Scott Tousaw)

The minutes of the HEDP Management Meeting of June 13, 2014 are provided.

ACTION: Receive for information.

7.13 Tendered Harvesting – Moreland Tract, County Forest (prepared by Dave Pullen)

Three tenders were received for the harvesting of a 14 acre portion of the Moreland Tract. The main objectives of this harvest are to improve the growth rate and quality of this portion of the woodland and to harvest ash trees that are at risk of further decline from Emerald Ash Borer. The marking of trees was completed by county staff in accordance with the Forest Management Prescription prepared by GWG Resource Services Ltd. It is recommended that the tender submitted by Tri County Timber in the amount of \$32,080 for the harvesting of marked trees in a 14 acre portion of the Moreland Tract be accepted.

MOTION:

THAT:

The recommendation of Dave Pullen, Forest Conservation Officer, that the tender submitted by Tri County Timber in the amount of \$32,080 for the harvesting of marked trees in a 14 acre portion of the Moreland Tract be accepted, be approved.

7.14 Accounts and Financial Statements:

Accounts up to and including July 22, 2014 were reviewed.

DEPARTMENT PROGRAM	ACCOUNT
Highways	1,954,020.85
Fleet	118,671.49
Planning	188,579.31

Financial statements for the period ending June 30, 2014 were reviewed.

DEPARTMENT PROGRAM	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	66,313	1,047,078	7,773,547	6,712,119	7,707,234	5,665,041
Fleet	1,130,169	1,193,850	1,189,361	1,109,010	59,192	(84,840)
Planning	253,745	453,420	1,703,472	1,963,450	1,449,727	1,510,030

ACTION:

THAT:

The accounts up to and including July 22, 2014 and the financial statements as of June 30, 2014 be received.

Consent Agenda

MOTION:

Moved By: Councillor Versteeg and Seconded By: Councillor Gowing

THAT:

Items 7.1 through 7.6 and 7.8 through 7.14 be approved with the actions as noted.

CARRIED

7.7 Regional Municipality of Halton resolution re: Protection of Public Participation Act, 2014 (Bill 83)

ACTION: Receive for information.

COA Orchard is to provide clarification on this item at the next meeting.

Council recessed at 10:02 a.m. and resumed at 10:17 a.m.

8. Planning and Development:

The authority to grant or refuse to grant consents is delegated to the Committee of the Whole under By-law 54-2014. Decisions become effective upon a carried motion of the Committee of the Whole. County Council is notified for information and appeal purposes only.

a) B5/2014 - Johanna Geene (owner), Johanna & Gerardus Geene (applicants), Pt Lot 39, Front Concession, NTP, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh (presented by Monica Walker-Bolton)

At the May 14, 2014 Committee of the Whole meeting, staff was directed to prepare a report with conditions that should be attached if the Committee decides to approve the consent application. A list of conditions is included in an updated report. The Department continues to recommend denial of the application.

When combined with consent application B6/14 the effect of the subject consent application is to create a new lot. The application has been amended to also include the creation of rights of way. Three lots will be created from two existing lots. A residence is proposed to be constructed on the southernmost lot.

The lands which are the subject of B5/14 are located on Lot 39 Front Concession and are 105.3 acres (42.6 ha) in area. The subject property is comprised of approximately 49.4 acres (20 ha) of cropland and approximately 54.4 acres (22 ha) of natural environment and includes a house and drive shed. The cropland on the subject property is divided into three separate fields by the Eighteen Mile River.

The result of B5/14 will be to reconfigure the property to include the southern retained parcel from consent application B6/14. The severed parcel, which contains the residence, will merge with the severed parcel from consent application B6/14 to create a new lot. The applicants propose to construct a new residence on the retained parcel.

Huron County Committee of the Whole – Day 1 Minutes
August 6, 2014

The Planning and Development recommends that the application be denied because the proposed application poses planning issues related to negative impacts on agricultural resources. The proposed irregular lot lines divide agricultural fields, and require a complicated set of rights of way for access to the fields, creating potential for future land use conflicts. The application does not meet the requirements of the Planning Act, the Provincial Policy Statement, the Huron County Official Plan or the Ashfield-Colborne-Wawanosh Official Plan. Ashfield-Colborne-Wawanosh Council supports the recommendation of the Planner to deny this application for consent.

b) B6/2014-Johanna Geene & Gerardus Geene (owners), Gerardus Geene (applicant), Pt Lots 40 & 41, Front Concession, NTP, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh
(presented by Monica Walker-Bolton)

At the May 14, 2014 Committee of the Whole meeting, staff was directed to prepare a report with conditions that should be attached if the Committee decides to approve the consent application. A list of conditions is included in an updated report. The Department continues to recommend denial of the application.

When combined with consent application B5/14 the effect of the subject consent application is to create a new lot. The application has been amended to also include the creation of rights of way. Three lots will be created from two existing lots. A residence is proposed to be constructed on the southernmost lot.

The lands subject to application B6/14 are located on Lot 40 and Lot 41 Front Concession and are 224.4 acres (90.8 ha) in area. The lands are comprised of approximately 153.2 acres (62 ha) of cropland, approximately 69.2 acres (28 ha) of natural environment and include a house and two large livestock barns. The cropland is divided into two separate fields by the Eighteen Mile River.

The result of B6/14 will be to reduce the area of the subject property to 116.4 acres (47.1 ha), with 79.1 acres (32 ha) of workable land. The severed parcel and the southern retained parcel will be used to create an additional lot and enlarge another lot to the south.

The Planning and Development recommends that the application be denied because the proposed application poses planning issues related to negative impacts on agricultural resources. Consent Applications B5/14 and B6/14 introduce new constraints to the future flexibility of the farming operations by dividing the workable acreage into separate ownership. The proposed irregular lot lines divide agricultural fields, and require a complicated set of rights of way for access to the fields, creating potential for future land use conflicts. The application does not meet the requirements of the Planning Act, the Provincial Policy Statement, the Huron County Official Plan or the Ashfield-Colborne-Wawanosh Official Plan. Ashfield-Colborne-Wawanosh Council supports the recommendation of the Planner to deny this application for consent.

Chair Klopp allowed Douglas Pratt, solicitor for the applicant, to speak on behalf of the application.

MOTION:

Moved By: Councillor Versteeg and Seconded By: Councillor Jewitt
THAT:

The recommendation of Monica Walker-Bolton, Planner, Planning and Development Department, that Consent Application B5/14 by Johanna and Gerardus Geene requesting separation and conveyance of a parcel of land described as Part of Lot 39 Front Concession, NTP, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh and Consent Application B6/14 by Johanna & Gerardus Geene requesting separation and conveyance of a parcel of land described as Part of Lot 40 and Lot 41 Front Concession, NTP, Ashfield Ward, Township of Ashfield-Colborne-Wawanosh be denied, as the applications do not meet the criteria for approval under Section 51(24) of the Planning Act, RSO, as amended, the Provincial Policy Statement, the Huron County Official Plan, and the Ashfield-Colborne-Wawanosh Official Plan, be approved.

CARRIED

8.2 Plan of Subdivision File 40T13002, (Owner), 2116873 Ontario Limited c/o Lee Piccoli, President (Fusion Homes-Goderich South Community), (Agent) Dan Leeming, The Planning Partnership, Part of Lots 1, 2, 6, 7, 22, 23, 24, 25, 26 and Part of Old Railway, Registered Plan No. 538, Part of Lot 3, Concession 1, formerly Geographic Township of Goderich, now in the Town of Goderich, County of Huron (presented by Victor Kloeze)

The purpose of this application is a draft plan of subdivision under Section 51 of the Planning Act. A residential subdivision is proposed within the settlement area of Goderich (south side) on a 39.91 hectare parcel (98.62 acres). A range of 193 to 290 residential units are proposed on 16 hectares, which is a density range of 12.8 to 18.1 units per hectare. An additional 3.72 hectares is allocated for Highway Commercial uses. These lands were part of the boundary adjustment between the Town of Goderich and Central Huron, and the Central Huron planning documents continue to apply. The subject land is currently designated Residential, Highway Commercial, and Natural Environment-Limited Protection in the Central Huron Official Plan and zoned D (Development), C3-10 (Highway Commercial-Special) and NE2 (Natural Environment-Limited Protection) in the Central Huron Zoning By-law. It is recommended that subdivision 40T 13002 be granted draft plan approval subject to the attached conditions and that the notice of decision be circulated.

MOTION:

Moved By: Councillor Shewfelt and Seconded By: Councillor Grace

THAT:

The recommendation of Victor Kloeze, Planner, Planning and Development Department, that Draft Plan of Subdivision 40T13002 by 2116873 Ontario Limited. on the parcel of land described as Part of Lots 1, 2, 6, 7, 22, 23, 24, 25, 26 and Part of Old Railway, Registered Plan No. 538, Part of Lot 3, Concession 1, formerly Geographic Township of Goderich, now in the Town of Goderich, County of Huron be granted draft plan approval subject to the attached conditions, be approved;

AND FURTHER THAT:

The notice of draft plan approval be circulated.

CARRIED

8.3 Central Huron Appeal to the County Official Plan (Five Year Review – OPA 3) (presented by S. Weber)

The parties to this appeal (Central Huron, Huron County and Ministry of Municipal Affairs and Housing) have reached agreement on revised wording for the County Official Plan on the two sections under appeal. The Minutes of Settlement provide the proposed wording to resolve the appeal.

MOTION:

Moved By: Councillor MacLellan and Seconded By: Councillor Gowing

THAT:

The recommendation of Scott Tousaw, Director of Planning and Development to approve the Minutes of Settlement between the Municipality of Central Huron, the County of Huron and the Ministry of Municipal Affairs and Housing, be approved.

CARRIED

9. Public Works Department:

9.1 RFQ 13-310 – Milling and Hot Mix Patching/Paving (presented by Mike Alcock)

MOTION:

Moved By: Councillor MacLellan and Seconded By: Councillor Versteeg

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that Contract RFQ 14-310 Milling and Hot Mix Patching / Paving be awarded to Armstrong Paving and Materials Group Ltd. for the tendered price of \$136,871.40 (including HST) based on estimated quantities, be approved;

AND FURTHER THAT:

A By-law be prepared authorizing the County Clerk and Warden to execute the related contract.

CARRIED

10. Administration, Policies and Other Issues:

10.1 Report on the Transition of County Employees to the Board of Health (presented by Brenda Orchard)

MOTION:

Moved By: Councillor Robertson and Seconded By: Councillor Grace

THAT:

The recommendation of Brenda Orchard, CAO, that Council receive the report entitled "Report on the Transition of County Employees to the Board of Health" for information, be approved.

CARRIED

10.2 2014-2015 Draft Calendar (presented by Susan Cronin)

Due to the Municipal Election, the dates for the December 2014 meetings were revised as follows:

Inaugural - Wednesday December 10, 2014 at 1:00 p.m.
Board of Health - Thursday December 11, 2014
COTW Day 1 - Monday December 15, 2014
COTW Day 2 - Wednesday December 17, 2014
Library Board - Thursday December 18, 2014

Huron County Committee of the Whole – Day 1 Minutes
August 6, 2014

On December 10, 2014 a Warden will be elected for a 2 year term (Huron County By-law 2012-48). As a result, the Inaugural Session of Council on December 2, 2015 will commence at 9:00 a.m. as a regular Council meeting. November 2015 meetings will be: Regular Council-November 4, 2015, Committee of the Whole Day 1-November 12, 2015, Committee of the Whole Day 2- November 18, 2015.

MOTION:

Moved By: Councillor Hessel and Seconded By: Councillor Gowing

THAT:

The Council of Huron County approve the 2014-2015 Calendar as amended.

CARRIED

10.3 Service Delivery Review of the Homes Department (presented by Scott Currie)

MOTION:

Moved By: Councillor Van Diepenbeek and Seconded By: Warden Steffler

THAT:

The recommendation of Scott Currie, Communications / Grants Coordinator, that Committee of the Whole receive the report entitled "Service Delivery Review of the Homes Department, for information, be approved.

CARRIED

11. Closed to the Public Session: none

12. Next Meeting:

The next meeting of Committee of the Whole Day 1 will be in Goderich on Wednesday, September 10, 2014 at 9:00 a.m.

13. Adjournment:

MOTION:

Moved By: Councillor Hessel and Seconded By: Councillor Dietrich

THAT:

The meeting adjourn at at 11:20 a.m.

CARRIED

Chair Councillor Klopp

County Clerk Susan Cronin