



# Day One: Committee of the Whole

Highways, Facilities, Planning & Corporate

Minutes - May 14, 2014

GODERICH, ONTARIO



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

Goderich, Ontario  
May 14, 2014

The Committee of the Whole Day 1 met in the Court House Council Chambers in Goderich on the 14<sup>th</sup> day of May 2014.

### **1. Call to Order:**

All members of Council were present except Councillor Grace. Councillor MacLellan arrived at 9:02 a.m. Councillor Jewitt departed at 12:12 p.m. Chair Klopp called the meeting to order at 9:00 a.m.

### **2. Declaration of Pecuniary Interest:**

There were no declarations of pecuniary interest stated.

### **3. Approval of the Agenda:**

MOTION:

Moved By: Councillor Robertson and Seconded By: Councillor Gowing

THAT:

The Committee of the Whole Day 1 Agenda for May 14, 2014 be accepted and all reports included in the Agenda be received as presented.

CARRIED

### **4. Delegations:**

#### 4.1 Ag-Ambitions Program

Meriel Cromarty, Ag-Ambitions Program Coordinator, was in attendance to provide information and an update to members on the first year results of the Ag-Ambitions training program.

### **5. Councillor's Issues:**

Councillor Hessel requested the Planning and Development Department contact him as to an inquiry for a vineyard in Huron County.

Councillor MacLellan requested that the County move forward with the interest shown regarding the Four County Market Study.

MOTION:

Moved By: Councillor MacLellan and Seconded By: Councillor Hessel

THAT:

Staff be directed to prepare a report for the May Committee of the Whole Day 2 meeting regarding the formation of an Economic Development Steering Committee.

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 in attendance. He updated Council on Rural Economic Development grants received in Huron County as well as individuals that have been nominated for the Premier Award.

**7. Consent Agenda – Items 7.1 through 7.8:**

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 Director of Planning and Development under By-law No. 5-2009 (By-law No. 54-2014 effective May 7, 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 further to the Delegated Consents submitted with the Report of April 30, 2014, be approved.

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 are 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 Huron Economic Development Partnership (HEDP) Meeting (prepared by Scott Tousaw)

The minutes of the HEDP Management Meeting of March 24, 2014 are provided.

ACTION: Receive for information.

7.5 Reviewed after 7.8

7.6 Ministry of Citizenship and Immigration re: Ontario Medal for Good Citizenship

ACTION: Receive for information.

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7.7 City of Stratford Civic Night Invitation

ACTION: Receive for information.

7.8 Accounts and Financial Statements:

Accounts up to and including April 24, 2014 were reviewed.

DEPARTMENT PROGRAM	ACCOUNT
Highways	260,860.57
Fleet	114,591.93
Planning	116,545.35

Financial statements for the period ending March 31, 2014 were reviewed.

DEPARTMENT PROGRAM	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	26,529	523,539	4,602,369	3,352,296	4,575,840	2,828,757
Fleet	820,695	596,925	640,997	554,505	(179,698)	(42,420)
Planning	127,607	226,710	710,282	964,479	582,675	737,769

ACTION:

THAT:

The accounts up to and including April 24, 2014 and the financial statements as of March 31, 2014 be received.

Consent Agenda

MOTION:

Moved By: Councillor Versteeg and Seconded By: Councillor Dowson

THAT:

Items 7.1, 7.2, 7.3, 7.4, 7.6, 7.7 and 7.8 be approved with the actions as noted.

CARRIED

**7.5 Clinton Shane Ekdahl, Founder of "Day of the Honey Bee" re: Honey Bee Decline in Canada**

MOTION:

Moved By: Councillor Shewfelt and Seconded By: Councillor Ginn

The Committee of the Whole Day 1 support correspondence from Clinton **Shane Ekdahl, Founder of "Day of the Honey Bee" re: Honey Bee Decline in Canada.**

A Motion to table was introduced prior to a vote on the Motion:

MOTION:

Moved By: Councillor Shewfelt and Seconded By: Councillor Dietrich

THAT:

The Committee of the Whole Day 1 support correspondence from Clinton **Shane Ekdahl, Founder of "Day of the Honey Bee" re: Honey Bee Decline in Canada,** be tabled pending a report from staff.

CARRIED

## **8. Planning and Development:**

### 8.1 Planning and Development Consents under the Planning Act

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) B4/2014- BJ & S Enterprises Inc. & J & K Agro Services (owners), Cuesta Planning Consultants Inc. (applicant), Lot 29, Concession 16, Howick, Township** (presented by Sally McMullen)

The purpose and effect of this application is for the creation of a new lot under the surplus residence consent policies. The land to be severed is approximately 1.6 acres (0.65 ha) and contains a residence, shed, barn, silo, and grain storage. The vacant retained farmlands are approximately 100.8 acres (40.8 ha). It is recommended by the Planning & Development Department that this application be denied because it does not meet all of the criteria in the Howick Official Plan for surplus residences related to a previous separation and Minimum Distance Separation (MDS). The Township of Howick supports the recommendation of the Planner to deny this application for consent. Nolan Moss, Planner from Cuesta Planning Consultants spoke in favour of the application.

MOTION:

Moved By: Councillor Gowing and Seconded By: Councillor Vincent

THAT:

The recommendation of Sally McMullen, Planner, Planning and Development Department, that Consent Application B4/2014 by Cuesta Planning Consultants Inc, requesting separation and conveyance of a parcel of land described as Lot 29, Concession 16, Howick Township be denied, as the application does not meet the criteria for approval under the Howick Township Official Plan, or Section 51(24) of the Planning Act, RSO, 1990, as amended, be approved.

CARRIED

**b) 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)

When combined with consent application B6/14 the effect of the subject consent application is to create a new lot. 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.

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 landlock portions of 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.

Douglas Pratt, agent spoke on behalf of the application. John Vander Burtg also spoke in favour of the application.

MOTION:

Moved By: Councillor Dowson and Seconded By: Councillor Shewfelt

THAT:

The 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 be approved as per the application with conditions specified by the Huron County Planning Department.

A Motion to table was introduced prior to a vote on the Motion:

MOTION:

Moved By: Councillor MacLellan and Seconded By: Councillor Robertson

THAT:

The 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 be approved as per the application with conditions specified by the Huron County Planning Department, be tabled pending a report from the Planning Department listing the conditions.

CARRIED

**c) 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)

When combined with consent application B5/14 the effect of the subject consent application is to create a new lot. 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 landlock portions of fields and pose 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.

MOTION:

Moved By: Councillor Vincent and Seconded By: Councillor MacLellan

THAT:

The Consent Application B6/14 by Johanna and 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 approved as per the application with conditions specified by the Huron County Planning Department, be tabled pending a report from the Planning Department listing the conditions.

CARRIED

Council recessed at 10:56 a.m. and resumed at 11:06 a.m.

## **8.2 Memorandum of Understanding (MOU) with Maitland Valley Conservation Authority** (presented by Scott Tousaw)

In 1999, an agreement was signed with the Conservation Authorities outlining their commenting responsibilities for applications under the Planning Act. The Maitland Valley Conservation Authority (MVCA) recently initiated an updated agreement to confirm that it will continue to provide comments on natural hazards and CA programs, but it will no longer comment on natural heritage matters. Natural heritage comments will now be obtained in-house (Planning and Development Department) for planning applications within MVCA's watershed.

MOTION:

Moved By: Councillor Versteeg and Seconded By: Councillor Vincent

THAT:

The recommendation of Scott Tousaw, Director, to amend the June 15, 1999 agreement with various Conservation Authorities to repeal that portion of the agreement dealing with the Maitland Valley Conservation Authority (MVCA) only, and to adopt a new Memorandum of Understanding with the MVCA, be approved;

AND FURTHER THAT:

A by-law be passed authorizing the Warden and Clerk to sign the Memorandum of Understanding with the MVCA.

CARRIED

### **8.3 Youth Entrepreneurship Program (YEP) Extended Agreement**

(presented by Scott Tousaw)

Under the Sustainable Huron Plan, funding to develop and deliver the Ag Ambitions program was approved in 2013. The YEP has approved \$32,000 funding to offer Ag Ambitions for a second year. Matching funding will be provided by partners, program participants, and the County (within budget). This project acts on one of the Sustainable Huron priority projects: **“engage youth in entrepreneurship, starting with agriculture.”**

MOTION:

Moved By: Councillor Shewfelt and Seconded By: Councillor Van Diepenbeek

THAT:

The recommendation of Rebecca Rathwell, Project Manager, that a bylaw be prepared authorizing the Warden to sign an agreement with the Ontario Ministry of Economic Development, Trade and Employment (MEDTE) to enhance and promote agricultural opportunities through a series of workshops for youth under 30 and to accept funding in the amount of \$32,000 to undertake this work, be approved.

CARRIED

### **8.4 Small Business Enterprise Centre - Update** (presented by Alison Lobb and Carol Leeming)

The annual update of the Small Business Enterprise Centre and the Self-Employment Benefit program is contained in the report.

MOTION:

Moved By: Councillor Dowson and Seconded By: Councillor Dietrich

THAT:

The report presented by Alison Lobb, Business Consultant and Carol Leeming, **HMA/SEB Coordinator entitled “Small Business Enterprise Centre – Update**, be received as presented, for information.

CARRIED

### **8.5 Lease of County-owned Agricultural Land** (presented by Barbara Hall and Dave Pullen)

The County-owned agricultural land to the east of the Health and Library Complex / Jacob Memorial Building is proposed to be leased to the Huron Soil and Crop Improvement Association.

MOTION:

Moved By: Warden Steffler and Seconded By: Councillor Dowson

THAT:

The recommendation of Barbara Hall, Housing and Property Manager and Dave Pullen, Forest Conservation Officer, that the County-owned agricultural land to the east of the Health and Library Complex / Jacob Memorial Building be leased to the Huron County Soil and Crop Improvement Association at a preferential lease rate of \$1.00 for the purpose of demonstrating agronomic best management practices in soil conservation and water quality, in



partnership with such organizations as the Huron Stewardship Council and the Ausable Bayfield Conservation Authority, be approved.

A Motion to table was introduced prior to a vote on the Motion:

MOTION:

Moved By: Councillor MacLellan and Seconded By: Councillor Gowing

THAT:

The recommendation of Barbara Hall, Housing and Property Manager and Dave Pullen, Forest Conservation Officer, that the County-owned agricultural land to the east of the Health and Library Complex / Jacob Memorial Building be leased to the Huron County Soil and Crop Improvement Association at a preferential lease rate of \$1.00 for the purpose of demonstrating agronomic best management practices in soil conservation and water quality, in partnership with such organizations as the Huron Stewardship Council and the Ausable Bayfield Conservation Authority, be tabled pending a report outlining the terms of the lease agreement and plan.

CARRIED

## **9. Public Works Department:**

### **9.1 Contract HC 14-701 – 3 Year Management 2014-2016** (presented by Mike Alcock)

MOTION:

Moved By: Councillor Versteeg and Seconded By: Councillor Vincent

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that Contract HC 11-701, 3 year Vegetation Management 2014 – 2016 be awarded to Green Stream Lawn and Vegetation Management Inc. for the annual tendered price of \$70,237.38 (including HST) based on estimated quantities, be approved;

AND FURTHER THAT:

A By-law be prepared and the County Clerk and Warden be authorized to execute the related Contract.

CARRIED

### **9.2 Contracts HC 14-201, 202, 203, 204, 205, 207, 209, 210, 211, 212 – Granular 'M' shoulder gravel for Maintenance and Construction Jobs** (presented by Mike Alcock)

MOTION:

Moved By: Councillor Van Diepenbeek and Seconded By: Councillor Robertson

THAT:

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

- **Contract 14-201 Supply Granular 'M' Shoulder Gravel be awarded to Joe Kerr Ltd.** for the tendered price of \$21,470.00 (including HST) based on estimated quantities;
- **Contract 14-202 Supply Granular 'M' Shoulder Gravel be awarded to Johnston Bros. (Bothwell) Ltd.** for the tendered price of \$15,024.96 (including HST) based on estimated quantities;

- Contract 14-203 Supply Granular 'M' Shoulder Gravel be awarded to Johnston Bros. (Bothwell) Ltd. for the tendered price of \$21,522.24 (including HST) based on estimated quantities;
- Contract 14-204 Supply Granular 'M' Shoulder Gravel be awarded to Jennison Construction Ltd. for the tendered price of \$29,160.00 (including HST) based on estimated quantities;
- Contract 14-205 Supply Granular 'M' Shoulder Gravel be awarded to Lavis Contracting Ltd. for the tendered price of \$23,532.25 (including HST) based on estimated quantities;
- Contract 14-207 Supply Granular 'M' Shoulder Gravel be awarded to Joe Kerr Ltd. for the tendered price of \$13,770.00 (including HST) based on estimated quantities;
- Contract 14-209 Supply Granular 'M' Shoulder Gravel be awarded to Johnston Bros. (Bothwell) Ltd. for the tendered price of \$11,664.00 (including HST) based on estimated quantities;
- Contract 14-210 Supply Granular 'M' Shoulder Gravel be awarded to Lavis Contracting Ltd. for the tendered price of \$21,205.80 (including HST) based on estimated quantities;
- Contract 14-211 Supply Granular 'M' Shoulder Gravel be awarded to Lavis Contracting Ltd. for the tendered price of \$54,621.00 (including HST) based on estimated quantities;
- Contract 14-212 Supply Granular 'M' Shoulder Gravel be awarded to Jennison Construction Ltd. for the tendered price of \$43,392.00 (including HST) based on estimated quantities. This is a boundary between Huron and Middlesex Counties. Middlesex will be responsible for 50% of the total cost;

be approved;

AND FURTHER THAT:

A By-law be prepared and the County Clerk and Warden be authorized to execute the related Contract.

CARRIED

### **9.3 County Road 12 (Turnberry Street) Reconstruction, Brussels** (presented by Mike Alcock)

MOTION:

Moved By: Councillor Rintoul and Seconded By: Warden Steffler

THAT:

The recommendation of Mike Alcock, Civil Engineering Technologist, that the County of Huron accept the low tender submitted by Lavis Contracting Co. Inc., for the completion of the Brussels Reconstruction Project, at the tendered price of \$3,447,365.54 (excluding HST), based on estimated quantities, subject to joint approval from The Municipality of Huron East and The Municipality of Morris-Turnberry; be approved;

AND FURTHER THAT:

A By-law be prepared and the County Clerk and Warden be authorized to execute the related Contract.

CARRIED

**9.4 Replacement of Traffic Signal Lights (Hwy 8 and Cty Rd 12, Seaforth)** (presented by Dave Laurie)

MOTION:

Moved By: Warden Steffler and Seconded By: Councillor MacLellan

THAT:

The recommendation of Dave Laurie, Senior Manager of Public Works, that the County of Huron accept the tender submitted by ERTH Holdings Inc. for the supply and installation of new Traffic Signal Lights at the intersection of Highway 8 and County Road 12, in Seaforth; the price from ERTH Holdings is \$200,737.00 (excluding HST and Provisional Items); be approved;

AND FURTHER THAT:

A By-law be prepared and the County Clerk and Warden be authorized to execute the related Contract.

CARRIED

**9.5 2014 Guide Rail Contract No. 14-603** (presented by Dave Laurie)

MOTION:

Moved By: Councillor Vincent and Seconded By: Councillor Dietrich

THAT:

The recommendation of Dave Laurie, Senior Manager of Public Works, that the County of Huron accept the tender submitted by Elliott Fence Inc. for the supply and installation of Guide Rail, in various locations on County Roads. Similar to previous years, the Public Works Department will adjust provisional items or limit quantities for Guide Rail installations in order to not exceed the approved budget allowance. The price from Elliott Fence is \$115,070.00 (excluding HST and Provisional Items); be approved;

AND FURTHER THAT:

A By-law be prepared and the County Clerk and Warden be authorized to execute the related Contract.

CARRIED

**9.6 Auburn Patrol Building – Flat Roof (Contract No. 14-904)**  
(presented by Dave Laurie)

MOTION:

Moved By: Councillor Vincent and Seconded By: Councillor Dietrich

THAT:

The recommendation of Dave Laurie, Senior Manager of Public Works, that the County of Huron accept the tender submitted by Smith Peat Roofing for the supply and installation of a new Flat Roof for the Auburn Patrol Building. The price from Smith-Peat is \$121,705.00 (excluding HST and Provisional Items); be approved;

AND FURTHER THAT:

In addition to the approved budget of \$120,000.00 an allowance of up to \$17,205.00 be approved to complete the roof contract. This amount would be taken from the Public Works Capital Reserve;

AND FURTHER THAT:

A By-law be prepared and the County Clerk and Warden be authorized to execute the related Contract.

CARRIED

**10. Administration, Policies and Other Issues:** none

**11. Closed to the Public Session:**

MOTION:

Moved By: Councillor Hessel and Seconded By: Councillor Gowing

THAT:

The Committee do now go into a "Closed to the Public Session" at 11:54 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;
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

AND FURTHER THAT:

CAO Brenda Orchard and Clerk Susan Cronin remain in attendance.

CARRIED

MOTION:

Moved By: Councillor Dietrich and Seconded By: Councillor Gowing

THAT:

The Committee rise from the "Closed to the Public Session" at 12:18 p.m.

CARRIED

MOTION:

Moved By: Councillor Vincent and Seconded By: Councillor Hessel

THAT:

The CAO proceed as directed in the Closed to the Public Session of May 14, 2014.

CARRIED

**12. Next Meeting:**

The next meeting of Committee of the Whole Day 1 will be in Goderich on Wednesday, June 11, 2014 at 9:00 a.m.

**13. Adjournment:**

MOTION:

Moved By: Warden Steffler and Seconded By: Councillor Dietrich

THAT:

The meeting adjourn at 12:25 p.m.

CARRIED

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Chair Councillor Klopp

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Clerk Susan Cronin