



# Day One: Committee of the Whole

Highways, Facilities, Planning & Corporate

Minutes - November 9, 2011

GODERICH, ONTARIO



## COMMITTEE OF THE WHOLE DAY 1

South of Clinton, Ontario  
November 9<sup>th</sup>, 2011

The Committee of the Whole Day 1 met in the Auditorium of the Health and Library Complex, south of Clinton on the 9<sup>th</sup> of November, 2011. All members of Council were present except for Councillor Shewfelt. Councillor Grace attended the meeting at 9:32 a.m. and Councillor Frayne attended at 9:41 a.m. Chair B. Dowson called the meeting to order at 9:00 a.m.

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

Councillors Van Diepenbeek, Dowson, Ginn, Rintoul and Klopp declared a pecuniary conflict of interest with Items 4.1 and 8.6 a) on the Agenda. Councillor Dietrich declared a pecuniary conflict of interest with Item 8.2 d) on the Agenda.

### **MOTION:**

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

### **THAT:**

The Committee of the Whole Day 1 Agenda for November 9<sup>th</sup>, 2011; be accepted and all Reports included in the Agenda; be received.

CARRIED

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

Councillor Barnim gave an update on the Accommodation Review Committee (ARC) for the Holmesville and Colborne Public Schools. A conference call was held on Monday November 7<sup>th</sup> with Doug Reycraft, Chair of the Community Schools Alliance, Huron-Bruce MPP Lisa Thompson, Warden Vincent, Councillors Ginn, Van Diepenbeek and Barnim and CAO Adams. A motion will be presented to an upcoming meeting for County Council's support to ARC for the Holmesville and Colborne Public Schools to remain open.

Councillor Ginn reported he has concerns with the disconnect between rural Ontario and urban Ontario. The Provincial Policy Statement, the Office of the Fire Marshal regulating how property owners conduct events held in barns and

driving sheds in rural Ontario are just two examples of the issues rural Ontarians face. Councillor Ginn suggested a solution that has been used in the United Kingdom, New Zealand, Australia and Finland is Rural Proofing.

After some discussion the following Motion was considered.

MOTION:

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

THAT:

The Director of Planning and Development; be directed to research Rural Proofing, and its potential for use in Ontario;

AND FURTHER THAT:

The Director of Planning and Development bring a report on Rural Proofing's effectiveness to Committee of the Whole Day 1, at an upcoming meeting.

CARRIED

**6. Report of the Agricultural Economic Development Advisor OMAFRA:**

Jane Muegge, Regional Information Co-ordinator, Ontario Ministry of Agriculture, Food and Rural Affairs was unable to attend this meeting. Jane Muegge will return to the next Committee of the Whole Day 1 meeting on December 14<sup>th</sup>, 2011 at 9:00 a.m.

**7. Public Works Department:**

Dave Laurie, Director of Public Works; presented the following reports for the information of the Committee.

**7.1 Request for Overhead Intersection Lighting (at County Road 13 and Highway 21):**

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor G. Robertson:

THAT:

The recommendation of Dave Laurie, Director of Public Works; that the County of Huron not install new lighting at the intersection of County Road 13 and Provincial Highway 21; as the Ministry of Transportation (MTO) has determined that lighting is not warranted; be approved.

CARRIED

**7.2 Homes Accessibility Van:**

Barb Springall, Homes Administrator assisted Dave Laurie with the presentation of this report; entitled Homes Accessibility Van.

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Warden N. Vincent:

THAT:

The Homes Accessibility Van recommendation; be tabled until the issue at the Homes is resolved.

CARRIED

Barb Springall thanked Walter Johnson, Fleet Manager for the considerable amount of time he spent preparing the Request for Proposal (RFP) for the Homes Accessibility Van.

**8. Planning and Development:**

**8.1 Consents:**

The authority to grant or refuse to grant consents is delegated to the Committee of the Whole under By-law No. 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.

**8.1 a) B28/2011 - Estate of Earl Schilbe, Frank Cameron, Solicitor for the Estate, Lots 33 and 34, Concession 3, West Ward (former Goderich Township), Municipality of Central Huron:**

The purpose and effect of this application is to re-create two original 80 acre farm lots. The 80 acre severed parcel has no buildings. The 80 acre retained parcel has a house, garage and sawmill building.

The lot line between the severed and the retained land runs along Gully Creek, which provides habitat for Redside Dace, a small fish which is a threatened species. The Planning and Development Department recommends that the application be approved with conditions to protect the Redside Dace habitat. The application has been recommended for approval by the Municipality of Central Huron. The Ausable Bayfield Conservation Authority has recommended that the application be denied.

Frank Cameron, solicitor representing the Schilbe family, spoke in favour of the application on behalf of the Schilbe family.

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor P. Klopp:

THAT:

Consent Application B28/2011 by the Estate of Earl Schilbe requesting separation and conveyance of a parcel of land described as Lot 33 and 34, Concession 3, West Ward (former Goderich Township) Municipality of Central Huron; be granted Provisional Consent; subject to conditions with the Development Agreement condition and the rezoning conditions removed, as the severance conforms to Section 5.3.1.1 of the Central Huron Official Plan and *Section 51(24) of the Planning Act, RSO 1990, as amended*; be approved.

CARRIED

### **8.2 Delegated Consents:**

The authority to grant undisputed consents is delegated to the Director of Planning and Development under By-law No. 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.

Councillor Dietrich declared a pecuniary conflict of interest with item 8.2 d) – Consent Application B41/2011.

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor A. Versteeg:

THAT:

The recommendation of Senga Smith, Land Division Secretary; that no objections be lodged further to the Delegated Consents submitted with the Report of November 9<sup>th</sup>, 2011; be approved.

CARRIED

### **8.3 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 Official Plan.

MOTION:

Moved by: Warden N. Vincent and Seconded by: Councillor B. Barnim:

THAT:

The recommendation of Scott Tousaw, Director of Planning and Development; that no objections be lodged further to the Zoning By-laws submitted with the Report of October 25<sup>th</sup>, 2011; be approved.

CARRIED

#### **8.4 Part Lot Control By-laws:**

##### **8.4 a) Municipality of Huron East By-law 96-2011:**

Huron East By-law No. 96-2011 will allow townhouse dwelling units situated on Lot 380, Registered Plan 192, being Parts 1, 2, 3 and 4 on Reference Plan 22R-5876, in the Brussels Ward, Municipality of Huron East, to be conveyed such that each unit is located on a separate parcel.

Huron East By-law No. 96-2011 requires County Council approval pursuant to *Section 50(7) of the Planning Act, RSO 1990, as amended*. The By-law exempts the above 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 No. 52-2006, as amended, which zoned the lands R2-13 (Residential Medium Density – Special Zones).

MOTION:

Moved by: Councillor B. Siemon and Seconded by: Councillor P. Gowing:

THAT:

The recommendation of Sandra Weber, Senior Planner; that Huron East Part Lot Control By-law No. 96-2011; be approved.

CARRIED

#### **8.5 Subdivisions:**

##### **8.5 a) Extension of Draft Plan Approval, Plan of Subdivision 40T05001, Flanagan, Part Lot 1, LRW Concession, Hay West Ward, Municipality of Bluewater:**

This plan of subdivision received draft approval on January 5, 2006, with subsequent extensions. Draft approval will lapse on January 5, 2012. A request for an extension and the requisite fee has been received from Patrick Flanagan requesting a three year extension.

**MOTION:**

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

**THAT:**

The recommendation of Senga Smith, Land Division Secretary; to grant an extension to draft plan approval 40T05001 until January 5, 2015; be approved.

CARRIED

Councillor Grace attended the meeting at 9:32 a.m.

**8.6 Community Economic Development:**

**8.6 a) Low Frequency Noise (LFN) Committee:**

Since its establishment by County Council in February 2011, the LFN Committee met three times and reviewed hundreds of pages of reports and studies. The LFN Committee's findings and recommendations are contained in the report.

Councillors Dowson, Ginn, Van Diepenbeek, Rintoul and Klopp declared a pecuniary conflict of interest with Item 8.6 a).

Councillor Barnim Chair of the Low Frequency Noise (LFN) Committee commented on the process the LFN Committee followed through the course of the three meetings.

**MOTION:**

Moved by: Councillor P. Gowing and Seconded by: Councillor B. Barnim:

**THAT:**

The recommendation of the Low Frequency Noise (LFN) Committee that their findings and recommendations; be approved;

**AND FURTHER THAT:**

The recommendation of the Low Frequency Noise (LFN) Committee to circulate their findings and recommendations to all Ontario Municipalities, AMO and ROMA for endorsement, and to Members of Provincial Parliament (MPP), the Minister of the Environment, and the Ministry of the Environment; be approved.

CARRIED

**8.6 b) Huron County Vacation Guide for 2012:**

A request for quotations for the printing of the 2012 Vacation Guide was sent to local printers and advertised on the County website in September 2011. The report provides a summary of the quotes. It is recommended that the quote from Commercial Print Craft be accepted.

**MOTION:**

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

**THAT:**

The recommendation of Cindy Fisher, Tourism Coordinator and Jenna Ujiye, Tourism Marketer; that the 2012 Huron County Vacation Guide; be printed by Commercial Print Craft for a cost not exceeding \$33,280.00 plus HST for 108 inside pages with an 8 page cover; be approved.

CARRIED

Councillor Frayne attended the meeting at 9:41 a.m.

**8.6 c) Huron Economic Development Partnership (HEDP) Update:**

For 2011-2012, \$60,000 is available each year for community Business Retention and Expansion (BR+E) projects through funding from OMAFRA's Rural Economic Development (RED) Program (in partnership with the County and Huron Business Development Corporation (HBDC)). Through the Huron Economic Development Partnership (HEDP) Management Committee, a diversity of community BR+E related projects have been funded and are in the process of being implemented. Douglas Barill, Business Development Coordinator was hired in February 2011 on a 2-year contract and has been actively assisting municipalities, individual communities and business organizations with projects. Both the staff resource and sustainability of core funding for community economic development projects were identified as key recommendations in the County Economic Development Blueprint. The staff resource and the community funding program are critical for assisting community projects and local capacity building.

Douglas Barill, Business Development Coordinator presented an overview of community projects and business development activities to date.

Mike Pullen, Senior Economic Development Officer commented on the activities that are planned with HEDP and thanked Council for their suggestions.

**8.7 Meetings:**

**8.7 a) Public Meeting for Plan of Condominium 40CDM11001, Larry Otten Contracting Inc., Part Lots 107 & 108, Maitland Concession, Town of Goderich:**

A member of Council is required to attend a joint public meeting of the County of Huron and the Town of Goderich for a Phased Condominium application. The application is for a 39 unit Plan of Condominium on Bennett Street, Goderich.



The public meeting is scheduled for December 12, 2011 at 4:00 p.m. in the Council Chambers of the Goderich Town Hall.

MOTION:

Moved by: Councillor P. Klopp and Seconded by: Councillor J. Dietrich:

THAT:

Councillor Barnim; be appointed to represent Huron County Council at the public meeting for condominium application 40CDM11001.

CARRIED

### **8.8 Forest Conservation:**

#### **8.8 a) Notices of Intent Under the Tree By-law:**

	<u>Contractor</u>	<u>Property Owner</u>	<u>Acres</u>	<u>Location</u>
1.	Folmer and Phillipi Sawmill Ltd.	Barry Burchill	15	Lot 41 , Con. 14, NH, E.Wawanosh Ward
2.	Tri County Timber	Mervin Steckle	10	Lot 14, Con. 13, Bluewater, Stanley Ward
3.	Folmer and Phillipi Sawmill Ltd.	Ross Jeffray	5	Pt Lot 3, Con. 12, MT, Turnberry Ward
4.	Kitchener Forest Products	Geoff Alderdice	10	Lot 6, Con. 13, HE, Tuckersmith Ward
5.	Kevin Shea Logging Ltd.	Art Veenstra	30	Lot 33/34 18, Con. 2, HE, Tuckersmith Ward
6.	Kitchener Forest Products	Cor Van Galen Jr.	23	Lot 31, Con. 2, CH, Goderich Ward
7.	Folmer and Phillipi Sawmill Ltd.	Nick Schiestel	12	Lot 4/5, Con. 12, MT, Turnberry Ward
8.	J.H. Keeso and Sons Ltd.	Bill McClure	8	Pt. Lot 10, Con. 10, HE, McKillop Ward
9.	Kaster Logging	Groenberg Farms	70	Pt. Lot 25/Pt. 26/Con. 11/12 East Wawanosh

**9. Administration, Policies & Other Issues:**

**9.1 User Fees and Charges By-law:**

Barb Wilson, County Clerk presented a report entitled User Fees and Charges By-law; for the information of the Committee.

MOTION:

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

THAT:

The recommendation of Barb Wilson, County Clerk; to proceed with the following changes to By-law No. 11-2006 (the User Fees and Charges By-law for the County of Huron); effective January 1<sup>st</sup>, 2012; as per attached Schedules; be approved.

CARRIED

**9.2 Joint and Several Liability Reform:**

MOTION:

Moved by: Councillor D. Frayne and Seconded by: Councillor A. Versteeg:

THAT:

The Council of the Corporation of the County of Huron support the Association of Municipalities of Ontario (AMO) in its efforts to seek joint and several liability reform in Ontario and calls on the Provincial Government to pursue much needed changes to the *Negligence Act*;

AND FURTHER THAT:

The Council of the Corporation of the County of Huron direct staff to send a copy of this Resolution to the appropriate Provincial Government officials.

CARRIED

**10. Correspondence:**

**11. Accounts and Financial Statements:**

Accounts up to and including October 31<sup>st</sup>, 2011; were reviewed.

Highways	\$996,147.54
Fleet	\$262,734.49
Planning	\$38,102.45

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Financial statements for the period ending September 30<sup>th</sup>, 2011; were reviewed.

	REVENUE		EXPENDITURES		COUNTY CONTRIBUTION	
	Actual	Prorated	Actual	Prorated	Actual	Prorated
Highways	91,308	2,056,500	14,403,357	10,007,352	14,312,049	7,950,852
Fleet	1,825,329	1,509,471	1,195,080	1,325,682	(630,249)	(183,789)
Planning	540,123	760,347	2,315,789	2,665,458	1,775,666	1,905,111

MOTION:

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

THAT:

The accounts up to and including October 31<sup>st</sup>, 2011 and the financial statements as of September 30<sup>th</sup>, 2011; be received.

CARRIED

Dave Overboe, Director of Social Services updated Council on the Court House remediation.

**"Closed to the Public Session":**

MOTION:

Moved by: Councillor B. MacLellan and Seconded by: Councillor G. Robertson:

THAT:

The Committee do now go into a "Closed to the Public Session" at 10:38 a.m. under Section 239 of the Municipal Act, 2001 as amended:

- *The security of the property of the municipality or local board;*
- *Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

AND FURTHER THAT:

CAO Larry C. Adams, Dave Overboe, Director of Social Services, Treasurer David Carey, Scott Tousaw, Director of Planning and Development, Dave Laurie, Director of Public Works and Highways and County Clerk Barbara L. Wilson remain in attendance.

CARRIED

MOTION:

Moved by: Councillor D. Frayne and Seconded by: Councillor P. Gowing:

THAT:

The Committee rise from the "Closed to the Public Session" at 11:05 a.m.

CARRIED

MOTION:

Moved by: Councillor J. Ginn and Seconded by: Councillor P. Klopp:

THAT:

Staff be directed to invite a senior representative from the Frank Cowan Insurance Company to address County.

CARRIED

MOTION:

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

THAT:

Chair Dowson leave the Chair of this meeting due to a conflict of interest with Item 4.1 on the Agenda, and request Warden Vincent to Chair the meeting during this delegation.

CARRIED

Councillors Dowson, Ginn, Van Diepenbeek, Rintoul and Klopp all declared pecuniary conflicts of interest with the next Item 4.1 on the Agenda.

Derek Dudek, Community Relations Consultant with NextEra Energy Canada, ULC delivered a presentation to members of the Committee regarding NextEra Energy Canada's Bluewater and Goshen Wind Energy Centre projects. Mr. Dudek also provided a company background.

Councillor Dowson resumed the Chair.

Prior to the members of Committee going into Closed to the Public Session, Clerk Barbara L. Wilson, made the following statement:

I, Barbara L. Wilson, County Clerk of the County of Huron CERTIFY that I do hereby delegate to Gregory Stewart, the clerk's powers and duties under *Section 228(4) of the Municipal Act, 2001, S.O. 2001, c. 25*, for this 9<sup>th</sup> day of November, 2011.

**"Closed to the Public Session":**

MOTION:

Moved by: Councillor A. Versteeg and Seconded by: Councillor B. Barnim:

THAT:

The Committee do now go into a "Closed to the Public Session" at 11:35 a.m. under *Section 239 of the Municipal Act, 2001 as amended:*

- *advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

AND FURTHER THAT:

The County of Huron's solicitor Gregory Stewart, be in attendance.

CARRIED

MOTION:

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

THAT:

The Committee rise from the "Closed to the Public Session" at 12:20 p.m.

CARRIED

**Next Meeting:**

The next meeting of Day 1 Committee of the Whole will be in Goderich on Wednesday December 14<sup>th</sup>, 2011 at 9:00 a.m.

**Adjournment:**

MOTION:

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

THAT:

The meeting adjourn at 12:24 p.m.

CARRIED

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Chair B. Dowson