

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, AUGUST 14th, 2018 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler, Councillors David Blaney, Dianne Diehl, Alvin McLellan, Brenda Dalton, John Lowe, Robert Fisher, Nathan Marshall, Raymond Chartrand and Larry McGrath (arrived at 8:20 pm)

Members Absent: Councillor Kevin Wilbee

Staff Present: CAO/Clerk, Brad Knight
 Finance Manager-Treasurer/Deputy Clerk, Paula Michiels
 Public Works Coordinator, Barry Mills
 Economic Development Officer, Jan Hawley
 Executive Assistant, Janice Andrews

Cathy Elliott, Shelly McMillan, Brad Dietrich, Cathy Garrick, Kathy MacNeil Nichol, Bev Coleman, Pete Klaver, Patti Hendriks, Shannon Craig, Maureen Agar and Tracey McKee attended the meeting to hear the presentation of Dr. Christopher Cooper on the Building Pathology Report he prepared for the buildings located in the heritage district of downtown Seaforth.

Huron County Senior Planner Denise Van Amersfoort attended the meeting to present several planning reports

Joe and Miriam Terpstra attended the meeting for the discussion on the proposed Zoning By-Law Amendment on Part Lot 25, Concession 11, Grey Ward, known as 84483 McNaughton Line.

CALL TO ORDER

Mayor Bernie MacLellan called the meeting to order at 7:00 p.m.

CONFIRMATION OF THE AGENDA

Moved by Alvin McLellan and seconded by Brenda Dalton: Adopt Agenda
 That the Agenda for the Regular Meeting of Council dated August 14th, 2018
 be adopted as circulated. Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Alvin McLellan declared a pecuniary interest on accounts payable cheque number 11061 concerning the Tindell Municipal Drain as he is an owner of lands assessed under the drainage works.

MINUTES OF PREVIOUS MEETING

Moved by John Lowe and seconded by Dianne Diehl: Meeting Minutes
 That Council of the Municipality of Huron East approve the following Council
 Meeting Minutes as printed and circulated:
 a) Regular Meeting – July 23rd, 2018 Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:00 p.m. Dr. Christopher Cooper – Building Pathology Report, Seaforth

Dr. Christopher Cooper attended before Council and provided a PowerPoint presentation on the Building Pathology Report he prepared for the buildings located in the historical area of downtown Seaforth. Council were advised the purpose of the report was to provide a summation of the building(s) facades as a whole and does not point out any deficiencies that could not be viewed from street level on public property. Council were also advised that the Huron East Heritage Committee is offering an Architectural Heritage Workshop on September 15th, 2018 that is a hand-on intensive workshop and will include demonstrations on how to identify common problems, explain why masonry fails and provide best practices to remove and re-point mortar joints in both brick and stone.

ACCOUNTS PAYABLE

Moved by Nathan Marshall and second by Raymond Chartrand:
That the accounts payable in the amount of \$2,453,747.16 be approved for payment. Carried.

Accounts
Payable

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS**Chief Building Official – Report**

The Chief Building Official for August 2018 was received by Council.

CAO/Clerk – Selection of Deputy Mayor

CAO/Clerk Brad Knight reviewed his report to Council regarding the selection of a second representative to County Council. He advised Council that by virtue of By-Law 82-2017, Huron East Council eliminated the election-at-large of a Deputy Mayor and by making this decision, a Councillor would have to be selected from within as the second representative to County Council, and this Councillor should be recognized as “Deputy Mayor”. Council were provided with a copy of the procedure that the County uses during their inaugural session to elect a warden and he suggested that the County procedures could be used as a guide in developing a Huron East procedure to select the Deputy Mayor. The CAO recommended that a by-law be prepared to amend Procedural By-Law 43-2015 to incorporate provisions to select a Deputy Mayor for the commencement of the 2018-2022 term of Council.

Moved by Nathan Marshall and seconded by Raymond Chartrand:
That Council direct staff to bring a by-law back to the next regular meeting with provisions to amend Procedural By-Law 43-2015 to incorporate provisions to select a Deputy-Mayor for the commencement of the 2018-2022 term of Council. Carried.

By-Law
Selection of
Deputy-Mayor

CAO/Clerk – Zoning By-Law 53-2018

CAO/Clerk Brad Knight provided Council with an information report outlining additional information and documentation that had been received regarding a rezoning application submitted by Miriam Terpstra. The CAO noted the information would be discussed in more detail when the Planner’s report was presented to Council later in the meeting.

CAO/Clerk – Ontario Community Infrastructure Fund (OCIF) – Egmondville Trunk Sanitary Sewer

CAO/Clerk Brad Knight reviewed his report to Council concerning a grant application to the Ontario Community Infrastructure Fund (OCIF). He noted that the application deadline is August 28th, 2018 and the municipality is eligible to apply for a maximum of \$1,137,479. He further noted that staff were recommending the installation of a sanitary sewer trunk main to service part of Egmondville during the reconstruction of County Road 12 by the County of Huron.

Moved by Raymond Chartrand and seconded by Nathan Marshall:
That Council of the Municipality of Huron East authorize a grant application under the Ontario Community Infrastructure Fund (OCIF) for the installation of a sanitary sewer trunk main and replacement of sidewalks as the Huron East components of the proposed reconstruction of County Road 12 (Kippen Road – Egmondville) by the County of Huron. Carried.

Support Grant
Application
OCIF

Moved by Dianne Diehl and seconded by John Lowe:
Huron East Council receive the following Reports of Municipal Officers as presented:

- 1) Public Works Coordinator
- 2) CAO/Clerk

Carried.

Receive
Municipal Reports

CORRESPONDENCE

Moved by David Blaney and seconded by Dianne Diehl:
That Council of the Municipality of Huron East endorse the resolution of the Township of North Stormont concerning the Green Energy Act and requesting that the Province of Ontario extend its areas of responsibility to include any costs that Municipalities may have to inherit from Green Energy projects. Carried.

Endorse
Resolution
Township of
North Stormont

Moved by Joseph Steffler and seconded by John Lowe:
That the request of the Alzheimer Society to conduct a road toll fundraiser be deferred until the next meeting to allow staff to consult with County Highways regarding the necessary approvals. Carried.

Defer Request
Alzheimer
Society
Road Toll

Moved by Nathan Marshall and seconded by Raymond Chartrand:
That Council of the Municipality of Huron East endorse the resolution of the City of Toronto requesting the Chief Coroner for Ontario to hold an inquest into gun violence related deaths in Toronto. Carried.

Endorse
Resolution
City of
Toronto

UNFINISHED BUSINESS

MUNICIPAL DRAINS

PLANNING

Moved by Robert Fisher and seconded by Brenda Dalton:
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated August 2nd, 2018 and has no objection to the severance application C45/18 of Kyle and Lori Henderson on Part of Park Lot 7, Plan 237, Parts 2 and 3, 22R-6572, Tuckersmith Ward, provided the following conditions are met:

No Objection
C45/18
Henderson

1. That the accessory shed on the severed parcel be relocated/removed to the satisfaction of the Municipality.

Carried.

Moved by Alvin McLellan and seconded by David Blaney:
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated August 2nd, 2018 and has no objection to the severance application C46/18 of Evergreen Holsteins Inc. c/o Robert Van Ness on north half Part Lots 24 and 25, Lot 26, Concession 1, Grey Ward, subject to the conditions as per the resolution of Council dated July 23rd, 2018. Carried.

No Objection
C46/18
Evergreen
Holsteins

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated August 2nd, 2018 and has no objection to the severance application C47/18 of Evergreen Holsteins Inc. c/o Robert Van Ness on north half Part Lot 27, Concession 1, Grey Ward, subject to the conditions as per the resolution of Council dated July 23rd, 2018. Carried.

No Objection
C47/18
Evergreen
Holsteins

Zoning By-Law Amendment No. 53-2018 Part Lot 25, Concession 11 Grey Ward, Miriam Terpstra

Huron County Senior Planner Denise Van Amersfoort attended before Council to review her report concerning the proposed zoning by-law amendment on Part Lot 25, Concession 11, Grey Ward. It was noted that the public meeting for the subject application was held on July 10th, 2018 and the application was deferred at that time. Comments from various agencies were received at the public meeting and in an effort to address concerns raised, the applicant has submitted a modified proposal.

Council were advised the proposed amendment is to permit an assembly hall on the subject property. It was noted the application has been amended in the following ways:

- The assembly hall would be permitted to house a maximum of eight (8) commercial events per month as opposed to an average of eight (8) commercial events.
- The commercial events will have a maximum capacity of sixty-five (65) occupants inclusive of staff and guests which will be regulated through the Site Plan Agreement.

Councillor McLellan advised he has received comments from a number of ratepayers expressing concern with the proposed amendment noting there are many intensive livestock operations in the area. He noted concerns with additional traffic at times of the year when there are many slow moving vehicles, large equipment and trucks on the road. He also noted Minimum Distance Separation requirements that may restrict future agricultural expansion in the area. Councillor McLellan also suggested that under the Provincial Policy Statement, the proposed use was not compatible with agricultural uses in a prime agricultural area.

In response to a question from Councillor Chartrand about neighbouring farmers wishing to expand, Huron County Planner Denise Van Amersfoort indicated that calculations had been made for a neighbouring farm property to the north and this operation would be allowed to expand provided that the expansion was to the northeast and the banquet facility was considered as a Type “A” land use.

Councillor MacLellan inquired of Ms. Van Amersfoort if banquet facilities in agricultural area were permitted according to Provincial Publication 851. Ms. Van Amersfoort indicated that banquet halls are not considered to be an on-farm diversified use in Publication 851.

Moved by Raymond Chartrand and seconded by Nathan Marshall:
 THAT WHEREAS the Council of the Municipality of Huron East has held a public meeting pursuant to Section 34(12) of the Planning Act, 1990 with respect to the proposed zoning By-Law 53-2018;
 AND WHEREAS public comments were received with respect to potential future restrictions on an abutting property; the comments were considered by Council but the effect did not influence the decision of Council;
 AND WHEREAS agency comments were received from the Maitland Valley Conservation Authority, the Huron County Health Unit, the Ministry of Environment, the Huron County Highways and the Huron County Planning Department and have been addressed through conditions to approval/changes to the mapping or text of the amendment;
 AND WHEREAS the application has been amended in the following ways:

- The assembly hall would be permitted to host a maximum of eight (8) commercial events per month as opposed to an average of eight (8) commercial events.
- The commercial events will have a maximum capacity of sixty-five (65) occupants inclusive of staff and guests which will be regulated through the Site Plan Agreement.

NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council concurs with the August 13th, 2018 Planning Report and recommends By-Law 53-2018 for approval. Defeated.

Defeat
 Motion
 By-Law 53-2018
 for approval
 Terpstra

COUNCIL REPORTS

Councillor Alvin McLellan – Parking on Main Street Brussels

Councillor McLellan advised he has received concerns from ratepayers regarding residential tenants parking on the Main Street in Brussels, taking up parking spaces for customers. The CAO noted that the additional municipal lot across from the Post Office could be better promoted and it may be a by-law enforcement issue for the By-Law Enforcement Officer. Councillor Lowe suggested better signage on the public parking lot in the area may be beneficial.

Mayor Bernie MacLellan – Cross Walks

Mayor MacLellan noted that as a follow up to the concern of Councillor Fisher regarding signage at the crosswalks installed in Clinton, the matter was discussed recently at a County committee meeting. Mayor MacLellan noted the pilot project in Clinton is not complete as adjustments and updates are still being completed to make them more effective. He further noted that once the changes are complete and analyzed, a level of service will be established for other locations. He noted that the County is anticipating that 5 locations in Huron County will receive new cross walk signals.

Councillor Alvin McLellan – Severance Approved – Municipality of Bluewater

Councillor McLellan questioned a recent surplus severance approval by the County of Huron that has received media coverage as it did not appear to meet the surplus severance policies of the County. Mayor MacLellan noted the property was in the Municipality of Bluewater, the owner currently lives in Hensall and owns one farm which the residence was severed from. The Mayor confirmed that the application did not meet the requirements for creation of a residential lot in a rural area however the decision was made based on support from the Municipality of Bluewater and the lack of any objections raised about the severance.

INFORMATION ITEMS

Moved by Larry McGrath and seconded by Brenda Dalton:
 That Huron East Council receive the following Board and Committee Meeting Minutes as submitted:

- 1) Vanastra Recreation Centre Committee – July 30th, 2018

Meeting Minutes

Carried.

OTHER BUSINESS

BY-LAWS

Moved by Robert Fisher and seconded by Raymond Chartrand:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Laws 53, 58, 59 and 60 for 2018

Introduce
By-Laws

By-Law 53-2018 – Zoning Amendment – Part Lot 25, Concession 11, Grey Ward (Miriam Terpstra)

By-Law 58-2018 – Authorize Sale – Part Lot 31, Concession 16, Grey Ward, Part 1, Plan 22R-4955, save and except Part 2, Plan 22R-5539, Dalen Martin

By-Law 59-2018 – Repeal By-Law 56-2018 – Lots 31, 32 and 33, Plan 305, Grey Ward, deemed not to be part of the registered plan of subdivision

By-Law 57-2018 – Confirm Council Proceedings

Carried.

Moved by John Lowe and seconded by David Blaney:
THAT WHEREAS the Council of the Municipality of Huron East has held a public meeting pursuant to Section 34(12) of the Planning Act, 1990, with respect to a proposed zoning by-law 53-2018;
AND WHEREAS certain changes have been made to the proposed by-law after holding of the public meeting;
NOW, THEREFORE the Council of the Municipality of Huron East RESOLVES that, Pursuant to Section 34(17) of the Planning Act, 1990, the changes were of such a nature that no further notice is to be given in respect to the proposed by-law.
Carried.

No Further
Notice
Zoning
By-Law 47/18

Moved by Dianne Diehl and seconded by Alvin McLellan:
BE IT HEREBY RESOLVED that By-Law 53-2018, a by-law to amend the zoning on Part Lot 25, Concession 11, Grey Ward, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Defeated.

Defeat Motion
Zoning Amend
Pt. Lot 25
Con. 11 Grey
Terpstra

Moved by Nathan Marshall and seconded by Brenda Dalton:
BE IT HEREBY RESOLVED that By-Law 58 for 2018, a by-law to authorize the sale of Part Lot 31, Concession 16, Grey Ward, Part 1, Plan 22R-4955, save and except Part 2, Plan 22R-5539, Dalen Martin, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Authorize Sale
Pt. Lot 31
Con. 16, Grey
Dalen Marten

Moved by Alvin McLellan and seconded by Dianne Diehl:
BE IT HEREBY RESOLVED that By-Law 59 for 2018, a by-law to repeal By-Law 56-2018, Lots 31, 32 and 33, Plan 305, Grey Ward, deemed not to be part of a registered plan of subdivision, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto. Carried.

Repeal
By-Law
56-2018

CLOSED SESSION AND REPORTING OUT**CONFIRMATORY BY-LAW**

Moved by Larry McGrath and seconded by Brenda Dalton:
BE IT HEREBY RESOLVED that By-Law 60 for 2018, a by-law to confirm the proceedings of Council, be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Confirm
Proceedings

Carried.

ADJOURNMENT

Moved by John Lowe and seconded by Raymond Chartrand:
The time now being 9:25 p.m.
That the meeting do adjourn until September 4th, 2018 at 7:00 p.m.

Adjournment

Carried.