

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES
HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO
TUESDAY, AUGUST 6th, 2019 – 7:00 P.M.

Members Present: Mayor Bernie MacLellan, Deputy Mayor Robert Fisher, Councillors Alvin McLellan, Dianne Diehl, Zoey Onn, John Lowe, Brenda Dalton, Larry McGrath and Ray Chartrand

Members Absent: Councillors Joe Steffler and Gloria 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

Others Present:

Brad Stephenson, applicant of the proposed Minor Variance Application A08/2019 on 42011 Mill Road, Lot 29, Concession 5, LRS, as RP 22R-4205, Part 1, Tuckersmith Ward, attended the public hearing to hear the discussion and answer any questions. (Item 5.16.1)

Danielle Wilson, Melilah Wilson, Ashley Wilson, Ryan Wilson, John Wilson, Michelle Wilson and Jay Wilson attended the meeting to hear the discussion on Zoning By-Law Amendments 52-2019 and 54-2019 on Part Lot 9, Concession 1, HRS, Tuckersmith Ward, Part 4 of RP 22R-289, Seaforth Ward. (Items 15.16.1 and 15.16.2)

Bryan Morton and Cathy Elliott attended the meeting to hear the delegation of David and Annette Stephenson concerning the Brussels Four Winds – Wedding & Events Barn. (Item 5.16.2)

Joe Terpstra and Miriam Terpstra attended the meeting to hear the discussion on By-Law 56-2019 to abandon sections of the Fourteenth Concession Municipal Drain, Fraser Municipal Drain and West Branch of Baillie Municipal Drain. (Item 15.16.3).

CALL TO ORDER & MAYOR'S REMARKS

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

CONFIRMATION OF THE AGENDA

Moved by Larry McGrath and seconded by Raymond Chartrand:
 That the Agenda for the Regular Meeting of Council dated August 6th, 2019 be adopted as circulated. Carried.

Adopt Agenda

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING

Moved by Dianne Diehl and seconded by Alvin McLellan:
 That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:

Meeting Minutes

- a) Regular Meeting – July 16th, 2019
- b) Public Meeting – July 16th, 2019
- c) Public Hearing – July 16th, 2019

Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:02 p.m. Public Hearing – Minor Variance Application 08-2019

Moved by John Lowe and seconded by Raymond Chartrand:
 That Council of the Municipality of Huron East adjourn the regular meeting of Council at 7:02 p.m. to go into a Public Hearing to discuss the following:

Adjourn to
 Public Hearing

- a) Minor Variance Application – Lot 29, Concession 5, LRS, RP 22R-4205, Part 1, Tuckersmith Ward (Bradley Stephenson)

Carried.

The regular meeting reconvened at 7:06 p.m.

Reconvene
 Regular Council

7:10 p.m. David and Annette Stephenson

David and Annette Stephenson attended before Council to express concerns from citizens surrounding the Brussels Four Winds – Wedding and Event Barn regarding noise, parking and lack of supervision. Ms. Stephenson did note the establishment is a positive feature for the community however concerns need to be addressed to ensure the success of the barn continues with a positive relationship with the surrounding neighbours.

Council acknowledged the concerns were valid and a meeting will be scheduled in the next couple of weeks to discuss options for consideration in an effort to provide a solution to the concerns raised by the citizens.

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

The Chief Building Official report for July 2019 was received by Council.

CAO/Clerk – 14th Concession Drain

CAO/Clerk Brad Knight reviewed his report to Council concerning a request that was received from the owner of Lots 31 to 33, Concession 14, Grey Ward to abandon sections of municipal drains, particularly at Lot 33, Concession 14 which is in the upper end of three watersheds. The owners of the subject properties propose to close in the existing open municipal drains with private tile drains at their cost and are responsible for all engineering and permit fees. Notice was sent to adjacent landowners at the top end of the watersheds and no concerns have been expressed and no members of the public were in attendance concerning the proposed by-law. A by-law to abandon sections of Fourteenth Concession Municipal Drain, Fraser Municipal Drain and West Branch of Baillie Municipal Drain will be considered later in the meeting.

CAO/Clerk – Zulk Development Agreement

CAO/Clerk Brad Knight reviewed his report to Council concerning the proposed Development Agreement with Zulk Enterprises Inc. for the servicing of his vacant land plan of condominium on Part Lots 14 and 15, Plan 407, Seaforth Ward. The CAO advised the Plan of Condominium received draft plan approval on October 27th, 2017 and the proponent has moved the development to the point they are prepared to start servicing the site (roads, sanitary, water and storm). The stormwater management pond has already been installed. A by-law to enter into a Development Agreement with Zulk Enterprises Inc. will be considered later in the meeting.

CAO/Clerk – MTO Connecting Link Funding

CAO/Clerk Brad Knight reviewed his report to Council concerning a Connecting Link Program Contribution Agreement with the Ministry of Transportation. Council were advised the Municipality has been selected for funding through the Ministry of Transportation's 2019-2020 Connecting Links Program. The maximum provincial contribution for the project is \$1,662,494 towards the resurfacing of Goderich Street, Highway 8 East and West. Council were also advised that due to the 2020 reconstruction of the Main Street in Seaforth, staff will be requesting that the project be started in 2021 rather than 2020 due to the logistics of having both the connecting link and Main Street under construction at the same time. A by-law to enter into the Contribution Agreement will be considered later in the meeting.

Public Works Coordinator – Seaforth Connecting Link – Winter Maintenance 2019-2020

Public Works Coordinator Barry Mills advised that Owen Sound Highway Maintenance Limited (IMOS) is offering winter maintenance service for the connecting link on Highway 8 through the Ward of Seaforth for the 2019/2020 season at a cost of \$5,756.84 plus HST. The level of service required for the connecting link is 24/7 bare to centre bare with the parking lanes plowed when time permits. A by-law to authorize an Agreement with IMOS for the connecting link maintenance in Seaforth Ward will be considered later in the meeting.

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Huron East Council receive the following Reports of Municipal Officers as presented:

- (1) Chief Building Official
- (2) CAO/Clerk
- (3) Public Works Coordinator

Reports of
Municipal
Officers

Carried.

CORRESPONDENCE

Moved by Raymond Chartrand and seconded by Alvin McLellan:
That Council of the Municipality of Huron East endorse the resolution of the Town of Halton Hills calling upon the Province of Ontario, through the discussion paper entitled “Reducing Litter and Waste in our Communities”, to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers;
AND FURTHER that the Province of Ontario review current producer requirements and look for extended producer responsibility for all packaging.
Carried.

Endorse
Resolution
Town of
Halton Hills

Moved by Brenda Dalton and seconded by Dianne Diehl:
That the request of the Indians Ball Team to declare their Ball Tournament being held on September 6th and 7th, 2019 at the Winthrop Ball Park as a municipally significant event be approved by Council;
AND FURTHER that the Municipality of Huron East Alcohol Policy be complied with, with specific reference to Regulation 11 of said Policy, being minimum of \$2,000,000 in liability insurance naming the Municipality as an additional insured;
AND FURTHER that the Indians Ball Team consents to save harmless and keep indemnified The Corporation of the Municipality of Huron East, its officers, employees, servants, agents, successors and assigns against any and all liability for losses, damages, claims, action demands, suits, and costs arising directly or indirectly by virtue of the Municipality of Huron East allowing the Indians Ball Team use of the Property/Facility for this event. The Municipality of Huron East shall not be responsible for any accidents, injury, or loss of property to the Indians Ball Team. Carried.

No Objection
Indians Ball Team
Tournament
Winthrop Park
Municipal
Significant Event

UNFINISHED BUSINESS**MUNICIPAL DRAINS****PLANNING**

Moved by Brenda Dalton 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 July 24th, 2019 and has no objection to severance application C26/19 of K & E De Corte on Lots 28, 29 and 30, Concession 2, McKillop Ward, subject to the conditions as per the resolution of Council dated May 7th, 2019. Carried.

No Objection
Consent C26/19
K/E DeCorte

Moved by Dianne Diehl and seconded by Larry McGrath:
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated July 24th, 2019 and has no objection to severance application C51/19 of Steven Matthew Haney on Part Lot 28 and Part Lot 29, Concession 9, McKillop Ward, subject to the conditions as per the resolution of Council dated July 16th, 2019. Carried.

No Objection
Consent C51/19
Steve Haney

Moved by Raymond Chartrand and seconded by Larry McGrath:
That Council of the Municipality of Huron East acknowledge the report of Huron County Senior Planner Denise Van Amersfoort dated July 24th, 2019 and has no objection to severance application C52/19 of Isabel Martin on Lot 8, Plan 133, Vanastra, Tuckersmith Ward, provided the following conditions are met:

- i) that \$500 be paid to the Municipality as cash-in-lieu of parkland
 - ii) that the existing sanitary sewer easement be registered on title of the severed parcel.
- Carried.

No Objection
Consent C52/19
Isabel Martin

Moved by Zoey Onn and seconded by Raymond Chartrand:
That Council of the Municipality of Huron East has no objection to severance application C53/19 of Rebecca and Chris Evangelho on Part Lot 18, Concession C, Township of Howick. Carried.

No Objection
Consent C53/19
Chris Evangelho

Moved by John Lowe and seconded by Alvin McLellan:
That Council of the Municipality of Huron East has no objection to severance application C56/19 of Frederick and Alice Mulder on Part Lot 19, Concession 1, Stanley Ward, Municipality of Bluewater. Carried.

No Objection
Consent C56/19
Fred Mulder

Moved by Larry McGrath and seconded by Brenda Dalton:
 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 52-2019;
 AND WHEREAS no public comments were received on this application;
 AND WHEREAS agency comments were received from the Ausable Bayfield Conservation Authority advising that floodway policies are not supportive of additional development but not withstanding that the ABCA Board of Directors has approved the application, subject to changes in the provisions of the FW-3 zone;
 AND WHEREAS agency comments were received from Huron County Planning and Development Department advising that the Huron East Plan does not support additional development within the Silver Creek Flood Plain and recommended the establishment of an accessory building in the floodway be denied;
 AND WHEREAS comments were thoroughly considered but the effect did not influence the decision of Council to approve the application as amended with changes to the FW-3 provisions;
 NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council acknowledges the July 12th, 2019 Planning Report but recommends By-Law 52-2019 for approval. Carried.

Recommend
 By-Law 52-2019
 for Approval
 Wilson Rezoning

Moved by Raymond Chartrand and seconded by John Lowe:
 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 54-2019;
 AND WHEREAS no public comments were received on this application;
 AND WHEREAS agency comments were received from the Ausable Bayfield Conservation Authority advising the ABCA requests corrections to the mapping to reflect floodplain limits and that the ABCA does not support a permanent rezoning of the property to permit a home industry;
 AND WHEREAS agency comments were received from the Ministry of Transportation indicating they are not supportive of the rezoning to permit a home industry because of concerns with the entrance being in close proximity to an intersection but have subsequently revised their comments to request a property owner acknowledgement for an existing home occupation;
 AND WHEREAS comments were thoroughly considered but the effect did not influence the decision of Council to approve the application as amended;
 NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council acknowledges the July 12th, 2019 Planning Report and recommends By-Law 54-2019 for approval. Carried.

Recommend
 By-Law 54-2019
 for Approval
 Wilson Rezoning

COUNCIL REPORTS

Association of Municipalities of Ontario – Conference – Delegation Request

Mayor MacLellan advised a delegation request to AMO requesting a meeting with the Minister of Municipal Affairs regarding infill lots and sewage calculations has been granted. The Mayor advised that any member of Council at the conference is welcome to attend the presentation.

Stanley Cup Parade

Mayor MacLellan complimented staff for their work in organizing the Ryan O'Reilly Stanley Cup Parade held on July 25th, 2019 in Seaforth.

INFORMATION ITEMS

Moved by Zoey Onn and seconded by Dianne Diehl:
 That Huron East Council receive the following Board and Committee meeting minutes as submitted:

Board/Committee
 Meeting Minutes

- (1) Vanastra Recreation Centre and Day Care Committee – July 15th, 2019
- (2) Huron East Personnel Committee – July 18th, 2019
- (3) Brussels Morris and Grey Board of Recreation Management Committee – July 8th, 2019
- (4) Huron East/Brussels Community Development Trust – June 11th, 2019

Carried.

OTHER BUSINESS**BY-LAWS**

- Moved* by Robert Fisher and seconded by John Lowe:
BE IT HEREBY RESOLVED that leave be given to introduce
By-Laws 52, 54, 56, 57, 58, 59, 60 and 61 for 2019. Introduce
By-Laws
- By-Law 52-2019 – Zoning Amendment – Part Lot 9, Concession 1, HRS, Tuckersmith Ward,
Part 4 of 22R-2898, Seaforth Ward, John and Michelle Wilson
- By-Law 54-2019 – Zoning Amendment – Part Lot 9, Concession 1, HRS, Tuckersmith Ward,
Seaforth Ward, John and Michelle Wilson
- By-Law 56-2019 – Abandon Sections of Fourteenth Concession Municipal Drain, Fraser
Municipal Drain and West Branch of Baillie Municipal Drain
- By-Law 57-2019 – Authorize Development Agreement – Zulk Enterprises Inc., Part Lots 14 and
15, Plan 407, Seaforth Ward
- By-Law 58-2019 – Establish Area’s Subject to Special Service Area Tax Levy and repeal By-
Law 38-2003
- By-Law 59-2019 – Authorize Connecting Links Program Contribution Agreement
- By-Law 60-2019 – Authorize Agreement – Integrated Maintenance Operations Service Inc. –
Connecting Link Maintenance – Highway 8, Seaforth Ward and repeal By-
Law 74-2018
- By-Law 61-2019 – Confirm Council Proceedings Carried.
- Moved* by Larry McGrath and seconded by Brenda Dalton: Rezoning
Wilson
BE IT HEREBY RESOLVED that By-Law 52 for 2019, a by-law to amend the
zoning on Part Lot 9, Concession 1, HRS, Tuckersmith Ward and Part 4 of
RP 22R-2898, Seaforth Ward, John and Michelle Wilson, 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.
- Moved* by Raymond Chartrand and seconded by Dianne Diehl: Rezoning
Wilson
BE IT HEREBY RESOLVED that By-Law 54 for 2019, a by-law to amend the
zoning on Part Lot 9, Concession 1, HRS, Tuckersmith and Seaforth Wards,
John and Michelle Wilson, 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.
- Moved* by Dianne Diehl and seconded by John Lowe: Abandon
Sections
14th Con.,
Fraser &
Baillie Drains
BE IT HEREBY RESOLVED that By-Law 56 for 2019, a by-law to abandon
sections of the Fourteenth Concession Municipal Drain, the Fraser Municipal
Drain and the West Branch of the Baillie Municipal Drain, 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.
- Moved* by John Lowe and seconded by Robert Fisher: Development
Agreement
Zulk.
Enterprises
Inc.
BE IT HEREBY RESOLVED that By-Law 57 for 2019, a by-law to authorize the
execution of a Development Agreement between Zulk Enterprises Inc. on Part
Lots 14 and 15, Plan 407, Seaforth 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. Carried.
- Moved* by Alvin McLellan and seconded by Brenda Dalton: Special Areas
subject to
Special
Service Tax
Levy
BE IT HEREBY RESOLVED that By-Law 58 for 2019, a by-law to establish
special area’s subject to special service area tax levy and repeal By-Law 38-2003,
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.
- Moved* by Brenda Dalton and seconded by Alvin McLellan: Connecting
Links
Contribution
Agreement
BE IT HEREBY RESOLVED that By-Law 59-2019, a by-law to enter into a
Connecting Links Program Contribution Agreement, 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.

Moved by Larry McGrath and seconded by Zoey Onn:
 BE IT HEREBY RESOLVED that By-Law 60 for 2019, a by-law to authorize an Agreement with Integrated Maintenance and Operations Services Inc., to provide winter maintenance on Highway 8, Seaforth Ward, and to repeal By-Law 74-2018, 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.

Agreement
 Winter Maint.
 Highway 8
 Seaforth Ward

CLOSED SESSION AND REPORTING OUT

CONFIRMATORY BY-LAW

Moved by Zoey Onn and seconded by Larry McGrath:
 BE IT HEREBY RESOLVED that By-Law 61 for 2019, 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.
 Carried.

Confirm
 Proceedings

ADJOURNMENT

Moved by Raymond Chartrand and seconded by John Lowe:
 The time now being 8:04 p.m.
 That the meeting do adjourn until September 3rd, 2019 at 7:00 p.m. Carried.

Adjournment

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk