

COUNCIL AGENDA – 19 – 2020 MUNICIPALITY OF HURON EAST to be held on TUESDAY, NOVEMBER 3rd, 2020 – 7:00 p.m. <u>SEAFORTH & DISTRICT COMMUNITY CENTRE</u>

1. CALL TO ORDER & MAYOR'S REMARKS

2. CONFIRMATION OF THE AGENDA

3. DISCLOSURE OF PECUNIARY INTEREST

- 4. MINUTES OF PREVIOUS MEETING
 - 4.19.1 Regular Meeting October 20th, 2020 (encl.) (Pages 4-7)

5. PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

- 5.19.1 <u>7:00 p.m.</u> Public Hearing Minor Variance Application (see enclosed agenda) (Pages 8-16)
 MV-05-2020 Elisabeth and Cornelius Peters
- 5.19.2 7:00 p.m. Delegation Request by Councillor John Lowe (encl.) (Page 17) Maitland Mills – Gerry Wheeler and Doug Sholdice Brussels Trust Resolution

6. ACCOUNTS PAYABLE

7. REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

- 7.19.1 Building & Property Maintenance Coordinator Report July to September, 2020 (encl.) (Pages 18-53)
- 7.19.2 Drainage Clerk Tenders Cox Municipal Drain and Burrows 'B' Drain Improvement 2020. (encl.) (Page 54)
- 7.19.3 Public Works Coordinator Designate portion of Gouinlock Street, Seaforth Ward as one-way. (encl.) (Pages 55-56)
- 7.19.4 Public Works Coordinator Connecting Link Program 2021-22 Project Application (encl.) (Pages 57-59)
- 7.19.5 CAO/Clerk Brussels Trust Resolution (encl.) (Pages 60-78)

8. CORRESPONDENCE

- 8.19.1. County of Wellington resolution requesting the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value. (encl.) (Pages 79-85)
- 8.19.2. Township of Oro-Medonte resolution requesting the Government of Ontario consult with the ski industry through the Ontario Snow Resorts Association to review re-opening policy considerations currently impacting the industry. (encl.) (Pages 86-87)

8.19.3. Township of North Huron – advising of the appointment of Councillor Paul Heffer as the municipal representative for the central grouping on the Maitland Source Water Protection Authority Board. (encl.) (Page 88)

9. UNFINISHED BUSINESS 9.19.1 Strategic Planning 9.19.2 Brussels Trust Resolution

10. MUNICIPAL DRAINS

11. PLANNING

- 11.19.1 Huron County Planning and Development Department copy of consent application C78/20 on Lot 22, Concessions 3 and 4, McKillop Ward, Karl and Astrid Gutensperger. (encl.) (Pages 89-95)
- 11.19.2 Huron County Planning and Development Department copy of Planners Report on consent application C78/20 on Lot 22, Concessions 3 and 4, McKillop Ward, Karl and Astrid Gutensperger. (encl.) (Pages 96-99)
- 11.19.3 Huron County Planning and Development Department copy of Planners Report on Site Plan Control Application on Lots 4 to 10, Plan 22M16, McKillop Ward, Pol Quality Homes Inc. (encl.) (Pages 100-103)

12. COUNCIL REPORTS

- 12.19.1 Council Member Reports
 - → County Council Report
 - → Other Boards/Committees or Meetings/Seminars
- 12.19.2 Requests by Members
- 12.19.3 Notice of Motions
 - Councillor Zoey Onn Recycling Bins (encl.) (Page 104)
- 12.19.4 Announcements

13. INFORMATION ITEMS

- 13.19.1 Ausable Bayfield Maitland Valley Drinking Water Source Protection Region – News Release – Open Well virtual tour of water treatment facility in Seaforth. (encl.) (Page 105)
- 13.19.2 Association of Municipalities of Ontario Policy Update COVID-19 Liability Protection, Municipal Elections Act, Ontario Digital Identity, Public Health Orders, and Child Care. (encl.) (Pages 106-107)
- **13.19.3** Huron East Joint Health & Safety Committee copy of meeting minutes October 21st, 2020. (encl.) (Page 108)

14. OTHER BUSINESS

15. BY-LAWS

- 15.19.1 By-Law 47-2020 Cox Municipal Drain and Burrows 'B' Drain Improvement 2020 (3rd reading) (encl.) (Page 109)
- 15.19.2 By-Law 64-2020 Deem Lots 237, 238, 239 and 240, Plan 192, Brussels Ward, not to be part of a registered plan of subdivision (encl.) (Page 110)

- 15.19.3 By-Law 65-2020 Authorize Site Plan Control Agreement Lots 237, 238, 239 and 240, Plan 192, Brussels Ward (Lavis) (encl.) (Pages 111-120)
- 15.19.4 By-Law 66-2020 Authorize Site Plan Control Agreement Lots 4 to 10, Plan 22M16, McKillop Ward (Pol Quality Homes Inc.) (encl.) (Pages 121-131)
- 15.19.5 By-Law 67-2020 Temporary Road Closure section of Hensall Road Seaforth Santa Claus Drive-By Parade (encl.) (Page 132)
- 15.19.6 By-Law 68-2020 Designate portion of Gouinlock Street, Seaforth Ward as one-way (encl.) (Page 133)

16. CLOSED SESSION AND REPORTING OUT (Section 239 of the Municipal Act, 2001)

17. CONFIRMATORY BY-LAW

- 17.19.1 By-Law 69-2020 Confirm Council Proceedings (encl.) (Page 134)
- 18. ADJOURNMENT

4-19-1

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES

HELD IN THE AUDITORIUM AT THE SEAFORTH & DISTRICT COMMUNITY CENTRE

SEAFORTH, ONTARIO

TUESDAY, OCTOBER 20th, 2020 - 7:00 P.M.

| Members Present: | Mayor, Bernie MacLellan, Deputy Mayor Robert Fisher, Councillors John Lowe, Zoey Onn, Dianne Diehl, Alvin McLellan, Brenda Dalton, Gloria Wilbee, Joe Steffler, Larry McGrath and Raymond Chartrand |
|------------------|--|
| Absent: | nil |
| Staff Present: | CAO/Clerk, Brad Knight Public Works Coordinator, Barry Mills Economic Development Officer, Jan Hawley Executive Assistant, Janice Andrews |
| Others Present: | Shawn Loughlin, Editor, The Citizen |

Kyle Henderson attended the meeting to hear the discussion on By-Law 62-2020 to exempt certain lands from Part Lot Control (Item 15.18.1).

Bryan Vincent attended the meeting to hear the discussion on the Seaforth Lions Club request for temporary road closure to accommodate a Santa Claus Parade (Item 5.18.1).

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 Ray Chartrand and seconded by Gloria Wilbee: Adopt Agenda That the Agenda for the Regular Meeting of Council dated October 20th, 2020 be adopted as circulated. Carried.

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING

Moved by Gloria Wilbee and seconded by Ray Chartrand:MeetingThat Council of the Municipality of Huron East approve the following CouncilMinutesMeeting Minutes as printed and circulated:Minutes

- a) Regular Meeting October 6th, 2020
- b) Public Meeting October 6th, 2020

Carried.

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:00 p.m. Cathy Elliott, Seaforth Lions Club Santa Claus Parade

Seaforth Lions Club Santa Claus Parade Chair Cathy Elliott attended before Council to request that Council close Hensall Road from Hydro Line Road to Highway 8 on Friday, November 27th, 2020 from 7:00 to 8:00 pm to allow for a "drive by" Santa Claus Parade. Ms. Elliott advised the Lions Club will observe COVID-19 protocols and are proposing to have floats sit stationary on Hensall Road to allow cars to drive by the floats. The CAO noted if Council wishes to authorize the request, a by-law to temporarily close a section of Hensall Road would be prepared for consideration at the next meeting. Mayor MacLellan suggested that in order to give Council time to consider the request, this matter be discussed further under unfinished business later in the meeting.

ACCOUNTS PAYABLE

Moved by John Lowe and seconded by Robert Fisher: That the accounts payable in the amount of \$1,171,449.48 be approved for payment. Carried. Accounts Payable

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

<u>CAO/Clerk – Committee Appointments</u>

CAO/Clerk Brad Knight reviewed his report to Council concerning a review of Council/citizen appointments to various Committees. Council were advised that provisions in Section 5 of Huron East Procedural By-Law require a review of Councillors and citizen appointments to various Committees, generally completed at the mid-point of a Council term. The CAO proposed that information/comments regarding appointments be forwarded to the Mayor or the CAO prior to November 17th to assist the Mayor in his review of appointments to Committees. It is anticipated Council will be in a position to approve any changes at the December 15th, 2020 meeting.

Moved by Dianne Diehl and seconded by Alvin McLellan: Committee That Council initiate a review of Council/Citizen appointments to Committees Appointments with a deadline for comments to be received by the Mayor and CAO of November 17th, 2020. Carried.

Public Works Coordinator - Tender - Replacement of Bridge Structure T-13 - Kinburn Line

Public Works Coordinator Barry Mills reviewed his report to Council concerning tenders received for the replacement of Bridge Structure T-13 on Kinburn Line. Council were advised that tenders were received before Noon on October 15th, 2020 and opened by Councillor Joe Steffler, CAO/Clerk Brad Knight, Public Works Coordinator Barry Mills and BM Ross representative Ryan Munn. Tenders received were as follows:

| VanDriel Excavating | 2,603,347.03 |
|--------------------------------------|--------------|
| McLean Taylor Construction Ltd. | 1,995,767.04 |
| Finnbilt General Contracting Limited | 2,353,163.45 |
| Looby Builders (Dublin) Limited | 2,268,701.69 |
| Premier Concrete Inc. | 2,428,227.68 |
| Carlington Construction Inc. | 2,635,001.79 |

Funding for this project is based on the successful application for a total cost of \$2,564,100 to Investing in Canada Infrastructure Program: Rural and Northern Stream as follows:

| Federal Government | \$1,282,050.00 |
|----------------------------|----------------|
| Provincial Government | 854,614.53 |
| Municipality of Huron East | 427,435.47 |
| | \$2,564,100.00 |

Council were advised the Huron East portion is to be funded from the Bridge Reserves and incorporated into the 2021 Budget, noting this project is the largest single expenditure in the 5-year forecast of bridge needs for the Municipality.

| That Council of the Municipality of Huron East accept the tender of McLean Taylor Construction Ltd. in the amount of \$1,995,767.04 plus applicable taxes for the replacement of Bridge Structure T-13 on Kinburn Line. Carried. | Bridge T-13 |
|--|---------------------|
| Moved by Zoey Onn and seconded by Joe Steffler: | Municipal |
| That Huron East Council receive the following Reports of Municipal Officers | Officers Reports |
| as presented: (1) CAO/Clerk | Reports |
| (2) Public Works Coordinator | |
| (2) Fushe works contained Carried. | |
| CORRESPONDENCE | |
| Moved by Ray Chartrand and seconded by Larry McGrath: | Endorse |
| That Council of the Municipality of Huron East endorse the resolution of the | Resolution |
| Township of Asphodel-Norwood requesting a governing body in cannabis | Township of |
| production that: | Asphodel |
| 1. Takes a unified approach to land use planning restrictions; | Norwood |
| 2. Enforces the regulations under the Cannabis Act on behalf of the | |
| licencing agency and ensures local authorities are in fact provided with | |
| notification of any licence issuance, amendment, suspension, reinstatement, | |
| or revocation within their region; | |

3. Communicates more readily with local governments; and

4. Provides local governments with more support. Carried.

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Moved by Brenda Dalton and seconded by Ray Chartrand: That Council of the Municipality of Huron East endorse the resolution of the Township of Blandford-Blenheim urging the Federal Government to amend the legislation under which unlicensed and unmonitored cannabis grow operations operate to ensure the safety and rights of the local communities in which they are situated are respected. Carried.

Councillor Ray Chartrand provided an update on two cannabis operations located within Vanastra and questioned how the Municipality can enforce regulations pertaining to these operations and protect the residents in the area. Mayor MacLellan requested staff to investigate options to provide the Municipality with more authority to enforce regulations and this matter will be discussed further at the next Administration Committee meeting.

| <i>Moved</i> by Dianne Diehl and secon That Council declare the 2022 Brussels H following as a Committee of Council: | nded by Gloria Wilbee: Iomecoming Committee composed of the | 2022 Brussels Homecoming Committee of |
|--|--|---|
| Dan Fritz (Chair) | Mike Thomas (Vice Chair) | Council |
| Crystal McCallum (Secretary) | Deb Seili (Treasurer) | |
| Brad Beuermann | Jason Crawford | |
| Kaitlyn Pipe | Pam McLean | |
| Zoey Onn | John Lowe | |
| | Carried. | |
| Moved by Alvin McLellan and se | conded by John Lowe: | Endorse |
| That Council of the Municipality of Huro | n East endorse the resolution of | Resolution |
| Loyalist Township requesting confirmation | | Loyalist |
| | | m 11 |

and Canada that funding will be available for local smaller charities, community groups and service clubs affected by the pandemic. Carried. *Moved* by Ray Chartrand and seconded by John Lowe:

That Council of the Municipality of Huron East note and file the request of the Township of Lake of Bays concerning reform to the Municipal Insurance Policy and requesting the Premier of Ontario consider an amendment to Bill 124 to make it a requirement for building permits that the building contractor name be disclosed and the contractor provide proof of insurance. Carried.

UNFINISHED BUSINESS

Seaforth Santa Claus Parade

Council were supportive of the Seaforth Lions Club request to temporarily close a section of Hensall Road to accommodate a Santa Claus Parade on November 27th, 2020 and directed staff to prepare a by-law to authorize the closure.

MUNICIPAL DRAINS

PLANNING

COUNCIL REPORTS

County of Huron Corporate Climate Change Adaptation Plan

Deputy Mayor Bob Fisher advised the County of Huron has recently developed a Corporate Climate Change Adaptation Plan to be implemented over the next 5 years.

Recycling Bins - Brussels Ward

Councillor Zoey Onn advised that despite ongoing education efforts, some people continue to put garbage in the recycling bins in the Brussels Ward. Councillor Onn requested video cameras be installed at the bins to assist in identifying and enforcing proper use of the bins. Mayor MacLellan suggested Councillor Onn provide a notice of motion concerning her request at the next regular meeting to allow staff time to investigate this matter further.

Welcome to Howick Signage

Councillor John Lowe questioned if the newly erected Welcome to Howick sign that is located on Amberly Road in Grey Ward could be relocated to the north side of the road within the Township of Howick. Public Works Coordinator Barry Mills will contact the Township of Howick to request the sign be moved.

<u>99</u>

Endorse

Resolution

Blandford

Blenheim

Township of

Township

Note & File Resolution Township of Lake of Bays Maitland Valley Conservation Authority - Brussels Area

Councillor John Lowe spoke to a motion of Huron East/Brussels Community Development Trust, requesting Council to consider purchasing the Maitland Valley Conservation Authority area located in Brussels. Councillor Lowe advised that the Brussels Trust would pay for purchase of the land and act as the management board and Huron East could continue the current financial commitments i.e. grass cutting and liabilities. Mayor MacLellan requested additional information be provided to Council and this matter remain on the agenda for a future meeting.

INFORMATION ITEMS

Moved by Ray Chartrand and seconded by Brenda Dalton: That Huron East Council receive the following Board and Committee meeting minutes as submitted: (1) Huron East/Seaforth Community Development Trust – September 3rd, 2020

(2) Huron East/Brussels Community Development Trust – September 3, 2020 (2) Huron East/Brussels Community Development Trust – September 17th, 2020

Carried

OTHER BUSINESS

BY-LAWS

| <i>Moved</i> by Joe Steffler and seconded by Alvin McLellan: BE IT HEREBY RESOLVED that leave be given to introduce By-Laws 62 and 63 for 2020: | Introduce By-Laws |
|--|----------------------|
| By-Law 62-2020 – Part Lot Control Exemption – Lot 61, Part Lot 62, Plan 394, R1267: Seaforth Ward (Bradley Henderson) By-Law 63-2020 – Confirm Council Proceedings | 25, |

Carried.

Moved by Gloria Wilbee and seconded by Alvin McLellan: BE IT HEREBY RESOLVED that By-Law 62 for 2020, a by-law to exempt certain lands from Part Lot Control, Lot 61, Part Lot 62, Plan 394, R126725, Seaforth Ward (Bradley Henderson), 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.

CLOSED SESSION AND REPORTING OUT (Section 239 of the Municipal Act, 2001)

CONFIRMATORY BY-LAW

Moved by John Lowe and seconded by Dianne Diehl: BE IT HEREBY RESOLVED that By-Law 63 for 2020, 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.

ADJOURNMENT

Moved by John Lowe and seconded by Ray Chartrand: The time now being 8:28 p.m. That the meeting do adjourn until November 3rd, 2020 at 7:00 p.m. Carried.

Adjournment

Exempt Lands

Pt. Lot Control

Henderson

Confirm

Proceedings

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk



MUNICIPALITY OF HURON EAST

PUBLIC HEARING

TUESDAY, NOVEMBER 3rd, 2020 - 7:00 P.M.

SEAFORTH & DISTRICT COMMUNITY CENTRE

The purpose of the public hearing of the Committee of Adjustment is to consider a proposed minor variance to the Huron East Zoning By-Law 52-2006.

AGENDA

1. Call to Order – Adopt Agenda for Public Hearing

2. Disclosure of Elected Officials – Pecuniary Interest

3. Minor Variance Application

3 a) Committee of Adjustment application MV05-2020 by Elisabeth and Cornelius Peters on 43664 Line 34, East Part Lot 15, Concession 1, McKillop Ward. (encl.)

The proposed minor variance will provide relief from By-Law 52-2006 (Huron East Zoning By-Law) to permit the following variances:

- reduce the Minimum Distance Separation setback from 84 metres to 58 metres to the dwelling to the east
- reduce the Minimum Distance Separation setback from 84 metres to 70 metres to the dwelling to the west

to allow for a new proposed livestock barn for 2 horses to the neighbouring residences.

Comments Received:

- Report from Planner Laura Simpson dated October 29th, 2020 (encl.)
- 4. Close Public Hearing



THE CORPORATION OF THE MUNICIPALITY OF HURON EAST

NOTICE OF PUBLIC HEARING PURSUANT TO SECTION 45 OF *THE PLANNING ACT*, R.S.O. 1990

MINOR VARIANCE APPLICATION FILE# MV05-2020

LOCATION: 43664 Line 34 McKillop Ward, Concession 1, East Part Lot 15, Municipality of Huron East OWNERS: Elisabeth and Cornelius Peters ROLL NUMBER: 4040 380 001 04001

TAKE NOTICE that the Municipality of Huron East Committee of Adjustment will hold a public meeting on: <u>Tuesday, November 3, 2020 at 7:00 p.m.</u> in the Seaforth and District Community Centre at 122 Duke Street in Seaforth, to consider a proposed minor variance under Section 45 of the Planning Act (RSO 1990), as described below and shown on the attached map.

BE ADVISED the Municipality of Huron East considered this application complete on October 14 2020.

PURPOSE AND EFFECT:

The subject property is zoned Agricultural Small Holding (AG4) on Key Map 35 of the Huron East Zoning By-law.

The purpose of this application is to permit reduced Minimum Distance Separation (MDS) for a new livestock barn for 2 horses to the neighbouring residences.

PROPOSED MINOR VARIANCE:

Two minor variances are being requested for this development:

- To reduce the Minimum Distance Separation setback from 84 metres to 58 metres to the dwelling to the east.
- To reduce the Minimum Distance Separation setback from 84 metres to 70 metres to the dwelling to the west.

EXISTING ZONING BY-LAW PROVISIONS:

Section 4.5 of the Huron East Zoning By-law states that all new livestock housing facilities in the agricultural area must comply with Minimum Distance Separation setbacks to neighbouring sensitive land uses.

MINOR VARIANCE FILE MV05-2020 ROLL NUMBER: 4040 380 001 04001

PUBLIC HEARING – you are entitled to attend this public hearing in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice, you are requested to inform that person of this hearing. If you wish to make written comments on this application, they may be forwarded to the secretary-treasurer of the committee at the address shown below.

Please note that comments and opinions submitted on these matters, including the originator's name and address, become part of the public record and may be viewed by the general public and may be published in a Planning Report, Council Agenda or Council Minutes.

FAILURE TO ATTEND – If you do not attend at the hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION – If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal hearing in the event the decision on this application is appealed.

ADDITIONAL INFORMATION relating to the proposed minor variance is available for inspection between 8:30 a.m. and 4:30 p.m. at the Clerk's office.

DATED AT THE MUNICIPALITY OF HURON EAST THIS 23rd DAY OF OCTOBER 2020.

Brad Knight, CAO/Clerk, Municipality of Huron East 72 Main Street South, PO Box 610, Seaforth, Ontario N0K 1W0 Phone: 519-527-0160 or Toll Free 1-888-868-7513

MINOR VARIANCE FILE MV05-2020 ROLL NUMBER: 4040 380 001 04001



Location of the Minor Variance Application





PLANNING & DEVELOPMENT 57 Napier Street, Goderich, Ontario N7A 1W2 CANADA Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677

Toll Free: 1.888.524.8394 Ext. 3 www.huroncounty.ca

To: Municipality of Huron East, Mayor and Members of Council From: Laura Simpson Date: 29 October 2020 Re: Application for Minor Variance: MV05-20 Concession 1 East Part Lot 15, McKillop Ward, Municipality of Huron East (43664 Line 34) Applicant/Owner: Cornelius and Elisabeth Peters

RECOMMENDATION

It is recommended that minor variance application MV05-20 be approved with the following condition:

1. The variance approval is valid for a period of 18 months from the date of the Committee's decision.

PURPOSE

The purpose of this application is to permit reduced Minimum Distance Separation (MDS) for a new livestock barn for 2 horses to the neighbouring residences

Two minor variances are being requested for this development:

- To reduce the Minimum Distance Separation setback from 84 metres to 58 metres to the dwelling to the east.
- To reduce the Minimum Distance Separation setback from 84 metres to 70 metres to the dwelling to the west.

REVIEW

The subject property is zoned Agricultural Small Holding (AG4) on Key Map 35 of the Huron East Zoning By-law. The subject property is 1.85 acres in size and contains a single detached residence. It is one of three AG4 properties in a row along Line 34 (Provincial Highway 8), with surrounding agricultural land. The proposed livestock barn is requested to be located in the rear yard, within the required MDS setback to the neighbouring residences. This application requests a reduction in MDS to the residences east and west of the subject property.



Figure 1: Location of Proposed Minor Variance (excerpt from Zone Maps 35)

Property to which minor vanance applies

The applicant is proposing to build an accessory structure to house two (2) horses and have storage and workshop space. Section 4.5 of the Huron East Zoning By-law states that all new livestock housing facilities in the agricultural area must comply with Minimum Distance Separation setbacks to neighbouring residences. MDS Implementation Guideline No. 43 states that if deemed appropriate by the municipality, reductions to MDS setback requirements may be considered through a minor variance process.

Minor variances are required to satisfy four tests under the Planning Act before they can be approved. To be approved the requested variance must be:

- 1) minor,
- 2) desirable for the appropriate development or use of the land, building or structure,
- 3) maintain the general intent and purpose of the zoning by-law, and
- maintain the general intent of the official plan.

Figure 2: Aerial photograph showing proposed location of new barn/shed in red outline



The subject lands are designated Agriculture in the Huron East Official Plan. The proposed barn is a permitted and typical use in the agricultural designation and small scale livestock is a permitted use on small agricultural holdings; agricultural policy goals in the Huron East Official Plan recognizes different scales and intensities of agricultural uses, with encouragement for best livestock management practices.

A barn is a permitted structure in the Agricultural Small Holding Zone (AG4) zone and the proposed location of the barn meets the other applicable sections of the Huron East Zoning By-law. Section 7.7 of the Zoning By-law has specific provisions for the establishment of new barns on an AG4 property, but given the inability to regulate the number of livestock units permitted, the appropriate distance from neighbouring residences was calculated using the Minimum Distance Separation formulae for the

OWNERS: Elisabeth and Cornelius Peters

proposed two horses. The applicant is proposing to locate the barn in the rear portion of the property, the location shown on the property aerial photo in Figure 2. The variances requested for the Minimum Distance Separation from the neighbouring houses are a reduction of approximately 16.6 % for the house to the west, and 31% to the house to the east (as shown in Figure 3).

The requested variances are considered minor in nature and are appropriate for the scale of the property and surrounding agricultural land uses. It is my opinion that the proposed barn is considered a normal use for an Agricultural designated property. The proposed scale of building and livestock amount is appropriate for the property size of almost 2 acres and no additional entrances from the highway are being requested. The development of a small-scale barn and workshop space on an AG4 property is considered an appropriate accessory use for this zone and property.

Figure 3: Aerial photo showing proposed barn location with red lines indicating neighbouring houses the variance requests reduced MDS to



Figure 4: Photo of the subject property, showing rear yard behind house and proposed area for the new structure



COMMENTS RECEIVED

No comments were received during the circulation of this application and staff did not have any concerns. Any additional comments received following the writing of this report will be verbally presented to Council. I will be in attendance on November 3rd 2020 to answer any questions from the Committee and the public.

SUMMARY

It is my opinion that the variances requested are minor and appropriate and maintain the intent of both the Official Plan and Zoning By-law. It is recommended that application MV05-20 be approved with the condition in this report.

Sincerely,

Laura Simpson, MCIP RPP Planner



Janice Andrews

From: Sent: To: Subject: noreply@esolutionsgroup.ca Friday, October 30, 2020 2:24 AM Janice Andrews New Response Completed for Council Delegation Request

Hello,

Please note the following response to Council Delegation Request has been submitted at Friday October 30th 2020 2:23 AM with reference number 2020-10-30-001.

- Date of Council Meeting 11/3/2020
- Name of Person(s) Making Presentation (Please include Title/Position, if applicable)

Gerry Wheeler, member Doug Sholdice, member

- Group/Organization Delegation Represents
 Maitland Mills
- Full Mailing Address of Delegation(s) Brussels, ON
- Phone Number 519-357-6117
- Email Address wheelergerry@icloud.com
- General Nature of Delegation
 Supporting the request of the Brussels Trust for Huron East to purchase the land
 paid for with Brussels Trust funds.
- Please indicate the action/decision being requested of Council. To provide Council with more info on the importance of this cherished and unique greenspace.
- I acknowledge that all presentation material must be submitted to the Clerk's office by Noon (12 pm) on the Thursday before the Council meeting date. I agree
- Council Meeting Date
 11/3/2020

Municipality of Huron East

Building Maintenance Report

July – September, 2020

<u>July 2019</u>

| Property Location | Job Description |
|---------------------|---|
| | |
| Townhall\Red shed | finish siding, clean up, go to the dump |
| | |
| Seaforth North sign | build framework for the sonotubes & anchor bolts |
| | move plants out of the way, layout & mark sign location |
| | |
| Brussels west sign | pick up the sign at Brenwood Signs & install |
| | |
| Memory Lane | remove the old posts |
| Memorial sign | install new post & sign |
| | |
| McKillop office | fabricate aluminum trims for the windows and side door, install |
| • | |
| Brussels Cemetery | new entrance sign |
| | |
| HCFHT | check to see why water is leaking at the bottom of the waiting room window, to much |
| | mulch, fix foam gasket on the roof, move mulch away from the window, tighten roof |
| | screws |
| | |
| Vanastra STP | adjust the main gate |
| | |
| VRC | insulate the store room ceiling, install the suspended ceiling, prep lifeguard office for |
| _ | new tile |
| | replace the diving board base |
| | replace the diving board base |

Townhall\Red shed



Brussels West Sign



Memory Lane Memorial sign



McKillop office

aluminum trim on the windows & side door







Brussels Cemetery new entrance sign



VRC

insulate the store room ceiling, install the suspended ceiling



replace the diving board base



<u>August 2020</u>

| Property Location | Job Description |
|---------------------|---|
| Seaforth North sign | hydro excavate holes for concrete, set the sonotubes & pour concrete |
| | |
| VRC | Lifeguard office – install a floor drain, tile & grout floor, install cabinets & counter tops |
| | install ceiling tile in the store room |
| | remove the old ceiling tile at the side entrance and install new tile prep old floor for |
| | new tile, install new tile, transition strips & vinyl base |
| | |
| Economic | hang banners out front of Townhall |
| Development | hang bikes & solar lights in the back alley |
| | |
| Victoria Park | pressure wash the deck |
| Band Shell | |
| | |
| Walton Dump | put the lock box on the E-waste bin |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Seaforth North Sign hydro excavate holes



set the sonotubes



Municipality of Huron East

pour concrete



VRC Lifeguard Office

tile & grout floor, install cabinets & counter tops





new floor drain





ceiling tile and new floor & vinyl base in the side entrance


Economic Development bikes In the alley



Victoria Park Band Shell clean deck







September 2020

| Property Location | Job Description |
|---------------------|--|
| VRC | remove old hand dryer, build shelves in the lifeguard change room, fix downpipe |
| | |
| Economic | put a picture of some old guy on a door at Smith's – The Law Office |
| Development | |
| Brussels Med/Dent | foundation crack repairs |
| Town Hall | make anchor bolt template for the flag pole bases, assemble templates and anchor bolts |
| | remove the front railings, re-install after the new ramps were finished. |
| | set the sonotubes for the flag poles |
| | |
| SDCC | put roof coating on roof flashing to stop a leak, install skirting under the new counters |
| Seaforth Library | sand & re-stain and apply 6 coats of finish on the front doors |
| BMG | put louvers in the exterior doors of the ice making plant room, foam holes in the wall separating the plant room and the Olympia room as required by TSSA. |
| Seaforth North Sign | place the posts |
| | |
| | |
| | |
| | |

Economic Development



Brussels Med/Dental







Seaforth Library refinished front door





SDCC



VRC downpipe repair



BMG

louvers in the exterior doors



Town Hall

railings reinstalled on the new ramps



Seaforth North Sign posts in place and the sign installed



HURON EAST ADMINISTRATION

| VICIPALITY | | | |
|--------------|-------|----|------|
| Document No. | 7-19- | L. | 2020 |

TO: Mayor and Members of Council

FROM: Miranda Boyce - Drainage Clerk

DATE: October 22, 2020

SUBJECT: Cox Municipal Drain and the Burrows 'B' Drain Improvement

RECOMMENDATION:

It is recommended that the Council of the Municipality of Huron East accept the tender of Robinson Farm Drainage Limited, for the Cox Municipal Drain and Burrows 'B' Drain Improvement (Grey Ward) in the amount of \$196,775.00 (excluding taxes) subject to recommendation of R.J. Burnside & Associates Limited.

BACKGROUND:

Council authorized R.J. Burnside & Associates Limited to proceed to call for tenders on the Cox Municipal Drain and the Burrows 'B' Drain. Tender prices were received as per the specifications of R.J. Burnside & Associates Limited prior to 12:00 pm on October 20, 2020. One (1) tender was received and opened in the presence of R.J. Burnside's Trevor Kuepfer, Drainage Clerk, Miranda Boyce, Councillor, Raymond Chartrand, Public Works Manager, Barry Mills and CAO/Clerk, Brad Knight. The tenders were as follows:

| Contractor | Price (excluding taxes) | |
|--------------------------------|----------------------------|--|
| Robinson Farm Drainage Limited | \$196,775.00 | |
| Engineer's Estimate | \$186,180.00 | |

SIGNATURES:

Miranda Boyce, Drainage Clerk

Brad Knight, CAO/Clerk

HOW DISPOSED OF

MUNICIPALITY OF HURON EAST COUNCIL Document No. 7-19-3, 20,20 HOW DISPOSED OF

HURON EAST PUBLIC WORKS

| TO: | Mayor and Members of Council |
|----------|---|
| FROM: | Barry Mills, Public Works Manager, C.Tech |
| DATE: | October 26 th , 2020 |
| SUBJECT: | By-law to Designate Gouinlock Street One-Way from Main Street South (County Road 12) to Victoria Street with traffic flowing east only |

RECOMMENDATION:

That Huron East Council pass a by-law to designate Gouinlock Street One-Way from Main Street South (County Road 12) to Victoria Street, with traffic flowing in an easterly direction only, and parking re-established on both sides.

BACKGROUND:

Huron County, in partnership with Huron East, awarded an RFP for the reconstruction of County Road 12 from Front Street to Goderich Street (#8 Highway) to be completed in two phases with each phase approximately one km in length. The second phase through downtown Seaforth is nearing completion. Part of the project included the installation of a fully signaled Intersection Pedestrian Signal (IPS) on Seaforth Main Street/Gouinlock Street and designating Gouinlock Street a one-way street upon the initiation of the pedestrian crossing.

Council passed a motion at their October 1st, 2019 meeting, approving both the IPS and the one-way street. In order to change Gouinlock Street from 2-way traffic to 1-way, a by-law is required, and will be introduced at the November 3rd, 2020 meeting of Council. The timing of the changeover to a one-way street is dependent on when the Main Street is open, but the by-law would be in place to authorize the change.

OTHERS CONSULTED:

BUDGET IMPACTS:

There will be some costs incurred for signage and marking, but they will be relatively insignificant.

SIGNATURES Barry Mills, C. Tech.

Brad Knight, CAO/Clerk



| MUNICIPALITY OF HURON EAST COUNCIL | | |
|------------------------------------|--|--|
| Document No.]-19-4, 2020 | | |
| HOW DISPOSED OF | | |

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HURON EAST

PUBLIC WORKS

TO: Mayor and Members of Council

FROM: Barry Mills, Public Works Manager

DATE: October 29th, 2020

SUBJECT: Connecting Link Program 2021-22 Project Application

RECOMMENDATION:

It is recommended that the Council of Huron East authorize a grant application under the Province of Ontario Connecting Link Intake Program 2021-22 for the resurfacing and rehabilitation of Highway No.8 west of County Road 12, Phase 2 located in the Town of Seaforth

BACKGROUND:

1

Connecting links are municipal roads and bridges that connect two ends of a provincial highway through a community. Huron East's connecting link is approximately 1.5 km from Centennial Drive to the edge of Harpurhey on King's Highway Number 8 with an average daily traffic count of 3500.

The objectives of the Connecting Link Program are to make connecting link investments that address critical improvements to the connecting link, extend the life cycle of the asset and are cost effective in addressing the connecting link needs. The program funds up to 90% to a maximum \$3 million of eligible construction costs for road, storm and engineering. Last year we received Connecting Link Funding for Phase 1 to reconstruct the Connecting Link from County Road 12 east to Centennial Drive. We are currently in final design stage of Phase 1 and will be preparing to call for tenders in December or January for Phase 1 construction in 2021.

This intake will be for Phase 2 of our connecting link program: Goderich Street West of County Road 12 to the Seaforth town limits. The proposed roadwork includes a roadresurfacing component, replacement of municipal watermains, storm sewer and sanitary sewers upgrades. Due to the extent of work required, and the volume of traffic frequenting this section of roadway, work will be phased over two construction seasons. Preparation of the final design and approvals will be undertaken during 2021 with construction in 2022 if the funding application is approved.

OTHERS CONSULTED:

J

Brad Knight, CAO/Clerk Paula Michiels, Finance Manager/Treasurer

BUDGET IMPACTS:

If grant application is accepted the 2021 budget for design will be approximately \$35,000 with construction to be budgeted in 2022.

SIGNATURES:

Brad Knight, CAO/Clerk

Paula Michiels, Finance Manager/Treasurer

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Barry Mills, Public Works Manager

O:\Staff Reports to Council\Public Works Manager reports\2020 Reports\2020-10-30 Connecting Link 2.doex

Municipality of Huron East Map Connecting Link



10/29/2020, 3:57:45 PM



USDA FSA, GeoEye, Maxar

HURON EAST ADMINISTRATION

TO: Mayor MacLellan and Members of Council

MUNICIPALITY OF HURON FAST COUNCIL Document No. <u>7-19-5</u> 20-20 HOW DISPOSED OF

FROM: Brad Knight, CAO/Clerk

DATE: October 28th, 2020

SUBJECT: Brussels Trust Resolution

RECOMMENDATION:

That Council decline the request contained in a Huron East/Brussels Community Development Trust September 17th, 2020 resolution requesting the Municipality to assume ownership of the MVCA conservation area in Brussels.

BACKGROUND:

As discussed at the October 20th, 2020 meeting, staff were directed to bring a report back to Council on the options for the Brussels dam/conservation area that is currently owned by the Maitland Valley Conservation Authority. The Huron East/Brussels Community Development Trust passed the following resolution at their September 17th, 2020 meeting.

Moved by Zoey Onn and seconded by Paul Mutter: "That the HE/Brussels Trust be the conduit for the Maitland Mills for the purchasing the land and, Huron East assume ownership of the Maitland Valley conservation area in Brussels, and furthermore, that the HE/Brussels Trust would pay for said purchase and also act as the management board. Huron East will continue with current financial commitments i.e. grass cutting and liabilities." Motion carried.

In September, 2018 the MVCA made a presentation to Council regarding a policy being developed for future maintenance of the MVCA's recreational water and erosion control infrastructure. At that meeting, the MVCA indicated that the Logan's Mill was declared surplus to the MVCA and the Maitland Mills Association was working on options with respect to leasing or owning the buildings. The minutes from the September 17th, 2018 meeting are enclosed.

Council requested a report which was presented to the October 16th, 2018 meeting. My report with the recommendation to enter into a 50/50% cost sharing agreement for future maintenance/repairs to the Brussels Dam is enclosed.

Based on the interest of the Maitland Mills Association in Logan's Mill, the enclosed June 29th, 2020 letter from the MVCA was presented to the July 7th, 2020 Council meeting. As indicated in the letter, the MVCA is required to contact public agencies to determine if we have an interest in the property, otherwise they would proceed to sever it. Council passed a resolution at the July 7th, 2020 meeting indicating that the Municipality was not interested in the property.

There has been interest expressed by a volunteer within the Maitland Mills Association that rather than severing Logan's Mill from the property for the Association that the Municipality should acquire the entire property. Comments have been made that the Municipality has demonstrated a commitment to the property in terms of grass cutting and the 50/50 cost sharing arrangements for maintenance of the dam.

Council should be aware that the Municipality and the Brussels Trust were involved significantly with a 2006 Brussels Dam revitalization project that was initiated by the Brussels Optimist Club (Jeff Newell). I have enclosed excerpts from the project summary that was presented to the MVCA. In addition to writing the Trillium grant application the Municipality provided \$9,500 in funding, Brussels Water/Sewer provided \$6,570 (water/sewer connections to pavilion/washrooms) and the Brussels Trust provided \$30,000.

Our staff have always assisted MVCA staff with installing/removing the stop logs, and some time ago before Doug Grummett retired, the Municipality, because of the significant funding cuts to the MVCA was asked if we could cut the grass in the conservation area \rightarrow our Public Works staff cut the grass. In addition, there is no charge levied from the Brussels water system for water/sewer at the washroom facility and the Municipality currently covers the hydro costs at the pavilion (\$500 annually).

An air photo of the area is attached to the MVCA letter and a number of photos of the mill building, dam, washroom/pavilion and amenities in the park have been inserted into this report. The Brussels Leo Club recently replaced the playground equipment in the park and Huron East contributed \$1,000 from our parkland reserve to the project.

When the concept of keeping the entire property together was presented to me, part of the reason given was that the MVCA is doing very little in terms of maintenance or promoting the area. There is no doubt that a number of amenities have been developed in the area by a loose collection of service clubs and organizations.

Given the level of community support and involvement, I suggested that the Brussels Community Development Trust might be in a better position to manage and promote the area than the Municipality. Given the general mandate of the Trusts to use the former PUC hydro reserves for the betterment of the community and the ability of the Trusts to acquire property, the Trust could coordinate the efforts to maintain, improve and promote the facilities.

The level of municipal support is certainly at the discretion of Council. As previously noted the Municipality cuts the grass at the park and I expect the Municipality, at the direction of Council, would continue to cut the grass regardless if the property continued under the ownership of the MVCA or something else. The commitment the Municipality has to the dam, along with the commitments of the MVCA would continue regardless of ownership, but these commitments should also be disclosed in any agreement of purchase and sale.

The following current photos of the amenities are attached

- (1) Walkway across Main Dam
- (2) Main Dam
- (3) East Dam & Walkway
- (4) Walkway Bridge
- (5) Leo Playground
- (6) Pavilion & Washroom
- (7) Butterfly Garden

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OTHERS CONSULTED:

Paula Michiels, Finance Manager-Treasurer/Deputy Clerk

BUDGET IMPACTS:

The Municipality currently incurs costs for cutting the grass and covering the hydro bills at the washroom facility

SIGNATURE:

Brad Knight, CAO/Clerk

Paula Michiels, Finance Manager-Treasurer/Deputy Clerk



Walkway Across Main Dam





East Dam & Walkway



Walkway Bridge



Leo Playground



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Butterfly Garden

MUNICIPALITY OF HURON EAST COUNCIL MEETING MINUTES HELD IN THE COUNCIL CHAMBERS, SEAFORTH, ONTARIO MONDAY, SEPTEMBER 17th, 2018 – 7:00 P.M. Members Present: Mayor Bernie MacLellan, Deputy Mayor Joseph Steffler, Councillors David Blaney, Alvin McLellan, Brenda Dalton, Kevin Wilbee, John Lowe, Robert Fisher, Nathan Marshall and Raymond Chartrand Members Absent: Councillors Dianne Diehl and Larry McGrath Staff Present: CAO/Clerk, Brad Knight Finance Manager-Treasurer/Deputy Clerk, Paula Michiels Economic Development Officer, Jan Hawley Executive Assistant, Janice Andrews

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 Raymond Chartrand: That the Agenda for the Regular Meeting of Council dated September 4th, 2018 be adopted as circulated and amended to add the following item: 8.17.3 – Federation of Canadian Municipalities – concerning Section 33 (the notwithstanding clause) of the Charter of Rights and Freedom. Carried.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Alvin McLellan declared a pecuniary interest on accounts payable cheque number 11283 concerning the Tindell Municipal Drain as he is an owner of land assessed to the drainage works.

MINUTES OF PREVIOUS MEETING

Moved by Raymond Chartrand and seconded by Joseph Steffler: That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:

a) Regular Meeting – September 4th, 2018

PUBLIC MEETINGS/HEARINGS AND DELEGATIONS

7:00 p.m. Maitland Valley Conservation Authority

Phil Beard, General Manager/Secretary-Treasurer and Stewart Lockie, Conservation Areas Services Coordinator of the MVCA, attended before Council to provide an update on the following:

- MVCA's priorities over the next three years
- Water and Erosion Control Infrastructure Cost Sharing
- Logan's Mill

They indicated the MVCA has developed a three-year work plan with the following priorities:

- 1. Strengthen Flood and Erosion Safety services to help municipalities reduce the potential for loss of life, property damage and social disruption from flood events.
- Strengthen Watershed Stewardship Services to help municipalities/landowners put stewardship systems in place retains soil/nutrients on land and out of municipal drains, rivers and Lake Huron.
- 3. Stabilize Financial Base to include:
 - a) Development of a three year work plan and budget and update annually so that always planning three years ahead
 - b) Identify ways to reduce operating and infrastructure costs
 - c) Limit levy increases to between \$55,000 and \$58,000 per year

Meeting Minutes

Carried.

Adopt Agenda

They further advised that the MVCA Board is in the process of developing a policy for how MVCA's recreational water and erosion control infrastructure should be cost shared going forward given that there is limited Provincial funding for maintaining the structures. It was noted that the current practice for the recreational structures is to cover the cost from the general levy and any funding that may be available from the Water and Erosion Control Infrastructure (WECI) fund. The proposed policy would move the funding responsibility to a 50/50 basis with the host municipality similar to major flood control works with a provision that if a structure needs to be decommissioned then MVCA would cover 100% of the costs of removal with the local municipality being given the opportunity to take over ownership of the structure.

Stewart Lockie advised that the MVCA's Board have identified that the Logan's and Maitland Mills are surplus to the Authorities needs. A group of community members interested in trying to restore both mill buildings has formed the Maitland Mills Project Steering committee to look at repairing and finding a use for both structures. To date the committee has been successful in obtaining an Ontario Trillium Foundation grant to complete a feasibility study. The committee is currently working on becoming an incorporated body as the Maitland Mills Association and is working with the Authority on potential agreements regarding the leasing or obtaining ownership of both buildings sometime in the future.

ACCOUNTS PAYABLE

Moved by Joseph Steffler and seconded by Raymond Chartrand: That the accounts payable in the amount of \$3,331,401.88 be approved for payment. Carried.

Accounts Payable

Funding

Application

RED Program

REPORTS & RECOMMENDATIONS OF MUNICIPAL OFFICERS

Chief Building Official - Report

The Chief Building Official report for August 2018 be received by Council.

CAO/Clerk - RED Application with Morris-Turnberry

CAO/Clerk Brad Knight reviewed his report to Council regarding submission of a joint RED (Rural Economic Development) funding application with the Municipality of Morris-Turnberry for the development of a Brussels & Area Industrial Land Strategy. The deadline for applications is September 28th and provides 50% funding of projects that enhance local economies and remove barriers to economic development.

Moved by Brenda Dalton and seconded by Kevin Wilbee: That the Municipality of Huron East endorse a joint application with the Municipality of Morris-Turnberry to the Rural Economic Development (RED) program for the development of a Brussels & Area Industrial Land Strategy. Carried.

Finance Manager-Treasurer/Deputy Clerk - Year-to-Date Financial Statement

The August 31st, 2018 year-to-date Financial Statement was received by Council. Finance Manager-Treasurer/Deputy Clerk Paula Michiels reviewed the statement in detail.

Finance Manager-Treasurer/Deputy Clerk - FCM Municipal Asset Management Program

Finance Manager-Treasurer/Deputy Clerk Paula Michiels reviewed her report to Council concerning submission of a funding application to the Federation of Canadian Municipalities – Municipal Asset Management Program to obtain the conditional assessments on Huron East's roads and building assets. The deadline for applications is October 23rd, 2018 and funding up to 80% of eligible projects costs to a maximum of \$50,000 may be provided.

Moved by David Blaney and seconded by Raymond Chartrand: BE IT HEREBY RESOLVED that Council of the Municipality of Huron East direct staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Huron East's Roads and Building Assets; AND FURTHER that the Municipality of Huron East commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- obtain condition assessments on all Huron East's road and building assets AND FURTHER that the Municipality of Huron East commits \$12,500 from its 2019 budget toward the costs of this initiative. Carried. Funding Application FCM Asset Management Program



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Picture of Gorrie, Bluevale and Brussels Dams: MVCA owns/operates 3 recreational water control structures.

These structures have no flood control value. They are strictly recreational structures. Draft Policy proposes that the local municipality would be responsible for 50% of the costs of major/minor maintenance and repairs. Present practice is that the general levy or accumulated surplus covers maintenance/repair costs.

If the structure needs to be decommissioned then MVCA would cover 100% of the costs of removal through the general levy and WECI funding, if approved. We would give the local municipality the opportunity to take over ownership of the structure if they would like to replace the structure. We look forward to council's feedback on the proposed policy.

I will now turn the presentation over to Stewart to provide council with a progress report on the Logan's Mill project.

HURON EAST ADMINISTRATION

| MUNICIPALITY OF | HURON EAST COUNCIL |
|-----------------|-------------------------------------|
| Document No | HURON EAST COUNCIL $18 - 4$, 20 18 |
| HOW DISPOSED | |

TO: Mayor MacLellan and Members of Council

FROM: Brad Knight, CAO/Clerk

October 12th, 2018 DATE:

SUBJECT: MVCA request for consideration of cost sharing - proposals for recreational water control infrastructure

RECOMMENDATION:

That Huron East Council advise the MVCA that it is willing to consider entering into a 50/50% cost sharing agreement for maintenance/major repairs of the Brussels Dam as outlined in the September 17th, 2018 presentation to Council.

BACKGROUND:

At the September 17th, 2018 meeting of Council, Phil Beard and Stewart Lockie made a presentation to Council regarding a draft cost sharing proposal for minor repairs/preventative maintenance for recreation dams such as Brussels. There are similar structures in Gorrie and Bluevale

Generally speaking the current maintenance of the structures is completed through the general levy, while the Listowel flood control structure and Goderich Bluffs stabilization projects are maintained on a 50/50 basis with the host municipalities. The MVCA is asking Huron East (Brussels) and Howick (Gorrie) and Morris-Turnberry (Bluevale) to consider a similar 50/50 policy for these structures.

In a follow up discussion with Stewart Lockie, I asked for a 5-year average of the maintenance costs. The costs for the Brussels structure are generally less than \$500 per year.

While not classified as a flood control structure, the Brussels dam certainly has recreational and aesthetic value to the Brussels community. It is being recommended that Council express an interest in entering into a 50/50 agreement for ongoing preventative maintenance of the structure by MVCA staff. I would anticipate the agreement would outline procedures for reviewing/discussing the required maintenance with Huron East.

OTHERS CONSULTED:

Paula Michiels, Finance Manager-Treasurer/Deputy Clerk

BUDGET IMPACTS:

Maintenance costs of \$500 per year have a immaterial effect on the Huron East budget. If major repairs were considered (such as the replacement stop logs), the Municipality could perhaps consider using the Parkland Reserve fund and funds have historically been provided by other groups such as the Brussels Trust and the Brussels Optimist.

SIGNATURES:

Brad Knight, CAO/Clerk

Paula Michiels, Finance Manager-Treasurer/Deputy Clerk

| | MVCA | Municipality where structure is located |
|---|---|---|
| Flood/Erosion Control Infrastructure Minor Repairs Preventative Maintenance | 50% | 50% |
| Major Repairs(including studies) | 50% (subject to approval of WECI funding) | 50% |
| Recreational Water Control Structures Minor Repairs Preventative maintenance | 100% | 0% |

Existing Practice for Cost Sharing Water and Erosion Control Infrastructure

Draft Cost Sharing Policy for Water and Erosion Control Infrastructure

| | MVCA | Municipality where structure is located |
|---|--|---|
| Flood/Erosion Control Infrastructure Minor Repairs Preventative Maintenance | 50% | 50% |
| Major Repairs (including studies) | 50% (subject to approval of funding from WECI Program) | 50% |
| Recreational Water Control Structures Minor Repairs Preventative Maintenance | 50% | 50% |
| Major Repairs(including studies) | 50% (subject to approval of funding from WECI Program) | 50% |
| Decommissioning (including studies) | 100% (subject to approval of WECI funding-50% grant; 50% to be funded by general levy from all member municipalities | |
| Replacement/New Structure (including studies) | | Local municipality be given option of taking over ownership of the structure and associated lands if interested. |

Examples of Minor/Major repairs to Recreational Water Control Structures

Minor Repairs and Preventative maintenance: Safety signage replacement, touch up painting, small repairs to concrete surfaces, Lifting cable replacement, small equipment/tool replacement, etc.

<u>Major Repairs</u>: Decking Replacement, Stripping and repainting, Stop log replacement, Concrete repairs, Repairs to earth-filled embankments and downstream channels, stabilization of slopes, Dam safety studies, repairs to control structure, etc.

| MUNICIPALITY OF H | JRON EAST COUNCIL |
|-------------------|--------------------------|
| Document No. 8- | URON EAST COUNCIL |
| HOW DISPOSED OF | |



June 29th, 2020

Municipality of Huron East 72 Main Street South Seaforth, Ontario N0K 1W0

Attention: Mayor Bernie MacLellan and Council

Dear Mayor MacLellan:

Re: Disposition of the Brussels Mill

I am writing to council at this time to advise you that Maitland Conservation has decided to proceed with the disposition of the Logan Mill in Brussels.

In 2014, the Members approved a motion to declare that the Logan mill is surplus to the Authority's needs. A community group, called the Maitland Mills Association (MMA) has contacted Maitland Conservation and advised the authority that they are interested in purchasing the Logan Mill from us. At the May 20th 2020 Membership meeting, the MMA presented a proposal to the authority to purchase the mill and approximately 0.5 acres of conservation area land surrounding the Mill. A severance will be required before we would be able to sell the mill and the land immediately surrounding the Mill. The Members approved the proposal to proceed with the proposed consent and sale to the MMA.

MVCA is writing to the Municipality of Huron East to determine if the municipality has any interest in acquiring the property. We are required by the Ministry of Environment, Conservation and Parks to contact public agencies to determine if they have any interest in acquiring the mill from MVCA before we may sell the building and lands to any other body.

If the Municipality of Huron East is not interested in acquiring the building and surrounding property, then MVCA will proceed with a consent application and if approved, sell the property and building to the Maitland Mills Association.

If you do have interest in acquiring the property, please send a letter of interest to MVCA by July 31st, 2020.

Sincerely,

Dave Turton Chair Maitland Valley Conservation Authority


Project Partners

- Municipality of Huron East.
- Maitland Valley Conservation Authority.
- Trillium Foundation
- Brussels Optimist Club.
- Brussels Lions Club.
- Horticultural Society
- Majestic Women's Institute
- Knights of Columbus

Additional Community Support

- Brussels Agricultural Society
- Brussels Legion
- Girl Guides
- Local businesses
- Area residents

Project Funding

Ontario Trillium Foundation
Brussels Trust Fund
Brussels Lions Club
Brussels Horticultural Society
Other Service Clubs
Individual Donations
Huron East (Brussels) Water
Huron East

Brussels Optimist Club

\$ 35,800 \$ 30,000 \$ 10,000 \$ 2,000 \$ 2,700 \$ 2,700 \$ 12,655 \$ 6,570 \$ 9,500 \$ 9,500 \$ 25,695 \$ 129,000

Project Costs

| • Plus hours of vo | olunteer labor |
|---|----------------|
| • Total Cost \$ | 5129,000 |
| Boat Launch | \$ 8,000 |
| Paved Walkways | \$20,000 |
| Butterfly/Memorial Garden | \$14,000 |
| Washroom/Pavilion | \$65,000 |
| Railings on Dam | \$22,000 |
| | |

-

The improvements to the MVCA Park will be enjoyed by the residents of the Brussels area for many years to come



MUNICIPALITY OF HURON EAST COUNCIL Document No. 8-19-1.20 20

HOW DISPOSED OF



COUNTY OF WELLINGTON

KIM COURTS DEPUTY CLERK T 519.837.2600 x 2930 F 519.837.1909 E kimc@wellington.ca

74 WOOLWICH STREET GUELPH, ONTARIO N1H 3T9

October 2, 2020

Sent via email to all Ontario Municipal Clerks

Dear Municipal Clerks,

At its meeting held September 24, 2020, Wellington County Council approved the following recommendation from the Administration, Finance and Human Resources Committee:

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.

NOW THEREFORE BE IT RESOLVED:

(a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

(b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

(c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

(d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

Please find the Aggregate Resource Property Valuation and Advocacy report and Municipal Resolution enclosed.

Wellington County Council is requesting that all Ontario municipalities adopt the Municipal Resolution and forward to Donna Bryce, Wellington County Clerk at <u>donnab@wellington.ca</u> upon passing.

Should you have any questions please contact Ken DeHart, County Treasurer, at <u>kend@wellington.ca</u> or call 519.837.2600 ext 2920.

Sincerely,

Kourts

Kim Courts Deputy Clerk



COUNTY OF WELLINGTON

COMMITTEE REPORT

| T o: | Chair and Members of the Administration, Finance and Human Resources Committee |
|-------------|--|
| From: | Ken DeHart, County Treasurer |
| Date: | Tuesday, September 15, 2020 |
| Subject: | Aggregate Resource Property Valuation and Advocacy Report |

Background:

Through the County's Assessment Base Management Policy and Programme approved in 2016; Wellington County has made significant efforts to maintain, protect and enhance the quality of the assessment roll. This includes reviewing the accuracy of individual assessments and ensuring the equitable distribution of the tax burden. The County remains a strong advocate for the accurate and equitable valuation and property tax treatment of all properties, including gravel pit and aggregate resource properties in the County and throughout Ontario.

The County has been actively pursuing fair and accurate assessment valuations for gravel pits through two streams:

- 1. Assessment appeals heard by the Assessment Review Board
- 2. Advocacy through the province on a permanent policy solution

Assessment Appeals

The County has filed assessment appeals on all aggregate producing properties in its three southernmost municipalities, being Puslinch, Erin and Guelph/Eramosa for the 2017 to 2020 taxation years. The purpose of these appeals is to ensure that the current value assessment of these properties is captured through the existing legislation, and to deal with how those properties are classified for taxation purposes.

The effect of the current property tax valuation structure by the Municipal Property Assessment Corporation ("MPAC") unfairly sees active gravel pits incurring less property tax than many singlefamily homes and small businesses as a result of unduly low and inaccurate current value assessments. It also leads to properties that are located in the same areas and are similar to gravel pits receiving vastly different property valuations, which contradicts the principle of fairness and transparency underpinning our taxation system that similar properties should be treated and taxed equally. Arbitrarily classifying gravel pits as among the lowest form of farmland (Class 5) sets an artificial cap on these producers' property assessments and keeps their property taxes well below what they should be paying. In turn, residents and businesses are subsidizing the break that gravel producers are receiving.

In terms of next steps for these appeals, a settlement conference is scheduled to take place on September 16 and hearings are scheduled for the weeks of November 16 and 23.

Advocacy for a Permanent Policy Solution

The County has been working with its colleagues through the Top Aggregate Producing Municipalities of Ontario (TAPMO) to raise awareness of the assessments and the inequitable treatment of these properties and ask the government to review how these properties are assessed and treated from a property tax policy perspective through the MPAC review that is currently taking place.

Through this work, TAPMO endorsed the attached municipal resolution to be shared with TAPMO municipalities for consideration at local Councils. The resolution formally asks the province to review how these properties are assessed in light of the inequitable treatment in comparison to other residential and business properties in the municipality. Several municipalities across the province have approved and forwarded this resolution to the province and local MPPs.

To be clear, the County believes MPAC's property valuation is incorrect even within the current legislation, however, the County is looking for further direction and possible legislative or regulatory changes that will eliminate future disputes. This kind of permanent policy change is in everyone's best interest to resolve this issue once and for all.

Staff recommend that the Administration, Finance and Human Resources Committee support the resolution and pass it along to County Council for approval. This is also an opportunity for the County to remind its member municipalities to review and give consideration to this resolution as well.

AMO Delegation Meeting

On August 18, 2020, in collaboration with the Top Aggregate Producing Municipalities of Ontario (TAPMO), County representatives met with Stan Cho, Parliamentary Assistant to the Minister of Finance, to discuss the need to improve how aggregate properties are assessed across Ontario under an equitable valuation system. The meeting was held during the Association of Municipalities of Ontario (AMO) conference. This is where municipal and provincial policymakers come together to discuss pressing issues facing both levels of government.

Wellington County and other TAPMO members presented several policy-driven solutions to Mr. Cho that would make MPAC's property tax valuations accurate and equitable. There are many possible legislative, regulatory or policy changes that can achieve a permanent solution. These include:

- Creating a separate class for aggregate producing properties (as was done for landfills in 2015);
- Directive (or regulation) from the Minister to MPAC regarding how to assess these types of properties to reflect their true market or industrial value;
- Remove the aggregate exemption from the Assessment Act (as was the situation prior to 2008).

This would enable municipalities to maintain stability in local taxation levels and meet the needs of their communities. Directing MPAC on how to assess these properties based on their true market value makes common sense and will result in stability and accuracy in the assessment process. The solution to remove the exemption of aggregate in the *Assessment Act* would allow MPAC to assess the full value of the property.

Summary

Aggregate sites are important job creators and an increasingly critical element of public works that help to fuel steady economic growth across Ontario, especially as part of municipalities' post-pandemic recovery. Yet, under the current MPAC valuation formula, their current value assessment is inaccurate such that these sites generate significantly less revenue for municipalities and the Province than other possible uses for the same land. This costs Ontario municipalities millions of dollars in lost tax revenue every year and negatively impacts their abilities to deliver more fulsome services and programmes to residents. The current system also generates less Education property taxes which shifts even more tax burden onto homeowners and small businesses. Municipalities are therefore eager to find a solution that is fair for all involved: the municipality, taxpayers, and aggregate producers.

COVID-19 has highlighted the urgency for a policy-driven, equitable approach. Municipalities across Ontario are fighting to continue providing a high standard of services to our families and businesses who need them now more than ever. The lost tax revenue undermines our ability to enhance those services and make key infrastructure investments at a time when our residents are suffering. The County wants to be fair to aggregate producers while recognizing that they should be part of the solution in terms of helping families and businesses get back on their feet – the very people who are carrying the burden of the current MPAC system.

Recommendation:

That the Aggregate Resource Property Valuation and Advocacy Update Report be received for information; and

That the attached resolution be supported by County Council and sent to the Ministry of Finance.

Respectfully submitted,

Ke De/Hal

Ken DeHart, CPA, CGA County Treasurer

SCHEDULE A -- MUNICIPAL RESOLUTION

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;

NOW THEREFORE BE IT RESOLVED:

(a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

(b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

(c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

(d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

MUNICIPAL RESOLUTION

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS (*Name of Municipality*) Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS (*Name of Municipality*) Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.

NOW THEREFORE BE IT RESOLVED:

(a) That *(Name of Municipality)* Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

(b) That (*Name of Municipality*) Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

(c) That *(Name of Municipality)* Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

(d) That *(Name of Municipality)* Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

MUNICIPALITY OF HURON EAST COUNCIL Document No. <u>8-19-220-20</u> HOW DISPOSED OF

Township of

October 21, 2020

rospeciónie

Via email: george.cornell@simcoe.ca

Proud Heritage, Exciting Future

Warden George Cornell 1110 Highway 26 Midhurst ON L9X 1N6

Dear Warden Cornell and County Councillors:

Re: Request for Support from Mount St. Louis Moonstone/Skyline Horseshoe Resort and Hardwood Ski & Bike for their efforts to Declare Snowsports, Skiing and Snowboarding, Alpine and Nordic Deemed Essential in Stage 2.

The Council of the Township of Oro-Medonte, at its October 14th Council meeting, passed the following motion with respect to the above-noted matter:

Be it resolved:

that the correspondence dated October 9, 2020 from Sarah Huter, Assistant General Manager, Mount St. Louise Moonstone Ski Resort re: Request for Support from Mount St. Louis Moonstone/Skyline Horseshoe Resort and Hardwood Ski & Bike for their efforts to Declare Snowsports, Skiing and Snowboarding, Alpine and Nordic Deemed Essential in Stage 2 be received.

And whereas on March 11, 2020 the World Health Organization declared COVID-19 a global pandemic;

And whereas the Government of Ontario, County of Simcoe and Township of Oro-Medonte remain in declared state of emergency in response to the COVID-19 pandemic;

And whereas all levels of Government are effectively working collaboratively in response to the evolving COVID-19 situation;

And whereas the Government of Ontario has developed a comprehensive *Framework for Reopening our Province;*

And whereas many low risk outdoor activities were permitted to re-open in Stage 1 and 2 of the *Provincial re-opening framework;*

| 148 Line 7 South | P: (705) 487-2171 | www.oro-medonte.ca |
|-------------------------|-------------------|--------------------|
| Oro-Medonte, ON L0L 2E0 | F: (705) 487-0133 | www.uio-medome.ca |

And whereas the timing of the release of *Stage 3 framework* and Ontario Regulation 364/20 made under *Reopening Ontario(A Flexible Response to COVID-19) Act, 2020* has not fully considered outdoor winter recreation and the operations of Ontario's ski industry;

And whereas Ontario's ski industry generates approximately \$420 million annually to the provincial economy and supports over 14,000 jobs;

And whereas nordic skiing, alpine skiing, snowboarding and snowshoeing provide low risk opportunities and outlets for participation in outdoor based activities that improve physical and mental health and overall well-being;

And whereas the ski industry has developed comprehensive operating plans and established best practices through its *Ski Well*, *Be Well* program to ensure compliance with regulations and public health directives and reduce the risk of COVID 19 transmission;

And whereas the Township of Oro-Medonte is the proud home to three of Ontario's largest ski resorts, Hardwood Ski and Bike, Horseshoe Resort and Mount St Louis Moonstone which provide significant local, regional and provincial economic benefits.

And whereas MPP Downey has advocated on behalf of these businesses.

Now therefore

On behalf of Hardwood Ski and Bike, Horseshoe Resort and Mount St. Louis Moonstone, the Council of the Township of Oro-Medonte hereby respectfully requests that the Government of Ontario consult with the ski industry through the Ontario Snow Resorts Association to review reopening policy considerations currently impacting the industry.

And Further that a copy of this resolution be sent, under the Mayor's signature, to the County of Simcoe and Ontario municipalities for their consideration.

Yours sincerely,

Harry(Hughes

Mayor /vc

Cc: MPP Doug Downey MPP Jill Dunlop MP Doug Shipley MPP Jim Wilson Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture Industries Council Shawn Binns, Director Operations & Community Services Ontario Municipalities

| MUNICIPALITY OF HURON EAST COUNCIL |
|--|
| MUNICIPALITY OF HURON EAST COUNCIL Document No. 8-19-3, 20-20 |
| HOW DISPOSED OF |



October 23, 2020

Mary Lynn MacDonald Ausable Bayfield Maitland Valley Source Protection Region 71108 Morrison Line, RR 3 Exeter, ON N0M 1S5 <u>mmacdonald@abca.ca</u>

Attn: Mary Lynn

RE: Municipal Representative Appointment- P. Heffer

Please be advised that the Council of the Township of North Huron at their Regular Council meeting held October 19, 2020 adopted Resolution M342/20 appointing Councillor Paul Heffer as the municipal representative for the central grouping on the Maitland Source Water Protection Authority Board.

Please send all correspondence and meeting notices directly to Councillor Paul Heffer, P.O. Box 1422, Wingham, ON N0G 2W0; <u>pheffer@northhuron.ca</u>

Should you have any questions or require additional information concerning this matter, I may be contacted at the North Huron Municipal Office.

Regards,

arson famb

Carson Lamb, Clerk Township of North Huron

C.c.: Dwayne Evans, CAO, Township of North Huron Brad Knight, CAO/Clerk, Municipality of Huron East Trevor Hallam, CAO/Clerk, Municipality of Morris Turnberry Councillor Paul Heffer, Township of North Huron Phil Beard, Maitland Valley Conservation Authority

> P.O. Box 90, 274 Josephine Street, Wingham, Ontario N0G 2W0 Phone: 519-357-3550 Fax: 519-357-1110

www.northhuron.ca

11-19-1



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3 www.huroncounty.ca

NOTICE OF AN APPLICATION FOR CONSENT FOR SEVERANCE

DATE: October 19, 2020

File #C78-2020

TO:

- Owner: Karl & Astrid Guntensperger Applicant: Astrid Guntensperger
- Brad Knight, CAO/Clerk Municipality of Huron East
- Cathy Garrick, Planning Coordinator Municipality of Huron East
- Laura Simpson, Planner, Huron County Planning Department

Enclosed is a copy of an application for Consent for your review and comments to the Huron County Planning & Development Department.

LOCATION OF PROPERTY

Municipality: Huron EastLot: Lot 22, Concession 3 and 4, McKillop WardAddress: 43080 Hydro Line RoadOwner: Karl & Astrid GuntenspergerOwner: Karl & Astrid GuntenspergerApplicant: Astrid GuntenspergerSolicitor: David Murray, Devereaux Murray

PURPOSE AND EFFECT

The purpose and effect of this application is for the creation of a new lot. The vacant agricultural land to be severed is approximately 100 acres (40.47 ha). The land to be retained is approximately 100 acres acres (40.47 ha) consisting a residence, dairy barns, a shop and agricultural lands.

LAST DAY FOR RECEIVING COMMENTS

We would appreciate your comments by **November 2**, **2020** as to whether or not your department or agency has any comments to this severance and whether or not any conditions should be imposed. All comments should be addressed to the Attention of Lisa Finch, Land Division Administrator at the following by e-mail address <u>lfinch@huroncounty.ca</u> or by regular mail to the address above and to the Attention of Lisa Finch, Land Division Administrator. We will assume you have no objections to the application if no comments are received by the time specified. If this does not provide you with sufficient opportunity to consider the application, please advise.

DECISION AND APPEAL

If you wish to be notified of the decision in respect to the proposed consent, you must make a written request to the Huron County Planning & Development Department c/o Ms. Lisa Finch, Land Division Administrator, Huron County Consent Granting Authority at 57 Napier Street, 2nd Floor, Goderich, Ontario, N7A 1W2.

If a person or public body, that files an appeal of a decision in respect of the proposed consent, does not make written submission to the Huron County Planning Department before it gives or refuses to give a provisional consent, then the Local Planning Appeal Tribunal may dismiss the appeal.

"Planning with the community for a healthy, viable and sustainable future."

Ontario's West Coast

APPLICATION FOR CONSENT



| For offic | ce use only | File # C 78/20 |
|-----------|---------------------|----------------|
| | Received | |
| | Considered Complete | OCT 19 20 20 |
| - | | |

1. PRE-SUBMISSION CONSULTATION

Applicants are <u>strongly</u> encouraged to contact the County and speak/meet with the Planner assigned to the Municipality before submitting an application.

Date of Applicant's consultation meeting with County Planner assigned to Municipality:

2. APPLICATION INFORMATION

| Name of Applicant Astrid Guntensperger | Name of Owner Karl & Astrid Guntensperger |
|--|--|
| Contact Information Address: 22 Anne Street Town: Egmondville Postal Code: NOK 1G0 | Check box if same as Applicant Contact Information Address: Town: Postal Code: |
| Home Phone: 519 522 1848 | Home Phone: |
| Cell: Work: a.k.guntensperger@gmail.com Email: | Cell: Work: |
| Fax: 5195221848 | Email: Fax: |
| n) Solicitor name (if known) David Murray _{ddress:} 77 Main Street, Box 220 , Seaforth | |
| .519 527 0850 Email: dmurray@devereauxmurray.ca | |

Correspondence to be sent to: 🛛 🗍 all parties, or

applicant, and\or

b) Name, Address, Phone of all persons having any mortgage, charge, debenture or encumbrance on the property:

RBC

Updated June 12, 2020 T:\A\51\PD\Planners\Planning Application Documents

層 owner

APPLICATION FOR CONSENT

| 3. LOCATION OF THE SUBJECT PROPERTY – SEVERED & R | ETAINED (Complete applicable lines) |
|--|-------------------------------------|
| Municipality: Huron East | Concession: 3 & 4 |
| Ward: McKillop | Lot Number(s): 22 |
| Registered Plan: | Lot(s) Block(s): |
| Reference Plan: | Part Number(s): |
| Municipal Address (911 number and street/road name): 43080 Hydro Line Road Roll# 4040-380-003-02800-000 / | Roll # (if available). |

- a) Are there any right-of-way easements or restrictive covenants affecting the severed or retained land?
 I Yes I No
- b) If Yes, describe the location of the right-of-way or easement or covenant and its effect:
- c) Is any of the severed or retained land in Wellhead Protection Area A, B or C?
 Yes No Unknown
 If yes, please obtain a Restricted Land Use Permit from the Risk Management Official.

If **Unknown**, please consult with your Municipal Planner and obtain a Restricted Land Use Permit if necessary.

d) Is the subject property systematically tiled? If yes, please submit tile maps with your application.

🛢 Yes 🛛 🗆 No

4. PURPOSE OF THE APPLICATION

Type of proposed transaction:

| Transfer: | Oth | er: | |
|-----------|---------------------------------|-----|---------------------|
| | Creation of a new lot | | Charge |
| | Addition to lot | | Lease |
| | An easement | | Correction of title |
| | Other purpose (please specify): | | |

Briefly, describe the proposed transaction:

We need 2 separate lots for succession planning

Name(s) of person(s), if known, to which land or interest in land is to be transferred, leased or charged:

If a surplus severance, provide legal description and locations of other farm holdings of owner/purchaser:

2/10

Updated June 12, 2020 T:\A\51\PD\Pianners\Pianning Application Documents

APPLICATION FOR CONSENT

If creating a lot addition, identify the lands to which parcel will be added.

Municipality: _____

Ward: _____

Registered Plan:

Reference Plan:

Municipal Address (911 number and street/road name):

| | Concession: |
|---|-----------------------|
| _ | Let Number(s): |
| | Lot(s) Block(s): |
| | Part Number(s): |
| | Roll # (if available: |
| | |
| | |

5. DESCRIPTION OF SUBJECT LAND

| Description land intended to be severed: |
|--|
| Frontage: 40.7 meters |
| Depth: 1016 meters |
| Area: 100 acres |
| Existing Use(s): <u>Farming</u> |
| Proposed Use(s): Farming |
| Existing Building(s) or Structure(s) |
| None |
| Type of access: (Check appropriate box) existing building(s) or structure(s) provincial highway county road municipal road, maintained all year municipal road, seasonally maintained other means (please specify) |
| Type of water supply proposed: (check appropriate box) publicly owned and operated piped water system |
| privately owned and operated individual well dug drilled privately owned and operated communal well |

- c) Type of sewage disposal proposed: (check appropriate box)
 - publicly owned & operated sanitary sewage system
 - privately owned & operated Individual septic tank
 - privately owned & operated communal septic system
 - 🛛 privy
 - other means (please specify

Description land intended to be retained:

| Frontage: | 407 meters |
|-------------------------------|------------------------|
| Depth: | 1016 meters |
| Area: | 100 acres |
| Existing Use(| 1: Farming |
| Proposed Use | elsi: Farming |
| Existing Build | ing(s) or Structure(s) |
| Ressider | ice, Dairy Barns |
| Type of acces (Check appro | ; ;; |

Shop

- existing building(s) or structure(s)
- provincial highway
- county road

a)

- municipal road, maintained all year
- municipal road, seasonally maintained
- other means (please specify on next page)

Updated June 12, 2020 T:\A\\$1\PD\Planners\Planning Application Documents

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Iake or other water body

O other means (please specify)

a)

b)







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Consent Report - File Number C78-20

11-19-2

| Owner/Applicant: Karl & Astrid Guntensperger/Astrid Guntensperger | | | Date: 28 October 2020 |
|---|--------------|--|--|
| Property Address: 43080 Hydr | o Line Roa | d | |
| Property Description: Conces | sions 3 & 4 | , Lot 22, McKillop Ward, Munici | pality of Huron East |
| Recommendation: That prov | visional con | sent be: | Var. 196 (20 19 19 19 19 19 19 19 19 19 19 19 19 19 |
| | х | granted with conditions (attach | ed) |
| | | deferred | |
| | | denied (referred to County Cou | ncil for a decision) |
| Purpose: | | enlarge abutting lot | |
| | | create new lot | |
| | | surplus farm dwelling right-of-way / easement | |
| | | other: | |
| Area Severed: 40 ha (100 | Official | Plan Designation: Agriculture & | Zoning: General Agriculture |

| Area Severed: 40 ha (100 acres) | Official Plan Designation: Agriculture & Natural Environment | Zoning: General Agriculture (AG1) & Natural Environment (NE2) |
|-------------------------------------|--|---|
| Area Retained: 40 ha (100 acres) | Official Plan Designation: Agriculture & Natural Environment | Zoning: General Agriculture (AG1) & Natural Environment (NE2) |

Review: This application:

- X Is consistent with the Provincial Policy Statement (s. 3(5) Planning Act);
- X Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) Planning Act);
- X Conforms with section 51(24) of the Planning Act;
- X Conforms with the Huron County Official Plan;
- X Conforms with the Huron East Official Plan;
- X Complies with the municipal Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance);
 - Has been recommended for approval by the local municipality; and
- X Has no unresolved objections/concerns raised (to date) from agencies or the public.
- (Applications that do not meet <u>all</u> of the foregoing criteria will be referred to Huron County Council for a decision)

Agency/Public Comments:

| | Not Received | No Concerns | See Conditions |
|-------------------------------|--------------|-------------|----------------|
| Huron County Public Works | X | | |
| Septic and Plumbing Inspector | X | 1 | |
| Neighbours/Public | X | | |

Additional Comments:

The subject property is designated Agriculture and Natural Environment in the Huron East Official Plan. The purpose of the consent is to sever the 200-acre farm into two 100-acre farms, each fronting onto a municipal road and each zoned General Agriculture (AG1) and a small portion Natural Environment (NE2). The severed parcel will front onto Bridge Road and is vacant, and the retained parcel fronts onto Hydro Line Road and contains an existing dwelling, diary livestock barns, sheds, and manure storage.

Official Plan Policies

Section 10.3.1 of the Huron East Official Plan allows severances in an Agricultural designation for the purposes of creating farm parcels with a minimum size of 38 hectares (94 acres) as part of an agricultural operation that provides flexibility for the long-term needs of agriculture.

The proposed severance meets the intent of the severance policies for Agricultural land because the size of each proposed farm lot exceeds the minimum hectares (40 hectares/100 acres for each) and both parcels are suitable for agriculture use and operation, including livestock, planting and crops, and the ability for future development on the vacant severed farm. This application conforms to the Huron East Official Plan and its consent policies for a severance in an Agricultural area.

Figure 1: Aerial photo of the subject property. Proposed severed parcel is outlined in red, proposed retained parcel is outlined in green



Consent Report - File Number C78-20



Figure 2: Close up aerial of the agricultural buildings on the retained lands

Zoning By-law Provisions

The subject land is mostly zoned General Agriculture (AG1) with a small portion zoned Natural Environment (NE2). A zoning amendment application is not required for the creation of two farm parcels and the continued agricultural use. Minimum Distance Separation 1 was calculated for the severed lands, as according to the MDS Guidelines, it should be applied for the creation of a new lot. There were no anticipated restrictions from existing livestock barns to the severed lands for a future residence.



Figure 3: Site photo of the proposed retained parcel area from Hydro Line Road

Comments Received

There were no comments received from members of the public during circulation. No concerns or comments were received by Huron East staff. Each proposed parcel already has an existing entrance onto the municipal roads.

This consent application to create two farm parcels meets the policies of the Huron East Official Plan and is recommended for approval with the recommended conditions below.

Recommended Conditions (denoted by X)

Expiry Period

X Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of notice of decision.

Municipal Requirements

- X All municipal requirements be met to the satisfaction of the municipality including servicing connections if required, property maintenance, compliance with zoning by-law provisions for structures, and any related requirements, financial or otherwise.
- X The sum of \$750 be paid to the Municipality as cash-in-lieu of parkland.

Zoning

X Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning shall be obtained to the satisfaction of the Municipality.

Survey

- X Provide to the satisfaction of the County and the Municipality:
 - a) a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
 - b) a reference plan based on the approved survey

or

alternatively with the agreement of the County, the solicitor acting for the parties to provide to the County a registerable description of the severed parcel acceptable to the Land Registrar.

Laura Simpson Planner, RPP MCIP

28 October 2020

Date



PLANNING & DEVELOPMENT 57 Napier Street, Goderich, Ontario N7A 1W2 CANADA Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3 www.huroncounty.ca 11-19-3

| To: | Municipality of Huron East, Mayor and Members of Council |
|-------|--|
| From: | Laura Simpson, Planner |
| Date: | 29 October 2020 |
| | |

Re: Site Plan Control Application

Lots 4-10, Plan 22M-16 (Linda Drive), Seaforth, Municipality of Huron East Applicant/Owner: Pol Quality Homes (Daryl Pol)

RECOMMENDATION

It is recommended that Council enter into a Site Plan Agreement with the owner of the Pol Quality Homes subdivision development.

PURPOSE

The purpose of this application is to permit the construction of a seven-unit multiple attached dwelling. The subject development has had related applications in recent years (Official Plan and Zoning Amendment) and an approved Plan of Subdivision, which received draft plan approval in September 2019, and final approval for Phase 1 in September 2020.

REVIEW

The subject property is designated Residential in the Huron East Official Plan and zoned Residential Medium Density- Special Zone (R2-18).











Figure 3: Similar dwelling styles completed by the same owner



Planning Review

The subject property is approximately 2132 square metres in size. The development of the proposed seven-unit multiple attached dwelling will occur as follows:

- Servicing
 - Serviced by municipal water and sanitary sewer which has been be newly installed for the Plan of Subdivision.
 - Stormwater will be directed to a swale that runs along the rear (eastern) edge of the subject property.
- Access
 - The proposed dwelling units will front onto Linda Drive with 6 driveways (1 shared driveway for 2 units).

3

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- Access to the interior rear yards will be provided via an easement at the rear (eastern extent) of the properties.
- Buffering & Landscaping
 - o A board on board fence is proposed between each dwelling unit.
 - Landscaping will include the provision of trees at the front of the units along Linda Drive and at the end of the units in the exterior side yards. There is also a small garden for the front yard of each unit.

OTHERS CONSULTED

This Site Plan has been reviewed the Brad Knight, CAO/Clerk; Barry Mills, Head of Public Works and Brad Dietrich, Chief Building Official in addition to myself. Municipal staff are satisfied with the proposal proceeding as per the conditions in the attached site plan agreement.

SUMMARY

It is recommended that Council enter into the site plan agreement for the further development of the site.

Sincerely,

Laura Simpson Planner, RPP MCIP

12-19-3

MUNICIPALITY OF HURON EAST

November 3rd, 2020

MOTION

| Moved by Councillor Zoey Onn | | |
|--|--|--|
| Seconded by | | |
| THAT: | | |
| That staff be directed to bring a report back to Council on improper and illegal dumping | | |

at recycling bins in Huron East.

From: Tim Cumming <tcumming@abca.ca> Sent: Monday, October 26, 2020 8:55 AM To: Tim Cumming <tcumming@abca.ca> Subject: FYI – New video about water treatment in Seaforth, Ontario, Canada

5-19-1

For your information:

In the past, several local municipalities held *Open Well* events where municipal staff toured the public to a water treatment facility where the public found out how their water is protected and treated.

We can't do those large in-person events at the moment but the use of video technology is one way members of the Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee (SPC) are reaching out to the people in the sectors they represent.

Just released, is an *Open Well* virtual tour of the water treatment facility in Seaforth. We are fortunate to have, as a public-at-large representative on the source protection committee, Alyssa Keller, who is also a water treatment operator, with Jacobs Engineering, at the Municipality of Huron East's water treatment facility in Seaforth.

The video was produced in-house.

Here is the video, on social media. Feel free to watch or to share:

Open Well – Virtual Tour of the Seaforth, Ontario, Canada Water Treatment Facility

https://youtu.be/M3CVovxmSI4 (YouTube)

https://fb.watch/1iRF-MQ12W/ (Facebook)

Do you know how your drinking water is treated?

Do you know how your drinking water sources are protected?

Meet water treatment operator Alyssa Keller, of Jacobs Engineering Group Inc. She is a public representative on the Ausable Bayfield Maitland Valley Drinking Water Source Protection Committee.

In this video, she takes you on an Open Well virtual tour of the Municipality of Huron East's water treatment facility in Seaforth, Ontario, Canada.

Find out where your drinking water comes from, how its sources are protected, and how it is treated to keep that water clean and safe for drinking.

There are many barriers of defence that help to keep our water safe and clean in Ontario. We have drinking water source protection and the Three Ts (Treatment of water; Testing of water; Training of water operators); as well as safe distribution and inspection and monitoring. This video gives you a front-row seat to some of these barriers of protection.

Music by https://www.bensound.com/

Thanks very much!

Tim

Find out more online at www.sourcewaterinfo.on.ca

Tim Cumming

Communications Specialist

Ausable Bayfield Maitland Valley Drinking Water Source Protection Region c/o ABCA, 71108 Morrison Line, RR 3 Exeter, ON, N0M 1S5 (Telephone) 519-235-2610 • (Toll-free) 1-888-286-2610 (Mobile) 519-719-3805 • (Facsimile) 519-235-1963 • sourcewaterinfo.on.ca

Confidentiality Notice

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Ausable Bayfield Conservation has upgraded its website to work better on smart phones and tablets. The website address has changed to <u>https://www.abca.ca</u> and our email addresses have also changed. Please update your contact list and groups to my new email: <u>tcumming@abca.ca</u> – Thank you!

13-19-2

AMO Update not displaying correctly? <u>View the online version</u> Add Communicate@amo.on.ca to your safe list



October 21, 2020

AMO Policy Update – COVID-19 Liability Protection, Municipal Elections Act; An Ontario Digital Identity; Public Health Orders; and Child Care

Bill 218 - Supporting Ontario's Recovery and Municipal Elections Act

Attorney General Doug Downey introduced <u>Bill 218 - Supporting Ontario's Recovery</u> <u>and Municipal Elections Act</u>. If passed, the legislation will provide targeted liability protection for health and long-term care, non-profit and private sector workers, volunteers, and organizations that make an honest effort to follow public health guidelines and laws related to limiting the exposure of Ontarians to COVID-19. Bill 218 will also maintain the right of Ontarians to take legal action against those who willfully, or with gross negligence, endanger others. Municipal governments, workers, and by-laws that are aimed at protecting public health are referenced in the Bill, as AMO has advocated for. Similar legislation is in place in British Columbia and Nova Scotia.

The Bill includes changes to the <u>Municipal Elections Act, 1996</u>, proposing to remove the option to use ranked ballots for municipal elections, moving all municipal governments to First-Past-The-Post. This will impact a number of municipal governments that were contemplating the change and one already using ranked ballots. The rationale for this proposed legislative change is not known.

In addition, the nomination date for municipal elections will also be changed from the fourth Friday in July to the second Friday in September in the year of the election and there are proposed changes to the timelines leading up to municipal elections (see Section 42 of the *Municipal Elections Act, 1996*). AMO advises that municipal clerks review the proposed changes for implications for their electoral planning processes. The rationale for this change is unclear and may have the effect of discouraging broader participation in municipal elections.

Ontario Onwards Action Plan

The Ontario government launched its new Action Plan, <u>Ontario Onwards: Ontario's</u> <u>COVID-19 Action Plan for a People-Focused Government</u> to make government services simpler, more accessible, and convenient. The plan has over 30 projects including developing a digital identity, based on digital wallet technology, by the end of 2021.

Creating a digital identity for Ontarians was identified by AMO and LAS as a key step in helping municipalities move towards more digital government service delivery especially as better quality high-speed internet and broadband access is expanded to unserved and underserved areas. More details are expected on these projects in the coming months.

Emergency Order Changes

Ontario extended most orders under the <u>Reopening Ontario (A Flexible Response to</u> <u>COVID-19) Act, 2020 (ROA)</u> by 30 days until November 21, 2020, with exemptions for consumer electricity prices and access to personal health information through electronic health records.

The Province also amended emergency orders for modified Stage 2 regions (Toronto, Ottawa, York, and Peel Regions) to allow classes teaching or training dancers provided conditions are met. Regulations for <u>Stage 2</u> and <u>Stage 3</u> areas have been amended also to remove restrictions on in-person instruction for fire departments, similar to police training.

Provincial Investment for Schools and Child Care

This week, the government announced that it will invest \$550 million to build and upgrade schools in 2020-21. The initiative will add 870 new licensed child care spaces into the schools. The government has reconfirmed their commitment to create up to 30,000 new child care spaces over five years, including up to 10,000 spaces in new schools. AMO has advocated for effective child care as a critical service for investment in the COVID-19 recovery.

AMO's <u>COVID-19</u> Resources page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to <u>covid19@amo.on.ca</u>.

*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

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Association of Municipalities of Ontario 200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

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13-19-1-

MUNICIPALITY OF HURON EAST JOINT HEALTH AND SAFETY COMMITTEE **MEETING MINUTE NOTES MUNICIPALITY OF HURON EAST – TOWN HALL COMMITTEE ROOM** WEDNESDAY, OCTOBER 21ST, 2020 - 9:00 A.M.

| Employee Members: | Julie Consitt (Daycare) |
|---------------------|---|
| | James Beuermann, (P/W South Patrol) |
| | Doug Hugill (Water/Sewer) |
| | Miranda Boyce, Secretary, Certified Member (Administration) |
| Management Members: | Marty Bedard Chair, Certified Member, (Fire Chief/CEMC) |
| | David Meriam (SDCC) |
| Absent: | Abi Corbett, Certified Member (Facility Manager) |

1.

Call to Order Chair Marty Bedard called the meeting to order at 9:08 a.m.

11. Minutes

| MOTION | MOVED BY: | Julie Consitt |
|--------|------------------------|--|
| | SECONDED BY: | Miranda Boyce |
| | "That the minutes of t | the June 24 th , 2020 meeting be adopted as amended". |

CARRIED

111. **Business Arising from Previous Meeting - NIL**

Correspondence - Public Works North Rep. Lyle Hood has resigned from the Health and IV. Safety Committee. Marty will be looking for a replacement or looking to see if we need one per facility.

V. **Workplace Inspections**

Marty distributed new workplace inspection sheets for anyone who needed them. There are few workplace inspections coming from Vanastra Recreation Centre. We will need to find someone to take on this responsibility.

VI. Training

We are looking to have more members certified. Training is available online.

- VII. New Business – We have new Covid forms to fill out every day. We must also have the Covid policy posted in our workplace.
- VIII. Committee Member/Worker Issues - Some issue noted on the Workplace Inspection sheets are not being resolved in a timely manner. Committee reps need to keep on person responsible for correcting issues.

IX. Adjournment

There being no further business, the meeting adjourned at 9:45. The next regular meeting is held at the call of the chair. Huron East Town Hall.

Mårtv Bedard. Chàir

Miranda Boyce, Secretary

JHSC
THE CORPORATION

OF THE

MUNICIPALITY OF HURON EAST

BY-LAW NO. 47 FOR 2020

Being a By-law to provide for Drainage Works in the Municipality of Huron East, in the County of Huron, and for the borrowing on the credit of the Municipality, the sum of \$325,000.00 for the completion of the said Drainage Works, Cox Municipal Drain and Burrows 'B' Drain Improvement 2020.

WHEREAS the requisite number of owners have petitioned the Council of the Corporation of the Municipality of Huron East, in the County of Huron, in accordance with the provisions of the Drainage Act, R.S.O. 1990, Chapter D.17, Section 78 and amendments thereto, requesting that the area described as requiring drainage may be drained by a drainage works;

AND WHEREAS the Council of the Corporation of the Municipality of Huron East has procured a report made by Dietrich Engineering Limited, Waterloo, Ontario, which report dated July 24th, 2020 shall be considered a part thereof;

AND WHEREAS the total estimated cost of the drainage works is \$325,000.00;

AND WHEREAS the Council of the Corporation of the Municipality of Huron East is of the opinion that the drainage works is desirable;

NOW THEREFORE the Council of the Corporation of the Municipality of Huron East pursuant to The Drainage Act, R.S.O. 1990 **ENACTS AS FOLLOWS:**

- 1. The said Report, Plans, Specifications, Estimates and Schedules of Assessment are hereby adopted, and the Drainage Works as proposed shall be constructed in accordance therewith.
- 2. The amount of \$325,000.00, necessary to be raised for such Drainage Works shall be made a cash assessment upon lands and roads affected by the proposed Drainage work, with interest at the rate of fifteen per cent per annum added after such date is called, provided that such sum shall be reduced by the amount of grants, if any, and commuted payments, with respect to the lands and roads assessed.

day of

3. This By-law shall come into force on the passing thereof and may be cited as the "Cox Municipal Drain and Burrows 'B' Drain Improvement 2020".

READ a first and second time this 11th day of August, 2020.

⁷Bernie MacLellan, Mayor,

Brad Knight, CAO/Clerk

READ a third time and finally passed this

, 2020.

Bernie MacLellan, Mayor,

CORPORATION OF THE MUNICIPALITY OF HURON EAST

BY-LAW No. 64 for 2020

"Being a By-law to deem Lots 237, 238, 239 and 240, Plan 192 not to be part of a registered plan of subdivision."

WHEREAS Section 50(4) of the Planning Act, R.S.O. 1990, as amended, authorizes Council of a local municipality to designate any plan of subdivision or part thereof that has been registered for eight years or more as not being a Plan of Subdivision for subdivision control purposes;

AND WHEREAS it is deemed expedient in order to control adequately the development of certain lands in the municipality that a by-law be enacted pursuant to the said Section 50(4);

NOW THEREFORE, Council of the Corporation of the Municipality of Huron East enacts as follows:

1. The following lands and premises are deemed not to be within a registered Plan of Subdivision pursuant to subsection 4 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, as amended:

Lots 237, 238, 239 and 240 Plan 192, Brussels Ward, Municipality of Huron East, County of Huron

- 2. The property owner shall be responsible to have this by-law registered at their expense in the appropriate land registry office. A registered copy of the by-law shall be provided to the Municipality.
- 3. The Mayor and the Clerk are hereby authorized to sign all necessary documents and take such further actions as may be necessary for the due carrying out of the foregoing.
- 4. This by-law shall come into force and effect upon the date of final passing.

READ A FIRST AND SECOND TIME this 3rd day of November, 2020.

READ A THIRD TIME AND FINALLY PASSED this 3rd day of November, 2020.

Bernie MacLellan, Mayor

THE CORPORATION

OF THE

MUNICIPALITY OF HURON EAST

BY-LAW NO. 65 FOR 2020

A BY LAW TO AUTHORIZE A SITE PLAN CONTROL AGREEMENT BETWEEN THE CORPORATION OF THE MUNICIPALITY OF HURON EAST AND GORDON JAMES LAVIS & JOHN BRYAN LAVIS

WHEREAS the Corporation of the Municipality of Huron East deems it advisable and necessary to enter into a Site Plan Control Agreement with Gordon James Lavis and John Bryan Lavis to permit an expansion of an auto-parts retail store on Lots 237, 238, 239 and 240, Plan 192, Brussels Ward, Municipality of Huron East, County of Huron;

AND WHEREAS the proposed development is subject to Site Plan Control pursuant to Section 41 of the Planning Act, RSO 1990, and By-law # 27-2014 of the Corporation of the Municipality of Huron East.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF HURON EAST ENACTS AS FOLLOWS:

- 1. That the Mayor and CAO/Clerk be and are hereby authorized and instructed to sign all of the necessary documents to conclude the Site Plan Control Agreement between the Corporation of the Municipality of Huron East and Gordon James Lavis and John Bryan Lavis, a copy of which is attached hereto as Schedule "A".
- 2. That this by-law shall come into force and take effect on the date of final passing thereof.

READ a first and second time this 3rd day of November, 2020. **READ** a third and final time this 3rd day of November, 2020.

Bernie MacLellan, Mayor

Site Plan Control Agreement

THIS AGREEMENT made this 3rd day of November, 2020.

BETWEEN:

GORDON JAMES LAVIS and JOHN BRYAN LAVIS

(Hereinafter called the "Owner")

- and –

CORPORATION OF THE MUNICIPALITY OF HURON EAST

(Hereinafter called the "Municipality")

WHEREAS the Owner is entering into this agreement with the Municipality dealing with the facilities, works and matters hereinafter mentioned and the provision and maintenance thereof by the Owner and any and all subsequent owners to the satisfaction of and at no expense to the Municipality, as a condition to the approval pursuant to Section 41 of the Planning Act, as amended, of site plans and drawings for the development (hereinafter called the "development") on the lands and premises more particularly described in Schedule "A" attached hereto, known municipally as 235 Turnberry Street, Brussels, Municipality of Huron East, County of Huron (hereinafter referred to as the "property").

AND WHEREAS the Owner and the Municipality held a pre-consultation meeting on October 19, 2020;

AND WHEREAS the Municipality approved the plans and drawings submitted with the Owner's application on October 30th, 2020, subject to certain conditions, including the entering into of an Agreement with respect to the provision of facilities, works or matters as permitted by subs. 41(7) of the *Planning Act*, R.S.O. 1990, c. P. 13;

AND WHEREAS subs. 41(10) of the *Planning Act* permits the registration of this Agreement against the lands to which it applies;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

1. Construction in Accordance with Plans and Drawings

The Owner covenants and agrees to develop the Lands and to construct and build such buildings or structures in substantial compliance with the plans and drawings set out in Schedule "B" of this Agreement.

2. Conditions

The Owner covenants and agrees to satisfy each of the conditions set out in Schedule "C" to this Agreement.

3. Fees and Charges

The Owner covenants and agrees to pay the Municipality the fees and charges set out in Schedule "D" to this Agreement. The Owner will be responsible for any other reasonable and foreseeable_charges that may occur as a direct result of this development, provided that it shall not be responsible for any indirect claims for business disruption or loss of profits of 3rd parties arising out of the work.

4. Security

In order to guarantee compliance with all conditions contained herein, the Owner covenants and agrees to file with the Municipality prior or upon execution of this Agreement, a letter of credit in the amount of \$1,000. The aforesaid letter of credit shall be in a form approved by the Municipality, and the Owner covenants and agrees that the said letter of credit shall be kept in full force and effect and that it will pay all premiums as the said letter of credit becomes due or until such time as the Municipality returns the letter of credit. The letter of credit or other security will be released by Municipality and returned to Owner in accordance with the terms of Schedule "E". The Owner hereby acknowledges and agrees that should there be a deficiency in or failure to carry out any work or matter required by any clause of this Agreement, and the Owner fails to comply, within thirty (30) days following written notice, with a direction to carry out such work or matter, the Municipality may draw on the letter of credit to the extent necessary and enter onto the subject lands and complete all outstanding works or matters, and pay all costs and expenses incurred thereby from the proceeds so drawn. In place of a letter of credit, the Owner may deposit with the Municipality cash or certified cheque in an amount equal to the letter of credit and such deposit shall be held by the Municipality as security in accordance with this Agreement, provided that no interest shall be payable on any such deposit.

5. Minor Adjustments

- a) Minor adjustments to the requirements and provisions of this Agreement may be made subject to the approval of the Municipality provided that the spirit and intent of the Agreement are maintained. Such minor adjustments shall not require an amendment to this Agreement, however, the written approval of the Municipality is required before such minor adjustment can be made.
- b) The Municipality retains the right to request minor adjustments to the requirements and provisions of this Agreement, at the expense of the Owner, to address compatibility issues with adjacent or adjoining lands that the Municipality may reasonably determine necessary, provided that the spirit and intent of the Agreement are maintained.

6. Risk Management Plan

The Owner covenants and agrees to operate and maintain the property in accordance with an approved Risk Management Plan under the Clean Water Act, 2006 and the Maitland Valley Source Protection Plan.

7. Notices

Any notice required to be given by either party to the other shall be mailed, delivered or sent by facsimile transmission or email to:

(a) the Owner at:

ATTN: Gordon James Lavis 77824 London Road, RR # 5 Clinton, ON NOM 1L0 phone: 519-524-3594 email: gordlavis@gmail.com

(b) the Municipality at:

ATTN: Brad Knight, CAO/Clerk Municipality of Huron East 72 Main Street South Seaforth, ON N0K 1W0 phone: 519-527-0160 x 27 email: bknight@huroneast.com

or such other address of which the parties have notified the other in writing, and any such notice mailed, delivered or sent by facsimile transmission shall be deemed good and sufficient notice under the terms of this Agreement.

8. Registration of Agreement

The Owner hereby consents to the registration of a Notice of this Agreement to the Lands provided that if same cannot be registered on title, the Owner consents to register a Notice of an Unregistered Interest in the Lands in favour of the Municipality upon the title to the Lands. The Municipality agrees to make the original Agreement available for viewing at the Municipal Office. The Owner agrees to pay the Municipality for all costs incurred in the registration of the said notice. The Owner agrees that it will obtain from any Lender of the Owner which, at the time of registration, holds security registered against title to the Lands, the Lender's consent to postpone its security to this Agreement.

9. Termination of Agreement

If the development proposed by this Agreement is not commenced with one (1) year from the date of the execution of this Agreement, the Municipality may, at its sole option and on thirty (30) days notice to the Owner, declare this Agreement null and void and of no further force or effect and the Owner shall not be entitled to any refund of fees, levies or other charges by the Owner pursuant to this Agreement.

10. Enforcement

The Owner acknowledges that the Municipality, in addition to any other remedy it may have at law, shall also be entitled to enforce this Agreement in accordance with s. 446 of the Municipal Act, 2001.

11. Successors and Assigns

This Agreement and everything herein contained shall enure to the benefit of and be binding upon the parties hereto and their successors and assigns.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

| SIGNED, SEALED AND DELIVERED |) |
|------------------------------|--|
| |) |
| Witness |) |
| |) Gordon James Lavis |
| |) |
| Witness |) |
| |) John Bryan Lavis |
| |) |
| | CORPORATION OF THE MUNICIPALITY OF HURON EAST |
| |) |
| |) Bernie MacLellan, Mayor |
| |)) Brad Knight, CAO/Clerk |

SCHEDULE "A" SUBJECT LANDS

Lots 237 to 240, Plan 192, Brussels Ward, Municipality of Huron East, County of Huron

Schedule "B" <u>APPROVED PLANS AND DRAWINGS</u>

The Owner agrees and covenants to construct all buildings, structures, works, services and facilities required under this Agreement in accordance with the below referenced municipally-approved plans and drawings. Plans and drawings may be reviewed in the Municipal Office of the Corporation of the Municipality of Huron East.

B.1 GENERAL ARRANGEMENT SITE PLAN

Identified as : Site Key Plan Drawing SO for Radar Auto Parts Addition dated October 28, 2020

Prepared by:Waddell Engineering Ltd.Approved on:October 30, 2020

GENERAL NOTES

- DESIGN AND CONSTRUCTION OF ALL WORK ON THIS PROJECT SHALL CONFORM TO LATEST EDITIONS OF THE FOLLOWING: INFORMATION OF A CONSTRUCTION OF A CONSTRUCTION OF A CONSTRUCTION OF OTATION BUSINE CODE LOCAL REGULATIONS OTACAL REGULATIONS

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- CONCTRACTOR SLABS ON GRADE TO BE SAW CUT 12 TO 24 HOURS AFTER PLACEMENT IN A GRID NO GREATER THAN 30 TIMES THE SLAB THICKNESS RO A DEPTH /, THE SLAB THICKNESS, 8. IF STEEL MESH IS TO BE USED IN SLAB ON ORADE FLOORS, IT IS TO BE SUPPLIED IN FLAT SHEETS AND IS INSTALLED WITH CHARS TO ELEVATE IT TO THE MODILE OF THE SLAB THICKNESS, CHARS,
- TERS, BAR SUPPORTS AND SPACERS SHALL CONFORM TO CSA A23.1. ALL BAWCUT CONTROL JOINTS WITH VEHICLES TRAFFIC GRADE JOINT SEALANT.

STRUCTURAL STEEL

- 1. ALL MATERIALS, COMPONENTS AND WORKMANSHIP SHALL CONFORM TO THE CURRENT CSA
- STANDADD STILDS. ALL TRUCTURAL ETELT DIS EGP HEWHATERIAL CONFORMING TO EGA STANDADD 6423 AND 6423 LATTACTER CONTRH- GARGE STAW, EXCEPT FOR HOLLOW STRUCTURAL SECTION 6433 WHICH CALL TRUCTURAL HOLD AND STAWL SECTION FOR HOLLOW STRUCTURAL SECTION 6433 AND STANDARD STANDARD STRUCTURAL SECTION 6433 ALL STELL WORK SHALL BE CORRECTOR STRUCTURA STRUCTURAL SECTION 6433 ALL STELL WORK SHALL BE CORRECTORS SHALL BE WILLED ON HIGH TRUE BOLTED (ASTIN STANDARD A322) REID AND SHOT CONSTRUCTURAL SECTION OF AN ADD BE MILLED AND SHOT TO THE REGULARD FOR A ALL STELL WORK SHALL BE CORRECTORS SHALL BE WILLED ON HIGH TO THE REGULARD TO THE A STELL WORK SHALL BE CONSTRUCTURAL SECTION OF AN ADD BE MILLED ON THE AT WILLENDON SHALL DO DOWN TO LITED TO AN ADD SHOT THE SECTION OF THE ADD SHOT THE OF CALL STEREDHOND WILL.
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- MINIMUM SIZE OF WELDS TO BE EVEN EXCEPT FOR SEAL WELDS. ALL EXPOSED WELDS SHALL BE CONTINUOUS AND BE GROUND SMOOTH, MAGORRY WALLS EINLI BE ANCHORED TO ABUTTING COLUMNS AND BEAKS BY ADJUSTABLE MASORRY ANCHORS AS SPECIFIED IN MASORRY HOTES. ALL EXTENSIOE EXPOSED STRUCTURAL STEEL SHALL BE GALVANIZED OR PAINTED WITH APPROVED
- ALL EXTERIOR EARDED BINGTING INCLORE SALL BE UNLYANES OF FAILED THIN A THE WITH HIGT AND THE THAT. DO NOT CUT OR CORE OPENINGS IN ANY STRUCTURAL STEEL WITHOUT PRIOR WRITTEN APPROVAL FROM DESIGN EMEMERE. STEEL CONTRACTOR TO PROVIDE LSSSSST TRIMERS AROUND OPENINGS IN STEEL DECK GREATER
- THAN ASOMM IN SIZE BUT LESS THAN 1220MM. STRUCTURAL STEEL MEMBERS SHALL NOT BE SPLICED UNLESS APPROVED BY THE STRUCTURAL
- Excitence in watting. In which structures, stell kennests spectred on the structures, drawness are unwallable to the contractor, the structures, stell, contractors shull, provbe leveness having all sectors morphates sound, or enters than the spectred bubbles, at no additional, cost, contract examese for acceptance of any and all substitutions, all all stell bubbles shull be not oper outputs.

- DESIGN LOADS DESIGN LOADS UNFACTORED U.N.O. AND DO NOT INCLUDE IMPORTANCE
- CTOR CLIMATIC DESIGN DATA (()RUSSELS) Sa = 2.40 kPa Sr = 0.40 kPa q(150) = 0.50 kPa RCOF (DEAD) = 0.60 kPa (CEILING)
- ROOF (DEAD) * 0.00 kPs (CELING) 4/12 PTTCH (SLIPPERY ROOF / NON-SOLAR) SNOWLOAD * 2.13 kPs BALANCED 2.55 kPs UNBALANCED
- C. SLAB LOADING LIVE LOAD = 5,0 kPa OR \$700bs WHEEL LOAD (OWNER TO CONFIRM)









NOTES FOR BRACING OF ROOF TRUSS(ES):

CONTRACTOR AND/OR OWNER TO NOTIFY M

24

ONTARIO BUILDING CODE DATA MATRIX

2 MAJOR OCCUPANCY(S): GROUP 'F3'

EXISTING BUILDING

EXISTING BUILDING

6 HEIGHT OF BUILDING (m): ± 3.12 (10'-4")

12 WATER SERVICE/SUPPLY IS ADEQUATE

7 NUMBER OF STREETS/ACCESS ROUTES: 1

PROPOSED ADDITION TOTAL

PROPOSED ADDITION

PROJECT DESCRIPTION

BUILDING AREA

TOTAL OSS AREA:

8 BUILDING CLASSIFICATION:

10 STAND PIPE REQUIRED

11 FIRE ALARM REQUIRED

15 MEZZANINE(S) AREA

OCCUPANTIOAD

20 HAZARDOUS SUBSTANCES

RESISTANCE FLOORS: 3/4 RATING ROOF: N/A

22 SPATIAL SEPARATION - CONSTRUCT

VALL AREA OF

(m*)

NORTH 172

SOUTH 172

FAST 4

VEST 48

REQUIRED

FIRE

BASED ON: DESIGN OF BUILDING

ITEM

ONTARIO BUILDING CODE DATA M

This drawing is an instrument of service an the property of Waddell Engineering Ltd, as cannot be medified and/or restokused with

OBC REFERENCE

PART 3

EXISTING TO REMAI

EXISTING TO REMAIN

EXISTING TO REMAIN. TBD.

(EXISTING TO REMAIN)

EXISTING ONE-STOREY BUILDING

NONCOMB

NONCOM

CONST. REQ'D

In Cillin

SO SITE KEYPLAN

9.10.20.3.

9 10 18 2

LISTED

N/A

EXISTING NORTH ELEVATION 100% UPO, NEW WALL TO BE CONSTRUCTED WI HOUR SPATIAL SEPARATION FIRE RATING TO COMPENSATE.

(HOURS) DESIGN or CLADDING DESCRIPTION REQ'D

ULC W301 YES

3.2.6.

PART 9

9,10.2.1.

ADDITION

: 387m² (4,150ft*)±

: 195m² (2,100ft⁴)± : 582m³ (6,260ft⁴)±

: 387m² (4,160ft⁴)± : 195m⁴ (2,100ft⁴)± : 582m² (6,260ft⁴)±

BASEMENT ONLY

YES

YES NO

TYESTING

or DESCRIPTION (SB-2)

LISTED DESIGN NO

N/A

N/A

LIMITING LA PERMITTED PROPOSED F.R.R.

...

1202

OPENINGS OPENINGS

100%

100%

100%

18:1 28% EXISTING 1

MAX % of % of

or DESCRIPTION (SB-2)

N OF EXTERIOR WALLS 'F3' (T.3.2.3.1.B

N/A

N/A

N/A

FUTURE 8 K

MAX, TRAVEL DISTANCE OF 30m AS PER 9.9.8.2.(c) PROVIDE NEW EXIT LIGHTING/EXIT SIGNAGE AS PER OBC & NFPA

5 NUMBER OF STOREYS: ABOVE GRADE =1 BELOW GRADE =0

SPRINKLER SYSTEM PROPOSED: ENTIRE BUILDING

13 HIGH BUILDING TYPE OF CONSTRUCTION: COMBUSTIBLE NON-COMBUSTIBLE

EXISTING OCCUPANT LOAD (GROUP 'F3'): EMPLOYEES : 5 PERSONS CUSTOMERS : 10 PERSONS

F.R.R. (HOURS)

MEZZANINE: N/A

SUPPORTING

EMBERS

FLOORS: 3/4

(m)

EGRESS AND EXIT REQUIREMENTS

ADDITIONAL REQUIREMENTS

DISTANCE or (m) H/L

STREET 18:1 100%

29 5:1 100% STREET 5:1 100%

ROOF: NA MEZZANINE: N/

F.R.R. OF

UBSTANCES YES NO

CHANGE OF USE

AN

ā SITE

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RANGEM

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4

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S. DESROCHES

100222482

10/27/2020

VCE OF ON

WADDELL

ENGINEERING L. D. 115 PINEBUSH RD. UNIT C CAMBRIDGE, ON Phone: 519-267-677 N1R 7.30 Fax: 1-666-365-965 N1R 7.30 Fax: 1-666-365-965 Middleng.o

RADAR AUTO PARTS ADDITION

RADAR AUTO PARTS

CENEDAL NOTES &

OBC CODE MATRIX

ANN BY: AIG DATE: 2020-10-2 SIGN BY: AIG SHEET NO:

BRUSSELS, C

S0

S TURNBERRY ST.

WING TITLE:

20-10-091

BRACING NOTED, BRACING DETAILS WILL NOT BE MODIFIED UNLESS SPECIFIED BY THE BUILDING DESIGNER.



SPACING AS SPECIFIED BY BRACE DESIGNER

Schedule "C" <u>CONDITIONS OF SITE PLAN APPROVAL</u>

- 1. The Owners covenant and agree to:
 - Access facilities: The Owner shall install and maintain delineated entrances/exits at all locations shown on the approved drawing.
 - Maintenance of facilities and works: The Owner acknowledges and agrees that its obligations hereunder are to construct, install and maintain the works including the replacement or relocation or repair of any of the works which are damaged or altered in connection with the installation of any such infrastructure.
 - **Surfacing**: Interior driveways, parking and outside storage areas shall be surfaced with gravel maintained with a suitable dust suppressant or a hard surface of asphalt or concrete.
 - **Snow Removal:** All snow that is removed from the entrance/exit driveways, internal driveways, vehicle parking areas, and vehicle manoeuvring areas shall be kept/stored on the subject property and not on any abutting road allowance.
 - Lighting: Exterior and/or outdoor lighting provided with the use of the subject property shall be located, installed and oriented to prevent glare on the adjacent properties and roadways.
 - **Drainage:** Surface water shall be controlled in such a manner that ensures there is no new or additional run-off onto adjacent properties and road right of ways/ roads.
 - Landscaping: The Owner shall complete (subject to climatic conditions) and maintain landscaping and planting on the lands in accordance with the approved site plan to the satisfaction of the Municipality.
 - Signage: All signage for the subject property shall comply with the requirements of the Municipality of Huron East Signage By-law.

Schedule "D"

FINANCIAL PAYMENTS

The Owner covenants and agrees to pay to the Municipality, upon execution of this Agreement, the following fees:

- 1. Legal Fees for the preparation of this Agreement, the registration of this Agreement and the registration of any accessory agreements and documentation necessary to effect this Agreement;
- 2. Review fees of the Municipality's Engineer for the review of drawings and plans associated with this Agreement.
- 3. Review Fees by the Planner for the Municipality to conduct a review for compliance with the Municipality's Official Plan and Zoning By-law

Schedule "E" <u>RELEASE OF SECURITIES</u>

Securities will be released when the building is fully completed and all the site work has been completed as per the Plans and Drawings noted in Schedule "B" in accordance with the following schedule:

 a) all securities will be released upon the issuance of the Occupancy Permit for the addition and the completion of the paved apron onto Turnberry Street to the extent shown on Site Key Plan Drawing B1.

THE CORPORATION

OF THE

MUNICIPALITY OF HURON EAST

BY-LAW NO. 66 FOR 2020

A BY LAW TO AUTHORIZE A SITE PLAN CONTROL AGREEMENT BETWEEN THE CORPORATION OF THE MUNICIPALITY OF HURON EAST AND POL QUALITY HOMES INC.

WHEREAS the Corporation of the Municipality of Huron East deems it advisable and necessary to enter into a Site Plan Control Agreement with Pol Quality Homes Inc. to permit the development of a seven-unit townhouse building on Lots 4 to 10, Plan 22M16, Municipality of Huron East, County of Huron;

AND WHEREAS the proposed development is subject to Site Plan Control pursuant to Section 41 of the Planning Act, RSO 1990, and By-law # 27-2014 of the Corporation of the Municipality of Huron East.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF HURON EAST ENACTS AS FOLLOWS:

- 1. That the Mayor and CAO/Clerk be and are hereby authorized and instructed to sign all of the necessary documents to conclude the Site Plan Control Agreement between the Corporation of the Municipality of Huron East and Pol Quality Homes Inc., a copy of which is attached hereto as Schedule "A".
- 2. That this by-law shall come into force and take effect on the date of final passing thereof.

READ a first and second time this 3rd day of November, 2020. **READ** a third and final time this 3rd day of November, 2020.

Bernie MacLellan, Mayor

Site Plan Control Agreement

THIS AGREEMENT made this 3rd day of November, 2020.

BETWEEN:

Pol Quality Homes Inc.

(Hereinafter called the "Owner")

- and —

CORPORATION OF THE MUNICIPALITY OF HURON EAST

(Hereinafter called the "Municipality")

WHEREAS the Owner is entering into this agreement with the Municipality dealing with the facilities, works and matters hereinafter mentioned and the provision and maintenance thereof by the Owner and any and all subsequent owners to the satisfaction of and at no expense to the Municipality, as a condition to the approval pursuant to Section 41 of the Planning Act, as amended, of site plans and drawings for the development (hereinafter called the "development") on the lands and premises more particularly described in Schedule "A" attached hereto, and described municipally as 2 to 14 Linda Drive, Seaforth, Municipality of Huron East, County of Huron (hereinafter referred to as the "property").

AND WHEREAS the Owner and the Municipality held a pre-consultation meeting on October 15, 2020;

AND WHEREAS the Municipality approved the plans and drawings submitted with the Owner's application on October 29, 2020, subject to certain conditions, including the entering into of an agreement with respect to the provision of facilities, works or matters as permitted by subs. 41(7) of the *Planning Act*, R.S.O. 1990, c. P. 13;

AND WHEREAS subs. 41(10) of the *Planning Act* permits the registration of this Agreement against the lands to which it applies;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the covenants and provisions herein, the Municipality and the Owner covenant, agree and provide with each other that the Owner shall do and perform, at no expense to the Municipality (unless otherwise expressly provided herein), the following matters and things:

1. Construction in Accordance with Plans and Drawings

The Owner covenants and agrees to develop the Lands and to construct and build such buildings or structures in substantial compliance with the plans and drawings set out in Schedule "B" of this Agreement. The Owner also covenants and agrees to construct buildings in accordance with the provisions contained in Subdivision Agreement By-Law 41-2020 and Development Agreement By-Law 42-2020.

2. Conditions

The Owner covenants and agrees to satisfy each of the conditions set out in Schedule "C" to this agreement.

3. Fees and Charges

The Owner covenants and agrees to pay the Municipality the fees and charges set out in Schedule "D" to this Agreement. The Owner will be responsible for any other reasonable and foreseeable_charges that may occur as a direct result of this development, provided that it shall not be responsible for any indirect claims for business disruption or loss of profits of 3rd parties arising out of the work.

4. Security

In order to guarantee compliance with all conditions contained herein, the Owner covenants and agrees to file with the Municipality prior or upon execution of this Agreement, an irrevocable letter of credit in the amount of \$25,000.00. The aforesaid letter of credit shall be in a form approved by the Municipality and shall be for a minimum guaranteed period of two (2) years or such longer time as the Municipality may decide and the Owner covenants and agrees that the said letter of credit shall be kept in full force and effect and that it will pay all premiums as the said letter of credit becomes due or until such time as the Municipality returns the letter of credit. All Letters of Credit shall contain the following clause: "It is a condition of the Letter of Credit that it shall be deemed to be automatically extended without amendment from year to year from the present or any future expiration date thereof, unless at least thirty (30) days prior to the present or any future expiration date, we notify you in writing by registered mail that we elect not to consider this Letter of Credit to be renewable for any additional period. The letter of credit or other security will be released by the Municipality and returned to the Owner in accordance with the terms of Schedule "E".

Owner hereby acknowledges and agrees that should there be a deficiency in or failure to carry out any work or matter required by any clause of this Agreement, and the Owner fails to comply, within thirty (30) days following written notice, with a direction to carry out such work or matter, the Municipality may draw on the letter of credit to the extent necessary and enter onto the subject lands and complete all outstanding works or matters, and pay all costs and expenses incurred thereby from the proceeds so drawn. In place of a letter of credit, the Owner may deposit with the Municipality cash or certified cheque in an amount equal to the letter of credit and such deposit shall be held by the Municipality as security in accordance with this Agreement, provided that no interest shall be payable on any such deposit.

5. Release of Securities

Securities will be released in accordance with the provisions of Schedule "E". The Municipality will release securities as required in the name of the Owner unless directed by the Owner otherwise.

6. Minor Adjustments

- a) Minor adjustments to the requirements and provisions of this Agreement may be made subject to the approval of the Municipality provided that the spirit and intent of the Agreement are maintained. Such minor adjustments shall not require an amendment to this Agreement, however, the written approval of the Municipality is required before such minor adjustment can be made.
- b) The Municipality retains the right to request minor adjustments to the requirements and provisions of this Agreement, at the expense of the Owner, to address compatibility issues with adjacent or adjoining lands that the Municipality may reasonably determine necessary, provided that the spirit and intent of the Agreement are maintained.

7. Easements:

On or before the transfer of any of the property to any third party, the Owner covenants and agrees to register 3 metre easements on Parts 2 to 6, Plan 22R-6928 to benefit such of lots 5, 6, 7, 8, 9 and 10, Plan 22M116 as are necessary to provide access to such Lots' rear yards and to provide for surface water drainage rights.

8. Accessibility:

The Owner shall design parking, pathways and facilities in general compliance with the 2016 Universal Design and Accessibility Guideline for Site Plan Control. The same facilities shall be maintained in perpetuity.

9. Notices

Any notice required to be given by either party to the other shall be mailed, delivered or sent by facsimile transmission to:

(a) the Owner at:

ATTN: Daryl Pol Pol Quality Homes Inc. 4905 Perth Line 32, RR # 3 Stratford, ON N5A 6S4 Phone/cell: 519-393-5200 office@polgualityhomes.com

(b) the Municipality at:

ATTN: Brad Knight, CAO/Clerk Municipality of Huron East 72 Main Street South Seaforth, ON N0K 1W0 phone: 519-527-0160 fax: 519-527-2561 bknight@huroneast.com

or such other address of which the parties have notified the other in writing, and any such notice mailed, delivered or sent by facsimile transmission shall be deemed good and sufficient notice under the terms of this Agreement.

10. Registration of Agreement

The Owner hereby consents to the registration, at the cost of the Owner, of this Agreement, together with any schedules hereto, upon the title to the Lands. The Owner agrees to pay the Municipality any costs as a result of the registration of any other documents pertaining to this Agreement. The Owner agrees that it will obtain from any Lender of the Owner which, at the time of registration, holds security registered against title to the Lands, the Lender's consent to postpone its security to this Agreement.

11. Termination of Agreement

If the development proposed by this Agreement is not commenced with two (2) years from the date of the execution of this Agreement, the Municipality may, at its sole option and on thirty (30) days notice to the Owner, declare this Agreement null and void and of no further force or effect and the Owner shall not be entitled to any refund of fees, levies or other charges by the Owner pursuant to this Agreement.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their corporate seals duly attested to by their proper signing officers in that behalf.

)

)

)

| SIGNED, SEALED AND DELIVERED |
|--|
| This 3 rd day of November, 2020 |

) Pol Quality Homes Inc.

) Per: Daryl Pol, President

I have authority to bind the Corporation

|)) | CORPORATION OF THE MUNICIPALITY OF HURON EAST |
|--------|--|
|) | |
|) | |
|) | Bernie MacLellan, Mayor |
|) | |
|) | |
|) | |

Brad Knight, CAO/Clerk

We have authority to bind the Corporation

SCHEDULE "A" SUBJECT LANDS

DESCRIPTION

Lots 4 to 10, Plan 22M16, Municipality of Huron East, County of Huron

Schedule "B" <u>APPROVED PLANS AND DRAWINGS</u>

The Owner agrees and covenants to construct all buildings, structures, works, services and facilities required under this Agreement in accordance with the below referenced municipally-approved plans and drawings:

B.1 SITE GRADING & SERVICING PLAN

Identified as:Site Grading & Servicing and Erosion & Sediment Control Plan Drawing C2.1
dated September 21, 2020 with revisions to October 13, 2020Prepared by:MTE Engineering/Scientists/SurveyorsApproved on:October 29, 2020

B.2 ELEVATIONS

Identified as:Elevations Drawing A4 for Pol Semi-Detached dated October 13, 2020Prepared by:Blakestyle Design & Drafting Inc.Approved on:October 29, 2020



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3.2 ELEVATIONS

B.2 ELEV

Schedule "C"

CONDITIONS OF SITE PLAN APPROVAL

- 1. The Owners covenant and agree to:
 - Maintenance of facilities and works: The Owner acknowledges and agrees that its obligations hereunder are to construct, install and maintain the works including the replacement or relocation or repair of any of the works which are damaged or altered in connection with the installation of any such infrastructure.
 - **Surfacing** : Entrance/exit driveways, vehicle parking areas and vehicle manoeuvring areas shall be surfaced with asphalt pavement or similar hard surface).
 - Snow Removal: All snow that is removed from the entrance/exit driveways, internal driveways, vehicle parking areas, and vehicle manoeuvring areas shall be kept/stored on the subject property and not on any abutting road allowance.
 - Lighting: Exterior and/or outdoor lighting provided with the use of the subject property shall be located, installed and oriented to prevent glare on the adjacent properties and roadways.
 - **Drainage:** Surface water shall be controlled in such a manner that ensures there is no new or additional run-off onto adjacent properties and road right of ways/ roads.
 - **Elevations:** The buildings shall be facaded with materials in general conformity with the drawings provided to the Municipality. The buildings hall be maintained in general conformity with these plans.
 - Landscaping: The Owner shall complete (subject to climatic conditions) and maintain landscaping and planting on the lands in accordance with the approved site plan.
 - Accessory Buildings: Accessory buildings are currently prohibited in the Residential Medium Density Special Provisions (R2-18) zone. In the event the provisions of the R2-18 zone are amended to allow accessory buildings, the Municipality will consider such accessory buildings under the provisions of Section 6 of this Agreement.

Schedule "D" FINANCIAL PAYMENTS

The Owner covenants and agrees to pay to the Municipality, upon execution of this Agreement, the following fees:

- 1. Legal Fees for the preparation of this Agreement, the registration of this Agreement and the registration of any accessory agreements and documentation necessary to effect this Agreement;
- 2. Review fees of the Municipality's Engineer for the review of drawings and plans associated with this Agreement.
- 3. Review Fees by the Planner for the Municipality to conduct a review for compliance with the Municipality's Official Plan and Zoning By-law

Schedule "E" <u>RELEASE OF SECURITIES</u>

Securities will be released in a progressive manner as occupancy permits for buildings are issued and site works are completed as per the Plans and Drawings noted in Schedule "B" in accordance with the following schedule:

- a) \$10,000 will be released upon the completion of the sidewalk and the completion of the paved entrances onto Linda Drive.
- b) \$10,000 will be released upon the completion of the landscaping associated with the building.
- c) The balance of the securities will be released one year after the release of both securities described in (a) and (b) above.

THE CORPORATION

OF THE

MUNICIPALITY OF HURON EAST

BY-LAW NO. 67 FOR 2020

Being a by-law to temporarily stop up a portion of Hensall Road, McKillop Ward, Municipality of Huron East.

WHEREAS the <u>Municipal Act</u>, S.O. 2001, c.25, s.42, as amended, authorizes a municipality to delegate to a committee of council or to an employee of the municipality, subject to any conditions which the municipality may impose, the power to close a highway temporarily for any purpose specified in the by-law;

AND WHEREAS the Council of the Corporation of the Municipality of Huron East is desirous of closing specific roads in the Seaforth Ward of the Municipality of Huron East to accommodate the Seaforth Drive-By Santa Claus Parade being held November 27th, 2020.

NOW THEREFORE the Council of the Corporation of the Municipality of Huron East enacts as follows:

- 1. The following streets will be closed for the Seaforth Drive-By Santa Claus Parade on Friday, November 27th, 2020 between the hours of 6:00 p.m. and 9:00 p.m.:
 - a) Hensall Road from Hydro Line Road to Highway No. 8
- 2. This by-law shall come into force and take effect on the date of final reading thereof.

Read a first and second time this 3rd day of November, 2020. **Read** a third time and finally passed this 3rd day of November, 2020.

Bernie MacLellan, Mayor

THE CORPORATION

OF THE

MUNICIPALITY OF HURON EAST

BY-LAW NO. 68 FOR 2020

Being a by-law to designate a portion of Gouinlock Street, Seaforth Ward to be a one-way street and to amend By-Law 26-1991, Schedules 1 and 3 of the former Town of Seaforth.

WHEREAS, Section 27 of the <u>Municipal Act</u>, S. O. 2001, c. 25, as amended, gives a Municipality the authority to pass by-laws with respect to highways over which the Municipality has jurisdiction over;

AND WHEREAS, the Council of the former Corporation of the Town of Seaforth passed By-Law 26 for 1991 to regulate traffic in the Town of Seaforth and to control and regulate the use of streets and boulevards in the said Town of Seaforth;

AND WHEREAS as part of a municipal restructuring order dated March 31st, 2000, the Corporation of the Town of Seaforth became the Seaforth ward of the amalgamated Municipality of Huron East effective January 1st, 2001;

NOW THEREFORE the Council of the Corporation of the Municipality of Huron East **ENACTS AS FOLLOWS**:

- 1. That By-Law 26-1991 of the former Town of Seaforth, now the Seaforth Ward of the Municipality of Huron East is hereby amended as follows:
 - a) That Schedule "3" of By-Law 26-1991 be amended to designate part of Gouinlock Street as a one-way street as follows:

| Column 1 | Column 2 | Column 3 | |
|------------------|-----------------------------------|---------------------|--|
| <u>Street</u> | <u>From – To</u> | Direction of Travel | |
| Gouinlock Street | Main Street to Victoria Street | Easterly Only | |

Designated One-Way Streets

- b) That Schedule "1" of By-Law 26-1996 be amended by deleting the stop sign at the intersection of Gouinlock Street and Main Street.
- 2. That this by-law shall come into force and take effect on the date of final passing thereof.

READ a first and second time this 3rd day of November, 2020. **READ** a third time and finally passed this 3rd day of November, 2020.

Bernie MacLellan, Mayor

THE CORPORATION OF THE MUNICIPALITY OF HURON EAST BY-LAW NO. 69 FOR 2020

Being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of Huron East.

WHEREAS, the <u>Municipal Act</u>, S. O. 2001, c. 25, as amended, s. 5 (3) provides municipal power, including a municipality's capacity, rights, powers and privileges under section 8, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS, the <u>Municipal Act</u>, S. O. 2001, c.25, as amended, s. 8 provides a municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Municipality of Huron East at this meeting be confirmed and adopted by By-Law;

NOW THEREFORE the Council of the Corporation of the Municipality of Huron East **ENACTS AS FOLLOWS**:

- 1. The action of the Council of the Corporation of the Municipality of Huron East, at its meeting held on the 3rd day of November, 2020 in respect to each recommendation contained in the Reports of the Committees and each motion and resolution passed and other action taken by the Council of the Corporation of the Municipality of Huron East at these meetings, is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
- 2. The Mayor and the proper officials of the Corporation of the Municipality of Huron East are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Municipality of Huron East referred to in the proceeding section hereof.
- 3. The Mayor and the Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of the Municipality of Huron East.

READ a first and second time this 3rd day of November, 2020. **READ** a third time and finally passed this 3rd day of November, 2020.

Bernie MacLellan, Mayor