



Municipality of Huron East Council Meeting Minutes
Council Chambers
2nd Floor, 72 Main Street, South, Seaforth, ON
Tuesday, July 19, 2022

Members Present:

Mayor: Bernie MacLellan; Deputy Mayor: Robert Fisher; Councillors: Raymond Chartrand, Brenda Dalton, Dianne Diehl, Larry McGrath, Alvin McLellan, Justin Morrison, Zoey Onn, Joe Steffler, and Gloria Wilbee

Staff Present:

CAO Brad McRoberts; Public Works Manager Barry Mills; and Clerk Jessica Rudy

Others Present:

Emma MacNeil (Item 6.1)

Matt Denys (Item 6.2)

Doug Sholdice (Item 12.1)

Huron County Planner Jenn Burns

Huron County Planning Student Randi Burke

Shawn Loughlin, Editor, The Citizen

1. Call to Order and Opening Remarks

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

2. Land Acknowledgement

Mayor MacLellan provided the land acknowledgement.

3. Confirmation of the Agenda

Moved by Deputy Mayor Fisher and Seconded by Councillor Morrison:

That the Agenda for the Regular Meeting of Council dated July 19, 2022 be adopted as circulated.

Carried

4. Disclosure of Pecuniary Interest

Councillor Onn declared a Conflict of Interest in regards to Item 12.2, Planners Report re: Consent Application C62-2022 Zoellyn Onn (433 Albert Street, Brussels Ward), due to her being the applicant.

5. Minutes of Previous Meeting

Moved by Councillor Diehl and Seconded by Councillor Chartrand:

That Council of the Municipality of Huron East approve the following Council Meeting Minutes as printed and circulated:

5.1 Regular Meeting – July 5, 2022

Carried

6. Public Meetings/Hearings and Delegations

6.1 Delegation: Emma MacNeil, Sales and Event Manager, The HUB Family re: Seaforth Ribfest

Emma MacNeil, Sales and Event Manager for The HUB Family appeared before Council providing an overview of the plans for the Seaforth Ribfest.

E. MacNeil highlighted the various vendors, food trucks, and ticketed concerts. It was also noted that the Seaforth BIA will be hosting a sidewalk sale on that same weekend.

Mayor MacLellan thanked E. MacNeil for bringing the event to the community.

6.2 Delegation: Matt Denys re: New Automated Waste Collection (Wheelie Bins)

Matt Denys appeared before Council as a resident of Tuckersmith seeking clarification on the new automated waste collection. He questioned why residents are unable to opt out of the service, especially if their property operates a business; how the program is fair for all residents of Huron East; the difference of waste operations on rural properties; the current rate of property tax allocated for waste; why a tax payer would have to pay for waste collection when they don't use it; the request for proposal (RFP) timeline and the overall cost savings for an individual. He asked that future initiatives have more community outreach and stressed that waste collection should be an optional service.

In response to M. Denys, Mayor MacLellan and CAO Brad McRoberts provided a brief overview of the timeline and stated that residents have been asking for the service for approximately four years. It was clarified that the service brings all of Huron East into unison in terms of waste collection and that currently waste collection is a part of the tax levy, similar to education and street lights.

CAO Brad McRoberts noted that he would provide M. Denys with the final report which went to Council, as well as a detailed cost analysis.

7. Accounts Payable - \$1,818,539.17

Moved by Councillor Wilbee and Seconded by Councillor Diehl:

That the accounts payable in the amount of \$1,818,539.17 be approved for payment.

Carried

8. Reports & Recommendations of Municipal Officers**8.1 CAO-22-37, Seaforth Ribfest Agreement**

CAO Brad McRoberts provided an overview of the agreement for the Seaforth Ribfest. In response to Council, it was confirmed that all amenities for the event will be located outdoors.

Moved by Councillor Morrison and Seconded by Councillor Steffler:

That the Council of the Municipality of Huron East consider the By-law to authorize the Mayor and Clerk to execute the Special Event Agreement between the Municipality of Huron East and The Hub for the Seaforth Ribfest being held at the Seaforth & District Community Centre parking areas on August 19-21, 2022.

Carried

8.2 CLK-22-13, Accountability and Transparency Policy

Clerk Jessica Rudy provided an overview of the report, noting that the policy outlines the current actions of the Municipality in terms of accountability and transparency. J. Rudy requested all future virtual Council meetings be web streamed to increase access to the meeting for the public and that the previously recorded meetings be posted to the website.

In response to Council, it was clarified that the web stream will not be available for in person meetings, as the municipality does not have the required technology in the Council Chambers.

Moved by Councillor Diehl and Seconded by Councillor Morrison:

That the Council of the Municipality of Huron East adopt the policy regarding Accountability and Transparency;

And That Council approve the live streaming of virtual Council meetings and the uploading of any previously recorded Council meetings.

Carried

8.3 CBO-22-03, Code Amendment/2022 Year to Date Building Report

The report was received for information.

Moved by Councillor McLellan and Seconded by Councillor Onn:

That Huron East Council receive the following Reports of Municipal Officers as presented:

(1) CAO

(2) Clerk

(3) CBO

Carried

9. Correspondence

9.1 Brussels Homecoming re: Request for Road Closure of Ainley Street, Brussels from July 28, 2022 – August 2, 2022

CAO Brad McRoberts provided an overview of the request for road closure noting that it is required in order to enhance the secured area and limit the in and out activity after 9:00 p.m..

Moved by Deputy Mayor Fisher and Seconded by Councillor Morrison:

That the Council of the Municipality of Huron East approve the request for a temporary road closure of Ainley Street in the Brussels Ward from July 28, 2022 to August 2, 2022 for the Brussels Homecoming Events.

Carried

9.2 Township of Perry re: Support for Town of Aurora Council Resolution ‘Private Members Bill C-23 “Keira’s Law”’

CAO Brad McRoberts provided an overview of the request from the Township of Perry and it was clarified that “Keira’s Law” is to mandate judges undergo training regarding domestic violence in children.

Moved by Deputy Mayor Fisher and Seconded by Councillor Onn:

That the Council of the Municipality of Huron East support the motion of support from the Township of Perry for the Town of Aurora Council Resolution regarding Private Members Bill C-233 “Keira’s Law”.

Carried

10. Unfinished Business

10.1 Municipality of Shuniah Request for Support and Endorsement for the Release of all Federal and Provincial Documents Related to the Former Mohawk Institute Residential School – Information being released to the Survivors’ Secretariat.

Moved by Councillor Wilbee and Seconded by Councillor McLellan:

That the Council of the Municipality of Huron East support the motion of support from Municipality of Shuniah to release all Federal and Provincial documents related to the former Mohawk Institute Residential School to the Survivors' Secretariat.

Carried

11. Municipal Drains

11.1 Notice of Request for Drain Improvement - Smith Drainage Works Municipal Drain

Councillor McLellan noted that there was a lack of contractors bidding on jobs, as indicated by the 14th Concession Municipal Drain Tender and requested a list of contractors be compiled to advise them when tenders are issued. CAO Brad McRoberts noted that in addition to the list, contractors are also able to subscribe to the Bids and Tenders webpage on the Municipal website and in turn, they will be notified when anything is added.

Moved by Councillor Onn and Seconded by Councillor Diehl:

That the Council of the Municipality of Huron East accept the Section 78 Request for a Municipal Drain Improvement from Mark Horst (Concession 1 North Part Lot 69, North Part Lot 70), for the Smith Drainage Works Municipal Drain and that Council instruct G.M. BluePlan Engineering Ltd. to prepare a report 30 days after notification to the Conservation Authorities.

Carried

12. Planning

12.1 Planner's Report re: Removal of Holding Zone Application Z05-2022 from Doug Shouldice for Concession 10 PT Lot 3, Grey Ward

Huron County Planner Jenn Burns provided an overview of the property and explained that the reason for removal of holding zone is that there no interest or intent to operate the beef processing plant, and the removal allows the applicant to build a house on the property. It was noted that staff also recommend that the rest of the property be rezoned to AG1 but due to time constraints on the building permit the removal of the holding zone was the most expedient.

In response to Council, J. Burns explained that if anyone would wish to use the abattoir on the property they would have to purchase the entire property and the house.

Moved by Councillor Diehl and Seconded by Councillor Onn:

That the Council of the Municipality of Huron East approve the holding zone application Z05-2022, as presented by Huron County Planner Jenn Burns and consider approval of a By-law to lift the 'H' holding symbol from the subject property described as GREY CONCESSION PT LOT 3.

Carried

12.2 Planner's Report re: Consent Application C62-2022 Zoellyn Onn (433 Albert Street, Brussels Ward)

Huron County Planning Student Randi Burke provided an overview of the application and property details noting approval for the application. A copy of the presentation is [appended](#) to the original minutes.

Moved by Councillor Chartrand and Seconded by Councillor Diehl:

That the Council of the Municipality of Huron East acknowledge the report of Huron County Planner Jenn Burns & Student Planner Randi Burke, dated June 28, 2022 and has no objection to severance application C62-2022 of Zoellyn Onn for 433 Albert Street, Brussels Ward, provided the following conditions are met:

- a) That the conditions imposed be met within two years of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled within as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within two years, the application is valid for three years from the date of notice of decision;
- b) That all municipal requirements, financial or otherwise, be met to the satisfaction of the Municipality (for example: servicing connections, cash-in-lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures.);
- c) That a survey showing the lot lines for the severed parcel, and the setbacks of the closest buildings on the retained property to the severed parcel, and a reference plan based on an approved survey for each retained parcel be provided to the satisfaction of the Municipality;
- d) That the severed land merge on title with the abutting property to the north upon issuance of the certificate under Section 53(442) of the Planning Act, RSO 1990, as amended:

A firm undertaking be provided to the satisfaction of the County from the solicitor acting for the parties indicating that:

- i) The severed land and the abutting property to the north will be consolidated into one P.I.N. under the Land Titles system; or
- ii) Where consolidation is not possible as the parcels to be merged are registered in two different systems (e.g. the Registry or Land Title system), a notice will be registered in both systems indicating the parcels have merged with one another and are considered to be one parcel with respect to Section 50(3) or (5) of the Planning Act, R.S.O. 1990, C P.13, as amended.

Section 50(3) or (5) of the Planning Act, R.S.O 1990, as amended, applies to any subsequent conveyance or transaction of the severed land.

- e) That where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the municipality.

Carried [Conflict: Z. Onn]

13. Council Reports

13.1 Council Member Reports

13.1.1 County Council Report

Deputy Mayor Fisher reported that the County presented their long-term service awards and noted that there were two employees with 45 years of service. Mayor MacLellan commented that there was also an award presented to an individual with 50 years of service with the County.

In response to Councillor McGrath's statement on the news reporting charging stations in Goderich, Mayor MacLellan confirmed that there will also be charging stations in Brussels and behind Town Hall in Seaforth.

13.1.2 Other Boards/Committees or Meetings/Seminars

13.2 Requests by Members

Councillor Chartrand requested an update in regards to the Seaforth Manor and the potential of beds moving to Goderich. Mayor MacLellan noted he is awaiting response from the Huron-Bruce MPP Lisa Thompson. Council discussed the history of previous conversations with Southbridge in regards to the adding of beds and it was noted that Council is still awaiting response on the letters that were sent to the MPP in regards to adding more beds. Mayor MacLellan noted he will continue to seek clarification from the MPP on what is being done.

In response to Councillor McLellan's request for local contractors bidding on the Brussels Arena Renovations, CAO Brad McRoberts stated that the overall contract was awarded to Elgin Contracting and advised that local contractors reach out to them directly on any sub-contracting opportunities.

Council discussed the status of an Animal Control Officer in response to the letter sent to Council from Janice Murray. A copy of the letter is [appended](#) to the original minutes. In response to the discussion CAO Brad McRoberts noted that he will bring forward a report to the next Council meeting which addresses an option for a shared service agreement for the position. He also clarified that the Seaforth Animal Hospital is currently designated as Pound Keeper and he will be following up with them to clarify the various processes and associated costs when a dog is surrendered.

13.3 Notice of Motion

13.4 Announcements

Councillor Onn announced that the Brussels Homecoming is to take place in two weeks which includes many organized activities.

Mayor MacLellan noted that Huron County recently updated their Procedural By-law and highlighted that delegations will be limited to one delegation on a specific topic over a six month time frame, unless there is new information being presented. He requested that staff review the delegation portion of the Huron East Procedural By-law as part of the ongoing policy and bylaw review being conducted .

14. Information Items

14.1 Council Expenses for June 2022

Received for information.

14.2 Invitation for a Huron East Councillor: Huron County Distribution Centre re: 9th Annual Better Together Gala on August 4, 2022 at 5:30 p.m.

Received for information.

Moved by Deputy Mayor Fisher and Seconded by Councillor Morrison:

That Huron East Council receive the following Board and Committee meeting Committee minutes as submitted:

14.3 Huron East/Seaforth Community Development Trust – June 6, 2022

Carried

15. Other Business

16. By-laws

Moved by Councillor Wilbee and Seconded by Councillor Dalton:

That Be It Hereby Resolved that leave be given to introduce By-laws 50, 51, 54, 55, 56 and 57 for 2022.

By-law 050-2022 - A By-law to Permit and Regulate the Operation of Off-Road Vehicles on Municipal Highways within Huron East and to Repeal By-law 63-2010

By-law 051-2022 - A By-law to Regulate the Maintenance of Land known as the Clean Yards By-law within Huron East and Repeal By-law 21-2010

By-law 054-2022 - A By-law to Authorize a Special Event Agreement with The HUB Family for the Seaforth Ribfest

By-law 055-2022 - A By-law to Temporarily Close the North Section of Ainley Street, Brussels

By-law 056-2022 - A By-law to Amend By-law 52-2006 to Remove the 'H' Holding Zone on a Part of the Lands known as Grey Concession 10 PT Lot 3

By-law 057-2022 - A By-law to Confirm the Proceedings of Council

Carried

Moved by Councillor Morrison and Seconded by Councillor Diehl:

That be it hereby resolved that By-law 050-2022, A By-law to Permit and Regulate the Operation of Off-Road Vehicles on Municipal Highways within Huron East and to Repeal By-law 63-2010, be given final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Wilbee and Seconded by Councillor Dalton:

That be it hereby resolved that By-law 051-2022, A By-law to Regulate the Maintenance of Land known as the Clean Yards By-law within Huron East and Repeal By-law 21-2010, be given final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Chartrand and Seconded by Councillor Steffler:

That be it hereby resolved that By-law 054-2022, A By-law to Authorize a Special Event Agreement with The HUB Family for the Seaforth Ribfest, be given final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Diehl and Seconded by Councillor Morrison:

That be it hereby resolved that By-law 055-2022, A By-law to Temporarily Close the North Section of Ainley Street, Brussels, be given final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Morrison and Seconded by Deputy Mayor Fisher:

That be it hereby resolved that By-law 056-2022, A By-law to Amend By-law 52-2006 to Remove the 'H' Holding Zone on a Part of the Lands known as Grey Concession 10 PT Lot 3, be given final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

17. Closed Session And Reporting Out (Section 239 Of The *Municipal Act*, 2001)

Moved by Councillor Wilbee and Seconded by Councillor Diehl:

That Council of the Municipality of Huron East, pursuant to Section 239(2) of the *Municipal Act*, adjourn the regular meeting of Council at 8:40 p.m. to go into Closed Session to discuss the following:

- 17.1 Adoption of July 5, 2022 Closed Session of Council Meeting Minutes
- 17.2 239(2)((b), personal matters about identifying individuals regarding CAO Evaluation

And that CAO Brad McRoberts and Clerk Jessica Rudy remain in closed session.

Carried

Moved by Councillor Chartrand and Seconded by Councillor Onn:

That Council of the Municipality of Huron East resumes the regular Council meeting at 8:44 p.m.

Carried

Mayor MacLellan reported out from the Closed Session that Council discussed the performance evaluation form for the CAO.

18. Confirmatory By-Law

Moved by Councillor Onn and Seconded by Councillor McLellan:

That be It Hereby Resolved that By-law 057-2022, a by-law to confirm the proceedings of Council, be given first, second, third and final reading and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

19. Adjournment

Moved by Councillor Chartrand and Seconded by Deputy Mayor Fisher:

The time now being 8:45 p.m. That the regular meeting do adjourn until August 9, 2022 at 7:00 p.m.

Carried

Consent Application C62-22 in the Municipality of Huron East

Owner/Applicant: Zoellyn Onn
433 ALBERT ST; PLAN 193 LOT 435, Brussels Ward.
Municipality of Huron East



Subject Property

- The purpose of this application is for a minor lot addition.
- The land being severed (outlined in yellow) is 0.13 acres. The lands to be retained (outlined in blue) is 0.20 acres.
- The severed lands are proposed to merge with the lands to the north owned by Riverside Funeral Home Inc. (outlined in red).
- The proposed retained portion has a house and open space, and there is a small shed on the severed portion.



Retained Parcel



2020 Air Photo

View standing on Albert Street (Google Maps)

Severed Parcel



2020 Air Photo

View standing on Albert Street (Google Maps)

Review & Recommendation

- The property is designated Urban Natural Environment in the Huron East Official Plan and zoned FF-1 (Flood Fringe- Special Zone) in the Huron East Zoning By-law.
- This application meets the policy criteria in the Provincial Policy Statement (PPS), the Huron County and Huron East Official Plan.
- There are no outstanding concerns from staff, agencies (MVCA) or neighbours.
- As such, it is recommended that consent application C62-22 be recommended for **approval** with the conditions outlined in the Planning Report.

Recommended Conditions

Expiry Period

- Conditions imposed must be met within two years of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused. Provided the conditions are fulfilled within two years, the application is valid for three years from the date of notice of decision.

Municipal Requirements

- All municipal requirements, financial or otherwise, be met to the satisfaction of the Municipality (for example: servicing connections, cash-in-lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures).

Survey/Reference Plan

- Provide to the satisfaction of the County and the Municipality:
 - a survey showing the lot lines for the severed parcel, and the setbacks of the closest buildings on the retained property to the severed parcel, and
 - a reference plan based on an approved survey for each retained parcel.

Merging

- The severed land merge on title with the abutting property to the north upon issuance of the certificate under Section 53(42) of the Planning Act, RSO 1990, as amended.
- A firm undertaking be provided to the satisfaction of the County from the solicitor acting for the parties indicating that:
 - the severed land and the abutting property to the north will be consolidated into one P.I.N. under the Land Titles system; or
 - where consolidation is not possible as the parcels to be merged are registered in two different systems (e.g. the Registry or Land Titles system), a notice will be registered in both systems indicating that the parcels have merged with one another and are considered to be one parcel with respect to Section 50 (3) or (5) of the Planning Act, R.S.O. 1990, c P.13 as amended.

Section 50(3) or (5) of the Planning Act, RSO 1990, as amended, applies to any subsequent conveyance or transaction of the severed land.

Zoning

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

Janice Murray

225 Main Street North

Seaforth, Ontario

RECEIVED

JUL 18 2022

MUNICIPALITY OF HURON EAST

Seaforth Council members:

First and foremost, I would like to thank each and every one of the council members for taking the time to read my letter concerning a matter close to my heart. Protecting animals!

I have been a lifelong resident of the town of Seaforth, putting in countless hours advocating, rescuing the lost, abandoned and feral animals along with my many volunteer hours with Bow Wow Rescue, a local canine shelter. Many of us are very concerned that the position of animal control officer has yet to be filled and feel that this should be a priority with the increase of animals being abandoned, lost or worse, irresponsible pet owners. At this time there is no direct course of action that can be taken for citizens who take the time and risk injury to themselves helping these animals. People who attempt to give aid to these animals are given instructions by the town hall to take the rescued animals to the Seaforth Veterinary Hospital only to be told by the employees that they, the rescuer is responsible for paying the boarding fee....." Only the animal control officer can drop off dogs for free!" Yet as you are aware there is no such person locally nor is there any continuity with the information or advice (differing) between the town hall and the Vet Clinic. This was brought to my attention by a good friend (and fellow rescue volunteer) who had managed to catch a loose St. Bernard at the Seaforth Public School during the time the children were being dismissed for the day. They proceeded to contact the town hall relaying the dogs tag number; the town hall attempted to contact the owner but was unable. Town hall proceeded to advise them to take the dog to the Seaforth Vet office. Upon arrival at the vets, they refused to take the animal unless the good Samaritans paid the boarding fee

up front. After 20 minutes of explaining we were following the course of action the town hall gave us and her calling the town hall to complain did she finally agree to assist the lost animal. Both the town hall and Vet had given us very different information.

Just last week (July 10) a family member of mine AGAIN caught a husky loose in her neighborhood but this time the owners refused to come to the door as she stood there with their dog. She contacted me asking for advice on what to do after calling and attempting to contact animal control to deal with ongoing issue with this poor dog. She contacted the town hall and was told there was no one to deal with this problem or problematic owners, and that there was nothing that could be done. I advised her not to bring the animal into her home around her children and her house pets due to the high probability (with the number of animals inside the irresponsible owner's residence and the dog having no dog tags) that the animal is probably unvaccinated. What are we to do? Release the dog to allow it to roam the neighborhood? Local rescues and the Vet Clinic demand a surrender/boarding fee! Our only avenue was to contact the local OPP detachment and a police officer attempt to get the owners to take their dog!

The problem we are facing is that irresponsible animal owners are fully aware of the lack of animal control, no one enforcing the local bi-laws therefore no consequences. The animals are at high risk of being injured by cars, animal cruelty from residents in the area who are frustrated with these loose animals and the possibility of the animal biting the citizens who are trying to help it.

An important fact I think worth mentioning, if an animal who has been successfully caught during the off hours when the vet is closed (after 5pm and weekends) the person giving assistance to this animal is "stuck" either caring for the animal until the vet is open (and as previously described she refuses to take without payment in advanced) or turn their backs on the animal in need! It's the animal who pays the ultimate price.

Animal abandonment has always been a problem in Huron County for years. Michelle Layton (founder of Bow Wow Rescue for nearly 30 Years) and myself, along with the other volunteers can attest too and now this new problem has exacerbated this dilemma even further.

It is my and many others opinion that the council members need to take a more proactive role in either appointing a new animal control officer (looking at the existing job criteria and promptly posting this position) or come up with a much more streamlined protocol on how to deal with this issue that citizens can follow and is clear on what the citizens of Seaforth, the town hall and the Seaforth vet are to do in these situations and go forth with, ensuring the safety for all involved ... Protecting residents and the animals

Sincerely

Janice Murray

Allan Chesney

Anne Furry

Bobbie Anne Scarrow

Michelle Layton