



Municipality of Huron East Council Meeting Minutes
Council Chambers
72 Main Street South, Seaford, ON
Tuesday, December 6, 2022

Members Present:

Mayor: Bernie MacLellan; Deputy Mayor: Alvin McLellan; Councillors: Raymond Chartrand, Brenda Dalton, Dianne Diehl, Larry McGrath, Justin Morrison, *Jeff Newell, John Steffler, and Gloria Wilbee

Staff Present:

CAO Brad McRoberts; Clerk Jessica Rudy; Director of Finance/Treasurer Stacy Grenier; Fire Chief Marty Berard and Fire Chief Kent Readman

Others Present:

Huron County Planner Jenn Burns

Daryl Scheerer and Matthew Allan, BluEarth Renewables (Item 8.1)

Kim Blok and Katie Jaanmat (Item 8.2)

1. Closed Session

Moved by Councillor Wilbee and Seconded by Councillor Morrison:

That a closed meeting of Council be held on Tuesday, December 6, 2022 at 5:00 p.m., in the Town Hall Council Chambers, in accordance with Section 239 of the Municipal Act, 2001 for the purposes of considering the following matters:

- 1.1** Report under 239(2)(b), Personal matters about identifiable individuals in regards to the Economic Development Officer recruitment.

And that CAO Brad McRoberts and Clerk Jessica Rudy remain in closed session, along with Vicki Lass with the County of Huron.

And That the Economic Development Officer candidate shall join Closed Session when requested by the CAO.

Carried

2. Motion to Reconvene into Open Session and Reporting Out

Moved by Councillor Diehl and Seconded by Councillor Fisher:

That the Council of the Municipality of Huron East resume the regular Council meeting at 7:00 p.m.

Mayor MacLellan reported that Council went into a closed session to discuss the selection process and recommendations from the CAO regarding the Economic Development Officer position.

3. Call to Order and Opening Remarks

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

Mayor MacLellan welcomed the new Fire Chief Kent Readman to Huron East.

4. Land Acknowledgement

Mayor MacLellan provided the land acknowledgement.

5. Confirmation of the Agenda

Moved by Councillor Chartrand and Seconded by Deputy Mayor McLellan:

That the Agenda for the Regular Meeting of Council dated December 6, 2022 be adopted as circulated.

Carried

6. Disclosure of Pecuniary Interest

Councillor Newell declared a Conflict of Interest to Item 19.2 re: Closed report regarding personal matters about identifiable individuals regarding succession planning due to a potential pecuniary interest.

7. Minutes of Previous Meeting

Moved by Councillor Morrison and Seconded by Councillor Dalton:

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

7.1 Special Meeting – November 9, 2022

7.2 Inaugural Meeting – November 15, 2022

7.3 Regular Meeting – November 15, 2022

Carried

8. Public Meetings/Hearings and Delegations

8.1 Delegation: Matthew Allen, Project Developer, BluEarth Renewables re: Proposed Seaforth Storage Project

Daryl Scheerer and Mathew Allen of BluEarth Renewables appeared before Council to

present the proposed Seaforth storage project consisting of a battery energy storage system and made a request for Council support. An overview including the company portfolio, Ontario electrical needs, project timeline, proposed location, community engagement and benefits was provided.

In response to Council, D. Scheerer and M. Allen noted that there will be approximately ten acres of storage units; environmental impact studies are underway; batteries not being liquid based; the property to return to agricultural zoning after the lease period; 25 year period for the land lease; and provided a detailed overview of fire prevention and emergency measures.

8.2 Delegation: Kim Blok, Pete Martene, Katie and Darren Janmaat and Sanjeev Jsawal, Building and Local Business Owners re: Parking Blockade behind Sills Home Hardware

Kim Blok and Katie Janmaat appeared before Council in regards to a blockade that has been erected, preventing access to business and causing safety concerns, as fire trucks would not be able to access the rear of buildings in the event of an emergency and that the business operations are being impacted. It was requested that the blockade be removed and that the laneway be made into a fire route.

Council stated that a staff report will be heard later in the agenda on the matter.

8.3 Public Meeting re: Zoning By-law Amendment for 44424 Line 34, McKillop Ward

Moved by Councillor Morrison and Seconded by Councillor Diehl:

That the Council of the Municipality of Huron East adjourn the regular meeting of Council at 7:46 p.m. to go into a Public Meeting to discuss the following:

- a) Zoning By-law Amendment for 44424 Line 34, McKillop Ward

Carried

Council reconvened at 7:57 p.m.

9. Planning

9.1 Recommendation of Council re: Zoning By-law Amendment for 44424 Line 34, McKillop Ward

Moved by Councillor Fisher and Seconded by Diehl:

Whereas the Council of the Municipality of Huron East has held a public meeting pursuant to Section 34(12) of the Planning Act, 1990 with respect to the proposed Zoning By-law 99-2022;

And Whereas no public comments were received on this application;

And Whereas no agency comments were received on this application;

Now Therefore, pursuant to Section 34(18) of the Planning Act, 1990, Council concurs with the November 25, 2022 Planning Report and recommends By-law 99-2022 for approval.

Carried

9.2 Planner's Report re: Bill 23, More Homes Built Faster Act (2022) – Planning Changes

Huron County Planner Jenn Burns provided an overview of the changes that are currently understood and highlighted the various impacts for Huron County and Huron East.

J. Burns responded to Council on specifications for minimum floor space, public circulation requirements for plans of subdivision and conservation authorities. It was noted that the Bill is evolving quickly and any detailed questions and comments should be directed to a lawyer.

The report was received for information.

9.3 Planner's Report re: Consent Application C101-2022

Huron County Planner Jenn Burns provided an overview of the purpose and process for consent applications and provided a detailed overview of the consent application and property details noting the application is recommended for approval. A copy of the presentation is [appended](#) to the original minutes.

Moved by Councillor Morrison and Seconded by Councillor Steffler:

That the Council of the Municipality of Huron East acknowledge the report of Huron County Planner Jenn Burns, dated November 30, 2022 and has no objection to severance application C101-2022 provided the conditions are met as presented in the Planner's report.

Carried

9.4 Planner's Report re: Consent Application C100-2022

Huron County Planner Jenn Burns provided a detailed overview of the consent application and property details noting the application is recommended for approval. A copy of the presentation is [appended](#) to the original minutes.

Moved by Deputy Mayor McLellan and Seconded by Councillor Wilbee:

That the Council of the Municipality of Huron East acknowledge the report of Huron County Planner Jenn Burns, dated December 1, 2022 and has no objection to severance application C100-2022 provided the conditions are met as presented in the Planner's report.

Carried

10. Accounts Payable - \$2,267,823.95

Councillor McGrath declared a Conflict of Interest due to his company being named in the Accounts Payable list.

Moved by Councillor Wilbee and Seconded by Councillor Steffler:

That the accounts payable in the amount of \$2,267,823.95 be approved for payment.

Carried [Conflict: L. McGrath]

11. Reports & Recommendations of Municipal Officers

11.1 CAO-22-56, Building and Maintenance Report - July to September 2022

The report was received for information.

11.2 CAO-22-58, Alternate Fire Route Request

CAO Brad McRoberts provided an overview and background to the request and location.

Councillor McGrath suggested that the property owner be asked to remove the barricade so it does not impact people's safety or impede business operations, and if that is not successful then to proceed with the designation of a fire route.

Council noted the need to address the safety concerns and the responsibility of Council to provide a permanent solution to the problem. It was noted that since Council has been made aware there is a need to address the issue and safety of others.

Councillor Chartrand requested that the process start by asking the landowner to remove the blockade and begin investigations on making the laneway a fire route.

Moved by Councillor Chartrand and Seconded by Councillor Fisher:

That the Council of the Municipality of Huron East direct staff to reach out to the property owner to remove the blockade;

And That notice be given to land owners that the Municipality will be investigating turning the lane way into a fire route for consideration at a future Council meeting.

Carried

11.3 CAO-22-59, 2023 Budget Considerations

CAO Brad McRoberts provided a detailed overview of the various budget considerations for the 2023 budget and provided a detailed overview of the waste management area rate calculations.

Council noted some concern that the Ontario Provincial Police (OPP) do not provide equal services to the urban and rural areas, as a result it was suggested that the OPP be requested to present to Council on OPP budget..

The report was received for information.

11.4 CAO-22-60, Vanastra Outdoor Ice Rink

CAO Brad McRoberts provided an overview of the proposed ice rink request and the liability factors. He noted that it is a viable option but the insurance company will not insure the volunteer group. He noted a possible solution would be to make the volunteer group a Committee of Council, similar the Brussels Homecoming Committee and clarified that staff will continue to the work with the group to bring forward a plan and recommendation at the next Council meeting.

Council noted that staff should ensure that there is a policy created, or updated, in regards to volunteering with the Municipality, detailing the various training or certifications required to perform specific volunteer duties.

Moved by Councillor Chartrand and Seconded by Councillor Morrison:

That the Council of the Municipality of Huron East authorize staff to work with the local Vanastra group to develop a comprehensive plan and detailed cost estimate for the implementation of an outdoor ice surface in Vanastra.

Carried

11.5 VRC-22-02, Requesting Authority to Submit an Ontario Trillium Foundation (OTF) Grant Application under the Resilient Communities Fund

Moved by Councillor Chartrand and Seconded by Councillor Diehl:

That the Council of the Municipality of Huron East authorize staff to submit an application to the Ontario Trillium Foundation to request financial support to adapt a new program to recover from the implications of COVID-19.

Carried

Moved by Councillor Diehl and Seconded by Councillor Morrison:

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

(1) CAO

(2) Facility Manager, VRC

Carried

12. Correspondence

13. Unfinished Business

13.1 Council Appointments to Various Committees and Boards

Mayor MacLellan confirmed that the Procedural By-law states that all appointments be reviewed every two years.

Moved by Councillor Morrison and Seconded by Councillor Fisher:

That the Council of the Municipality of Huron East approve the Council appointments as presented:

Administration Committee:

Mayor MacLellan and Councillors Chartrand, Fisher, McGrath and Deputy Mayor McLellan

Personnel Committee:

Mayor MacLellan and Councillors Chartrand, Diehl, Fisher and Morrison

Water and Sewer Committee:

Mayor MacLellan and Councillors Chartrand, McGrath, Morrison and Steffler

Huron East Recreation Advisory Committee:

Councillors Chartrand, Diehl, Dalton, Newell, and Steffler

Economic Development Committee:

Councillors Diehl, Morrison and Steffler

Heritage Committee:

Councillor Wilbee

Brussels Community Development Trust:

Councillors Morrison and Newell

Seaforth Community Development Trust:

Councillors Fisher and Steffler

Coalition for Huron Injury Prevention:

Councillor Wilbee

Seaforth BIA:

Councillor Fisher

Mid-Huron Landfill/Recycling:

Mayor MacLellan

Walton Landfill:

Councillors Dalton and Diehl

Brussels Cemetery Board:

Councillor Newell

Cranbrook Cemetery Board:

Councillor Diehl

Mount Pleasant Cemetery Board:

Deputy Mayor McLellan

Cranbrook Community Centre:

Councillor Diehl

Ethel Community Centre:

Deputy Mayor McLellan

Ethel Minor Ball Committee:

Deputy Mayor McLellan

Walton Community Hall:

Councillor Wilbee

Walton Park:

Councillor Dalton

Winthrop Park:

Councillor Dalton

Maitland Source Protection Authority Board:

Deputy Mayor McLellan

Carried

14. Municipal Drains

15. Council Reports

15.1 Council Member Reports

15.1.1 County Council Report

Deputy Mayor McLellan reported that as a new member of the Huron County Council he met with the CAO of Huron County and detailed the Huron County Inauguration meeting and Council Orientation.

15.1.2 Other Boards/Committees or Meetings/Seminars

Councillor Wilbee reported that the Coalition Huron Injury Prevention Board might be looking at restructuring.

15.2 Requests by Members

Councillor Fisher requested more police presence in the evenings as there have been more reports of vandalism, attempted break ins and individuals sleeping in bank centre entrances.

Councillor Fisher questioned if the transportation system that was used by the County to transfer homeless individuals to a warming centre in Goderich was still operational. Council that it is operational however it is a route from Goderich to Exeter and stressed that individuals must be willing to use the service.

15.3 Notice of Motion

15.4 Announcements

16. Information Items

16.1 Ministry of Finance re: 2023 Funding Allocations under the Ontario Municipal Partnership Fund (OMPF)

Received for information.

16.2 Ausable Bayfield Conservation Authority re: Proposed 2023 Budget and Municipal Levies

Received for information.

16.3 October 2022 Council Expenses

Received for information.

16.4 Stratford & Area Builders' Association re: Congratulations on Municipal Electoral Success

Received for information.

16.5 Maitland Valley Conservation Authority re: Proposed Changes in Bill 23 regarding Conservation Authorities

Received for information.

16.6 Huron Plowmens Association re: Report from the 2022 Plowing Match

Received for information.

16.7 Enbridge Gas Inc. re: Congratulations on Recent Election to Council

Received for information.

16.8 Norfolk County re: Bill 23 “More Homes Built Faster Act, 2022”

Received for information.

16.12 City of Toronto re: Update on Bill 23 – More Homes Built Faster Act, 2022

Received for information.

Moved by Councillor Morrison and Seconded by Councillor Dalton:

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

16.9 Brussels Fire Area Committee – October 26, 2022

16.10 Seaforth Area Fire Board – October 27, 2022

16.11 Personnel Committee – November 8, 2022

Carried

17. Other Business

18. By-laws

Moved by Councillor Newell and Seconded by Councillor McGrath:

That be it hereby resolved By-law 099-2022, A By-law to Amend Zoning By-law 52-2006 be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Diehl and Seconded by Councillor Fisher:

That be it hereby resolved By-law 100-2022, A By-law to Appoint Deputy Treasurers and Repeal By-law 87-2021 be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Wilbee and Seconded by Councillor Steffler:

That be it hereby resolved By-law 101-2022, A By-law to Appoint a Fire Chief and Alternate Community Emergency Coordinator and Repeal By-law 32-2003 be given

first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Morrison and Seconded by Deputy Mayor McLellan:

That be it hereby resolved By-law 102-2022, A By-law to Appoint a Deputy Clerk be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Chartrand and Seconded by Councillor Wilbee:

That be it hereby resolved By-law 103-2022, A By-law to Designate the Clerk as Head of the Municipal Freedom of Information and Protection of Privacy Act be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Deputy Mayor McLellan and Seconded by Councillor Steffler:

That be it hereby resolved By-law 104-2022, A By-law to Levy the Cost of Work Undertaken on the Jackson Municipal Drain be given first, second, third and final readings and signed by the Mayor and Clerk, and the Seal of the Corporation be affixed thereto.

Carried

Moved by Councillor Morrison and Seconded by Councillor Diehl:

That be it hereby resolved By-law 105-2022, A By-law to Authorize the Execution of a Lease Agreement with Peaceful Heart Ministries 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

19. Closed Session and Reporting Out

Moved by Councillor Morrison and Seconded by Councillor Dalton:

That a Closed meeting of Council be held on Tuesday, December 6, 2022, at 10:05 p.m., in the Town Hall Council Chambers, in accordance with Section 239 of the Municipal Act, 2001 for the purpose of considering the following matter:

19.1 Adoption of October 4, November 1, and November 9, 2022 Closed session of Council Meeting Minutes

19.2 Report under Section 239(2)(b), personal matters about identifiable individuals regarding succession planning

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

Carried

*J. Newell left the meeting at 10:05 p.m.

Moved by Councillor Fisher and Seconded by Councillor Diehl:

That Council of the Municipality of Huron East resumes the regular Council meeting at 11:00 p.m.

Carried

Mayor MacLellan reported out from the Closed Session that Council went into Closed Session to discuss a succession plan strategy.

20. Confirmatory By-Law

Moved by Councillor Chartrand and Seconded by Councillor Wilbee:

That be it hereby resolved that By-law 106-2022, 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

21. Adjournment

Moved by Councillor Morrison and Seconded by Councillor Diehl:

The time now being 11:06 p.m. That the regular meeting adjourn until December 20, 2022 at 7:00 p.m.

Carried

Bernie MacLellan, Mayor

Jessica Rudy, Clerk

Consents/Severances

101

Quick summary on the consent process in advance of planning presentation.



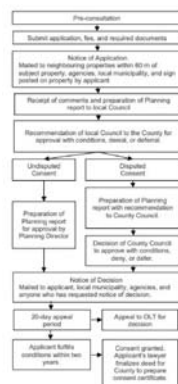
Consents/ Severances

- Land severance is an authorized separation of a piece of land to form two new adjoining properties
- Required for lot creation, lot additions, boundary adjustments, easements, right-of-ways, correction of title etc.
- Huron East Official Plan contains specific land division policies and requirements
 - Surplus farm residence severances have a specific set of criteria to be eligible



Consent Application Process

- Once application is deemed complete, a notice of application is circulated to neighbouring properties and agencies
- Planning report is prepared considering all applicable policy and comments received stating recommended approval or denial
 - Undisputed consents are approved by Huron County's Planning Director if local council supports, conforms with policy and has no outstanding concerns
 - Disputed consents are sent to County Council for decision



Application Review Considerations

- **Legislative Requirements and Policy Direction**
 - Planning Act, PPS, County OP, local OP, local ZBL
- **Technical Considerations, such as:**
 - Agency comments (Conservation Authority, road authority)
 - Engineering requirements (ex. servicing, storm water management)
 - Design guidelines
 - Minimum separation distance formula (MDS)
 - Technical studies – traffic studies, hydrogeological, environmental impact assessments, archaeology, etc.
 - Suitability of the land for proposed purpose (i.e. size and shape of lot(s) created)
- **Public and Agency Comments**



Consent Application

C101-22

in the Municipality of Huron East

Owner/Applicant: Jacob Williams & Darlene Carnochan
76862 Division Line, Seaforth; Concession 3, HRS Lot 20, Tuckersmith, Municipality of Huron East



Subject Property

- The purpose of this application is to create a new lot under the surplus farm residence severance policies.
- The land to be retained (outlined in yellow) is 96 acres and consists of vacant farmland and an agriculturally-related drive shed.
- The land to be severed (outlined in blue) is 4 acres and consists of a house.



Severed Parcel



2020 Air Photo

Review & Recommendation

- The property is designated Agriculture and Natural Environment in the Huron East Official Plan and zoned AG1 (General Agriculture) and NE2 (Natural Environment-Limited Protection) 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 (ABCA) or neighbours.
- As such, it is recommended that consent application C101-22 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).
 - The sum of \$750 be paid to the Municipality as cash-in-lieu of parkland.
 - The subject parcel be numbered and addressed for 911 purposes to the satisfaction of the Municipality.
- Survey/Reference Plan**
- Provide to the satisfaction of the County and the Municipality:
 - a survey showing the lot lines of the severed parcel, and the location of any buildings thereon, and
 - a reference plan based on an approved survey.
- 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.
- Drainage**
- Section 65 of the Drainage Act be addressed to the satisfaction of the Municipality.
- Notes:**
- The applicant is hereby advised that the severed parcel will automatically be rezoned to recognize the residential parcel (eg AG4-34) and the retained farmland will be automatically rezoned to prohibit a new residence (eg AG2) in the Huron East Zoning By-law.

Consent Application C100-22 in the Municipality of Huron East

Owner/Applicant: Monteith Ritsma Phillips Professional Corporation c/o James Burns, on behalf of the Schoonerwerds
81727 Manley Line; Concession 9 & 10, Lot 6 & S ½ Lot 6, McKillop Ward, Municipality of Huron East

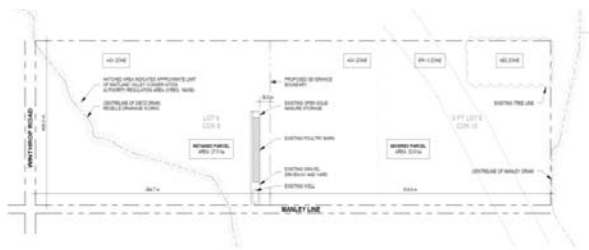


Subject Property

- The purpose of this application is for the creation of a new agricultural lot.
- The land to be severed (shaded in blue) is 81 acres of vacant farmland.
- The land to be retained (shaded in orange) is 68 acres consisting of a poultry barn (broilers), manure storage and farmland.



Severance Sketch



Review & Recommendation

- The property is designated Agriculture in the Huron East Official Plan and zoned AG1 (General Agriculture) 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 C100-22 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).
- \$750 be paid to the Municipality as cash-in-lieu of parkland, to the satisfaction of the Municipality.
- If required, an entrance permit be obtained for access to the severed lands to the satisfaction of the Municipality;
- 911 Addressing be addressed to the satisfaction of the Municipality.

Survey/Reference Plan

- Provide to the satisfaction of the County and the Municipality:
 - a survey showing the lot lines of the severed parcel, and the location of any buildings thereon, including the setback from the new interior lot line and existing broiler barn on the retained parcel; and
 - a reference plan based on an approved survey.

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.

Drainage

- Section 65 of the Drainage Act be addressed to the satisfaction of the Municipality.