



Municipality of Huron East Council Meeting Minutes
Council Chambers
72 Main Street South, Seaforth, ON
Tuesday, September 5, 2023

Members Present:

Mayor: *Bernie MacLellan; Deputy Mayor: *Alvin McLellan; Councillors: Raymond Chartrand, Brenda Dalton, Dianne Diehl, Robert Fisher, 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; Public Works Manager Barry Mills; Director of Community Services Lissa Berard; Manager of Vanastra Early Childhood Learning Centre Candice Seulal; and Drainage Superintendent Ken McCallum

Others Present:

Huron County Planner Shae Stoll

1. Call to Order and Opening Remarks

Mayor MacLellan called the meeting to order at 6:00 p.m.

2. Land Acknowledgement

Mayor MacLellan provided the land acknowledgement.

3. Confirmation of the Agenda

Moved by Councillor Wilbee and Seconded by Councillor Diehl:

That the Agenda, as amended to include Item 16, a motion to go into Closed Session under Section 239(2)(c) of the Municipal Act, for the Regular Meeting of Council dated September 5, 2023 be adopted.

Carried

4. Disclosure of Pecuniary Interest

Mayor MacLellan declared a Conflict to Item 7.4, Public Meeting for Zoning By-law Application Z08-2023; Item 8.1 Recommendation from Public Meeting for Zoning By-law Application Z08-2023; Item 8.2 Planning Report re: Consent Application C52-2023 and Item 15.8 By-law 063-2023, A By-law to Amend By-law 52-2006, being the Zoning By-law (Z08-2023) due to owning the company adjacent to the subject property of the

applications.

5. Minutes of Previous Meeting

Moved by Councillor Chartrand and Seconded by Councillor Morrison:

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

5.1 Regular Meeting – August 8, 2023

Carried

6. Consent Agenda

Councillor Fisher made note of Item 6.3, Ministry of Municipal Affairs and Housing re: Building Faster Fund of the Consent Agenda to ensure staff were aware of the funding opportunities expressed in the letter.

Moved by Deputy Mayor McLellan and Seconded by Councillor Fisher:

That the Consent Agenda items 6.1 to 6.10 be received for information and approved.

- CLK-23-18, Council Composition Review and Next Steps
- Bluewater Recycling Association (BRA) re: Board of Directors Meeting Highlights from August 17, 2023
- Ministry of Municipal Affairs and Housing re: Building Faster Fund
- Township of Severn re: Climate Emergency Just Transition Transfer (JTT)
- Council Expenses for July 2023
- Municipality of St. Charles re: Homelessness Resolution
- Township of Emo re: Black Ash Tree Classification as “Endangered” under the Endangered Species Act.
- Administration Committee Re: Minutes from August 22, 2023
- Minister of Agriculture and Agri-Food and Minister of Agriculture, Food, and Rural Affairs re: Increasing Deadstock Capacity Initiative
- DRAINS-23-02, Municipal Drain Status Update

Carried

7. Public Meetings/Hearings and Delegations

7.1 **Delegation:** Andrew Williams, President & Chief Executive Officer, Huron Perth Healthcare Alliance re: 2023 Update

Andrew Williams appeared before Council to provide a history and context of the Huron Perth Healthcare Alliance (HPHA), Emergency Department updates and answer questions from Council.

A. Williams provided an overview of the services available within the HPHA and noted that the nurse staffing issues has been a leading cause of emergency department

closing, stating that the problem is not unique and is being seen everywhere. A. Williams noted various positive advances including a partnership with eight (8) other centres to provide world class stroke care, being a leader in the Ontario Health Team model and engaging with all sectors of health care including long term care.

A. Williams responded to Council in regards to the gap in supporting mental health in youth; the effectiveness and communication between various programs while ensuring that HPHA is very committed to the integration and works closely on coordinating and integrating services; clarified that the emergency department closure is a service issue opposed to an economic one; confirmed that the link between the HPHA and the Seaforth Long Term Care is connected from a resources standpoint and that there is no direct link; noted the need to improve access to healthcare and the need to look at comprehensive specialties with nurses and doctors opposed to turning to private health care centres or hiring from outside the Country.

A. Williams provided a list of things that need to be done with health care which included a national commitment; ramping up accountability; mandating best practice as an option; providing better support for caregivers; developing a national plan for integrated health data; population health planning; licensing disparities in the Country; using everyone to their full capacity; looking at the social deterrents of health; supporting our population; and the need for an infrastructure plan.

A. Williams noted that the HPHA will be having more discussions in the fall and the new year on what is working well and performing health checks in our area while reiterating that none of the issues facing healthcare are things that can be fixed overnight or have an easy solution.

7.2 Engineer's Report: Coates Municipal Drain

Matt Ash, Engineer, GM BluePlan provided an overview and timeline of the report for the Coates Municipal Drain, noting that the construction would be anticipated for 2024.

Landowner Tim Winger noted that he informed the Engineer of an existing tile drain on his property and was informed this could potentially impact current drain assessments and possibly design.

In response to Council, M. Ash noted that the report could be referred back to the Engineer to determine any potential assessment and/or design changes and confirmed the deferral should not impact the timing of the tender for construction.

Moved by Councillor Diehl and Seconded by Deputy Mayor McLellan:

That the Council of the Municipality of Huron East, under Section 57 of the Drainage Act, refer the report back to the Engineer for further consideration.

Carried

Landowner Helen Elliott addressed concerns with the current assessment on her property and as a result, Council reminded H. Elliott that assessment concerns would

be addressed through the Court of Revision process, after the final Engineer report is received and accepted.

7.3 Delegation: Amanda Stellings, Manager of Land Development, MacPherson Builders re: Zoning By-law Amendment for the Seaforth Golf Course

Amanda Stellings appeared before Council reiterating that MacPherson Drive is a privately owned road and that if the subdivision plans change then there would be an expectation that the applicant would have a cost sharing conversation regarding the privately owned road. A copy of the letter from Loopstra Nixon, as noted in the delegation request, is [appended](#) to the original minutes.

7.4 Public Meeting re: Zoning By-law Amendment Z08-2023

*B. MacLellan left the meeting and A. McLellan assumed the Chair at 7:10 p.m.

Moved by Councillor Morrison and Seconded by Councillor McGrath:

That the Council of the Municipality of Huron East adjourn the regular meeting of Council at 7:10p.m. to go into a Public Meeting to discuss the following:

- a) Zoning By-law Amendment Z08-2023

Carried

Council reconvened at 7:22 p.m.

8. Planning

8.1 Recommendation of Council re: Zoning By-law Amendment Z08-2023

Moved by Councillor Chartrand and Seconded by Councillor Steffler:

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 063-2023;

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 August 30, 2023 Planning Report and recommends By-law 063-2023 for approval.

Carried

8.2 Planner's Report re: Consent Application C52-2023

Huron County Planner Shae Stoll provided an overview of the application and property details and recommended the application for approval noting that it is in conjunction with zoning application Z08-2023

Moved by Councillor Dalton and Seconded by Councillor Fisher:

That the Council of the Municipality of Huron East acknowledge the report of Huron County Manager Planner Shae Stoll, dated August 30, 2023 and has no objection to consent application C52-2023, provided the conditions, as outlined in the planning report, are met.

Carried

*B. MacLellan returned to the meeting and resumed the Chair at 7:26 p.m.

8.3 Planner's Report re: Consent Application C53-2023

Huron County Planner Shae Stoll provided an overview of the application and property details and recommended the application for approval. A copy of the presentation is [appended](#) to the original minutes.

Moved by Councillor Steffler and Seconded by Councillor Newell:

That the Council of the Municipality of Huron East acknowledge the report of Huron County Manager Planner Shae Stoll, dated August 30, 2023 and has no objection to consent application C53-2023, provided the conditions, as outlined in the planning report, are met.

Carried

8.4 Planner's Report re: Zoning By-law Amendment Z01-2023

Huron County Planner Shae Stoll provided an overview of the application and property details and recommended the application, noting that the public meeting was held in May and recommended the application for approval. A copy of the presentation is [appended](#) to the original minutes.

Moved by Deputy Mayor McLellan and Seconded by Councillor Steffler:

That the Council of the Municipality of Huron approve Zoning By-law Amendment Z01-2023

And that the implementing By-law 037-2023 be recommended for approval pursuant to Section 34(17) of the Planning Act, 1990.

Carried

9. Municipal Drains

10. Reports & Recommendations of Municipal Officers

10.1 PW-23-09, Seaforth Connecting Link (Winter Maintenance for 2023-2024)

Moved by Councillor Morrison and Seconded by Councillor Newell:

That the Council of the Municipality of Huron East authorize the Mayor and the Clerk to execute the winter maintenance services agreement from Integrated Maintenance and Operation Services Inc. (IMOS) operating under the name of Owen Sound Highway Maintenance Limited, at a cost of \$7,192.48 plus HST for the 2023-2024 winter season.

Carried

10.2 VECLC-23-02, Policies – Vanastra Early Childhood Learning Centre

Moved by Councillor Fisher and Seconded by Councillor Diehl:

That the Council of the Municipality of Huron East approve the following Vanastra Early Childhood Learning Centre policies regarding medical appointments, classroom rotation, drop off & pick up, vacation, cold weather, diapering & toileting, inclement weather, risky play and sun, heat & air quality.

Carried

10.3 FIN-23-07, 2023 Municipal Debt Limits

Director of Finance/Treasurer Stacy Grenier provided an overview of the report noting the importance of debt management and how debt is one of the tools available in the long-term financial plan of the municipality.

In response to Council S. Grenier noted that with all projected debt balances, the municipality would still be in the middle of the range when compared to neighbouring municipalities and it was reiterated that the projections are worst case scenario and do not account for any potential funding opportunities.

Council discussed the level of debt with some noting that they are not comfortable with using debt as a financial tool while others noted the importance of borrowing money when it is needed for specific purposes.

CAO Brad McRoberts explained how the financial strategy incorporates borrowing for critical pieces, and with increased contributions to reserves so that, going forward, reserves can be utilized for capital projects.

Moved by Councillor Chartrand and Seconded by Councillor Morrison:

That the Council of the Municipality of Huron East receive this report for information purposes as required per the Municipal Act, 2001, as amended.

Carried

10.4 FIN-23-08, Municipal Debt Policy

Director of Finance/Treasurer Stacy Grener provided an overview of the report and policy noting that the policy is an important piece of a strategic financial plan and provides direction to staff.

Councillor Fisher moved to defer the policy approval in order to gain further information on interest rates, impact on the taxpayer and using different borrowing options opposed to a financial institution. The suggestion to defer gained no further support from Council and lacked a seconder.

Council discussed the policy and noted that any financial decisions would continue to come forward to Council.

Moved by Councillor Diehl and Seconded by Deputy Mayor McLellan:

That the Council of the Municipality of Huron East approve the policy regarding Municipal Debt.

Carried

10.5 FIN-23-09, Mid-Year Financial Variance Report – 2023 Budget

In response to Council, CAO Brad McRoberts reported that staff are working towards finding a new tenant within the Brussels Medical Centre, that the solar panels are currently being repaired and confirmed that staff receive alerts when there are malfunctions with the solar panels.

Moved by Councillor Steffler and Seconded by Councillor Chartrand:

That the Council of the Municipality of Huron East receive the Second Quarter Financial Variance Report – 2023 Budget for information.

Carried

10.6 FIN-23-10, Request for Decision to Delegate Tax Appeals under Section 357(1)(d.1) to the Assessment Review Board

Moved by Councillor Newell and Seconded by Councillor Fisher:

That the Council of the Municipality of Huron East approve a By-law pursuant to subsection 357(11) of the Municipal Act, 2001, providing authority to delegate authority to the Assessment Review Board only to exercise Council's powers and functions under subsections 357(1) and 357(5) with respect to applications made under subsection 357(1)(d.1) regarding an application for the cancellation, reduction or refund of taxes where the applicant is unable to pay taxes because of sickness or extreme poverty;

And Further That the Clerk be directed to provide a certified copy of the By-law to the registrar of the Assessment Review Board and to the Municipal Property Assessment Corporation.

Carried

11. Correspondence

11.1 Seaforth Agriculture Society re: Traffic Control and Road Closure on

September 16, 2023

Mayor MacLellan noted that he would attend the parade in a Huron East truck with trailer and encouraged fellow Council members to also participate.

Moved by Councillor Chartrand and Seconded by Councillor Fisher:

That the Council of the Municipality of Huron East approve the request for temporary road closures in Seaforth from 10:30 a.m. on September 16th until 11:15 a.m. on September 16th for the Seaforth Fall Fair parade.

Carried

11.2 Brussels Agriculture Society re: Traffic Control and Road Closure on September 20, 2023

Moved by Councillor Wilbee and Seconded by Councillor Diehl:

That the Council of the Municipality of Huron East approve the request for temporary intersection closures on September 20th from 11:30 a.m. until 12:30 p.m. for the Brussels Fall Fair parade.

Carried

11.3 Seaforth community Hospital Foundation re: Seaforth Hospitals Foundation CKNX Radiothon Request to Hang a Banner

Moved by Councillor Fisher and Seconded by Councillor Steffler:

That the Council of the Municipality of Huron East approve the request for Seaforth Community Hospital Foundation to hang the radiothon banner over Highway 8 for the month of October.

Carried

11.4 The Women of Ontario Say No re: Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement

Moved by Councillor Chartrand and Seconded by Councillor Fisher:

Whereas, all Ontarians deserve and expect a safe and respectful workplace;

Whereas, municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse;

Whereas, several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;

Whereas, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;

Whereas, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;

Whereas, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;

Now, therefore be it resolved that the Municipality of Huron East supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments;

Also be it resolved that the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office.

And Further That a letter expressing support be sent to the Premier, Local MPPS, Minister of Municipal Affairs, Associate Minister of Women's Social and Economic Opportunity, Association of Municipalities of Ontario (AMO); and local municipalities.

Carried

12. Unfinished Business

13. Council Reports

13.1 Council Member Reports

13.1.1 County Council Report

Deputy Mayor McLellan noted that there has not been a County meeting recently and noted that he took part in a cover crop tour at the Huronview Demo Farm in Clinton and a tour of the Parrish & Heimbecker grain loading facility in Goderich and found it very informative and impressive.

Deputy Mayor McLellan noted his attendance at the Association of Municipalities of Ontario (AMO) Conference and noted a few seminars he attended including Doug Ford regarding the Building Homes Faster plan along with the NDP platform and Liberal party leaders regarding climate change challenges. It was noted that lunch sessions with

WSIB proved to be very interesting, along with the London tour including the recycling centre.

13.1.2 Other Boards/Committees or Meetings/Seminars

Councillor Fisher noted his attendance at the Association of Municipalities of Ontario (AMO) Conference in August and commented on the exceptional topics that were covered.

13.2 Requests by Members

13.3 Notice of Motion

13.4 Announcements

Councillor Fisher reminded Council of the public meeting being held by BluEarth at Seaforth Agricultural Complex on September 6, 2023 at 6:00 p.m.

Mayor MacLellan reminded Council that the next meeting will be held in Brussels, and if they are looking for dinner to purchase dinner tickets in advance.

14. Other Business

14.1 Recommendation from the Administration Committee Meeting on August 22, 2023

Moved by Councillor Fisher and Seconded by Councillor Newell:

That the Council of the Municipality of Huron East deny the request of the Mid Huron Huskies for a reduction in the 2023/2024 ice rental rates to the 2022/2023 ice rental rates, as recommended by the Administration Committee.

Carried

15. By-laws

Moved by Councillor Fisher and Seconded by Councillor Diehl:

That Be it Hereby Resolved By-law 037-2023, A By-law to Amend By-law 52-2006, being the Zoning By-law (Z01-2023) 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 Wilbee:

That Be it Hereby Resolved By-law 057-2023, A By-law A By-law for the Coates Municipal Drain be deferred.

Carried

Moved by Councillor Morrison and Seconded by Deputy Mayor McLellan:

That Be it Hereby Resolved By-law 058-2023, A By-law to Temporarily Close Duke Street and Main Street (County Road 12) for the Seaforth Fall Fair 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 Deputy Mayor McLellan:

That Be it Hereby Resolved By-law 059-2023, A By-law to Authorize an Agreement with Integrated Maintenance and Operations Services Inc. for Winter Maintenance 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 060-2023, A By-law to Appoint Deputy Division Registrars and Deputy Issuers of Marriage Licenses 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 Dalton and Seconded by Councillor McGrath:

That Be it Hereby Resolved By-law 061-2023, A By-law to Temporarily Stop Up and Close Intersections in Brussels for the Brussels Fall Fair 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 062-2023, A By-law to Delegate Authority to the Assessment Review Board (ARB) 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

* A. McLellan assumed the Chair at 8:59 p.m.

Moved by Councillor Diehl and Seconded by Councillor Steffler:

That Be it Hereby Resolved By-law 063-2023, A By-law to Amend By-law 52-2006, being the Zoning By-law (Z08-2023) 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 [Conflict: B. MacLellan]

*B. MacLellan resumed the Chair at 9:00 p.m.

Moved by Councillor Wilbee and Seconded by Councillor Morrison:

That Be it Hereby Resolved By-law 064-2023, A By-law to Appoint a Deputy Clerk and Repeal By-law 102-2022 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

16. Closed Session and Reporting Out

Moved by Councillor Morrison and Seconded by Councillor Wilbee:

That a closed meeting of Council be held on Tuesday, September 5, 2023, at 9:00 p.m, in the Town Hall Council Chambers, in accordance with Section 239 of the Municipal Act, 2001 for the purpose of the following matters:

16.1 239(2)(c) – proposed or pending disposition of land in Vanastra

And that CAO Brad McRoberts, Director of Finance/Treasurer Stacy Grenier and Clerk Jessica Rudy remain in closed session.

Carried

Moved by Councillor Chartrand and Seconded by Councillor Morrison:

That the Council of the Municipality of Huron East resumes the regular Council meeting at 9:15 p.m.

Carried

Mayor MacLellan reported that Council went into closed session to discuss proposed or pending disposition of land in Vanastra.

17. Confirmatory By-law

Moved by Councillor Fisher and Seconded by Deputy Mayor McLellan:

That Be It Hereby Resolved that By-law 065-2023, 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

18. Adjournment

Moved by Councillor Diehl and Seconded by Councillor Wilbee:

The time now being 9:16 p.m. That the regular meeting adjourn until September 19, 2023 at 7:30 p.m. located at the Brussels Library.

Carried

Bernie MacLellan, Mayor

Jessica Rudy, Clerk



Brendan Ruddick
Direct Line: (416) 748-5126
E-mail: bruddick@loonix.com

By E-Mail (clerk@huroneast.com)

September 1, 2023

Council for the Municipality of Huron East
Municipality of Huron East
72 Main Street S, P.O. Box 610
Seaforth, ON N0K 1W0

Attention: Jessica Rudy, Clerk, Municipality of Huron East

Dear Members of Council:

**Re: Applications for Official Plan and Zoning By-law Amendment
Seaforth Golf Course (1996) Ltd. (Baker Planning Group)
Municipal File Nos.: Zoning By-law Amendment Z01-2023 (“Application”)**

**Written Submission on behalf of 1491235 Ontario Inc., 1417009 Ontario Ltd.
and MacPherson Builders (Seaforth) Limited**

We are the lawyers for MacPherson Builders (Seaforth) Limited, 1491235 Ontario Inc. and 1417009 Ontario Ltd. (collectively, “MacPherson”) with respect to the above noted matter. MacPherson is the owner of lands legally known as Part Lot 9, Concession 2 Huron Road Survey Tuckersmith Designated as Part 1, Plan 22R-5176 Save & Except Huron Vacant Land Condominium Plan No. 3 and Save and Except Parts 2, 4, 6, 7, 9, 10 & 11, Plan 22R-5263; Municipality of Huron East as well as Part Lot 10, Concession 2 Huron Road Survey Tuckersmith Designated as Part 1, Plan 22R-5125; and Part Lot 9, Concession 2 Huron Road Survey Tuckersmith Designated as Part 1, Plan 22R-5176 Save & Except Huron Vacant Land Condominium Plan No. 3 and Save & Except Parts 2, 4, 6, 7, 9, 10 & 11, Plan 22R-5263.

MacPherson’s lands are located in close proximity to the lands that are subject to the Application.

We have reviewed the staff recommendations report prepared in respect of the Application along with the updated technical studies and planning justification report prepared on behalf of the applicant and write to provide additional comments to Council in light of this.

We understand that the applicant has now demonstrated, to the satisfaction of the Municipality, that access and services can be provided without using MacPherson Avenue or any of the infrastructure located within it and that both access and sanitary/water services will instead be provided using Front Road.

As indicated in our correspondence dated May 16, 2023, MacPherson does not have concerns with the principle of development proposed through the Application provided that its concerns



regarding potential issues related to access, future servicing, and cost sharing for infrastructure are appropriately addressed.

Given that the applicant no longer intends on using MacPherson Avenue for the purposes of access or servicing, my client is prepared to withdraw its request for a holding provision.

We note that in any event, MacPherson Avenue and the services contained beneath it are privately owned and we reiterate that the applicant has no legal right to connect to those services. The portion of the existing sanitary sewer in the Bridges of Seaforth Development is a private common element of the Huron Vacant Land Condominium Corporation No. 3, whereas the segment that is downstream of this is owned by MacPherson. Given that development has proceeded as a vacant land condominium as opposed to a plan of subdivision, it is important to emphasize that this infrastructure has not been and will not be assumed by the Municipality.

Our client was recently provided with correspondence from the CAO of the Municipality of Huron East dated August 22, 2023 which suggests that the Municipality intends on assuming ownership of the roads and infrastructure that is part of the existing and future phases of the Bridges of Seaforth Development.

There is no basis for this suggestion and the Condominium Agreement explicitly contemplates that the roads and related infrastructure will remain in private ownership with the municipality assuming a maintenance obligation only in the future. We trust that this recent comment is not an attempt to thwart MacPherson's entitlement to equitable cost recovery from the applicant and that an amicable solution can be arrived at for the benefit of all parties as development proceeds, in the event that the applicant decides that it would prefer to access the services on MacPherson Avenue rather than the municipally-owned Front Road.

The infrastructure located in MacPherson Avenue was constructed by my client at substantial cost. As such, my client will not permit the applicant to connect to the private services located within MacPherson Avenue unless it agrees to pay its fair share of the costs incurred in designing and constructing those services.

My client would welcome the opportunity to discuss this matter further with appropriate municipal staff and the applicant. It is noted that Amanda Stellings (Manager, Land Development) of MacPherson Builders has registered as a delegate for the upcoming September 5, 2023 Council meeting.

We trust this is satisfactory, however should you have any questions please do not hesitate to contact the undersigned.


Yours truly,
LOOPSTRA NIXON LLP

Per: Brendan Ruddick

cc: Denise Van Amersfoort, Huron County
Shae Stoll, Huron County

Consent C53-2023

Concession 13, Lot 18, Concession 12, Lot 18, Grey Ward, Municipality of Huron East
 Address: 44056 St. Michaels Road
 Owner/ Applicant: Madelene Steiss



1


Subject Property

Blue= severed
 Orange = Retained



2

Purpose



Re-creation of original farm lots.

Severed land: approx. 99 acres (40 ha) of vacant farmland

Retained land: approx. 99 acres (40ha) containing dwelling, bank barn and several sheds.

3

Review

- Zoned AG1, NE1 & NE2 in Huron East Zoning By-Law
- Designated Agriculture & Natural Environment in Huron East Official Plan
- Huron East Official Plan agricultural severance policies
 - Meets minimum farm size and continued agriculture use

4

Comments Received

- No concerns from staff or other agencies
- MVCA has no concerns with proposal.

5

Recommendation

- Application is consistent with the PPS, conforms to the Huron County Official Plan and Huron East Official Plan and complies with the Huron East Zoning By-Law.
- Application C53-2023 is recommended for approval with the attached conditions

6

Conditions

Expiry Period

1. Conditions imposed must be met within two years of the date of notice of decision, as required by Section 23(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

2. 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

3. Provide to the satisfaction of the County and the Municipality:
 - a) a survey showing the lot lines of the severed parcel, easement, and the location of any buildings thereon, and
 - b) a reference plan based on an approved survey.
 OR
 alternatively with the agreement of the County, the solicitor acting for the parties to provide to the County:
 - a) a registrable description of the severed parcel,
 - b) a copy of an application for exemption from a reference plan, and
 - c) a copy of an Order endorsed by the Land Registrar providing an exemption from the requirement for a reference plan for the severed parcel.

Zoning

4. 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

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

Zoning Bylaw Amendment Z01-2023

Concession 2, Pt. Lot 8 & 9, Registered Plan 22R5236 Parts 2 and 9-11,
Geographic Township of Tuckersmith, Municipality of Huron East
Municipally known as 1 Doig Drive

Applicant: Baker Planning Group (c/o Caroline Baker)
Owner: Seaforth Golf Course




1

Subject Lands



2



3

Application Details

Zoning By-Law Amendment Z01-2023

- Zone change from current Golf Course Zone (RC1) to Residential High Density- Special Provisions (R3-Special)
- Corresponding Official Plan Amendment approved on May 16 Council meeting

4

ZBA Policy Review

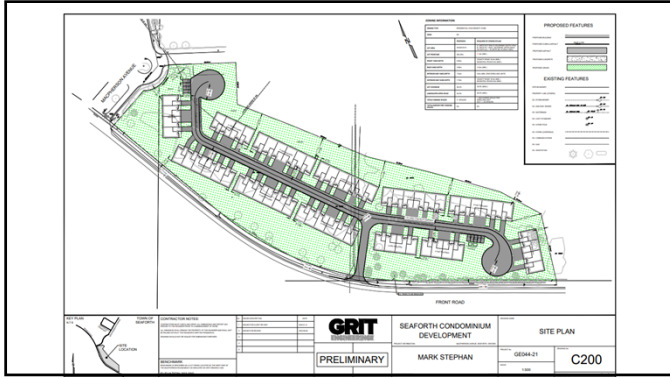
- The site-specific provisions will:
 1. limit the permitted uses to rowhouse dwellings;
 2. permit a rear yard setback of 2.5 metres;
 3. permit a minimum separation space of 3 metres shall be provided between 2 end side walls facing each other where the wall(s) contains a habitable room window; and,
 4. where more than one (1) rowhouse dwelling unit may be established on a lot, the required lot coverage, landscape open space, off-street parking and amenity area shall be measured to the whole of the lot, provided the development is subject to Site Plan Approval under Section 41 of the Planning Act.
- Huron East Official Plan

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Updated Access Location

- Updated Traffic report included further sightline calculations and generated traffic
- Proposed new location further to the West, where the current maintenance access is located
- Updated calculations and access location peer reviewed by Municipal peer reviewer- no outstanding concerns

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Recommendation

That Zoning By-law Amendment Z01-2023 be **approved** and the implementing by-law be passed pursuant to Section 34(17) of the Planning Act.

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