



Corporation of the Municipality of South Huron

Minutes for the Regular Council Meeting

Tuesday, September 7, 2021, 6:00 p.m.

Remote Electronic Meeting South Huron Council Chambers

Live Video Feed - <https://www.southhuron.ca/en/government/agendas-and-minutes.aspx>

- Members Present: George Finch, Mayor
Jim Dietrich, Deputy Mayor
Dianne Faubert, Councillor - Ward 1
Marissa Vaughan, Councillor - Ward 1
Aaron Neeb, Councillor - Ward 2
Barb Willard, Councillor - Ward 2
Ted Oke, Councillor - Ward 3
- Staff Present: Dan Best, Chief Administrative Officer/Deputy Clerk
Don Giberson, Director of Infrastructure and Development
Jeremy Becker, Director of Fire and Community Services
Scott Currie, Community Services Manager
Alex Wolfe, Deputy Clerk
Rebekah Msuya-Collison, Director of Legislative Services/Clerk
- Others Present: Craig Metzger, Senior Planner

1. Meeting Called To Order

Mayor Finch called the meeting to order at 6:00 p.m. and Council completed roll call.

2. Amendments to the Agenda, as Distributed and Approved by Council

Motion: 313-2021

Moved: D. Faubert

Seconded: B. Willard

That South Huron Council approves the Agenda as presented.

Disposition: Carried (7 to 0)

3. Disclosure of Pecuniary Interest and the General Nature Thereof

3.1 B. Willard - Bluewater Recycling Association August 19, 2021 Board Meeting notes

I, Barb Willard, hereby declare a pecuniary interest to Council Agenda Item No.: 6.1, Item Title: Bluewater Recycling Association August 19, 2021 Board Meeting notes, the general nature thereof being: Normal place of employment.

4. Delegations

None.

5. Minutes

5.1 Minutes of the Regular Council Meeting of August 23, 2021

CAO Best noted item arising from the minutes being resolution 276-2021. He noted challenges in moving forward with the pilot with no determination of performance metrics. He advised that Council could determine to proceed with the by-law now which would cease as of March 31, 2022 or alternatively Council could wait to establish metrics and direct a staff report with more information.

6:06 p.m. Mayor Finch left the chair and Deputy Mayor Dietrich took the chair.

Mayor Finch noted he has received multiple calls and he thinks the best option at this time would be to proceed with the second option.

6:07 p.m. Mayor Finch resumed the chair.

Council discussed the option for a report, stop sign on Huron Street and asked for clarification on what the report would entail. CAO Best noted that there is a process to establish community safety zones, traffic calming and reductions of speed limit. He added that evidence, process, measures and technical information will assist Council in achieving their goal to ensure safety of residents. CAO Best noted further discussion between the Director and Manager with feedback from the OPP and Deputy Mayor as Police Service Chair.

6:16 p.m. Deputy Mayor Dietrich took the chair. Mayor Finch noted that a stop sign would encumber ambulance and police and goal is to reduce speed.

6:16 p.m. Mayor Finch resumed the chair.

Motion: 314-2021

Moved: T. Oke

Seconded: M. Vaughan

That South Huron Council adopts the minutes of the Regular Council Meeting of August 23, 2021 as printed and circulated.

Disposition: Carried (7 to 0)

Motion: 315-2021

Moved: B. Willard

Seconded: M. Vaughan

That South Huron Council direct staff that prior to implementation of resolution 276-2021, staff to investigate and bring back a report and investigate establishing performance metrics and process for establishing an urban and village speed of 40 km/h unless otherwise posted and rural area standard of 80 km unless otherwise posted; and

That staff explore community safety zones as areas of concern as identified in resolution 276-2021.

Disposition: Carried (5 to 2)

6. Councillor Board and Committee Reports

6.1 Bluewater Recycling Association August 19, 2021 Board Meeting notes

B. Willard declared a conflict on this item. (I, Barb Willard, hereby declare a pecuniary interest to Council Agenda Item No.: 6.1, Item Title: Bluewater Recycling Association August 19, 2021 Board Meeting notes, the general nature thereof being: Normal place of employment.)

6.2 Upper Thames River Conservation Authority Board of Directors August 24, 2021 Agenda Package

6.3 Committee of the Whole August 30, 2021 minutes

Motion: 316-2021

Moved: D. Faubert

Seconded: T. Oke

That the minutes of the following committees and/or boards be received as presented to Council:

- **Bluewater Recycling Association August 19, 2021 Board Meeting notes; and**
- **Upper Thames River Conservation Authority Board of Directors August 24, 2021 Agenda Package; and**
- **Committee of the Whole August 30, 2021 minutes**

Disposition: Carried (7 to 0)

6.4 Set Committee of the Whole date

Motion: 317-2021

Moved: A. Neeb

Seconded: B. Willard

That South Huron Council set a Committee of the Whole meeting for September 29, 2021 at 4:00 p.m.

Disposition: Carried (6 to 1)

7. Staff Reports

7.1 Planning

7.1.1 Craig Metzger, Senior Planner - Tridon Development Planning Applications

Planner Metzger provided an overview of the three planning applications submitted in 2020 to convert the subject lands from recreational use to residential use. He provided a background on the public meeting held February 8, 2021 and provided an overview of that meeting and current status of public comments. He highlighted that his responses are contained in the report including additional comments raised following the public meeting. He added that he would speak to planning document compliance in his other report.

Planner Metzger reviewed the decision-making process and noted different county and municipal appeal and decision rights. He noted that the public has no right of appeal on the subdivision and added that no development can occur until the final subdivision

agreement is registered. He provided Council an overview of the special zoning provisions contained in his report, and highlighted specific conditions in the proposed conditions of the draft plan approval.

Planner Metzger provided Council a planning review of Section 2 of the *Planning Act* and advised that in his opinion the three applications meet the requirements of the *Planning Act*. He noted that as identified in his report, decisions made on planning applications are required to be consistent with the Provincial Policy Statement, 2020 (PPS) and its relevant policies and he specifically noted Policy 1.1.3.8 which outlines the requirements for an expansion of a settlement area. Planner Metzger provided an overview of the studies submitted by the Applicant and added that the applications in his opinion are consistent with the PPS.

Planner Metzger provided an overview of the Huron County Official Plan and policies and noted that in his opinion the application does meet those policies and conforms to the County Official Plan.

Planner Metzger provided an overview of the South Huron Official Plan and noted that many policies echo the PPS and conform to the County Official Plan. He added that in his opinion all policies will or will be met through the proposal and conform to the South Huron Official Plan.

Planner Metzger provided an overview of increasing density in the area and noted the Huron County Residential Intensification Guidelines (RIG).

Planner Metzger noted that Section 7.10 of the South Huron Official Plan does identify the sanitary pumping station service area and the requirement for a secondary plan. He added that the Applicant has submitted materials to function as a scoped secondary plan. He outlined his review of the public comments with respect to these items and provided further information on a secondary plan. He noted that the secondary plan is referenced in two sections in the *Planning Act* and both sections were added in 2017 and after the South Huron Official Plan. He added that in his opinion the section has been met, there is no contravention and that the applications do comply.

Planner Metzger noted that staff recommended that Block 7 not be conveyed as parkland and that in his opinion the block should remain as parkland. He added that if Council decides to keep the parkland, there will be two changes to the draft plan conditions and the area to be zoned as a park will be adjusted. Planner Metzger noted Council can choose to hold another public meeting or can pass a resolution under section 34(7) of the *Planning Act* declaring the changes as minor and that no further notice is required. He also noted that a lot of material has been provided to Council so he and is not recommending passing any by-laws tonight.

Councillor Vaughan asked for further clarification on the regional market area study and inclusion of Grand Bend. Planner Metzger noted that the Official Plan sets the regional market for housing and that in this case, the development is to the western edge and close to Grand Bend and the regional market influenced not by municipal boundaries but what is in proximity. Councillor Vaughan asked whether Council will be obliged to get the approval of Lambton Shores when using this regional market area moving forward and Planner Metzger responded that South Huron would need approval as a result of including Grand Bend in the regional market area definition.

Councillor Vaughan noted references relating to parkland and requested further clarification. Planner Metzger noted the naturalized areas and identified that the subdivision does not include the Walker Drain as that will be dealt with as part of phase 2. He added that at this point the only potential area identified for parkland is Block 7 and that beyond phase 1, the storm water management pond is to be dedicated and depending on the configuration there may be usable green space there as well. Councillor Vaughan asked about maintenance of the Walker Drain in future and Planner Metzger noted that the proposed amendment makes sure the Walker Drain is not developed for residential use but at this point there is no application for phase 2. Councillor Vaughan noted that the issue of ownership of the Drain lands has not been established.

Councillor Vaughan noted that the Official Plan clearly states a secondary plan is required and noted the number of public and planner comments on this. She added that beyond this application a need for a greater secondary plan and inquired Planner Metzger's

opinion on how this application can go forward in the absence of a secondary plan for the whole area. Planner Metzger noted that the amendment does not remove the requirement for a secondary plan and that the application does meet the requirement of the plan by scoping to this particular property through comprehensive review and the material submitted. He added the intent is that South Huron would do a secondary plan unless Council chose to remove this as a requirement. Councillor Vaughan asked whether South Huron needs a secondary plan and Planner Metzger noted that this is worth considering and revisiting as the Official Plan requirement for a secondary plan was introduced in 2014.

Councillor Vaughan noted the resolution for no further public notice and the potential for another public meeting due to changes. Planner Metzger provided an overview of the process that when an Applicant makes changes after the public meeting and changes are not deemed significant, Council can pass a resolution for no further public notice. He added that this decision is not open to appeal and added that changes to the zoning by-law since the public meeting are outlined in his report.

Councillor Vaughan asked whether any other consultation is required for the Official Plan amendment. Planner Metzger noted that there have been no changes to the proposed Official Plan amendment since the public meeting.

Planner Metzger noted there is a MTO subdivision condition requiring the developer to assume financial responsibility for design and construction costs for improvements to Highway 21. Councillor Vaughan noted concern the municipality may be subject to highway improvements in future and do not have details on them.

Councillor Faubert spoke to traffic concerns and asked for clarification of Block 9 as a secondary road access. Planner Metzger noted that it may be a future access road to the lands to the north at some point.

Councillor Oke asked about the street sizes in the proposed subdivision and Planner Metzger noted that the street design has been reviewed by staff and not identified as a concern.

Councillor Oke asked who would be responsible for maintenance and plowing and Planner Metzger noted that the roads will be

dedicated to the municipality who are then responsible for maintenance and future repairs.

Councillor Oke asked whether there are any other costs for South Huron at this time. Planner Metzger responded not at this time but the municipality will be responsible for other infrastructure like sewer and water lines in road allowance once municipally owned.

Councillor Oke asked for clarification for this phase for servicing as two options provided. Planner Metzger noted that the developer has expressed interest in paying for the extension to the trunk line sewer.

Councillor Oke asked confirmation that servicing infrastructure is initially the developer's cost. Planner Metzger confirmed it is initially at the developer's cost and is built to municipal standards.

Councillor Oke noted recommendation of Block 7 to parkland and staff expanding Lots 5 and 6 and asked about the right of way as MTO doesn't want a crossing in the development as a condition of MTO approval. Planner Metzger agreed and added that any potential crossing would not be for vehicles but for trails.

Councillor Oke noted that the municipality has already approved stacked townhomes and asked whether changes in the amendment are something new beyond that. Planner Metzger agreed and noted that the stacked townhomes in the Pinnacle development have not yet been built.

CAO Best noted that staff recommend Block 7 not be parkland and that Council proceed with cash in lieu due to proximity of Port Blake. Councillor Oke further asked about servicing in the functional servicing report. CAO Best noted that staff have confirmed allocation for first phase but have not received confirmation from the developer that there is an ability to utilize it for phase one. He noted other items such as two competing opinions with respect to the requirement of the secondary plan, transportation access points and crossing over the Walker Drain. He noted that Council will need to be satisfied with respect to compliance with the Official Plan and the information before them prior to making any decisions.

Director Giberson noted that the functional servicing does evaluate the need for the trunk sewer for phase 2 and does confirm that phase 1 can be serviced.

7:55 p.m. Councillor Neeb left the meeting.

CAO Best noted that Council could receive the report and further discuss at a Committee of the Whole. He advised Council that they need to be aware that the developer is in a position to appeal on the grounds of a non-decision.

7:56 p.m. Councillor Neeb returned to the meeting.

Council discussed the motion and establishing a date for a Committee of the Whole. Councillor Vaughan requested a split of the motion.

Motion: 318-2021

Moved: T. Oke

Seconded: A. Neeb

That South Huron Council receives the reports dated September 2, 2021 from Craig Metzger, Senior Planner regarding Tridon Development Planning Applications.

Disposition: Carried (7 to 0)

Council asked for an update from Planner Metzger on what is happening in the settlement area for the Committee of the Whole.

Motion: 319-2021 (deferred)

Moved: T. Oke

Seconded: A. Neeb

That no further public notice for the zoning by-law amendment as presented is required pursuant to Section 34(17) of the Planning Act.

Motion: 320-2021 (deferral)

Moved: T. Oke

Seconded: A. Neeb

That South Huron Council defer resolution 319-2021 to a Council meeting following the Committee of the Whole to discuss the Tridon Applications.

Disposition: Carried (7 to 0)

8:04 p.m. Planner Metzger left the meeting.

7.2 Community Services

- 7.2.1 Scott Currie, Manager of Communications and Strategic Initiatives - Ontario Trillium Fund - Community Building Stream Grant for Stephen Township Arena

Motion: 321-2021

Moved: D. Faubert

Seconded: J. Dietrich

That Council receives the report from Scott Currie, Manager of Communications and Strategic Initiatives, titled “2021 Ontario Trillium Foundation’s Community Building Fund - Capital Stream Application”; and,

That a funding application be submitted to the to the Ontario Trillium Foundation’s Community Building Fund for capital work improvements at the Stephen Arena.

Disposition: Carried (7 to 0)

- 7.2.2 Jeremy Becker, Director of Fire and Community Services - Results of Overhead Door Tender

Council asked for clarification on projection of costs for 2022 budget and Director Becker noted that there will probably be an increase as will likely be proceeding with three door replacements.

Motion: 322-2021

Moved: J. Dietrich

Seconded: B. Willard

That South Huron Council receives the report from Jeremy Becker, Director of Fire and Community Services re: Results of Overhead Door Tender for information.

Disposition: Carried (7 to 0)

7.3 Operations, Infrastructure and Development

7.4 General Government Services

7.4.1 Dan Best, Chief Administrative Officer - Traditional Land Acknowledgement and Next Steps

Motion: 323-2021

Moved: A. Neeb

Seconded: T. Oke

That the memo of D. Best, Chief Administrative Officer presenting the Traditional Land Acknowledgement Statement be received; and

That the Municipality of South Huron adopt the following Traditional Land Acknowledgement Statement for all Council meetings and Events:

As we gather, we are reminded that the Municipality of South Huron is situated on Treaty 29 land that is steeped in rich Indigenous history and home to First Nations, Inuit and Métis people today.

As a Community, we have a responsibility to honour and respect this territory's significance for the Indigenous Peoples who lived, and continue to live, upon it and whose practices and spiritualities were tied to the land and continue to develop in relationship to the territory and its other inhabitants today."

In the spirit of reconciliation and truth, we acknowledge the Anishinaabe and Haudenosaunee Peoples on whose traditional territory we are meeting.

Disposition: Carried (7 to 0)

8. Deferred Business

8.1 Delegation from August 23, 2021

No comments.

9. Notices of Motion

10. Mayor & Councillor Comments and Announcements

Councillor Faubert thanked the OPP for their continued monitoring of Main Street in Crediton.

Councillor Oke provided a reminder of the Kirkton Fair this weekend.

Mayor Finch reminded everyone to be kind to each other.

11. Communications

Council pulled communication items: 11.3, 11.4, 11.5, 11.7, 11.8,

11.1 Ministry of Transportation - 2019 Authorized Requester Agreement Audit Results

11.2 Township of Perth South - Notice of Public Meeting Zoning Bylaw Amendment - 1007 Road 164A

11.2.1 Planner's comments

11.3 Exeter Lions Club - Memorandum of Understanding - Report

Council discussed the financial statements submitted.

Motion: 324-2021

Moved: T. Oke

Seconded: M. Vaughan

That South Huron Council direct staff to coordinate with the Exeter Lion's Club for a written response or a delegation to Council of an activity report and their plans for the coming year.

Disposition: Carried (7 to 0)

11.4 Drayton Entertainment - Naming Rights Agreement Extension - South Huron Stage

Councillor Neeb noted support for the letter and continuing relationship with the South Huron stage.

11.5 Raymond and McLean (D11- SPA 2 - Brock) - Request - Site Plan Extension

The Clerk noted that a completion date was requested but no date was provided. Council provided no direction.

11.6 Karen Brown - Traffic stops and speed limits

11.7 James Kinchen - Request - Infrastructure Thames Road E. and Highway 4

Council discussed this request and CAO Best noted County jurisdiction for the road, municipal responsibility for sidewalks and potential resource of Accessibility Advisory Committee.

Motion: 325-2021

Moved: B. Willard

Seconded: J. Dietrich

That South Huron Council direct staff to circulate this request to South Huron staff, County Transportation staff and Accessibility Advisory Committee and ask them to provide recommendations for safe travel for access for those with mobility concerns at intersection of Hwy 4 and Thames Road, Exeter.

Disposition: Carried (7 to 0)

11.8 Tom and Muriel Dalrymple - Request - Trivitt Church Bells

Council discussed this request and provided no direction.

11.9 Autumn Ducharme - LPAT Case No. PL200570 - Costs

11.10 Dave Ross and Nancy Joyal - Tridon

11.11 Wheildon MacKenzie Optometry - Request - OHIP Optometry Services

11.12 Gravel Watch Ontario - Correspondence - Land Use Compatibility Guideline

11.13 South Bruce Peninsula - Resolution - Attorney General Response to Lottery licensing for small organizations

11.14 City of Brantford - Resolution - Year of the Garden 2022

Motion: 326-2021

Moved: A. Neeb

Seconded: M. Vaughan

That South Huron Council receive communication items not otherwise dealt with.

Disposition: Carried (7 to 0)

12. Closed Session

13. Report From Closed Session

14. By-Laws

14.1 By-Law No. 65-2021 - Backflow Prevention

Motion: 328-2021

Moved: B. Willard

Seconded: T. Oke

That the South Huron Council gives first, second and third and final reading to By-Law #65-2021, being a by-law to implement a backflow prevention program for premise isolation in the Municipality of South Huron.

Disposition: Carried (7 to 0)

- 14.2 By-Law No. 66-2021 - Amendment to Rates and Charges By-Law - Water and Wastewater Rates 2022-2024

Motion: 329-2021

Moved: M. Vaughan

Seconded: A. Neeb

That the South Huron Council gives first, second and third and final reading to By-Law #66-2021, being a by-law to provide for the setting of rates for Water and Wastewater Services in the Municipality of South Huron and to Repeal By-Law #39-2019.

Disposition: Carried (7 to 0)

15. Confirming By-Law

- 15.1 By-Law No. 67-2021 – Confirming By-Law

Motion: 330-2021

Moved: M. Vaughan

Seconded: A. Neeb

That the South Huron Council gives first, second and third and final reading to By-Law #67-2021, being a by-law to confirm matters addressed at the September 7, 2021 Council meeting.

Disposition: Carried (7 to 0)

16. Adjournment

Motion: 331-2021

Moved: J. Dietrich

Seconded: D. Faubert

That South Huron Council hereby adjourns at 8:32 p.m., to meet again on September 20, 2021 at 6:00 p.m. or at the Call of the Chair.

Disposition: Carried (7 to 0)

George Finch, Mayor

Rebekah Msuya-Collison, Clerk