



The Corporation of The County of Perth

Minutes of the April 21, 2011 Council Meeting

April 21, 2011

Council Present: Councillor Wilhelm
Councillor Forrest
Councillor McMillan
Warden Behrns
Councillor Aitcheson
Councillor Schneider
Councillor Judge
Councillor French
Councillor Ehgoetz
Councillor McKenzie

Absent: Director of Corporate Services, Treasurer Renato Pullia

Staff Present: Bill Arthur, CAO
Linda Rockwood, Director of Emergency Services
Dave Hanly, Director of Planning & Development
Matt Ash, Director of Public Works
Kerri Ann O'Rourke, Clerk

Others Present: Debbie Gibson, Acting Director of Corporate Services/Deputy Treasurer, Pauline Walkom, Administrative Support Clerk/Recording Secretary.

2. OPENING PRAYER

The Regular meeting of Perth County Council commenced with Opening Prayer.

3. DISCLOSURE OF PECUNIARY INTEREST

No Disclosure of Pecuniary Interest stated.

4. ADDITION TO AGENDA/ADOPTION

2011-182

Moved By: Councillor Schneider

Seconded By: Councillor Ehgoetz

That the following items be added/deleted/changed to the agenda

Deleted:

7.1 Delegation - Gwen Devereaux, President and Dr. Claudio Munoz, Scientific Director -Gateway Rural Health Research Institute;

Added:

8.1.1 Official Plan Amendment Application – George and Marjorie Johnson (North Perth)

8.1.2 Official Plan Amendment Application – Abner Martin (Agent/Applicant) (North Perth)

8.1.3 Plan of Subdivision Application – Lone Oak Properties (File No. NP 11-01)

12.1 New Business -Presentation from Stratford-Perth Museum

Change:

8.1.1 and 8.1.2 become 8.1.4 and 8.1.5

AND THAT the Council agenda for April 21, 2011 be approved as amended;

Carried

5. CONSENT AGENDA AND COUNCIL MINUTES

2011-183

Moved By: Councillor Aitcheson

Seconded By: Councillor McMillan

THAT the Consent Agenda Items 5.1 to 5.4 be received for information and the minutes of the April 7, 2011 Regular Minutes be approved;

Carried

6. ADJOURN TO PUBLIC MEETING

2011-184

Moved By: Councillor McKenzie

Seconded By: Councillor Forrest

THAT the Council of the County of Perth recess for the purpose of moving into a Public Meeting to address the following applications:

1. Official Plan Amendment Application - George and Marjorie Johnston (North Perth)
2. Official Plan Amendment Application - Abner Martin (Agent/Applicant) (North Perth)
3. Plan of Subdivision Application - Lone Oak Properties (File No. NP 11-01);

Carried

6.1 Official Plan Amendment Application - George and Marjorie Johnston (North Perth)

Warden Behrns stated that

- the purpose of this meeting is to provide an opportunity to advise the public of the purpose and intend of the amendment and to receive input prior to considering adoption of an implementing by-law;
- the Public Meeting will deal with an Application to amend the County of Perth Official Plan submitted by George and Marjorie Johnston, the owners of Lot 30, Concession 3 in Elma Ward of the Municipality of North Perth.
- those in attendance wanting to make comment concerning this Application will be given an opportunity to do so;
- any person present wanting to receive written notice of a decision must provide their name, address and telephone number to the Clerk;

Dave Hanly, Director of Planning provided comments in respect to the purpose of the Application and noted that the purpose of Application B115/89 and B116/89 is to change the land use designation of the subject property from "Hamlet" to "Agriculture". Comments were then made in respect to the Notice of Public Meeting details. Written

correspondence received prior to the preparation of the planning report were referred to, with copies being attached to the planning report. No copies of the written correspondence was received after the planning report was prepared.

The Director of Planning and Development referred to the planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

Warden Behrns offered those in attendance the opportunity to speak in support of the Application (other than the applicant/applicant's agent). No one spoke.

Warden Behrns offered those in attendance the opportunity to speak in opposition to the Application. No one spoke.

Warden Behrns offered the Applicant/Applicant's Agent the opportunity to speak to the Application: Applicant did not speak.

6.2 Official Plan Amendment Application - Abner Martin (Agent/Applicant) (North Perth)

Warden Behrns stated that

- the purpose of this meeting is to provide an opportunity to advise the public of the purpose and intend of the amendment and to receive input prior to considering adoption of an implementing by-law;
- the Public Meeting will deal with an Application to amend the County of Perth Official Plan submitted by Abner Martin, Agent/Applicant of Part of Lots 35 and 36, Concession 5 in the Elma Ward of the Municipality of North Perth;
- those in attendance wanting to make comment concerning this Application will be given an opportunity to do so;
- any person present wanting to receive written notice of a decision must provide their name, address and telephone number to the Clerk;

Dave Hanly, Director of Planning provided comments in respect to the purpose of the Application and noted that the purpose of Application is to "allow a church/meeting house to have an MDS I as a Type "A" land use" in order to permit a meeting house for worship services and a cemetery on the subject property. Comments were then made in respect to the Notice of Public Meeting details. Written correspondence received prior to the preparation of the planning report were referred to, with copies being attached to the planning report. Copies of the written correspondence received after the planning report preparation were provided to Council at the Public meeting and included the following:

1. Written correspondence was received from Municipality of North Perth which recommends that the subject application be denied as it not consistent with Provincial Policy Statement or County Official Plan policies.
2. A letter dated April 20, 2011 from K. Smart Associates Limited on behalf of Applicant was circulated to Council members.
3. A letter dated April 18, 2011 from Viola Weber advising that Viola and Nelson Weber have no objection to the plans for a Meeting House and Cemetery on Con. 5, Lot 36 in the Elma Ward of North Perth.
4. An email dated April 20, 2011 from Tyler Martin advising of his opposition to the proposed application.

The Director of Planning and Development referred to the planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

Warden Behrns offered those in attendance the opportunity to speak in support of the Application (other than the application). The following persons spoke:

1. Aaron Weber reviewed the history of the Agreement of Settlement with the Old Order Amish. He discussed the history of the previous application and applications in other Counties which had been successful. Discussion was held about concerns with the other proposed properties that were suggestions for alternative locations.
2. Ed Bennett reviewed previous application information and process.

Warden Behrns offered those in attendance the opportunity to speak in opposition to the Application. The following persons spoke:

1. Tim Martin gave a background of his family who bought property in 1880's. Mr. Martin discussed properties in the area which could be considered.

Warden Behrns offered the Applicant/Applicant's Agent the opportunity to speak to the Application:

1. Abner Martin reviewed the application and amendment. Mr. Martin reviewed the K. Smart Associates Limited Engineering report distributed to Council.

6.3 Plan of Subdivision Application - Lone Oak Properties (File No. NP 11-01)

Warden Behrns stated that

- the purpose of this meeting is to provide an opportunity to advise the public of the purpose and intent of the amendment and to receive input prior to considering adoption of an implementing by-law;
- the Public Meeting will deal with an Application for Plan of Subdivision by Lone Oak Properties submitted by Lone Oak Properties the owners of Block 26, Registered Plan No. 565 in the Elma Ward (Atwood) of the Municipality of North Perth
- those in attendance wanting to make comment concerning this Application will be given an opportunity to do so;
- any person present wanting to receive written notice of a decision must provide their name, address and telephone number to the Clerk;

Dave Hanly, Director of Planning provided comments in respect to the purpose of the Application and noted that the purpose of Application NP 11-01 proposes two blocks for semi-detached dwellings and four blocks for townhouse dwelling units, as well as one block for the addition to a road allowance to accommodate a cul-de-sac. Comments were then made in respect to the Notice of Public Meeting details. Written correspondence received prior to the preparation of the planning report were referred to, with copies being attached to the planning report. Copies of the written correspondence received after the planning report preparation were provided to Council at the Public meeting and included the following:

1. Municipality of North Perth recommending that draft approval be given subject to a number of conditions.
2. Hydro One Networks Inc. has no comments or concerns.
3. Union Gas requested a condition dealing with necessary easements and/or agreements for the provision of gas services to the proposed subdivision.
4. Huron-Perth Catholic District School Board has no concerns.
5. Bell Canada will be issuing comments on completion of review of application.
6. Maitland Valley Conservation Authority has no concerns.
7. Ministry of Transportation of Ontario will require two separate Building and Land Use permits for the proposed development.
8. Mr. Gerald Greer on behalf of Mr. Scott Greer forwarded a letter expressing his concerns about the proposed townhouses.

The Director of Planning and Development referred to the planning report that was included in Council's meeting agenda package, with specific reference to the recommendation section.

Warden Behrns offered those in attendance the opportunity to speak in support of the Application (other than the application). No one spoke.

Warden Behrns offered those in attendance the opportunity to speak in opposition to the Application. No one spoke.

Warden Behrns offered the Applicant/Applicant's Agent the opportunity to speak to the Application:

1. Russ Danbrook reviewed the application and proposed changes.

2011-185

Moved By: Councillor Ehgoetz

Seconded By: Councillor Wilhelm

THAT the Public Meetings be closed and Perth County Council reconvene at 10:21 a.m.;

Carried

8. ADJOURN TO COMMITTEE OF THE WHOLE

Recess taken on 10:22 AM

Resumed meeting from recess on 10:35 AM

2011-186

Moved By: Councillor Ehgoetz

Seconded By: Councillor Wilhelm

That the Council of the County of Perth adjourns to convene as Committee of the Whole with Councillor Rhonda Ehgoetz chairing the meeting at 10:21 a.m.;

Carried

8.1 Planning and Development

8.1.1 Official Plan Amendment Application - George and Marjorie Johnston North Perth

2011-187

Moved By: Councillor Forrest

Seconded By: Councillor Judge

THAT the Committee of the Whole recommends to Perth County Council that the Application for an Amendment to the County of Perth Official Plan by George and Marjorie Johnston affecting property described as part of Lot 30, Concession 3 in the Elma Ward of the Municipality of North Perth be approved and that the proposed Official Plan Amendment adopted;

Carried

8.1.2 Official Plan Amendment Application - Abner Martin -Agent/Applicant - North Perth

2011-188

Moved By: Councillor Forrest

Seconded By: Councillor Wilhelm

THAT the Committee of the Whole recommend to County Council that the 2011 Official Plan Amendment application submitted by Abner Martin affecting property described as part of Lots 35 and 36, Concession 5 in the Elma Ward of the Municipality of North Perth be deferred to the May 12, 2011 Council meeting; and

THAT the Director of Planning be directed to review and report back on policies of neighbouring Regions/Counties, possibility of using the existing school site, and MDS impacts on Tim Martin's existing livestock operation and expansion plans at the farm property to the north of the subject OPA proposal;

Carried

8.1.3 Plan of Subdivision Application - Lone Oak Properties -File No NP 11-01

2011-189

Moved By: Councillor Judge

Seconded By: Warden Behrns

THAT the Committee of the Whole recommends to Perth County Council

that the County move toward giving Draft Plan Approval for a subdivision by Lone Oak Properties affecting property described as Block26, Registered Plan No. 565 in the Elma Ward (Atwood) of the Municipality of North Perth (File No. NP 11-01) and that Planning and Development Department staff proceed with the preparation of a supplementary report containing conditions for the draft plan approval for a subsequent County Council meeting;

Carried

8.1.4 Part Lot Control Approval - North Perth (Listowel Ward) Registered Plan 194, Lot 21 - Becker

2011-190

Moved By: Councillor Forrest

Seconded By: Councillor Schneider

THAT the Committee of the Whole recommend to Perth County Council that the Municipality of North Perth's By-law No. 24-2011 for the removal of part-lot control on property described as part of Corporation Lot 21, Registered Plan No. 194 in the Listowel Ward of the Municipality of North Perth be approved;

Carried

8.1.5 Other Matters - Planning and Development

No Other Matters.

8.2 Chief Administrative Officer

8.2.1 Warden's Activity Report - March 2011

2011-191

Moved By: Councillor Wilhelm

Seconded By: Councillor McMillan

THAT the Committee of the Whole recommend to County Council that the Warden's Activity Report – March 2010 be received;

Carried

8.2.2 Other Matters - Chief Administrative Officer

No Other Matters.

8.3 Corporate Services

8.3.1 Other Matters - Corporate Services

No Other Matters.

8.4 Emergency Medical Services

8.4.1 Fire Radio Agreement Revisions

2011-192

Moved By: Councillor Aitcheson

SecondedBy: Councillor Judge

THAT Perth County Committee of the Whole recommend to Perth County Council to proceed to adopt By-law 3247-2011 being a by-law to authorize the Warden and the Clerk to sign an Agreement (as amended) between County of Perth, Town of St. Marys, the Township of Perth South, the Township of Perth East, the Municipality of West Perth, and the Municipality of North Perth, for the purposes of managing the operational costs associated with the Fire Radio Communications Systems;

Carried

8.4.2 Other Matters - Emergency Medical Services

No Other Matters.

8.5 Public Works

8.5.1 Slurry Seal Tender Results

2011-193

Moved By: Warden Behrns

Seconded By: Councillor Aitcheson

THAT the Committee of the Whole recommends to Perth County Council that Contract #11-05, Modified Polymer Slurry Seal, be awarded to MSO Construction Ltd. in the amount of \$220,598.60 including HST;

Carried

8.5.2 Heavy Equipment Tender Update

2011-194

Moved By: Councillor Wilhelm

Seconded By: Councillor Aitcheson

THAT the Committee of the Whole recommends to Perth County Council that the contract for the supply of a Wheel Loader be awarded to Nortrax Equipment in the amount of \$222,546.72, including HST;

Carried

8.5.3 Other Matters - Public Works

No Other Matters.

8.6 Financial Reports

8.6.1 March 31, 2011 - Financial Reports

2011-195

Moved By: Councillor Wilhelm

Seconded By: Councillor Aitcheson

THAT the Committee of the Whole recommends to Perth County Council that the March 31, 2011 Operating and Capital Financial reports be received;

Carried

9. CORRESPONDENCE/BOARD AND COMMITTEE MINUTES

9.1 Correspondence

9.1.1 Stratford Concert Choir - April 15, 2011 - Invitation to September 11 Event

2011-196

Moved By: Councillor McKenzie

Seconded By: Councillor Wilhelm

THAT the Committee of the Whole recommends to Perth County Council that the Stratford Concert Choir invitation be received;

Carried

9.2 Minutes of Committees

No Minutes of Committees

9.3 Minutes of Outside Boards

No Minutes of Outside Boards.

2011-197

Moved By: Councillor Judge

Seconded By: Councillor McMillan

THAT the Committee of the Whole adjourn and reconvene as Council at 11:05 A.M.;

Carried

10. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE

No items were deferred or removed from the Committee of the Whole recommendations.

2011-197

Moved By: Councillor Ehgoetz

Seconded By: Councillor Schneider

That the Council of the County of Perth endorses all recommendations from the Committee of the Whole on April 21, 2011;

Carried

11. NOTICE OF MOTIONS

No Notice of Motions were stated.

12. NEW BUSINESS

- 12.1 Councillor Bill French presented a mortgage payment in the amount of \$16,000 to Warden Behrns on behalf of the Stratford Perth Museum.

2011-198

Moved By: Councillor Forrest

Seconded By: Councillor Wilhelm

THAT Perth County Council approve a 6 month extension to October 31, 2011 to the Stratford-Perth Museum for short term (special circumstance) loan to permit negotiations;

Carried

- 12.2 Economic Development Case Study – May 5, 2011

Councillor Ian Forrest volunteered to attend Economic Development Case Study on behalf of County of Perth.

13. BY-LAWS

- 13.1 3247-2011 To Authorize the Signing of Fire Radio Communication Systems Agreement & Repeal 3226-2011 (Item 8.4.1)**

2011-199

Moved By: Councillor Wilhelm

Seconded By: Councillor Forrest

THAT By-law 3247-2011, Being a By-law To Authorize The Signing Of An Agreement Between The Corporation Of the County of Perth, Corporation Of The Municipality Of North Perth, Corporation Of The Municipality Of West Perth, Corporation Of The Township Of Perth South, Corporation Of The Township Of Perth East And The Corporation Of The Town of St. Marys, For

The Provision Of The Fire Radio Communications Systems And To Repeal
By-law 3226-2011,

Be read a first and second time;

Carried

2011-200

Moved By: Councillor Aitcheson

Seconded By: Councillor McMillan

THAT By-law 3247-2011, Being a By-law To Authorize The Signing Of An Agreement Between The Corporation Of the County of Perth, Corporation Of The Municipality Of North Perth, Corporation Of The Municipality Of West Perth, Corporation Of The Township Of Perth South, Corporation Of The Township Of Perth East And The Corporation Of The Town of St. Marys, For The Provision Of The Fire Radio Communications Systems And To Repeal By-law 3226-2011,

Be read a third and final time,

AND THAT the Warden and the Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto;

Carried

13.2 3248-2011 -To Adopt Official Plan Amendment No. 109 - Johnston (Item 8.1.1)

2011-201

Moved By: Councillor Forrest

Seconded By: Councillor McKenzie

THAT By-law 3248-2011, To Adopt Amendment No. 109 To The County Of Perth Official Plan,

Be read a first and second time;

Carried

2011-202

Moved By: Councillor French

Seconded By: Councillor Schneider

THAT By-law 3248-2011, To Adopt Amendment No. 109 To The County Of Perth Official Plan,

Be read a third and final time,

AND THAT the Warden and the Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto;

Carried

14. CLOSED MEETING

No Closed Meeting.

15. REPORT OUT

No Report Out.

16. CONFIRMING BY-LAW

2011-203

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT By-law 3250-2011, being a By-law to confirm the Proceedings of the Council of the Corporation of the County of Perth at its regular meeting held on April 21, 2011 be read a first, second and third time. And that the Warden and the Clerk are hereby authorized and instructed to sign the same, and attach the Corporate Seal thereto;

Carried

17. ADJOURNMENT

2011-204

Moved By: Councillor Judge

Seconded By: Councillor Ehgoetz

THAT the meeting adjourn at 11:36 AM;

Carried

Julie Behrns, WARDEN

Kerri Ann O'Rourke, COUNTY CLERK