



The Corporation of The County of Perth

Minutes of the October 6, 2011 Council Meeting

October 6, 2011

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

Staff Present: Bill Arthur, CAO
Linda Rockwood, Director of Emergency Services
Renato Pullia, Director of Corporate Services, Treasurer
Dave Hanly, Director of Planning & Development
Matt Ash, Director of Public Works
Kerri Ann O'Rourke, Clerk
Pauline Walkom, Administrative Support Clerk/Recording Secretary
Allan Rothwell, Senior Planner

1. CALL TO ORDER

The Regular Meeting of Perth County Council with Quorum present was called to order at 9:00 a.m. and the roll call conducted.

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

2011-346

Moved By: Councillor Schneider

Seconded By: Councillor Wilhelm

The following items be added to the agenda;

9.1.3 Southwest Economic Alliance - September 30, 2011 - Invitation to Advisory Council Meeting on Nov. 24, 2011

AND THAT the Council Agenda for October 6, 2011 be approved as amended;

Carried

5. CONSENT AGENDA AND COUNCIL MINUTES

2011-347

Moved By: Councillor Forrest

Seconded By: Councillor Aitcheson

THAT the Consent Agenda Items 5.1 to 5.2 be received for information and the minutes of September 15, 2011 Regular Council Meeting be approved;

Carried

2011-348

Moved By: Councillor Ehgoetz

Seconded By: Councillor Forrest

THAT Consent Agenda item 5.3 regarding the Drive Clean Program be received, and

THAT staff request clarification from the Ministry of the Environment on the inclusion of Perth County in the Drive Clean Program;

Carried

6. ADJOURN TO PUBLIC MEETING

2011-349

Moved By: Councillor Schneider

Seconded By: Councillor Judge

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

1. Wallaceview Developments Ltd. - Part of Lots 35 and 36, Concession 1 (Formerly Elma now Listowel Ward), Municipality of North Perth (File No. NP 11-07) ;

Carried

Warden Behrns stated that the purpose of the public 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 bylaw. The Public Meeting will deal with an Application to amend the County of Perth Official Plan submitted by Wallaceview Developments Ltd., the owners of Part of Lots 35 and 36, Concession 1 (Formerly Elma now Listowel Ward) Municipality of North Perth (File No. NP 11-07). Those in attendance were given an opportunity to comment on the application. Those present wanting to receive written notice of the decision were asked to 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 permit the development of a Plan of Subdivision creating 41 lots/blocks (28 lots for single detached units, 4 lots for 8 semi-detached dwelling units, 2 blocks for multi-family dwellings, 2 blocks for light industrial uses, 2 blocks for general industrial uses, 1 block for open space, and 2 blocks for 1 foot reserves to control access.

Comments were then made in respect to the Notice of the 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.

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. IT was also noted that the applicant (through written request by Agent MTC OLS Ltd., (dated September 29, 2011) a refund of application fees.

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

October 6, 2011

Page 4 of 14

Warden Behrns offered those in attendance the opportunity to speak in opposition to the Application. Derek Brockelbank spoke in opposition.

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

Trevor McNeil, MTE, Agent for Wallace Developments Ltd. addressed Council and reviewed the application history.

Warden Behrns offered Council the opportunity to ask questions regarding the Application.

The Warden noted that the Committee of the Whole would give consideration to all information received in respect to the subject Application prior to making a recommendation to Council. Council considers the recommendation of the Committee and makes a decision. Notice of that decision is given in accordance with the Planning Act, R.S.O. 1990 (as amended). The decision is subject to appeal to the Ontario Municipal Board.

2011-350

Moved By: Councillor Schneider

Seconded By: Councillor Ehgoetz

THAT the Public Meeting be adjourned;

Carried

8. ADJOURN TO COMMITTEE OF THE WHOLE

2011-351

Moved By: Councillor Wilhelm

Seconded By: Councillor McMillan

That the Council of the County of Perth adjourns to convene as Committee of the Whole with Councillor Bill French Chairing the meeting at 9:28 a.m.

Carried

8.1 Planning and Development

8.1.1 Application for Plan of Subdivision by Wallaceview Developments Ltd. - Part of Lots 35 and 36, Concession 1 (Formerly Elma now Listowel Ward), Municipality of North Perth (File No. NP 11-07)

2011-352

Moved By: Councillor Judge

Seconded By: Warden Behrns

THAT the Plan of Subdivision Application No. NP 11-07 by the Wallaceview Developments Ltd. affecting property described as part of Lots 35 and 36, Concession 1, formerly in the Township of Elma, now in the Listowel Ward of the Municipality of North Perth be approved subject to the conditions attached to the October 6, 2011 Planning Director's report regarding Plan of Subdivision File No. NP 11-07;

Carried

2011-353

Moved By: Councillor Forrest

Seconded By: Councillor Wilhelm

THAT staff prepare a report regarding the request for a refund of Subdivision Application fee by Wallaceview Development Ltd.;

Defeated

2011-354

Moved By: Councillor McMillan

Seconded By: Councillor Aitcheson

THAT the request to refund the Subdivision Application fee for Wallaceview Developments Ltd. (regarding M.T.E. letter dated September 30, 2011) be received, and

That the request be denied;

Carried

8.1.2 Approval of North Perth's Part Lot Control By-law No. 109-2011

2011-355

Moved By: Councillor Schneider

Seconded By: Councillor Judge

THAT the Committee of the Whole recommend to Perth County Council that the Municipality of North Perth's By-law No. 109-2011 for the removal of part-lot control on property described as Lot 18, Registered Plan No. 44M-21 in the Listowel Ward of the Municipality of North Perth be approved;

Carried

8.1.3 Approval of North Perth's Part Lot Control By-law No. 110-2011

2011-356

Moved By: Warden Behrns

Seconded By: Councillor Aitcheson

THAT the Committee of the Whole recommend to Perth County Council that the Municipality of North Perth's By-law No. 110-2011 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

8.1.4 Approval of North Perth's Part Lot Control By-law No. 111-2011

2011-357

Moved By: Councillor Schneider

Seconded By: Councillor Forrest

THAT the Committee of the Whole recommend to Perth County Council that the Municipality of North Perth's By-law No. 111-2011 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 Tree Inspection Report - October 2011

2011-358

Moved By: Councillor McKenzie

Seconded By: Councillor Aitcheson

THAT the Committee of the Whole recommend to Perth County Council that the Tree Inspection Report dated October 6, 2011 be received for information;

Carried

8.1.6 Other Matters - Planning and Development

No other matters.

8.2 Chief Administrative Officer

8.2.1 OMAFRA – BR+E Project - Perth County Agri-Food BR+E Project 2011

2011-359

Moved By: Councillor McMillan

Seconded By: Councillor Aitcheson

THAT the Committee of the Whole recommends to Perth County Council that Council pass the necessary Bylaw authorizing the Warden and Clerk to sign the agreement with the “Ministry of Agriculture, Food and Rural Affairs” for the ‘County of Perth BR+E’;

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 Perth County EMS Fall 2011 MLC Update Report

2011-360

Moved By: Councillor Wilhelm

Seconded By: Councillor Schneider

THAT the Committee of the Whole recommend to Perth County Council that the Perth County EMS Municipal Liaison Committee Report "Perth County EMS Fall 2011 MLC Update Report" dated October 6, 2011 be approved for submission to the Municipal Liaison Committee;

Carried

8.4.2 Other Matters - Emergency Medical Services

Linda Rockwood displayed a Certificate of Appreciation from the County of Huron EMS acknowledging the assistance provided by Perth County EMS during the recent tornado emergency.

8.5 Public Works

8.5.1 Other Matters - Public Works

No Other Matters.

8.6 Financial Reports

No Financial Reports.

9. CORRESPONDENCE/BOARD AND COMMITTEE MINUTES

9.1 Correspondence

9.1.1 Ontario Municipal Board - September 26, 2011 - Perth South and West Perth Appeal to OMB - Surplus Farmhouse Severances - Decision

2011-361

Moved By: Councillor Forrest

Seconded By: Councillor Ehgoetz

THAT the Committee of the Whole recommend to Perth County Council that the Ontario Municipal Board decision dated September 26, 2011 regarding Surplus Farmhouse Severances be received;

Carried

9.1.2 Bill Weber and Chris Guiles - September 22, 2011 - Invitation to View Paint Ball Site (North Perth)

2011-362

Moved By: Councillor Wilhelm

Seconded By: Councillor Judge

THAT the Committee of the Whole recommend to Perth County Council that the Invitation to view the North Perth Paint Ball site by Bill Weber and Chris Guiles and dated September 22, 2011 be received;

Carried

9.1.3 Southwest Economic Alliance - September 30, 2011 - Invitation to Advisory Council meeting - Nov 24, 2011

It was acknowledged that this item be received for information.

9.2 Minutes of Committees

9.2.1 Land Division Committee - August 15, 2011 - Draft Regular Minutes

2011-363

Moved By: Councillor Schneider

Seconded By: Councillor Wilhelm

THAT the Committee of the Whole recommend to Perth County Council that the draft minutes of Land Division Committee dated August 15, 2011 be received and the recommendations contained within the minutes be approved;

Carried

9.3 Minutes of Outside Boards

9.3.2 Perth District Health Unit - June 15, 2011 - Regular Minutes

Recess taken on 10:17 AM

Resumed meeting from recess on 10:26 AM

2011-364

Moved By: Councillor Aitcheson

Seconded By: Councillor Wilhelm

THAT the Committee of the Whole recommends to Perth County Council that the following draft minutes be received;

Spruce Lodge Board of Management - June 15, 2011

Perth District Health Unit - June 15, 2011;

Carried

2011-365

Moved By: Councillor Judge

Seconded By: Councillor Wilhelm

THAT the Committee of the Whole adjourn and reconvene as Council at 10:26 A.M.;

Carried

10. BUSINESS ARISING FROM COMMITTEE OF THE WHOLE

2011-366

Moved By: Councillor Wilhelm

Seconded By: Councillor Schneider

THAT the Council of the County of Perth endorses all recommendations from the October 6, 2011 Committee of the Whole meeting with the exception of Resolution #2011-354 – being a resolution to deny Wallace view Developments Ltd. Request for a refund of Subdivision Application Fees;

Carried

2011-367

Moved By: Councillor Forrest

Seconded By: Councillor Judge

THAT the ratification of Resolution #2011-354, being a resolution to deny Wallaceview Developments Ltd. request for a refund of Subdivision Application Fees be deferred;

Defeated

2011-368

Moved By: Councillor Aitcheson

Seconded By: Councillor Wilhelm

THAT Resolution 2011-354 being a resolution to deny Wallaceview Developments Ltd. Request for a refund of Subdivision Application Fees, be endorsed by the Committee of the Whole;

Carried

11. NOTICE OF MOTIONS

No Notice of Motions were stated.

12. NEW BUSINESS

Warden Behrns invited Council to Heather Sturgeon's retirement party on October 6, 2011.

Warden Behrns noted that Brittany Graul has been named Kitchener-Waterloo Miss Octoberfest. She resides in Perth East (Brunner).

13. BY-LAWS

13.1 Bylaw 3265-2011 -To Authorize the Warden and CAO to Execute Funding Agreement Between Queen in Right of Ontario (OMAFRA), Corporation of the County of Perth and Perth Federation of Agriculture (Business Retention and Expansion Project) (See Item 8.1.1)

2011-369

Moved By: Councillor Schneider

Seconded By: Councillor Wilhelm

THAT By-law 3265-2011 being a Bylaw to authorize the Warden and CAO to execute a Funding Agreement Between Queen in Right of Ontario (OMAFRA), Corporation of the County of Perth and Perth Federation of Agriculture (Business Retention and Expansion)be read a First and Second time;

Carried

2011-370

Moved By: Councillor McKenzie

Seconded By: Councillor Forrest

THAT By-law 3265-2011 being a Bylaw to authorize the Warden and CAO to execute a Funding Agreement Between Queen in Right of Ontario (OMAFRA), Corporation of the County of Perth and Perth Federation of Agriculture (Business Retention and Expansion)be read a Third and Final time;

Carried

14. CLOSED MEETING

2011-371

Moved By: Councillor French

Seconded By: Councillor Aitcheson

THAT the meeting go into a closed session at 11:08 am to discuss litigation or potential litigation, including matters before administrative tribunals, affecting the County;

Carried

15. REPORT OUT – nothing to report

16. CONFIRMING BY-LAW

2011-372

Moved By: Councillor McKenzie

Moved By: Councillor Forrest

THAT By-law 3266-2011, 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 October 6, 2011 be read a first, second and third time; and

THAT the Warden and the Clerk are hereby authorized to execute the same;

Carried.

October 6, 2011

Page 14 of 14

17. ADJOURNMENT

2011-372

Moved By: Councillor McKenzie

Seconded By: Councillor Schneider

THAT the meeting adjourn at 11:34 AM;

Carried

WARDEN JULIE BEHRNS

KERRI ANN O'ROURKE, CLERK