



# The Corporation of The County of Perth

## Minutes of the April 5, 2012 Council Meeting

April 5, 2012

Council Present: Councillor Wilhelm  
Warden Forrest  
Councillor McMillan  
Councillor 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  
Geoff VanderBaaren, Planner  
Betty Jo Belton, Archivist

### **1. CALL TO ORDER**

The Regular Meeting of Perth County Council with Quorum present was called to order at 9:00 A.M.

### **2. MOMENT OF REFLECTION**

The Regular meeting of Perth County Council commenced with a moment of silent reflection.

### **3. CONFIRMATION OF THE AGENDA**

**2012-105**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Wilhelm**

THAT the Council agenda for April 5, 2012 be approved;

Carried

### **4. DISCLOSURE OF PECUNIARY INTEREST**

No Disclosure of Pecuniary Interest stated.

### **5. CONSENT AGENDA**

- 5.1 Perth County Council - March 15, 2012 - Regular Minutes**
- 5.2 Perth County Task Force on Crystal Meth - January 12, 2012 - Drug Task Force Minutes**
- 5.3 Huron Perth Healthcare Alliance - March 1, 2012 - Board Highlights**
- 5.4 Township of Havelock-Velmont-Methuen - March 5, 2012 - Ontario Wildlife Damage Compensation Program**
- 5.5 Perth County Economic Development Committee - March 13, 2012 - Regular Minutes**
- 5.6 Wanda Bart - February 17, 2012 - Re: Possible closing of Mitchell Archives**
- 5.7 Ontario Building Officials Association - March 13, 2012 - Strategic Plan**
- 5.8 City of Mississauga - March 12, 2012 - Telecommunication Towner/Antenna Facilities Interim Protocol**
- 5.9 Land Division Committee - March 12, 2012 - Draft Regular Minutes**

**2012-106**

**Moved By:**

**Seconded By:**

**Councillor Behrns**

**Councillor McKenzie**

THAT the Consent Agenda Items 5.1 to 5.9 be received for information and the minutes of the April 5, 2012 Council Meeting be adopted;

Carried

## **6. PUBLIC MEETINGS, PUBLIC HEARINGS AND DELEGATIONS**

### **6.1 Public Meeting**

#### **6.1.1 Official Plan Amendment Application 118 by Jacob and Maria Duif (Agent: David Dickey) (See 7.1.1)**

Warden Forrest stated that 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 dealt with an Application to amend the County of Official Plan submitted by Jacob and Maria Duif (Agent: David Dickey). 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 noted that the purpose of the Application is to provide an exception to the Agriculture land use policies as they apply to the subject property.

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 was referred to with copies being attached to the planning report.

Correspondence received after the planning report:

1. April 3, 2012 letter from Patricia Berfelz, Clerk, Municipality of North Perth advising of North Perth Council's recommendation.
2. April 4, 2012 emails and letter from Pamela Cromwell of Killam Properties Inc. and advising of Killam Properties Inc.'s concerns/objection to the proposed OPA No. 118.

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

Warden Forrest offered those in attendance the opportunity to speak in opposition to the Application. No one spoke in opposition of the application.

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

1. David Dickey, Solicitor with Robert Johns Law Office distributed copies of an air photo of the property and explained the property severances. Andy Thalen, applicant was present but did not address Council.

Warden Forrest noted that 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.

**6.1.2 Official Plan Amendment Application 119 by 478057 Ontario Inc.  
(See 7.1.2.)**

Warden Forrest stated that 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 Official Plan submitted by 478057 Ontario Inc. 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 noted that the purpose of the Application is to for the purpose of amending the County Official Plan to permit the establishment of a non-farm residential use (i.e. single-detached dwelling) on the subject property.

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 was referred to with copies being attached to the planning report.

Correspondence received after the planning report:

1. April 3, 2012 letter from the UTRCA indicating that it has no objection to the proposed OPA No. 119.

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

Warden Forrest offered those in attendance the opportunity to speak in opposition to the Application. No one spoke in opposition of the application.

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

1. Peter Moreton, NA Geomatics Inc. representing the applicant briefly reviewed the history of the property and purpose of the application.

The Warden noted that 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.

## **6.2 Delegation: Paul Gras, Hwy 7 & 8 Study**

Paul Gras presented his opinions relating to the Highway 7&8 Transportation & Corridor Planning & Class EA Study. In addition to the information circulated with the Agenda Package, Paul Gras distributed Exhibit 5.2 to Council. Paul Gras made six specific requests to the Council of the County of Perth:

1. Withdraw support for the Study;
2. Pressure Ministry of Transportation to reassess project needs;
3. Pressure Ministry of Transportation to reassess projections (as a result of New Hamburg bypass not being included in the Study);
4. Request that that Minister of Transportation review study;
5. Request that the Ministry provide a public "question & answer" sessions following Public Information Centres (PICs)
6. Political representatives to protect from the loss of valuable agricultural land.

## **7. STAFF REPORTS**

### **7.1 Planning and Development**

#### **7.1.1 Official Plan Amendment Application #118 by Jacob and Maria Duif (Agent: David Dickey)**

**2012-107**

**Moved By: Councillor Judge**

**Seconded By: Councillor Behrns**

THAT Perth County Council approve the application for an Amendment to the County of Perth Official Plan by Jacob and Maria Duif (Agent: David Dickey) affecting an approximate 8.5 hectare (21 acre) area described as part of Lots 41 and 42, Concession 1 in the Elma Ward of the Municipality of North Perth and that the proposed Official Plan Amendment for this application be adopted;

Carried

**7.1.2 Official Plan Amendment Application #119 by 478057 Ontario Inc.**

**2012-108**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor McMillan**

THAT Perth County Council approve the application for an Amendment to the County of Perth Official Plan by 478057 Ontario Inc. affecting property described as part of Lot 8, Concession 3 in the Ellice Ward of the Township of Perth East and that the proposed Official Plan Amendment for this application be adopted;

Carried

**7.1.3 Tree Report**

**2012-109**

**Moved By: Councillor Behrns**

**Seconded By: Councillor Schneider**

THAT Perth County Council receive the Tree Inspection Report dated April 5, 2012 for information;

Carried

**7.1.4 Ausable Bayfield Maitland Valley Source Protection Region**

Allan Rothwell, Senior Planner was in attendance to provide Council with a summary of Source Water Protection policies being implemented throughout the County of Perth.

**2012-110**

**Moved By: Councillor Schneider**

**Seconded By: Councillor Wilhelm**

THAT Perth County Council endorses the attached Planning Department comments to the Ausable Bayfield Maitland Valley Source Protection Region Draft Policies and that the report be forwarded to the Ausable Bayfield Maitland Valley Source Protection Committee;

Carried

Recess taken at 10:23 AM

Resumed at 10:33 AM

**7.2 Chief Administrative Officer**

**7.2.1 Canada European Free Trade Agreement**

**2012-111**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor McKenzie**

THAT Perth County Council endorses the Federation of Canadian Municipalities seven points of concern regarding Canadian European Free Trade Agreement (CETA) and request that they are integrated into any Trade Agreement; and

FURTHER THAT the County requests the Federal Government and the Province of Ontario to continue to ensure that the municipal sectors' interests are represented in the ongoing negotiations and involvement of Federation of Canadian Municipalities (FCM) and Association of Municipalities (AMO); and

FURTHER THAT the federal and Ontario governments provide FCM and AMO with regular, detailed updates on the status of the European Union trade negotiations to the fullest extent possible; and

FURTHER THAT this resolution be forwarded to the Minister of International Trade; our local MP, the Premier of Ontario, our local MPP, the Ontario Minister Responsible for Trade and Economic Development, Federation of Canadian Municipalities and the Association of Municipalities of Ontario(AMO);

Carried

### **7.3 Corporate Services**

#### **7.3.1 Levy, Tax Policy and Borrowing By-Laws**

**2012-112**

**Moved By: Councillor Behrns**

**Seconded By: Councillor Ehgoetz**

THAT the Levy, Tax Policy and Borrowing Bylaws report prepared by Director of Corporate Services and Treasurer be received for information;

Carried

#### **7.3.2 Reference Services Impact by Archives Renovations**

**2012-113**

**Moved By: Councillor McMillan**

**Seconded By: Councillor Wilhelm**

THAT the report on the affected Reference Services at the Stratford Archives branch during renovations to the 24 St. Andrew St. building, in the Spring of 2012, be received for information;

Carried

### **7.4 Emergency Services**

#### **7.4.1 Out of Province Conference - April 5, 2012**

**2012-114**

**Moved By: Councillor McMillan**

**Seconded By: Councillor Wilhelm**

THAT Perth County Council approve the out-of-province travel by the Community Emergency Management Coordinator to attend the Disaster Forum 2012 in Banff, Alberta;

Carried



## **7.5 Public Works**

### **7.5.1 Sign Bylaw Report**

**2012-115**

**Moved By: Councillor Judge**

**Seconded By: Councillor Schneider**

THAT the sign permit application as submitted by Pride Signs Inc. on behalf of MO Developments, for the Listowel Commercial Centre located at the corner of Perth Line 86 and Mitchell Road South, be approved;

Carried

### **7.5.2 Micro-Surfacing (Slurry Seal) Tender Results**

**2012-116**

**Moved By: Councillor McKenzie**

**Seconded By: Councillor Aitcheson**

THAT contract #03-2012, Micro-Surfacing, be awarded to MSO Construction Limited in the amount of \$398,028.38 including HST;

Carried

### **7.5.3 Fleet Replacement Tender Results**

**2012-117**

**Moved By: Councillor Wilhelm**

**Seconded By: Councillor Schneider**

THAT the report titled 'Fleet Replacement Tender Results' dated April 5<sup>th</sup>, 2012 be received for information;

Carried

## **8. CORRESPONDENCE**

### **8.1 Town of Halton Hills - Exemption from Taxation: Royal Canadian Legion**

**2012-118**

**Moved By: Councillor Judge**

**Seconded By: Councillor Behrns**

THAT the correspondence dated March 14, 2012 from Town of Halton Hills be received; and

THAT the County of Perth request that the Province exempt all Legion Halls in Ontario from Property Tax Rolls within the Province of Ontario; and

FURTHER THAT the Province contribute back to affect municipalities a Payment in Lieu of Taxes (PILT) for their Legion Halls that are eligible for a tax exemption;

Carried

## **9. COUNCIL REPORTS**

**9.1 Warden Meeting Log & Report – No report**

**9.2 Council Member Reports – No report**

## **10. BY-LAWS**

### **10.1 3287-2012 To adopt Amendment No. 118 to the County of Perth Official Plan (Included with Item 7.1.1)**

**2012-119**

**Moved By: Councillor Aitcheson**

**Seconded By: Councillor Behrns**

THAT Bylaw 3287-2012 Being a Bylaw to adopt Amendment No. 118 to the County of Perth Official Plan;

Bylaw 3288-2012 Being a Bylaw to adopt Amendment No. 119 to the County of Perth Official Plan;

Bylaw 3289-2012 A By-Law to Establish Property Class Tax Rates, County Requisition 2012;

Bylaw 3290-2012 A By-Law To Establish Tax Ratios For Prescribed Property Classes;

Bylaw 3291-2012 By-Law to Set Tax Rate Reductions Property Subclasses 2012;

Bylaw 3292-2012 A By-Law to Adopt Optional Tools for the Purposes of Administering Limits for the Commercial, Industrial and Multi-Residential Property Classes, and

Bylaw 3293-2012 A Bylaw to Provide Temporary Borrowing of Funds  
2012;

Be read a first, second, third and final time,

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

Carried

## **11. NOTICE OF MOTIONS**

No Notice of Motions received.

## **12. OTHER BUSINESS**

### **12.1 Highway 7 & 8 Delegation (See 6.2)**

**2012-220**

**Moved By: Councillor McMillan**

**Seconded By: Councillor Aitcheson**

THAT Council receive the report "Highway 7 & 8 Transportation  
Corridor" submitted on April 5, 2012 by Paul Gras, and

THAT this document be provided to the Study Team for the Highway  
7 & 8 Transportation Corridor Planning & Class EA with the  
expectation that the team provide comment to Perth County Council;

Carried

## **13. ANNOUNCEMENTS**

Perth Municipal Night will be held on April 26, 2012 at Mitchell Golf Club.

## **14. CLOSED SESSION MEETING AND REPORTING OUT - None**

**15. CONFIRMATORY BY-LAW**

**2012-221**

**Moved By: Councillor Behrns**

**Seconded By: Councillor Schneider**

THAT By-law 3294-2012, 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 5, 2012 be read a first, second and third time;

Carried

**16. ADJOURNMENT**

**2012-222**

**Moved By: Councillor Judge**

**Seconded By: Councillor Wilhelm**

THAT the meeting adjourn at 11:20 AM;

Carried

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WARDEN IAN FORREST

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KERRI ANN O'ROURKE, CLERK