



The Corporation of the Township of Huron-Kinloss

Council Meeting Minutes

Date: July 12, 2021
Time: 7:00 pm
Location: Council Chambers

Members Present Mitch Twolan, Mayor
Don Murray, Deputy Mayor
Lillian Abbott, Councillor
Jeff Elliott, Councillor
Jim Hanna, Councillor
Carl Sloetjes, Councillor
Ed McGugan, Councillor

Staff Present Emily Dance, Clerk
Matt Farrell, Building & Planning Manager
Coreena Smith, Bruce County Planner

1. Call to Order

Mayor Twolan called the meeting to order at 7:00 p.m.

2. Disclosure of Pecuniary Interest

2.1 Mitch Twolan, Mayor - Z-2021-010 (Rick Smith Farms LTD.)

Client

2.2 Don Murray, Deputy Mayor - Z-2021-010 (Rick Smith Farms LTD.)

Family member

3. Adoption of Minutes

3.1 Adoption of Past Minutes

Resolution No.: 497

Moved by: Ed McGugan, Councillor
Seconded by: Carl Sloetjes, Councillor

THAT the Township of Huron-Kinloss Council hereby adopts the June 21, 2021 Council Meeting Minutes AND the July 5, 2021 Committee of the Whole Meeting Minutes as presented.

Carried

4. Public Meetings Required Under the Planning Act

4.1 Z-2021-053 (DeJong)

Application for Consent and Zoning - 59 Whitechurch Street legally known as KINLOSS CON 1 PT LOT 11 RP; 3R10247 PART 1 - Roll # 410711000204102 Township of Huron-Kinloss (geographic township of Kinloss)

The Planner explained that the purpose of the application is to sever two new residential lots by consent at 59 Whitechurch Street, in the Hamlet of Whitechurch. An amendment to the Zoning By-law is required to facilitate the severance to allow a minimum lot area of +/-3,218.30 sq. m and +/- 3,043.00 sq. m for the proposed lots instead of the 4,000 sq. m required in the Zoning By-law.

The related Consent files (B-2021-047, B-2021-048) will be considered by the County at a later date.

Council Comments

Council noted that they are supportive of development in Whitechurch and that they will be hooking into municipal water. Council discussed the requirement for 4,000 sq/m lots and questioned if it should be reduced.

The Planner and Manager of Building and Planning explained that the 4,000 sq/m aligns with the Ministry's requirements for private servicing. If an applicant can provide a report to justify the smaller lot, in this application a nitrate study then it can be accommodated by an amendment.

Comments from the Public

Nancy Michie - agent for the applicant. Ms. Michie commented that the neighbouring lots are significantly less than the proposed and noted that

she agreed with the Planners report and hoped that Council would support the application.

Resolution No.: 498

Moved by: Jeff Elliott, Councillor

Seconded by: Jim Hanna, Councillor

THAT the Township of Huron-Kinloss Council hereby approves a Zoning By-Law Amendment for 59 Whitechurch Street being KINLOSS CON 1 PT LOT 11 RP; 3R10247 PART 1 to permit minimum lot areas of +/- 3,218.30 sq. m and +/-3,043.00 sq. m for the proposed lots instead of the 4,000 sq. m to facilitate the severance of two new residential lots AND FURTHER authorize the appropriate By-Law coming forward.

Carried

4.2 Z-2021-051 (Courtney)

Application for Consent and Zoning - 1847 Concession 10 legally known as Concession 9 Lot 22 - Roll # 410716000302300 Township of Huron-Kinloss (geographic Township of Huron)

The Planner explained that the purpose of this application is to permit a surplus farm dwelling severance of a +/-0.4 ha lot from a +/-40.46 ha agricultural parcel at 1847 Concession 10, in the Township of Huron-Kinloss. An amendment to the Zoning By-Law is required to rezone the lands from General Agriculture (AG1) to General Agriculture Special (AG1-25.1) and General Agriculture Special with Holding (AG1-25.1-H1) for the retained farm parcel; and, Agricultural Residential Special (AG3-25.2) for the severed non-farm parcel. The Environmental Protection (EP) zone will remain unchanged.

The related Consent files (B-2021-059) will be considered by the County at a later date.

Comments form Council

Council questioned the responsibility to inspect if the property is habitable. The Manager of Building and Planning indicated that it is his responsibility to determine.

Comments from the Public

No comments from the public

Resolution No.: 499

Moved by: Ed McGugan, Councillor

Seconded by: Carl Sloetjes, Councillor

THAT the Township of Huron-Kinloss Council hereby approves a Zoning By-Law amendment for 1847 Concession 10 known as Concession 9 Lot 22 - to rezone the lands from General Agriculture (AG1) to General Agriculture Special (AG1-25.1) and General Agriculture Special with Holding (AG1-25.1-H1) and Agricultural Residential Special (AG3-25.2) to permit a surplus farm dwelling severance AND FURTHER authorize the appropriate By-Law coming forward.

Carried

4.3 Z-2021-010 (Rick Smith Farms LTD.)

Mitch Twolan, Mayor declared a conflict on this item. (Client)

Don Murray, Deputy Mayor declared a conflict on this item. (Family member)

Mayor Twolan and Deputy Mayor Murray left the meeting. Councillor Hanna assumed the Chair.

Application for Consent and Zoning - 426 Hayes Lake Ave legally known as Concession 12 S Part Lot 10 - Roll # 410711000310700 Township of Huron-Kinloss (geographic Township of Kinloss)

The Planner explained that the purpose of the application is to facilitate a surplus farm dwelling severance of a +/-0.34 ha lot from an 18.49 ha parcel at 426 Hayes Lake Avenue, in the Township of Huron-Kinloss. An amendment to the Zoning By-law is required to rezone the lands from General Agriculture (AG1) to General Agriculture Special (AG1-25.1) for the retained farm parcel; and, Agricultural Residential Special (AG3-25.2) for the severed non-farm parcel. The Environmental Protection (EP) and Residential One (R1) zones will remain unchanged.

The Planner noted that the amendment to the County Official Plan was approved at the County level and the consent application will be considered at a later date.

Comments from Council

Council requested clarification on the proposed 3,400 sq/m lot as opposed to the required 4,000 sq/m lot required in the zoning by-law as discussed on an earlier application. The Planner noted that a nitrate study was not required for a surplus farm dwelling severance as the septic system is existing and only required when creating new lots.

Council requested clarification on the subject property as there is a portion designated residential and how the proposed severance may impact anything in the future. The Manager of Building of Planning explained that the portion zoned residential is in the urban boundary and would still remain eligible for future severances.

Comments from the Public

No comments from the public.

Resolution No.: 500

Moved by: Ed McGugan, Councillor

Seconded by: Lillian Abbott, Councillor

THAT the Township of Huron-Kinloss Council hereby approves a Zoning By-Law Amendment for 426 Hayes Lake Ave known as Concession 12 S Part Lot 10 to rezone the lands from General Agriculture (AG1) to General Agriculture Special (AG1-25.1) and Agricultural Residential Special (AG3-25.2) to facilitate a surplus farm dwelling severance AND FURTHER authorize the appropriate By-Law coming forward.

Carried

5. Staff Reports

5.1 Existence Date of Surplus Farm Dwelling BLDG2021-07-19

Mayor Twolan and Deputy Mayor Murray returned to the meeting. Mayor Twolan resumed the Chair.

Council had a discussion on the report and noted that the issue was brought forward as a result of a recent surplus farm dwelling severance where the small dwelling was not built by the owner of the property and

was severed off in a manner that may not have met the definition of a *bona fide* farmer or the intent of the surplus farm dwelling severance policies.

There were concerns about setting a specific date and making it too stringent to sever off a true surplus farm dwelling; however, would like to see the parameters tightened up and include additional clarity.

Resolution No.: 501

Moved by: Jeff Elliott, Councillor

Seconded by: Jim Hanna, Councillor

That the Township of Huron-Kinloss Council hereby approves Report Number BLDG2021-07-19 prepared by Matt Farrell, Building and Planning Manager/CBO AND authorizes staff to discuss with the Planning Staff at the County of Bruce avenues to establish an existence date for surplus farm dwellings AND bona fide farmer parameters AND FURTHER THAT a detailed report be brought forward for Council's consideration.

Carried

5.2 Noise Exemption Request – 788 Napier St, Lucknow CLK2021-07-81

Resolution No.: 502

Moved by: Carl Sloetjes, Councillor

Seconded by: Ed McGugan, Councillor

That the Township of Huron-Kinloss Council hereby approves Report CLK2021-07-81 prepared by Kelly Lush, Deputy Clerk AND grants an exemption to the Noise By-Law for the Private Property owner at 788 Napier Street, Lucknow from 11:00 p.m. on Saturday, July 31 to 1:00 a.m. on Sunday, August 1, 2021, subject to an approved COVID Safety Plan AND THAT all other COVID protocols and regulations are followed.

Carried

5.3 New Ontario Land Tribunal CLK2021-07-82

Resolution No.: 503

Moved by: Don Murray, Deputy Mayor
Seconded by: Lillian Abbott, Councillor

THAT the Township of Huron-Kinloss Council hereby receives for information Report No. CLK-2021-07-82 prepared by Emily Dance, Clerk.

Carried

5.4 Collection of Capital and Development Charges Policy CLK2021-07-84

Resolution No.: 504

Moved by: Jeff Elliott, Councillor
Seconded by: Jim Hanna, Councillor

THAT the Township of Huron-Kinloss Council hereby approves Report CLK-2021-07-84 prepared by Emily Dance, Clerk AND approves a Collection of Fees Policy AND FURTHER authorizes the appropriate By-Law coming forward.

Carried

5.5 Wild Willies Food Truck and Beaver Tails Refreshment Vehicle License

The Clerk verbally explained that at the June 7, 2021, Council meeting, Council approved the Refreshment Vehicle Licence for Wild Willies Food Truck and Beaver Tails. The requested time was June 12, 2021, at the Lucknow Legion and other locations in the Township. A refreshment vehicle license is valid for the year in the Township and they have now been approached by the Ripley Agriculture Society to bring their food trucks to the Agricultural Society Building on Friday, July 16, 2021. The Agriculture Society Property is zoned "institutional" which an institutional zone does not allow for refreshment vehicles.

Staff requesting an amendment to the Refreshment Vehicle Licence to allow Wild Willies Food Truck and Beaver Tails to be permitted in the institutional zone for Friday, July 16, 2021.

Resolution No.: 505

Moved by: Jim Hanna, Councillor
Seconded by: Don Murray, Deputy Mayor

That the Township of Huron-Kinloss Council hereby approves that the Refreshment Vehicle Licence for Wild Willies and Beavertails be permitted to be located on property zoned Institutional at the Ripley Agriculture Property on Friday July 16, 2021 SUBJECT to all other refreshment vehicle requirements and adherence to all provincial and health recommendations.

Carried

6. By-Laws and Agreements

7. Confirming By-Law

7.1 By-Law No. 2021-75 being the July 2021, Confirmatory By-Law

Resolution No.: 506

Moved by: Ed McGugan, Councillor
Seconded by: Carl Sloetjes, Councillor

THAT By-Law No. 2021-75 being the July 2021 Confirmatory By-Law be read a first, second, third time and finally passed this 12th day of July, 2021.

Carried

8. Adjournment

Resolution No.: 507

Moved by: Don Murray, Deputy Mayor
Seconded by: Lillian Abbott, Councillor

THAT the Township of Huron-Kinloss Council hereby adjourn at 7:59 p.m.

Carried

Mayor

Clerk