



The Corporation of the Township of Huron-Kinloss
Council Planning Meeting Minutes

Date: October 14, 2020
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
Ed McGugan, Councillor
Carl Sloetjes, Councillor

Staff Present Mary Rose Walden, Chief Administrative Officer
Emily Dance, Clerk
John Yungblut, Director of Public Works
Matt Farrell, Building & Planning Manager
Grant Collins, Drainage Superintendent
Coreena Smith, Bruce County Planner
Steve Brickman, P. Eng, Dietrich Engineering

1. Call to Order

Mayor Twolan called the meeting to order at 7:06 p.m.

2. Disclosure of Pecuniary Interest

Mayor Twolan declared a pecuniary interest on Section 4.1 S-2020-006 Hellyn Development Inc. zoning application - Client

Mayor Twolan left the meeting when the item was being discussed.

3. Adoption of Minutes

3.1 Motion to Adopt

Resolution No.: 626

Moved by: Don Murray, Deputy Mayor

Seconded by: Lillian Abbott, Councillor

THAT the Township of Huron-Kinloss Council hereby adopts the September 21, 2020 Council Meeting Minutes as presented.

Carried

4. Public Meetings Required Under the Planning Act

Mayor Twolan left the virtual meeting.

4.1 S-2020-006 Hellyn Development Inc.

Legal Description: PLAN 36 PARK LOT 46 TO 50; ALBERT W/S (Lucknow)

The application proposes to re-zone the lands from Residential One Holding (R1-H) to Residential One Special Holding (R1-25.149-H) to allow for reduced frontages on specified lots, Residential Three Special Holding (R3-25.149-H) to allow for townhouse uses on the four proposed residential blocks, and Open Space (OS) for the stormwater management facility.

Presentation of Report

Corenna Smith, Senior Planner for the County of Bruce presented the Planning Report. The Planner noted one small change to the draft conditions proposed as it relates to sidewalk. The recommended wording is that sidewalks be provided to the satisfaction of the Township in consultation with the school board instead of to the satisfaction of the Township and the School Board.

A neighbour to the south had called in regarding drainage. No written comments were received, they wanted to be notified of the decision and wanted assurance that the ditch to take storm water will take any other flows contributing to that area. The resident was satisfied with the explanation given by the planner.

Council Questions and Comments

Council questioned if the Stormwater Management Facility Location needs to be fenced. The Planner stated that in the past they have been fenced off. The Manager of Building and Planning explained that the plans are not finalized but the safety will be considered.

Council requested clarification on the comments by the Bluewater School Board. The Planner explained that she has seen it in the past terms of long range planning for school boards for long term as the roads get upgraded and providing continuous link, not into the details what the design is. At the request of Township staff the wording was modified to the satisfaction of the Township in consultation with the school board.

Council thanked the applicants for bringing the development forward and are pleased to see the application come forward and for development in Lucknow.

Presentations from the Public

Ron Davidson - planning consultant for the applicant noted that the County Planner did a great job explaining the development. He explained that the applicants are members of the community and that the development will be good for Lucknow.

Resolution No.: 627

Moved by: Jeff Elliott, Councillor

Seconded by: Ed McGugan, Councillor

THAT the Township of Huron-Kinloss Council hereby approves the zoning By-Law application submitted by Hellyn Development Inc. for the property described as PLAN 36 PARK LOT 46 to 50 ALBERT W/S (Lucknow) to rezone the lands to Residential One Special Holding to allow for reduced frontages on specified lots, Residential Three Special Holding to allow for townhouse uses on the four proposed residential blocks and Open Space for the stormwater management facility AND FURTHER authorizes the appropriate By-Law coming forward.

Carried

Resolution No.: 628

Moved by: Ed McGugan, Councillor

Seconded by: Carl Sloetjes, Councillor

THAT the Township of Huron-Kinloss Council hereby recommends to the County of Bruce Approval Authority that the Draft Plan of Subdivision S-2020-006 be approved in accordance with the proposed Draft Conditions.

Carried

5. Delegations

5.1 Bruce Beach Municipal Drain Update

Steven Brickman, P.Eng, Dietrich Engineering provided Council with a brief update on the Bruce Beach Municipal Drain project.

He explained that the drain has been discussed at two Council Meetings, February 11, 2019 and October 21, 2019. Public consultation has included two periods of commenting on the Township's "Have your Say HK" website from April 5 to May 4, 2019 and the month of November, 2019. The Township has hosted 2 open houses, the first on May 25, 2019 and the second on November 30, 2019.

Since November 2019, the Township received another petition for South Bruce Beach Road, backyards and the following work has been completed: a survey of back yards and road, detailed design and drafting, shop drawings for chamber placements on the north portion for the infiltration, detailed design and fine tuning of pond (earth balance and enhanced storage, preliminary design of outlet options and back yard outlets. DFO approvals were received on April 9, 2020 and they have coordinated the legal survey from Concession 8 to Highland Drive. This drawing notes the traveled portion of the road and, highlights where the road is not in the right of way.

The appraisal was completed as there are multiple property types in the watershed, for example agricultural, lakefront. The licensed appraisal will assist in providing correct allowances, therefore adjustments to the draft assessments is required.

A meeting was held with Township staff to discuss separating the report into phases. Phase1 would include the pond at the top of Lake Range Road and can include the ravine. Phase II being the backyards and a further Phase for Highland Drive infiltration gallery.

Mr. Brickman explained that the August 16, 2020 storm had approximately 4 1/2 inches of rain hit area in 4-6 hour period, which exceeds the 100 year storm and caused damage to public and private property, demonstrating the need to get something done. The pond area is most critical to implement a solution as quickly as possible to protect the properties down stream.

The Investing in Canada infrastructure grant, COVID-19 pandemic opened up a resilience stream for disaster/ flood mitigation. He is of the opinion that ravine would fit into flood and disaster mitigation section and

potentially eligible for 80% funding. The work must start no later than September 2021 and done by year end 2021.

He explained that consideration should be given for the north portion whether to use the *Drainage Act* or not. Benefits for using the drainage act include: allowing drainage projects on private property, recognition of the liability from other areas in the area causing problems downstream and 1/3 grant opportunity for agricultural properties. Specific to north project under the *Drainage Act*, the design does not use private property, liability of other properties through the assessment schedule, 77% to the Township to the road, 1/3 grant not applicable.

If the choice is to not use the *Drainage Act* there will be no need to prepare to report and pass through the Drainage Act process. Savings could be realized by not going through the remainder of the process, the timeframe would be less, it is not appealable, the downside is that 100% costs will be borne by the Township.

The Highland Drive area may also be eligible for the ICIP grant for flood mitigation with the potential for 80% funding, same conditions apply.

Council questioned how it would affect the agricultural properties. The Drainage Engineer explained that it only applies to the northern part of the project that does not have any agricultural properties.

Council questioned the cost difference; would the Township be paying \$100,000 more without the use of the Drainage Act? Mr. Brickman explained that at the last meeting he presented the entire project as one. If the Drainage Act was not used then you could see approximately 10% less without having to prepare the report. He also noted that an 80% reduction if the Township was successful in the ICIP grant, in addition if something happens to the stall the project such as an appeal then would not be eligible for the funding and could add to the final costs. He explained that more calculations would be required to show financial details.

Council questioned if the pond could be done at anytime? The Drainage Engineer explained that he believes it can be done at anytime.

Council raised concerns on if it would it be precedent setting to go without the Drainage Act? Mr. Brickman explained that as the project is mainly roadway then it does set it apart from other projects that are on privately owned lands.

Council wanted a resolution to move the forward and to get phase one done as soon as possible. Mr. Brickman explained that they are in a position to get Phase 1 report, he would like to present the differences with costs and get Council direction on whether they would like to move forward with or without the Drainage Act. The we could tentatively get construction started in 2021.

Council agreed to hear from the public.

Mark Gancevich 98 Bruce Beach Road

He is the property owner that was affected by the majority of the flood waters. He questioned if the grant funding would also be possible for his area and if it is possible for a diversion in the water from Lake Range to Concession 8 to the public access point? The Engineering explained that he understands that grant funding would be available for municipal drains both public and private lands. The change of the design would still require the use of the ravine and outlet on the lake.

One participant was unable to address Council due to the participants zoom not upgraded. The Clerk requested the participant put their comments in writing and that they would be passed along to Council.

6. Staff Reports

7. Confirming By-Law

7.1 Confirmatory By-Law

Resolution No.: 629

Moved by: Don Murray, Deputy Mayor

Seconded by: Lillian Abbott, Councillor

THAT By-Law No. 2020-103 being the October, 2020 Confirmatory By-Law be read a first, second, third time and finally passed this 14th day of October, 2020.

Carried

8. Adjournment

Resolution No.: 630

Moved by: Jeff Elliott, Councillor

Seconded by: Don Murray, Deputy Mayor

THAT the Township of Huron-Kinloss Council hereby adjourns at 8:20 p.m.

Carried

Mayor

Clerk