



The Corporation of the Township of Huron-Kinloss

## **Council Meeting Minutes**

**Council Chambers, 21 Queen Street**

**July 10, 2017**

**7:00 pm**

Mitch Twolan, Mayor	Present
Wilf Gamble, Deputy Mayor	Present
Lillian Abbott, Councillor	Absent
Don Murray, Councillor	Present
Jeff Elliott, Councillor	Present
Jim Hanna, Councillor	Present
Carl Sloetjes, Councillor	Present
Matt Farrell, Chief Building Official	Present
Mary Rose Walden, Chief Administrative Officer	Present
Sonya Watson, Clerk	Present

Others Present: David Smith, Emilia Sasso, Pierre Chauvin, Mitchell Avis, Cliff Mann, Joan Maize, Gladys and Douglas Haldenby, Joan Green, Kendra Clark, Roger Porier, Cliff Mann, Don and Suzanne Irwin, Morten Jakobsen, Paul Zinn, Ken Irwin

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### **Council Meeting**

#### **1 Call to Order**

Mayor Mitch Twolan called the meeting to order at 7:00pm

#### **2 . Disclosure of Pecuniary Interest**

n/a

#### **3 . Adoption of the Minutes**

3.1 Nothing Scheduled

#### **4 . Delegations**

4.1 MHBC Planning Initial Background Report

Pierre Chauvin and Mitchell Avis from MHBC Planning will be attending Council for the Initial Background Report regarding the Comprehensive By-Law Review. See Item 7.2 for the report.

## 5 . Public Meetings Required Under the Planning Act

### 5.1 Lucknow and District Kinsmen Club Inc. c/o Paul Zinn

Property One: Lot 21, Part Lot 30, Lot 102 to S Part Lot 10, Plan 101, geographicTownship of Kinloss Property Two: N Part Lot 219, Lots 220 to 229, Walter, Plan 20, geographicVillage of Lucknow Property Three: Plan 101 N Part Lots 102 to 104 Property Four: Plan 20 Lot 230 Walter Property Five: Part Lots 55 and 56, Concession 1, subject to Easement over Part 2, RP 3R-4526, geographicTownship of Kinloss HKOPA #02-17.11 and Z-39-17.11

The Kinsmen have applied for an amendment to the Official Plan and an amendment to the Zoning By-law to permit the following:

One 96 hour (4 consecutive days) music festival, rodeo, agricultural fair/exhibit or similar large event (over 200 persons) per calenda year. To include: rough camping, vendors and other ancillary uses common to a festival or event.

Rough camping throughout the year (no permanent washrooms; no drinking water system or sewage facilities to be provided to any campsites). Initial layout of the camping indicates potential for 1350 unserviced campsites; and

Hosting small events (under 200 persons) such as wedding parties, drive-in cinema, firework displays and other similar small events. Use of the property for walking and other passive recreational uses; and

Permission for three construction trailers to be used for storage and the right to construct a permanent storage/clubhouse subject to approval of agencies.

The Township of Huron-Kinloss Staff have requested that two small pieces of land owned by the Township lying adjacent to Graceland be included as part of the proposed Graceland Amendments.

The Kinsmen have noted that it is their intent that 'Graceland' will be for community use – that while Music in the Fields is their primary use at this time, they wish to see the property used for walking and other small Lucknow community oriented events in the future.

There is no intention to extend high voltage electrical service to the property at this time. MITF itself will be powered by a number of portable generators to be located to the rear/south of the stage.

Municipal sewer and water services will be extended at some point. MITF will continue to use portable washroom facilities for the foreseeable future.

In 2016 the Kinsmen worked with Township staff, OPP and other agencies on a Traffic and Security Plan as required by Huron-Kinloss Special Events By-law #2016-64. This Plan is being revised for 2017 to account for the movement of the stage/music to the new location and the extra guests and associated vendors and other uses that will accompany the stage.

There are no proposed changes to the Hazard and/or Environmental Protection zoning on the property. Camping and other uses will not be located in these areas.

- [Lucknow Kinsmen Music In The Fields Report](#)

Motion No: 243

Moved by: Jeff Elliott Seconded by: Carl Sloetjes

That the Township of Huron-Kinloss Council hereby approves the adoption of Huron-Kinloss Official Plan Amendment Number 2-17.11 as presented in 'Appendix K' for the Lucknow & District Kinsmen and forwards to the County of Bruce for approval; and

Further that the Township of Huron-Kinloss Council hereby approves the adoption of Zoning By-Law Amendment Z-39-17.11 as presented in 'Appendix L' for the Lucknow & District Kinsmen.

Carried

Action:

The above motion was passed following presentation of the planning report and discussion. David Smith summarized the planning report for the MITF application. Mr. Smith reviewed the application in detail and the proposed amendment. Mr. Smith reviewed the amending Official Plan and Zoning By-Law and the proposed uses permitted in each of the new Open Space Zones. Mr. Smith also did a detailed review of all concerns raised in regards to the application by the Township, MVCA, and area residents. Council asked questions concerning the location of the stage in the South end near the residents and asked if there was flexibility in the by-law to move it in coming years if required. David Smith responded at this point no but the by-law could be reviewed prior to the July 17th meeting to determine if that flexibility is needed by the committee and could be included. Council asked if during the MITF event security can monitor the area around the residents home 24/7 to ensure their personal property is safe and secure and respected. Kinsmen member Ken Irwin responded that improved security in this area has already been discussed as well as the option of installing the 9' high fence in this area to protect the residential properties from misuse. The Kinsmen will work to mitigate the misuse of residents property in the area during the event. Council questioned if there was any ability to mitigate the sound behind the staging area and noted this should be a consideration of the Kinsmen but also understood that is why the Special Event is limited to only 4 days duration to limit the negative affect on residents in the area. Council questioned if a traffic staging area has been considered to improve on the flow of traffic to the site. The Kinsmen noted this has been considered in the past but has not be implemented as of yet. Changes to their processing of trailers entering the site should improve traffic delays. Mayor Twolan provided the public the ability to speak and state any concerns. Roger Poirier owner of 15 & 17 George Street requested the need for dust control on Washington Street with the increased traffic rounding the corner. There was also concern noted with this narrow corner and the need for signage or barriers to mitigate the risk of going off the shoulder of the road on the corner of Washington Street. The Kinsmen will work with the Township Public Works Department on this request. The Kinsmen confirmed Washington street traffic will be a single lane for the event and should help with traffic flow in this area. Kendra Clark requested a fence for her parents property to mitigate and protect their residential property from concert goers. The Kinsmen will work with the resident on the request. The zoning included provisions for a temporary fence at the request of residents. Council noted support of Mr. Smith's recommendations for a single point of contact from the Kinsmen for the residents to contact prior and during the event for concerns that may arise. The Kinsmen will be in touch with adjacent residents. Suzanne & Don Irwin made comments concerning their previous experience and difficulty entering their property in the past with each new volunteer at the gate.

Mrs. Irwin noted the lack of consultation or notification regarding all the changes and tree removal that occurred on the Graceland property and felt it was concerning that there was no consultation. The Irwin's noted they value what the Kinsmen do for the community but this event and the proposed amendments really change what they enjoy about their property and why they purchased it originally. The Kinsmen noted the changes they made were to improve the area and the walking trails in the area for the communities enjoyment. The Kinsmen felt the changes would benefit the town and improve upon the green space for the public's enjoyment. Council suggested a "Local Resident Pass" be prepared that is visible in each person's car for ease of access to their property. The Kinsmen will implement this as they have previously on Havelock Street and agreed it was an oversight. Douglas Haldenby spoke and noted concerns with the changes to the property and the proposed use. He maintains it has been a quiet area since 1897 and this should be maintained. Joan Maize submitted a written letter of concern the Clerk read the main points in the letter for Council's consideration. Maize noted concerns with the number of camping sites, noise, traffic flow etc. and noted she must oppose the proposed amendments. Most items in the letter had been previously discussed. David Smith clarified outside of one special event per year only 100 camping sites are permitted and events with under 200 people. If the Kinsmen wish to hold more than one event with over 200 people they will have to do another zoning by-law amendment which will involve further public consultation. Cliff Mann questioned the setbacks and buffer zone. David Smith clarified the setbacks and 20 meter setback to a residence as outlined in the draft zoning by-law. Mr. Mann noted he was disappointed in how Council has dealt with this process and how this application has been dealt with. He questioned what would happen if Council turned the application down now after tickets have already been sold. Council noted they can only deal with applications as they come before them. Mayor Twolan thanked everyone for expressing their comments. He asked the Kinsmen to please work with and communicate with the neighbours to ensure their needs are met and their concerns are addressed prior to the 2017 event. Council asked questions concerning the location of the stage in the South end near the residents and asked if there was flexibility in the by-law to move it in coming years if required. David Smith responded this was the plan of the Kinsmen at this time and the amendment is based on that plan. He will review further prior to the July 17th meeting to determine if any additional flexibility on moving the stage area in the future could be included in the current by-law. Council asked if during the MITF event security can monitor the area around the residents home 24/7 to ensure their personal property is safe and secure and respected. Kinsmen member Ken Irwin responded that improved security in this area has already been discussed as well as the option of installing the 9' high fence in this area to protect the residential properties from misuse. The Kinsmen will work to mitigate the misuse of residents property in the area during the event. Council questioned if there was any ability to mitigate the sound behind the staging area and noted this should be a consideration of the Kinsmen but also understood that is why the Special Event is limited to only 4 days duration to limit the negative affect on residents in the area. Council questioned if a traffic staging area has been considered to improve on the flow of traffic to the site. The Kinsmen noted this has been considered in the past but has not be implemented as of yet. Changes to their processing of trailers entering the site should improve traffic delays. Mayor Twolan provided the public the ability to speak and state any concerns. Roger Poirier owner of 15 & 17 George Street requested the need for dust control on Washington Street with the increased traffic rounding the corner. There was also concern noted with this narrow corner and the need for signage or barriers to mitigate the risk of going off the shoulder of the road on the corner of Washington Street. The Kinsmen will work with the Township Public Works Department on this request. The Kinsmen confirmed Washington street traffic will be a single lane for the event and should help with traffic flow in this area. Kendra Clark requested a fence for her parents property to mitigate and protect their residential property from concert goers.

The Kinsmen will work with the resident on the request. The zoning amendment includes provisions for a temporary fence at the request of residents. Council noted support of Mr. Smith's recommendations for a single point of contact from the Kinsmen for the residents to contact prior and during the event for concerns that may arise. The Kinsmen will be in touch with adjacent residents. Suzanne & Don Irwin made comments concerning their previous experience and difficulty entering their property in the past with each new volunteer at the gate. Mrs. Irwin noted the lack of consultation or notification regarding all the changes and tree removal that occurred on the Graceland property and felt it was concerning that there was no consultation. The Irwin's noted they value what the Kinsmen do for the community but this event and the proposed amendments really change what they enjoy about their property and why they purchased it originally. The Kinsmen noted the changes they made were to improve the area and the walking trails in the area for the communities enjoyment. The Kinsmen felt the changes would benefit the town and improve upon the green space for the public's enjoyment. Council suggested a "Local Resident Pass" be prepared that is visible in each person's car for ease of access to their property. The Kinsmen will implement this as they have previously on Havelock Street and agreed it was an oversight. Douglas Haldenby spoke and noted concerns with the changes to the property and the proposed use. He maintains it has been a quiet area since 1897 and this should be maintained. Joan Maize submitted a written letter of concern the Clerk read the main points in the letter for Council's consideration. Maize noted concerns with the number of camping sites, noise, traffic flow etc. and noted she must oppose the proposed amendments. Most items in the letter had been previously discussed. David Smith clarified outside of one special event per year only 100 camping sites are permitted and events with under 200 people. If the Kinsmen wish to hold more than one event with over 200 people they will have to do another zoning by-law amendment which will involve further public consultation. Cliff Mann questioned the setbacks and buffer zone. David Smith clarified the setbacks and 20 meter setback to a residence as outlined in the draft zoning by-law. Mr. Mann noted he was disappointed in how Council has dealt with this process and how this application has been dealt with. He questioned what would happen if Council turned the application down now after tickets have already been sold. Council noted they can only deal with applications as they come before them. Mayor Twolan thanked everyone for expressing their comments. He asked the Kinsmen to please work with and communicate with the neighbours to ensure their needs are met and their concerns are addressed prior to the 2017 event.

## **6 . Correspondence Requiring Direction**

6.1 Nothing Scheduled

## **7 . Staff Reports**

7.1 [Report number: BLDG2017-07-15](#) prepared by Matt Farrell, Chief Building Official  
Temporary Lodging Descriptions  
Motion No: 244  
Moved by: Wilf Gamble Seconded by: Jeff Elliott

That the Township of Huron-Kinloss Council hereby receives for information Report Number BLDG2017-07-15 prepared by Matt Farrell, Chief Building Official and further that if temporary accommodations are permitted to be placed on the Food Garden lands, they comply with the Ontario Building Code or are manufactured to a recognized standard.

Carried

7.2 [Report number: BLDG2017-07-16](#) prepared by Matt Farrell, Chief Building Official  
Zoning By-law Background Report

Motion No: 245

Moved by: Don Murray Seconded by: Carl Sloetjes

That Huron-Kinloss Council hereby receives for information Report Number BLDG2017-07-16 prepared by Matt Farrell, Chief Building Official and in so doing receives for information the July 4th, 2017 "Zoning By-Law Review Background Report" prepared by MHBC Planning and approves proceeding with the recommendations outlined in the report based on the Council discussion and further direction provided as follows:

3.1.1 Secondary Farm Residences in the General Agriculture Zone: proceed as proposed permitting a second residential unit within the building cluster and proceed with provisions proposed and require residential units to be no more than 30 meters apart;

3.1.3 Agriculture Residential (AG3): include provisions as proposed to limit the amount of livestock;

3.1.5 Removal of the Restricted Agriculture Zone: proceed to remove the Restricted Agriculture zone in the draft by-law;

3.5 Commercial: proceed as proposed;

3.6 Industrial: proceed as proposed;

4.1 Accessory Buildings: permit a maximum height of 6 meters (from average grade at front of building to the midpoint between the eaves and ridge) including a graduated setback and; permit a maximum lot coverage of 10% for accessory buildings and structures;

4.2 Kennels: proceed with option 3 as proposed and add a 300 metre setback from the settlement areas;

4.4 Secondary Units: proceed as proposed;

4.6 Shipping Containers; proceed as proposed; and

Further that bed & breakfasts will be permitted in the R1 zone and medical marihuana facilities added in the AG2 zone and Industrial Zone.

Carried

Action: Mitchell Avis outlined the Zoning By-Law Background Report prepared to received Council's input. The was further discussion on each item and the above motion was passed for MHBC to proceed with.

## 8 . **By-Laws and Agreements**

8.1 Appoint Samantha Cleave as Landfill Attendant

2017-75

- [Appoint S Cleave as Landfill Attendant](#)

Motion No: 246

Moved by: Jeff Elliott Seconded by: Carl Sloetjes

That By-Law 2017-75 being the Appoint Samantha Cleave as Landfill Attendant By-Law be read a first, second and third time and passed this 10th day of July, 2017.

Carried

**9 . Information**

9.1 Nothing Scheduled

**10 . New Business/Council Reports**

10.1 Suncor sale to Acciona

The CAO raised correspondence received indicating that Suncor's interest in the Ripley Wind Power Project has been sold to Acciona Wind Energy Canada as of July 10th, 2017. Acciona will be assuming all of Suncor's liabilities and obligations under the Agreement.

- [Suncor Letter](#)

Action:Noted. Staff will review the correspondence and bring forward any amendments to the current agreements.

**11 . Closed Session**

11.1 Nothing Scheduled

11.2 Nothing Scheduled

**12 . Business Arising from the Closed Session**

12.1 Nothing Scheduled

**13 . Confirming By-Law**

13.1 July, 2017 Confirmatory By-Law

2017-76

- [July, 2017 Confirmatory By-Law](#)

Motion No: 247

Moved by: Carl Sloetjes Seconded by: Jeff Elliott

That By-Law 2017-76 being the July, 2017 Confirmatory By-Law be read a first, second and third time and passed this 10th day of July, 2017.

Carried

**14 . Adjournment**

Motion No: 248

Moved by: Don Murray Seconded by: Jim Hanna

That The Township of Huron-Kinloss Council does hereby adjourn.

Carried

Original Signed by Wilf Gamble, Deputy Mayor

Original Signed by Sonya Watson, Clerk

## **Document Accessibility**

The Township of Huron-Kinloss is committed to providing information in the format that meets your needs. We have made every attempt to make documents for this meeting accessible but there may still be difficulty in recognizing all of the information. Please contact us if you require assistance and we will make every attempt to provide this information in an alternative format.

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