

**THE CORPORATION OF THE MUNICIPALITY OF HURON SHORES**  
**September 9, 2020 (20-21) – Special**

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The Special meeting of the Council of the Corporation of the Municipality of Huron Shores was held on Wednesday, September 9, 2020, and called to order by Mayor Georges Bilodeau at 7:03 p.m.

**PRESENT (Council Chambers):** Mayor Georges Bilodeau, Councillors Debora Kirby, Jock Pirrie, Darlene Walsh,

**PRESENT (electronically):** Councillors Gord Campbell, Nancy Jones-Scissons, Jane Armstrong (left from 8:08 – 8:19 p.m.), Blair MacKinnon, and Dale Wedgwood

**REGRETS: None**

**STAFF (Council Chambers):** Clerk/Administrator Deborah Tonelli

**STAFF (electronically):** Deputy Clerk Natashia Roberts, Treasurer John Stenger, and Administrative Assistant Kelsey Nyman

**DELEGATION (electronically):** Gary Garton

**GALLERY (electronically):** Reginald Gardiner; Keith Hoback; Sandra and Scott Dagg; Jim Falconer; Emilie Currie; David Ratz; Joanne Falk; Vicky Hailey (left at 7:25 p.m.); Joanne Stacey (left at 7:25 p.m.); Bob Kellum (entered at 7:07 p.m. left at 7:25 p.m.); Kirby Koster (entered at 7:25 p.m.)

**AGENDA REVIEW**

No changes.

**DECLARATION OF PECUNIARY INTEREST**

None.

Mayor Bilodeau declared that the purpose of this meeting is to hear comments in support of, or objection to, two proposed Consent Applications.

Mayor Bilodeau described the first application, being an application for a Consent for Severance, File No. 2020-C-02, to sever one new lot, approximately 20 hectares in size, from property described as CON 1 LOT 6 NPT PCL 2893 ACS, civic address 263 Cullis Road.

Mayor Bilodeau advised that Planning Consultant, Peter Tonazzo, has provided information regarding the application as it relates to planning principles for consideration of rendering a decision, and requested Clerk/Administrator Tonelli to describe the location of the property subject of the application.

Clerk/Administrator provided details as to the location of the proposed severance.

Mayor Bilodeau invited anyone present who wishes to comment in support of, or objection to the proposed Consent application to come forward, and to provide their name and address to the Clerk.

Mayor Bilodeau queried if there have been any verbal or written comments received in support of or objection to the application, to which Clerk/Administrator advised there were none.

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There being no further questions or comments, Mayor Bilodeau provided a short period for anyone to come forward.

Mayor Bilodeau proceeded with the second application, being a re-submission of an application for Consent for Easement, File No. 2020-C-03, to establish a legal access easement for an existing private road described as Part 1, Part 2, and Part 3 of Plan 1R-13493, which provides access to properties originally created by Consent in 2009, off Demyne Avenue.

Mayor Bilodeau advised that Planning Consultant, Peter Tonazzo, has provided information regarding the application as it relates to planning principles for consideration of rendering a decision, and requested Clerk/Administrator Tonelli to describe the location of the property subject of the application.

Clerk/Administrator provided a summary of the history of the developer's original severance application, whereby the Municipality assumed a portion of Demyne Avenue, to allow for a severance in which the parcels created were to obtain their access. In 2018, the developer submitted an application requesting that the Municipality consider allowing the lots access further down Demyne Avenue, beyond the municipally maintained section of said road. The application was given Provisional Consent but, the final paperwork was not submitted prior to the one-year deadline. Therefore, the Consent was not finalized, requiring the developer to re-submit the application.

Mayor Bilodeau invited anyone present who wishes to comment in support of, or objection to the proposed Consent application to come forward, and to provide their name and address to the Clerk.

Gary Garton introduced himself as a member of the Demyne Road Committee, advised that their Committee submitted a letter to advise that the Demyne Road Committee is against this proposal. He queried if the submitted letter would be read at this meeting, to which the Clerk/Administrator confirmed that it would. Mr. Garton then said that he would let the letter speak for itself and would remain in attendance to hear comments and the thought process taking place. He advised that he did expect to have other representatives participating in the meeting, but that he was the only one zooming in this evening. Mayor Bilodeau advised that the letter he is speaking of would be taken into consideration.

Mayor Bilodeau queried if there have been any verbal or written comments received in support of or objection to the application, to which Clerk/Administrator confirmed receipt of the letter from the Demyne Road Committee, as noted by Mr. Garton. Clerk/Administrator read the letter aloud to Council. She reiterated that the Committee was seeking an adjournment of this meeting because the original Demyne residents had not received notification of the application. They believe to be part owners in the section of Demyne Avenue that is not municipally maintained and should have been included in the public meeting notification distribution. Staff will be completing a title search to determine ownership of this portion of road.

Clerk/Administrator Tonelli inquired with Deputy Clerk Roberts as to whether or not we would need to provide notice and conduct a second public meeting if it is deemed that they are owners of the road. Deputy Clerk Roberts advised that the Demyne Road Committee is not an official Roads Board that would have legal standing to receive this public notice. Deputy Clerk advised that, if in fact this portion of private road is owned by a property owner, it is likely to be somebody that owns an adjacent property, and has

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already been circulated, or the road is under the ownership of the Municipality. She advised that she hopes to receive the title search respecting ownership of the road by Monday.

On a query from Councillor Jones-Scissions, Clerk/Administrator Tonelli provided clarification on the location of the proposed access and where it fronts on Demyne Avenue.

Councillor Jones-Scissions posed a question to Council; whether they wish to move forward with having all properties and all new lots established with access on a road that is brought up to municipal standards, with no more sharing of private driveways? Councillor Jones-Scissions stated that Council should postpone any decisions until next meeting in order to find out about the ownership of the road, and to determine what impacts of developing on unmaintained roads might have on the Roads Donation Program moving forward.

Clerk/Administrator Tonelli noted that Council supported this application when it was first brought forward to Council in 2018.

Deputy Clerk noted that this matter has come to light because Mr. Lajambe is looking to sell the final lot from the 2010 severance and all of those properties are subject to site plan control. This means they have to identify the legal access before they are permitted to build and the four property owners are currently using the access that was created but, never finalized as a legal easement by way of the 2018 application.

Councillor Jones-Scissions is of the opinion that anyone purchasing property should be required to bring the road up to municipal standards in order to request municipal maintenance. Deputy Clerk Roberts noted that these are the types of issues that you run into when allowing lot creation on private roads.

Clerk/Administrator clarified concerns expressed by Councillor Pirrie. Mayor Bilodeau provided clarification to Councillor Pirrie on the status of the portion of Demyne Avenue in question and advised that it is considered a private road, that it has not been assumed by the Municipality, and until the road is brought up to a standard that the Municipality can assume it, it would remain private.

Deputy Clerk confirmed that Council can postpone the application until all information is received in order to make its decision.

Mayor Bilodeau allowed for Gary Garton to speak to the application once more. Mr. Garton advised that when the developer submitted his original consent application, the Demyne Road Committee was in agreement, as long as he adhered to the Municipality's request of putting the turn-around to the bottom of the hill, bringing it to a municipal standard, with the access for his proposed lots to come out on that hill (being the municipally maintained portion of the road). The property has since been logged, and the logging road is what is now being used as a driveway for access to these lots.

Mr. Garton advised that the Demyne Road Committee does not feel that the old logging road is adequate to what was planned originally. They feel as though the Municipality should have made the developer fulfill his plan, and that this should have been done before he had the right to sell the lots. The Demyne Road Committee does not feel as though this is adequate and

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advised that they may have a stronger force at any subsequent meeting on the matter.

Mayor Bilodeau questioned if there were any further comments. There being no further questions or comments, Mayor Bilodeau advised that Council will take the comments provided this evening into consideration.

Mayor Bilodeau thanked those who joined the meeting this evening and declared the Pubic Meeting closed at 7:29 p.m.

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MAYOR

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CLERK