



**THE CORPORATION OF
HALDIMAND COUNTY
COUNCIL IN COMMITTEE MINUTES**

Date: June 5, 2018
Time: 9:30 A.M.
Location: Haldimand County Central Administration Building
Council Chambers

COUNCIL PRESENT

- K. Hewitt, Mayor
- L. Bartlett, Councillor
- F. Morison, Councillor
- C. Grice, Councillor
- T. Dalimonte, Councillor
- R. Shirton, Councillor
- B. Corbett, Councillor

STAFF PRESENT

- D. Boyle, Chief Administrative Officer
- K. General, General Manager, Corporate Services
- T. Haedrich, Director, Engineering Services
- C. Manley, General Manager, Planning & Economic Development
- P. Mete, General Manager, Public Works

- R. Charlton, Manager, Building & By-law Enforcement
- M. Evers, Manager, Planning & Development
- Z. Gable, Senior Economic Development Officer
- M. Merritt, Treasurer
- L. Romanuk, Manager, Economic Development & Tourism
- K. Schmitz, Community Partnership Liaison
- J. Shaw, Deputy Clerk

CALL TO ORDER

Councillor Morison called the Council in Committee meeting to order at 9:32 a.m.

ROLL CALL

The Mayor and all Members of Council were in attendance.

DISCLOSURES OF PECUNIARY INTEREST

None.

PUBLIC MEETINGS FOR PLANNING APPLICATIONS

Councillor Morison, Chair of Planning and Economic Development, assumed the Chair for this portion of the meeting.

Prior to commencing the public meeting, the Chair explained the meeting, delegation and appeal process. He noted that decisions made by Committee at this meeting would be given final consideration at the June 11, 2018 Council meeting.

APPLICATIONS:

1 PED-PD-23-2018 Zoning Amendment to Fulfill a Condition of Consent - Hower

B. Kissner presented the report.

Chris Hower, proponent, clarified current land uses on the property in relation to the farming operation and livestock. It was noted that the barns are currently being used for storage purposes and do not house livestock.

There being no one else present to speak either for or against this application, deliberations concluded with the introduction of the following recommendation.

Recommendation 1

Moved By: Councillor Bartlett

Seconded By: Councillor Corbett

1. THAT Report PED-PD-23-2018 Zoning Amendment to Fulfill a Condition of Consent - Hower be received;
2. AND THAT application PLZ-HA-2018-053 to amend the City of Nanticoke Zoning By-law NE 1-2000 to change the zoning of the subject lands from 'Agricultural (A)' to 'Hamlet Residential (RH)' be approved for reasons outlined in Report PED-PD-23-2018;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe;
4. AND THAT the by-law attached to Report PED-PD-23-2018 be presented for enactment.

CARRIED

2 PED-PD-24-2018 Zoning By-law Amendment to Permit a Dwelling in Hazard Land Zone - Love

B. Kissner presented the report.

Chris and Linda Love, proponents, spoke to the process undertaken. They noted that the design of the property was based on the septic system configuration. They are aware of grading issues that will need to be addressed as part of the development.

Susan and Dave Ranzilla, neighbours, expressed concerns regarding the layout and development of the land with respect to drainage and how it could affect their property. Mr. and Mrs. Ranzilla requested additional information on the proposed development and the grading plan.

Jim Bryson, neighbor, expressed concerns related to drainage.

There being no one else present to speak either for or against this application, deliberations concluded with the introduction of the following recommendation.

Recommendation 2

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

1. THAT Report PED-PD-24-2018 Zoning By-law Amendment to Permit a Dwelling in Hazard Land Zone - Love be received;
2. AND THAT application PLZ-HA-2018-048 to amend the Town of Dunnville Zoning By-law 1 DU-80 to create a site specific special provision for the subject lands to permit the constructions of a dwelling be approved for reasons outlined in Report PED-PD-24-2018;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement (2014), and the Growth Plan for the Greater Golden Horseshoe (2017);
4. AND THAT the Removal of Holding Provision By-law attached to Report PED-PD-24-2018 be presented for enactment and the General Manager of Planning and Economic Development be granted the authority to remove the holding provision when the conditions relating to the matter are satisfactorily addressed;
5. AND THAT the by-law attached to Report PED-PD-24-2018 be presented for enactment.

CARRIED

DEPARTMENTAL STAFF REPORTS

1 PLANNING AND ECONOMIC DEVELOPMENT BUSINESS

1.1 PED-COM-12-2018 Community Partnership Program – Jarvis Lions Trail/Pathway Enhancements

Recommendation 3

Moved By: Councillor Bartlett

Seconded By: Councillor Dalimonte

1. THAT Report PED-COM-12-2018 Community Partnership Program – Jarvis Lions Trail/Pathway Enhancements be received;
2. AND THAT the request to install additional amenities, along the Trail/Pathway constructed in Jarvis Lions Park in 2017 be approved;
3. AND THAT the installation of the enhancements is conditional upon compliance with Policy 2011-01 and County standards, permits and processes.

CARRIED

1.2 PED-EDT-09-2018 Dunnville Farmers Market Operations

Recommendation 4

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

1. THAT Report PED-EDT-09-2018 Dunnville Farmers Market Operations be received;
2. AND THAT a Memorandum of Understanding, for a term of five years, effective July 1, 2018, between Haldimand County and the Dunnville Farmers Market Association be entered into as per Attachment #1 to Report PED-EDT-09-2018;
3. AND THAT the Mayor and Clerk be authorized to execute all necessary documents to give effect to the Memorandum of Understanding;
4. AND THAT, as the Dunnville Farmers Market Association will assume responsibility for the setting and collection of market fees, the Dunnville Farmers Market fees be removed from Schedule P of Haldimand County's User Fees and Service Charges By-law, effective January 1, 2019;
5. AND THAT the proposed User Fees and Service Charges associated with the Public Rental of the Waterfront Pavilion (Dunnville Farmers Market), to be effective July 1, 2018 be approved, and staff be directed to draft the required amendments to the User Fees and Service Charges By-law;

6. AND THAT a by-law be presented to amend Parks and Facilities By-law 1534/15 as outlined in Report PED-EDT-09-2018.

CARRIED

1.3 PED-EDT-10-2018 Downtown Areas Community Improvement Plan – 2004 Main Street South, Jarvis

Recommendation 5

Moved By: Councillor Bartlett

Seconded By: Councillor Corbett

1. THAT Report PED-EDT-10-2018 Downtown Areas Community Improvement Plan – 2004 Main Street South, Jarvis be received;
2. AND THAT the project as outlined in Report PED-EDT-10-2018 Downtown Areas Community Improvement Plan – 2004 Main Street South, Jarvis be approved for a grant to be funded from the Community Improvement Plan Reserve, to a maximum of \$15,465;
3. AND THAT the Mayor and Clerk be authorized to execute the Downtown Areas Community Improvement Plan Financial Incentive Program Agreement with the respective property owner.

CARRIED

1.4 PED-EDT-11-2018 Seasonal Sidewalk and Street Patio Pilot Program

Recommendation 6

Moved By: Councillor Shirton

Seconded By: Councillor Grice

1. THAT Report PED-EDT-11-2018 Seasonal Sidewalk and Street Patio Pilot Program be received;
2. AND THAT the Seasonal Sidewalk and Street Patio Pilot Program (Attachment #1) to Report PED-EDT-11-2018 be approved;
3. AND THAT the General Manager of Planning and Economic Development be given the delegated authority to approve applications and issue permits to allow the use of Municipal property for seasonal patios, and also the authority to revoke a permit based on non-compliance with parameters of the seasonal sidewalk and street patio pilot program or on the basis of emergency construction that requires removal of the patio;
4. AND THAT where a permit to allow an establishment to use municipal property for seasonal patios has been issued, the Clerk be authorized to provide a letter of non-objection for related applications for Temporary Extension of a Liquor Sales Licence through the Alcohol and Gaming Commission of Ontario;

5. AND THAT Schedule P of Haldimand County's User Fees and Service Charges By-law, be updated to include an application fee (initial and renewal) for the use of municipal property for sidewalk and on-street patios effective June 11, 2018;
6. AND THAT staff be directed to monitor the Seasonal Sidewalk and Street Patio Pilot Program and bring back results and recommendations for a permanent program in the 2020 season.

CARRIED

1.5 Other Business

Update RE: Construction of the Dunnville Farmers Market/Riverside Park and Alder Street – It was noted that there have been delays due to weather, site remediation and hydro tie-ins.

Discussion RE: Canborough Hall Site for Provincial Election – It was noted that legislation governing elections in Ontario requires that municipal facilities are to be provided at no charge for Provincial Elections, just as Provincial facilities are provided at no charge for Municipal Elections.

MOTIONS OF CONSENT

Mayor Hewitt assumed the Chair for this portion of the meeting.

Recommendation 7

Moved By: Councillor Shirton

Seconded By: Councillor Morison

THAT the following motions be approved:

- 1 PW-ES-08-2018 Consolidated Rate of Speed By-law
 1. THAT Report PW-ES-08-2018 Consolidated Rate of Speed By-law be received;
 2. AND THAT a Consolidated Rate of Speed By-law be presented to Council for enactment.
- 2 PW-ES-09-2018 Budget Reallocation – 2018 Paving and Sidewalk Contract
 1. THAT Report PW-ES-09-2018 Budget Reallocation – 2018 Paving and Sidewalk Contract be received;
 2. AND THAT the revised budgets as outlined in Report PW-ES-09-2018 be approved.

- 3 PW-ES-10-2018 Parking Control By-law Amendment - 503 Main Street East, Dunnville
 1. THAT Report PW-ES-10-2018 Parking Control By-law Amendment - 503 Main Street East, Dunnville, be received;
 2. AND THAT Haldimand County Parking Control By-law 307/02, Schedule "C" No Parking – Dunnville, be amended as outlined in Report PW-ES-10-2018.
- 4 CS-SS-19-2018 1st Quarter Insurance Loss Report – 2018

THAT Report CS-SS-19-2018 1st Quarter Insurance Loss Report – 2018 be received as information.
- 5 CS-FI-M01-2018 Haldimand County Credit Rating Update

THAT CS-FI-M01-2018 Haldimand County Credit Rating Update be received as information.
- 6 CS-CL-05-2018 Update to Sign By-law re: Election Signage
 1. THAT Report CS-CL-05-2018 Update to Sign By-law re: Election Signage be received;
 2. AND THAT an amending by-law to effect a change to the definition of "Election Signs", in Sign By-law 1064/10, to include third party advertisers as defined under the *Municipal Elections Act, 1996*, be presented for enactment.
- 7 CS-CL-06-2018 Update to Election Protocol to Include Local Boards
 1. THAT Report CS-CL-06-2018 Update to Election Protocol to Include Local Boards be received;
 2. AND THAT the amended Election Protocol – Policy 2003-07, included as Attachment 1 to Report CS-CL-06-2018, be approved.

CARRIED

PRESENTATIONS AND CONSIDERATION OF RELATED REPORTS

- 1 PED-BC-01-2018 Building By-law Modernization
 - 1.1 Peter Simcisko, Senior Project Coordinator, Watson & Associates Economists Ltd.

Mr. Simcisko provided Council with an overview of the Building Permit Fee review undertaken on behalf of the County and recommendations for moving forward. He noted that a public meeting was held on May 3, 2018 and no feedback was received concerning the proposal.

Recommendation 8

Moved By: Councillor Shirton

Seconded By: Councillor Morison

THAT the presentation material Peter Simcisko, Senior Project Coordinator, Watson & Associates Economists Ltd. Re: Building By-law Modernization be received as information.

CARRIED

Recommendation 9

Moved By: Councillor Morison

Seconded By: Councillor Grice

1. THAT Report PED-BC-01-2018 Building By-law Modernization be received;
2. AND THAT the Building By-law attached to Report PED-BC-01-2018 be presented for enactment;
3. AND THAT the by-law to effect the amendments outlined in Report PED-BC-01-2018 to Schedule N of the User Fees and Service Charges By-law be presented for enactment.

CARRIED

DEPARTMENTAL STAFF REPORTS (Continued)

1 PUBLIC WORKS BUSINESS

Councillor Corbett, Chair of Public Works, assumed the Chair for this portion of the meeting.

1.1 Other Business

None.

2 JOINT SERVICES BUSINESS

Councillor Dalimonte, Chair of Joint Services, assumed the Chair for this portion of the meeting.

2.1 Other Business

None.

3 COMMUNITY SERVICES BUSINESS

Councillor Bartlett, Chair of Community Services, assumed the Chair for this portion of the meeting.

3.1 Other Business

None.

4 CORPORATE SERVICES BUSINESS

Councillor Grice, Chair of Corporate Services, assumed the Chair for this portion of the meeting.

4.1 CS-SS-18-2018 County Sale of Surplus Properties

This item was deferred for consideration until after the closed session portion of the meeting.

4.2 CS-FI-10-2018 Investment Status and Hydro Legacy Fund Reporting – December 31, 2017

Recommendation 10

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

1. THAT Report CS-FI-10-2018 Investment Status Report and Hydro Legacy Fund Reporting – December 31, 2017 be received;
2. AND THAT, in accordance with Section 3(b)(i) of the Hydro Legacy Fund Policy #2018-01, the weighted average market yield to maturity be set at 4.34% for the purpose of accruing investment interest earnings to the Hydro Legacy Reserve Fund for 2017.

CARRIED

4.3 CS-FI-11-2018 Tax Arrears Analysis and Impacts of Tax Registration Process

This item was deferred for consideration until after the closed session portion of the meeting.

4.4 CS-GM-04-2018 Speed Warning Devices Deployment Protocol

Recommendation 11

Moved By: Councillor Corbett

Seconded By: Councillor Morison

1. THAT Report CS-GM-04-2018 Speed Warning Devices Deployment Protocol be received;

2. AND THAT the Speed Warning Devices Deployment Protocol, included as Attachment #1 to Report CS-GM-04-2018 be approved.

CARRIED

4.5 Other Business

None.

DELEGATIONS AND CONSIDERATION OF RELATED REPORTS

Mayor Hewitt resumed the Chair for this portion of the meeting.

- 1 Inspector Phil Carter, Detachment Commander, Haldimand County OPP RE: Presentation on Street Crime

Inspector Carter provided an update to a recent Pride Day event that was interrupted by protests. He noted that it was a County sanctioned event and that information distributed at the event has been sent to the OPP's Hate Crimes Division for investigation.

DC Mike Salverda and DC Rick Feijo provided an overview of the Community Street Crime Unit and its work.

Recommendation 12

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT the presentation material from the Haldimand County OPP Re: Street Crime be received as information.

CARRIED

- 2 Chuck and Laurie Jansen RE: Erosion Concerns and Land Preservations Along Lake Erie Shores

Mr. and Mrs. Jansen spoke to shoreline erosion concerns and requested municipal support for an erosion program.

Recommendation 13

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT the correspondence and presentation material from Chuck and Laurie Jansen Re: Erosion Concerns and Land Preservations Along Lake Erie Shores dated May 11, 2018 be received as information.

CARRIED

Recommendation 14

Moved By: Councillor Corbett

Seconded By: Councillor Grice

THAT staff be directed to report back to a future Council in Committee meeting highlighting a coordination strategy to support an erosion control program.

CARRIED

3 PED-COM-13-2018 Community Partnership Program – Fisherville Lions and Love Be'in Me Committee Track Installation

3.1 Terri Hartwick and Becki Moellgaard

Ms. Hartwick and Ms. Moellgaard spoke to their request, noting that \$80,000 has been raised to date to fund the project. It was noted that Phase 2 would include a rubberized track.

Recommendation 15

Moved By: Councillor Corbett

Seconded By: Councillor Morison

THAT the correspondence and presentation material from Terri Hartwick and Becki Moellgaard Re: PED-COM-13-2018 dated May 24, 2018 be received as information.

CARRIED

Recommendation 16

Moved By: Councillor Morison

Seconded By: Councillor Bartlett

1. THAT Report PED-COM-13-2018 Community Partnership Program – Fisherville Lions and Love Be'in Me Committee Track Installation be received;
2. AND THAT the request from the Fisherville Lions and Love Be'in Me Committee to undertake the installation of (i) a paved track/trail and (ii) an outdoor fitness area on a rubberized pad in Fisherville Lions Park be approved;
3. AND THAT capital funding to an upset amount of \$78,000, representing one-third of the total anticipated budget for a paved track/trail and an outdoor fitness area on a rubberized pad, in Fisherville Lions Park, with related funding from the Community Partnership Capital Reserve, be approved;
4. AND THAT capital funding to an upset amount of \$78,000, also representing one-third of the total anticipated budget for a paved track/trail and an outdoor fitness area on a rubberized pad in Fisherville Lions Park, contributed from the Ward 2 Community Vibrancy Fund, be approved;

5. AND THAT project funding and approval are conditional upon compliance with Policy 2011-01 and County installation standards, permits and processes;
6. AND THAT the revised budget as outlined in PED-COM-13-2018 be approved.

CARRIED

REPORTS FROM SPECIAL PURPOSE COMMITTEES, BOARDS AND COMMISSIONS

- 1 Minutes of the Police Services Board - April 25, 2018

Recommendation 17

Moved By: Councillor Corbett

Seconded By: Councillor Bartlett

THAT the Minutes of the Police Services Board dated April 25, 2018 be received as information.

CARRIED

UNFINISHED BUSINESS

- 1 Appointment of a New Member to the Health and Social Services Advisory Committee

Recommendation 18

Moved By: Councillor Bartlett

Seconded By: Councillor Corbett

THAT Councillor Grice be appointed to the Health and Social Services Advisory Committee commencing immediately and ending November 30, 2018.

CARRIED

NEW BUSINESS

None.

INQUIRIES, ANNOUNCEMENTS AND CONCERNS OF COUNCILLORS

The following items were highlighted:

- Dunnville Mudcat Festival;
- Jarvis Board of Trade Annual General Meeting;
- Tyke Baseball Diamond in Dunnville;
- Garden Communities Inc. (Empire) development in Hagersville.

CLOSED SESSION

Mayor Hewitt left at 2:28 p.m. Deputy Mayor Shirton assumed the Chair for the remainder of the meeting.

Recommendation 19

Moved By: Councillor Morison

Seconded By: Councillor Grice

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 2:28 p.m. closed to the public, to discuss:

a proposed or pending acquisition or disposition of land by the municipality or local board

- 1 CS-SS-M06-2018 Supplemental Information to Report CS-SS-18-2018 County Sale of Surplus Properties

litigation or potential litigation, including matters before administrative tribunals affecting the municipality

- 2 CS-SS-22-2018 Mallett Litigation Settlement & Encroachment Agreement Update

personal matters about an identifiable individual, including municipal or local board employees

- 3 CS-FI-M02-2018 Confidential Addendum to Report CS-FI-11-2018 Tax Arrears Analysis and Impacts of Tax Registration Process

CARRIED

Recommendation 20

Moved By: Councillor Dalimonte

Seconded By: Councillor Morison

THAT this closed meeting now adjourn at 2:45 p.m. and reconvene in open session.

CARRIED

Recommendation 21

Moved By: Councillor Corbett

Seconded By: Councillor Grice

1. THAT Report CS-SS-18-2018 County Sale of Surplus Properties be received;
2. AND THAT Memorandum CS-SS-M06-2018 be received as information and remain confidential;

3. AND THAT Staff be authorized to list the following surplus properties for sale:
 - a. Attachment #1 Property A: legally known as PIN # 50258-0176(LT) being Part of Lot 24, Concession 4 Woodhouse, Part 1 on 37R-2127, Haldimand County;
 - b. Attachment #1 Property B: legally known as PIN # 50258-0195(LT) being Part of Lot 24, Concession 3 Woodhouse, Part 1 on 37R-1211, Haldimand County;
 - c. Attachment #1 Property C: legally known as PIN # 38128-0351(LT) Part Lot 13, Concession 5 South of Dover Road Dunn as in HC230962; T/W HC230962, Haldimand County;
 - d. Attachment #1 Property D: legally known as PIN # 38124-0101(LT) Lot 22, S/S Main Street E, Plan 69, Haldimand County;
 - e. Attachment #1 Property E: legally known as PIN # 38152-0084(LT) Part of the west part of Lot 1, Range 1 east of Plank Road Seneca, Part 2 on 18R-1256, Haldimand County;
 - f. Attachment #1 Property F: legally known as PIN # 38193-0369(LT) Part of Lot 15, Concession 11, Walpole, as in HC42988, Haldimand County;
 - g. Attachment #1 Property G: legally known as PIN # 38224-0243(LT) Ottawa Street, Village of Cayuga East of Grand River closed by C83 as in C87 between Indian Street and Latham Street, Haldimand County;
4. AND THAT staff be authorized to negotiate the sale of the properties outlined in Attachment #1 to Report CS-SS-18-2018 with potential purchasers, in accordance with the parameters outlined in Memorandum CS-SS-M06-2018, with the objective of maximizing the net proceeds from the transaction and with all offers reflecting the condition that the Agreement is subject to Council's final approval;
5. AND THAT, upon acceptance of an offer, public notice of each pending sale be published in the local newspaper;
6. AND THAT a by-law be presented to authorize each sale;
7. AND THAT the previously approved "surplus" designation for the following properties be rescinded, with the subject lands removed from the surplus inventory, for the reasons outlined in Report CS-SS-18-2018:
 - a. Attachment #2 Property A: PIN #50259-0255(LT) Lots 51 and 52, Plan 72B Woodhouse, Haldimand County;
 - b. Attachment #2 Property B: PIN # 38109-0067 (LT) Part Lot 9 Second Range from Grand River Moulton, Parts 1, 4 & 5 on 18R-5936; S/T HC276040, Haldimand County;

- c. Attachment #2 Property C: PIN # 38100-0160 (LT) Part Lots 1, 2, 3 and 4 First Concession from Lake Erie Moulton, Part 1 on HC212203, Haldimand County, S/T easement in gross over Parts 1 – 5 on 18R-7312 as in CH62354;
9. AND THAT the Mayor and Clerk be authorized to execute all necessary documents to give effect to the recommendations contained herein.

CARRIED

Recommendation 22

Moved By: Councillor Corbett

Seconded By: Councillor Dalimonte

THAT consideration of Clause 8 of Report CS-SS-18-2018 regarding property identified as Attachment #2 Property D, be deferred to a future Council in Committee meeting.

CARRIED

Recommendation 23

Moved By: Councillor Morison

Seconded By: Councillor Grice

1. THAT Report CS-FI-11-2018 Tax Arrears Analysis and Impacts of Tax Registration Process be received;
2. AND THAT CS-FI-M02-2018 Confidential Addendum to Report CS-FI-11-2018 be received as information and remain confidential;
3. AND THAT staff be directed to proceed with the recommended actions with respect to property tax collection for the three properties identified in CS-FI-M02-2018, Confidential Addendum to Report CS-FI-11-2018, due to the reasons noted;
4. AND THAT, for the reasons outlined in Report CS-FI-11-2018 and CS-FI-M02-2018 Confidential Addendum to Report CS-FI-11-2018, the outstanding taxes for the property with a previously failed tax sale be reduced to \$500 for the sole purpose of achieving a compliant bid that meets or exceeds this revised cancellation price during a future public tax sale process.

CARRIED

Recommendation 24

Moved By: Councillor Dalimonte

Seconded By: Councillor Corbett

1. THAT Report CS-SS-22-2018 Mallett Litigation Settlement & Encroachment Agreement Update be received as information and remain confidential;

2. AND THAT, notwithstanding Recommendation 14 of the August 22, 2017 Council in Committee meeting (adopted at the August 28, 2017 Council meeting), and for the reasons outlined in Report CS-SS-22-2018, the Mallett Minutes of Settlement included as Attachment #1 to Report CS-SS-22-2018, be approved;
3. AND THAT, for the reasons outlined in Report CS-SS-22-2018, the Full & Final Release included as Attachment #2 to report CS-SS-22-2018, be approved.

CARRIED

ADJOURNMENT

Recommendation 25

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

THAT this meeting is now adjourned at 2:52 p.m.

CARRIED

MAYOR

DEPUTY CLERK