THE CORPORATION OF HALDIMAND COUNTY
COUNCIL IN COMMITTEE MINUTES

Date: **March 1, 2022**
Time: **9:30 A.M.**
Location: **Haldimand County Administration Building**

COUNCIL PRESENT
K. Hewitt, Mayor (participated electronically)
B. Corbett, Deputy Mayor (chaired the meeting)
S. Patterson, Councillor
J. Metcalfe, Councillor
D. Lawrence, Councillor
T. Dalimonte, Councillor
R. Shirton, Councillor

STAFF PRESENT
C. Manley, Chief Administrative Officer
M. Evers, General Manager, Community & Development Services
T. Haedrich, General Manager, Engineering & Capital Works
M. Jamieson, Director, Human Resources
M. Merritt, General Manager, Financial & Data Services
P. Mete, General Manager, Public Works Operations
D. Pressey, Director, Roads Operations
A. Cull, Supervisor, Development Services
J. Gallagher, Manager, Emergency Services / Fire Chief
N. Stoop, Planner
S. VanDalen, Manager, Planning & Development
T. Cassidy, Council Services Coordinator
E. Eichenbaum, Manager, Clerks Division / Municipal Clerk

A. CALL TO ORDER

Deputy Mayor Corbett called the Council in Committee meeting to order at 9:58 a.m.

B. ROLL CALL

The Mayor and all Members of Council were in attendance. Mayor Hewitt participated electronically and, due to technical issues, arrived at 10:50 a.m.

C. DISCLOSURES OF PECUNIARY INTEREST

None.

D. PUBLIC MEETING FOR PLANNING APPLICATIONS

Councillor Patterson, Chair of Public Meeting for Planning Applications, 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 March 7, 2022 Council meeting.

1 PDD-08-2022 Zoning By-law Amendment as Condition of Consent - Cronk

N. Stoop presented the report.

Ed McCarthy, agent for proponent, was present to respond to questions.

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 Metcalfe
Seconded By: Councillor Lawrence

1. THAT Report PDD-08-2022 Zoning By-law Amendment as Condition of Consent - Cronk be received;
2. AND THAT application PLZ-HA-2021-212 to amend the Haldimand County Zoning By-law HC-1-2020 to rezone the subject lands from “Agriculture (A)” to “Lakeshore Residential (RL)” be approved for reasons outline in Report PDD-08-2022;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement, 2020, and the Growth Plan for the Greater Golden Horseshoe 2020;
4. AND THAT the by-law attached to Report PDD-08-2022 be presented for enactment.

CARRIED

2 PDD-09-2022 Zoning By-law Amendment for Development on Single Service - Chang

N. Stoop presented the report.

Stan Wawrzyniak, nearby property owner, spoke to safety and liability concerns related to transformers, hazardous waste material, and gas and water lines on the subject lands.

Nathan Chang, proponent, was present to respond to questions. Mr. Chang noted that the concerns of Mr. Wawrzyniak have been addressed and he has no concerns related to possible contamination of the property.

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 Corbett
Seconded By: Councillor Lawrence

THAT consideration of Report PDD-09-2022 Zoning By-law Amendment for Development on Single Service - Chang be deferred pending additional information regarding soil testing.

CARRIED

2.1 Correspondence from Valerie Ann and Stan Wawrzyniak Re: PDD-09-2022

Recommendation 3
Moved By: Councillor Shirton
Seconded By: Councillor Dalimonte

THAT the correspondence from Valerie Ann and Stan Wawrzyniak Re: PDD-09-2022, dated February 21, 2022, be received.

CARRIED

3 PDD-10-2022 Zoning By-law Amendment to Satisfy a Condition of Consent - Lang

A. Cull presented the report. S. VanDalen provided clarification on the ten year time period.

Dave Lang, proponent, was present to respond to questions.

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

Recommendation 4
Moved By: Councillor Dalimonte
Seconded By: Councillor Metcalfe

1. THAT Report PDD-10-2022 Zoning By-law Amendment to Satisfy a Condition of Consent - Lang be received;
2. AND THAT application PLZ-HA-2021-207 to amend Haldimand County Zoning By-law HC-1-2020 to prohibit future residential development and home occupation opportunities on the retained farm lands be approved for reasons outlined in Report PDD-10-2022;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement 2020, and the Growth Plan for the Greater Golden Horseshoe 2020;

4. AND THAT the by-law attached to Report PDD-10-2022 be presented for enactment.

CARRIED

E. DEPARTMENTAL STAFF REPORTS

1 CORPORATE AFFAIRS

Deputy Mayor Corbett, Vice Chair of Corporate Affairs, resumed the Chair for this portion of the meeting.

1.1 CAO-01-2022 Request for Minister's Zoning Order – Proposed New Community in Nanticoke

C. Manley provided an overview of the report and highlighted the process, criteria and standards for this type of development. Potential long-term benefits related to the extension of services, affordable housing opportunities and cost efficiencies were noted.

Paul Simon, General Counsel, and Trevor Harris, Vice President, Corporate Affairs, Stelco expressed concerns related to the absence of public consultation and the potential impact this development would have on the company and its operations. It was requested that consideration of this matter be deferred pending public consultation with the impacted land owners.

Stephen Armstrong, Armstrong Planning & Project Management reiterated the process involved with the proposed development. Discussion ensued regarding land ownership and buffer zones. It was clarified that should this proposal move forward, there will be significant opportunity for public consultation.

Recommendation 5
Moved By: Councillor Shirton
Seconded By: Councillor Patterson

1. THAT Report CAO-01-2022 Request for Minister's Zoning Order – Proposed New Community in Nanticoke be received;
2. AND THAT the resolution as set out in Attachment 4 to Report CAO-01-2022, be adopted;
3. AND THAT a copy of Report CAO-01-2022 be submitted to the Minister of Municipal Affairs and Housing;
4. AND THAT adoption of the draft Minister's Zoning Order, as set out in revised Attachment 5 of Report CAO-01-2022, tabled at the March 1, 2022 Council in Committee meeting, be recommended to the Province.

CARRIED

Recommendation 6
Moved By: Councillor Patterson
Seconded By: Councillor Lawrence

1. WHEREAS Haldimand County ('Haldimand') has been presented a development vision from Empire Communities ('Developer') for the Nanticoke area ('Subject Lands') that spans 1,680 hectares (4,153 acres) of land and which would consist of residential, institutional and commercial development across 990 hectares (2,447 acres), equating to approximately 15,000 residential units and up to 8,200 service and support type jobs, and employment development across 690 hectares (1,706 acres), resulting in up to 11,000 jobs;

2. AND WHEREAS Haldimand strives to be a municipality that is development ready and fully supportive of the creation of quality jobs, attraction of new residents, and promotion of cost effective and environmentally responsible infrastructure development;

3. AND WHEREAS, the Subject Lands represent a 40 year old vision for a major industrial park that, despite being appropriately designated and zoned for employment uses, has not come to fruition due to servicing, economic, labour and locational challenges;

4. AND WHEREAS, it is desirable to pursue changes to the planning framework of the Subject Lands to establish a more balanced and contemporary development vision consisting of a mix of employment, commercial, institutional and residential uses;

5. AND WHEREAS job creation and increasing housing supply and affordability are two of the Provincial government's key objectives which the proposal on the Subject Lands would directly and positively respond to through the creation of up to 19,200 total jobs and 15,000 new residential units;

6. AND WHEREAS, there currently exist significant infrastructure limitations to support development of the Subject Lands, including lack of natural gas supply and sanitary treatment capacity;

7. AND WHEREAS Haldimand does not have the financial capacity to bring the necessary infrastructure installations and upgrades to the Subject Lands to create shovel ready development opportunities;

8. AND WHEREAS a significant private sector investment or partnership with Haldimand is necessary in order to realize the development opportunities that exist with the Subject Lands;

9. AND WHEREAS the County has an approved Environmental Assessment for a new wastewater treatment plant in the area of the Subject Lands, and included with such, a servicing analysis that demonstrates the feasibility of a regional wastewater servicing approach;

10. AND WHEREAS a regional wastewater servicing approach is desirable given it will allow for implementation of a program that is more environmentally secure, cost efficient, sustainable and which affords opportunity to support servicing objectives of other communities such as Six Nations;

11. AND WHEREAS there is an existing, fully permitted water intake and treatment facility in the area of the Subject Lands that has the capability to service the entire proposal;

12. AND WHEREAS the subject proposal will provide further opportunity to implement a regional water servicing approach that would optimize existing water treatment infrastructure and create opportunity to service other communities in the County, as well as neighbouring communities such as Port Dover (Norfolk County) and Six Nations;

13. AND WHEREAS any Minister's Zoning Order should be conditional upon the completion and local approval of:

    - a master plan, which is fully informed by public consultation, that lays out the series of streets, residential / commercial / institutional blocks, leisure and recreation areas (trails, parks), protected natural environment areas and significant servicing blocks (stormwater ponds, pumping stations);
    - detailed technical studies, including land use compatibility (i.e. air emission - noise, dust, odour), archaeology, environmental impact, hydrogeological, stormwater management, servicing, traffic impact and geotechnical;
    - plan(s) of subdivision; and,
    - refined site specific zoning that is informed by the master plan details;

14. AND WHEREAS the portions of the Subject Lands within the Regulated Areas of the Long Point Region Conservation Authority and those protected by the Natural Environment policies of the Haldimand County Official Plan will continue to be protected;

15. AND WHEREAS, meaningful consultation and engagement with First Nations would be conducted on all aspects of the development vision and municipal approvals, and would include both Haldimand and the Developer;

16. AND WHEREAS, the subject proposal is not in full conformity with existing Provincial policy, including the Provincially Significant Employment Zone policies applicable to the Subject Lands;

17. NOW THEREFORE BE IT RESOLVED THAT Haldimand County requests that the Minister of Municipal Affairs and Housing issue a Ministerial Zoning Order (MZO) pursuant to s. 47 of the Planning Act, or other power(s) as deemed appropriate, for the development of employment, commercial, institutional and residential uses on the Subject Lands to support the creation of up to 19,200 jobs and 15,000 residential units and which would facilitate the implementation of a regional water and wastewater treatment and distribution servicing strategy;

18. AND THAT a copy of this motion be provided to MPP Toby Barrett.

CARRIED

Mayor Hewitt left at 12:33 p.m. for the remainder of the meeting.

I. DELEGATIONS AND CONSIDERATION OF RELATED REPORTS (1:00 P.M.)

1 Clayton Spears, President, Cottonwood Mansion Preservation Foundation Re: Cottonwood Mansion Museum

Mr. Spears provided an overview of the history of Cottonwood Mansion.

Recommendation 7
Moved By: Councillor Metcalfe
Seconded By: Councillor Shirton

THAT the correspondence from Clayton Spears, President, Cottonwood Mansion Preservation Foundation Re: Cottonwood Mansion Museum, dated February 4, 2022, be received.

CARRIED

2 Joy O'Donnell, Grand Watershed Trails Network Re: Update on Recent Work

Ms. O'Donnell provided an update on the Grand Watershed Trails Network.

Recommendation 8
Moved By: Councillor Shirton
Seconded By: Councillor Metcalfe

THAT the correspondence and presentation material from Joy O'Donnell, Grand Watershed Trails Network Re: Update on Recent Work, dated February 14, 2022, be received.

CARRIED

F. PRESENTATIONS AND CONSIDERATION OF RELATED REPORTS (11:00 A.M.)

1 ECW-01-2022 Engineering and Capital Works 2021 Annual Report

T. Haedrich provided an overview of the Engineering and Capital Works department, highlighting 2021 operational challenges, opportunities and successes, and noting priorities for 2022.

Recommendation 9
Moved By: Councillor Dalimonte
Seconded By: Councillor Patterson

THAT Report ECW-01-2022 Engineering and Capital Works 2021 Annual Report be received.

CARRIED

G. MOTIONS OF CONSENT

Recommendation 10
Moved By: Councillor Lawrence
Seconded By: Councillor Metcalfe

THAT the following motions be approved:

1 EMS-M01-2022 Ambulance Response Time Performance Plan Results

THAT Memorandum EMS-M01-2022 Ambulance Response Time Performance Plan Results be received.

2 HRD-02-2022 Public Sector Salary Disclosure - 2021

THAT Report HRD-02-2022 Public Sector Salary Disclosure – 2021 be received.

CARRIED

H. DEPARTMENTAL STAFF REPORTS (CONTINUED)

1 COMMUNITY & DEVELOPMENT SERVICES

Councillor Lawrence, Chair of Community & Development Services, assumed the Chair for this portion of the meeting.

1.1 PDD-07-2022 Removal of a Holding (H) Provision – Selkirk Street

Recommendation 11
Moved By: Councillor Shirton
Seconded By: Councillor Dalimonte

1. THAT Report PDD-07-2022 Removal of a Holding (H) Provision – Selkirk Street be received;
2. AND THAT the by-law attached to Report PDD-07-2022 for the removal of a Holding (H) Provision, be presented for enactment;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement 2020 and Provincial Growth Plan 2020, and other matters of provincial interest.

CARRIED

1.2 PDD-12-2022 Planning Act Changes

Recommendation 12
Moved By: Councillor Shirton
Seconded By: Councillor Metcalfe

THAT consideration of Report PDD-12-2022 Planning Act Changes be deferred to the March 7, 2022 Council meeting.

CARRIED

1.3 EDT-01-2022 Seasonal Sidewalk and On-Street Patio Program Installation Period Extension 2022

Recommendation 13
Moved By: Councillor Shirton
Seconded By: Councillor Patterson

1. THAT Report EDT-01-2022 Seasonal Sidewalk and On-Street Patio Program Installation Period Extension 2022 be received;
2. AND THAT a temporary extension of the Seasonal Sidewalk and On-Street Patio Program from March 15, 2022 to January 1, 2023 at 12:00 a.m. to further support food and drink establishments impacted by COVID-19, be approved;
3. AND THAT the General Manager of Community and Development Services be authorized to allow the use of municipal property for seasonal patios as outlined in Report EDT-01-2022.

CARRIED

1.4 Other Business

None.

2 PUBLIC WORKS OPERATIONS

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

2.1 Other Business

None.

3 ENGINEERING & CAPITAL WORKS

Councillor Metcalfe, Chair of Engineering & Capital Works, assumed the Chair for this portion of the meeting.

3.1 Other Business

None.

4 FINANCIAL & DATA SERVICES

Councillor Shirton, Chair of Financial & Data Services, assumed the Chair for this portion of the meeting.

4.1 Other Business

None.

5 CORPORATE & SOCIAL SERVICES

Deputy Mayor Corbett, Chair of Corporate & Social Services, resumed the Chair for the remainder of the meeting.

5.1 HRD-01-2022 Health and Safety Policy and Program

Recommendation 14
Moved By: Councillor Lawrence
Seconded By: Councillor Dalimonte

1. THAT Report HRD-01-2022 Health and Safety Policy and Program be received;
2. AND THAT the 2022 Occupational Health and Safety Program be approved as outlined in Report HRD-01-2022;

3. AND THAT Policy No. 2021-01 be rescinded and replaced with the 2022 Occupational Health and Safety Policy, as outlined in Attachment 5 to Report HRD-01-2022.

CARRIED

5.2 Other Business

None.

6 CORPORATE AFFAIRS (CONTINUED)

6.1 CLE-02-2022 Joint Municipal Election Compliance Audit Committee

Recommendation 15
Moved By: Councillor Lawrence
Seconded By: Councillor Dalimonte

1. THAT Report CLE-02-2022 Joint Municipal Election Compliance Audit Committee be received;

2. AND THAT the establishment of a Joint Municipal Election Compliance Audit Committee amongst the City of Brantford, County of Brant, Haldimand County and Norfolk County, or any combination from amongst the four municipalities for the 2022 – 2026 term, be supported.

CARRIED

6.2 Other Business

6.2.1 Motion to Raise the Ukrainian Flag

Recommendation 16
Moved By: Councillor Patterson
Seconded By: Councillor Metcalfe

THAT notwithstanding the Flag Protocol Policy 2004-05, the Ukrainian flag be flown in place of the Haldimand County flag to represent Haldimand County's support for the people of Ukraine at this difficult time.

CARRIED

J. UNFINISHED BUSINESS

1 Approval of Community Safety and Well-Being Plan

Recommendation 17
Moved By: Councillor Lawrence
Seconded By: Councillor Metcalfe

1. THAT further to the receipt of Report HSS 21-25 at the February 14, 2022 Council meeting, the Community Safety and Well-Being Plan be approved as presented;

2. AND THAT the Health & Social Services Division be appointed as the Lead for implementation of the Community Safety and Well-Being Plan for Haldimand and Norfolk Counties;

3. AND THAT an implementation committee be established consisting of approximately 12 individuals, including but not limited to an employee of the Haldimand Norfolk Health & Social Services Division, epidemiologist Dr. Katherine Bishop-Williams, representatives from Haldimand and Norfolk's Emergency Services Divisions, Police Services Boards, Haldimand and Norfolk OPP Detachments, and representatives of community based social services and justice sector partners.

CARRIED

K. NEW BUSINESS

None.

L. REPORTS, INQUIRIES, ANNOUNCEMENTS AND CONCERNS OF COUNCILLORS

The following items were highlighted:

- Protocol for ice build-up on the Grand River and Lake Erie;
- Mask requirements and lifting of certain COVID-19 restrictions.

M. CLOSED SESSION

None.

N. MOTIONS ARISING FROM CLOSED SESSION

None.

O. ADJOURNMENT

Recommendation 18
Moved By: Councillor Shirton
Seconded By: Councillor Metcalfe

THAT this meeting is now adjourned at 2:58 p.m.

CARRIED

_____

DEPUTY MAYOR

_____

DEPUTY CLERK