



Haldimand
County

THE CORPORATION OF HALDIMAND COUNTY COUNCIL MINUTES

Date: February 14, 2022
Time: 6:00 P.M.
Location: Haldimand County Administration Building
Council Chambers

COUNCIL PRESENT K. Hewitt, Mayor (participated electronically)
T. Dalimonte, Acting Mayor (chaired the meeting)
J. Metcalfe, Councillor
D. Lawrence, Councillor
R. Shirton, Councillor

STAFF PRESENT C. Manley, Chief Administrative Officer
C. Case, General Manager, Corporate & Social Services
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
T. Cassidy, Council Services Coordinator
E. Eichenbaum, Manager, Clerks Division / Municipal Clerk

A. CALL TO ORDER

The Clerk called the Council meeting to order at 6:00 p.m.

Resolution 10-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Shirton

THAT as the Mayor is participating electronically and the Deputy Mayor is absent from the meeting, Councillor Dalimonte be appointed to preside over the February 14, 2022 Council meeting and act in place of the Mayor.

CARRIED

B. MOMENT OF SILENCE

Acting Mayor Dalimonte opened the meeting with a moment of silence.

C. ROLL CALL

The Mayor and all Members of Council were in attendance except Councillors Patterson and Corbett. Mayor Hewitt arrived at 6:09 p.m. and participated electronically.

D. DISCLOSURES OF PECUNIARY INTEREST

None.

E. APPROVAL OF PREVIOUS COUNCIL MEETING MINUTES

- 1 Council Minutes - December 13, 2021

Resolution 11-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT the minutes of the December 13, 2021 Council meeting be adopted as circulated.

CARRIED

- 2 Special Council Minutes - January 13, 2022

Resolution 12-22

Moved By: Councillor Lawrence

Seconded By: Councillor Metcalfe

THAT the minutes of the January 13, 2022 Special Council meeting be adopted as circulated.

CARRIED

F. PRESENTATIONS OF RECOGNITION

None.

I. UNFINISHED BUSINESS

Resolution 13-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT the presentation by Heidy VanDyk, Acting General Manager, Health & Social Services Re: Community Safety and Well-Being Plan be heard prior to the delegation listed on the Council agenda.

CARRIED

- 1 Heidy VanDyk, Acting General Manager, Health and Social Services
Re: Community Safety and Well-Being Plan

Ms. VanDyk provided an overview of the highlights of the Community and Safety and Well-Being Plan for Haldimand County and Norfolk County. A 2019 community needs assessment and additional community engagement were helpful in putting together the plan. Major themes identified were mental health and addictions; rurality; and poverty and homelessness.

Resolution 14-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT Report HSS 21-25 Re: Community Safety and Well-Being Plan be received.

CARRIED

G. DELEGATIONS

- 1 Stephen Armstrong, Armstrong Planning & Project Management Re: Proposal for a New Planned Community in Nanticoke

Mr. Armstrong spoke to lands acquired by Empire Communities near Nanticoke, specifically the provincially significant employment lands, and the lack of servicing for large users. It was noted that Empire is proposing to build a complete community of housing and commercial developments, and to retain employment lands. Empire is also proposing to build a wastewater treatment plant that may reach as far as Caledonia, which would allow for the decommissioning of current plants and lagoons, and a more efficient operation. A number of studies have been undertaken to support the proposed development. It was added that a resolution requesting approval of a Minister's Zoning Order will be required.

Mayor Hewitt left at 6:50 p.m. for the remainder of the meeting.

Resolution 15-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

1. THAT the presentation material from Stephen Armstrong, Armstrong Planning & Project Management Re: Proposal for a New Planned Community in Nanticoke be received;
2. AND THAT the CAO be directed to prepare a report for the March 1, 2022 Council in Committee meeting regarding the delegate's request for Council to request a Provincial Minister's Zoning Order for the subject lands;

3. AND THAT the Procedure By-law be waived to allow the matter to be considered immediately following Public Meetings for Planning Applications, with delegations being permitted to speak to the matter without pre-registering.

CARRIED

H. APPROVAL OF COMMITTEE MINUTES

- 1 Council in Committee Minutes - February 8, 2022

Resolution 16-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT the minutes of the February 8, 2022 Council in Committee meeting be adopted with the following recommendation withdrawn to be voted on separately:

Recommendation # 2 Re: PDD-03-2022 Information Report –
Applications for Smith Farms Subdivision

CARRIED

- 1.1 Correspondence from KLM Planning Partners Inc. Re: PDD-03-2022 Information Report – Applications for Smith Farms Subdivision

Resolution 17-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT the correspondence from KLM Planning Partners Inc. Re: PDD-03-2022 Information Report – Applications for Smith Farms Subdivision, dated February 10, 2022, be received.

CARRIED

Resolution 18-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT Recommendation # 2 of the Council in Committee minutes dated February 8, 2022 be adopted.

CARRIED

2 Closed Session - Council in Committee Minutes - February 8, 2022

Resolution 19-22

Moved By: Councillor Lawrence

Seconded By: Councillor Shirton

THAT the minutes of the Closed Session of the February 8, 2022 Council in Committee meeting be adopted as circulated and remain confidential.

CARRIED

I. UNFINISHED BUSINESS (CONTINUED)

2 Motion Re: Dissolving the Ontario Land Tribunal

Resolution 20-22

Moved By: Councillor Shirton

Seconded By: Councillor Metcalfe

1. WHEREAS Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy;
2. AND WHEREAS an Official Plan is developed through months of public consultation to ensure, “that future planning and development will meet the specific needs of (our) community”;
3. AND WHEREAS an Official Plan is ultimately approved by the province;
4. AND WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of Haldimand County Official Plan;
5. AND WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Haldimand County Official Plan;
6. AND WHEREAS local councils are elected and accountable to the local community and under the Planning Act, appropriate checks and balances are in place to ensure decision makers’ transparency and mechanisms to require stakeholder consultation and community input;
7. AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of Haldimand County;

8. AND WHEREAS the OLT has the authority to add parties, accept new evidence and make a final decision on planning matters based on a “best planning outcome” and not whether the proposed development is in compliance with municipal Official Plans;
9. AND WHEREAS all decisions—save planning decisions—made by Municipal Council are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;
10. AND WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;
11. AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;
12. AND WHEREAS the legal “tests” to initiate an appeal of local council decisions are low and only require a nominal fee with the result of lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing,
13. NOW THEREFORE BE IT HEREBY RESOLVED THAT Haldimand County requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;
14. AND THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario; the Large Urban Mayors’ Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario and to the Association of Municipalities of Ontario (AMO).

CARRIED

J. NEW BUSINESS

- 1 Grand River Conservation Authority Presentation Re: Lake Erie Flooding
 - 1.1 Scott Robertson, Senior Water Resources Engineer, GRCA
- Mr. Robertson provided an overview of the GRCA area, Lake Erie flooding events, alert levels, and outcomes.

Resolution 21-22

Moved By: Councillor Lawrence

Seconded By: Councillor Metcalfe

THAT the presentation material from Scott Robertson, Senior Water Resources Engineer, Grand River Conservation Authority Re: Lake Erie Flooding be received.

CARRIED

2 Council Information Package

None.

K. BY-LAWS

- 1 By-law 1283-HC/22 to amend Zoning By-law HC 1-2020, as amended, for all lands within Haldimand County
- 2 By-law 1284-HC/22 to amend Zoning By-law HC 1-2020 in the name of Hanson
- 3 By-law 2330/22 to assume the road widening on Talbot Street at Munsee Street in Cayuga, and to establish these lands as a public highway
- 4 By-law 2331/22 to amend By-law 1942/18 being a by-law to regulate the rates of speed in Haldimand County
- 5 By-law 2332/22 to provide for an interim tax levy, to provide for payment of taxes, and to provide for penalty and interest for non-payment
- 6 By-law 2333/22 to authorize the borrowing of certain sums to meet current expenditures for the year 2022 until revenues are received
- 7 By-law 2334/22 to establish and lay out as part of a highway, lands acquired for purposes of a municipal highway known as Keith Richardson Parkway in Townsend
- 8 By-law 2335/22 to authorize the stopping up, closure and sale of part Townline Road, Lowbanks
- 9 By-law 2336/22 to authorize the sale of certain lands known as 118 Talbot Street East, Jarvis

Resolution 22-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Lawrence

THAT By-laws 1 to 9, as listed, be hereby introduced and given a first and second reading.

CARRIED

Resolution 23-22

Moved By: Councillor Shirton

Seconded By: Councillor Lawrence

THAT By-laws 1 to 9, as listed, be hereby introduced and given a third and final reading, be signed by the Acting Mayor and the Clerk, the corporate seal affixed thereto and numbered.

CARRIED

L. NOTICES OF MOTION

None.

M. ANNOUNCEMENTS, REPORTS FROM COUNCIL APPOINTEES TO BOARDS AND COMMITTEES

None.

N. CLOSED SESSION

None.

O. MOTIONS ARISING FROM CLOSED SESSION

None.

P. CONFIRMING BY-LAW

Resolution 24-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Shirton

THAT the Confirming By-law be hereby introduced and given a first and second reading.

CARRIED

Resolution 25-22

Moved By: Councillor Metcalfe

Seconded By: Councillor Shirton

THAT the Confirming By-law be hereby introduced and given a third and final reading, be signed by the Acting Mayor and the Clerk, the corporate seal affixed thereto and numbered.

CARRIED

Q. ADJOURNMENT

Resolution 26-22

Moved By: Councillor Shirton

Seconded By: Councillor Lawrence

THAT this meeting is now adjourned at 7:49 p.m.

CARRIED

ACTING MAYOR

CLERK