



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

Date: January 16, 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
H. Hanly, General Manager, Community Services
C. Manley, General Manager, Planning & Economic Development
P. Mungar, General Manager, Public Works

C. Case, Manager, Support Services
M. Evers, Manager, Planning & Development
M. Ferris, Planner
J. Miller, Planner
J. Shaw, Deputy Clerk

CALL TO ORDER

Councillor Morison called the Council in Committee meeting to order at 9:30 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 January 24, 2018 Council meeting.

APPLICATIONS:

- 1 PED-PD-01-2018 Zoning By-law Amendment to Facilitate Residential Development for Senior Housing – Dunnville

M. Ferris presented the report.

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 Corbett

Seconded By: Councillor Bartlett

1. THAT Report PED-PD-01-2018 Zoning Amendment to Facilitate Residential Development for Senior Housing – Dunnville be received;
2. AND THAT application PLZ-HA-2017-120 to amend Zoning By-law 1-DU 80 from the 'Community Institutional (IC)' Zone to a site specific 'Community Institutional - Holding (IC-H) Zone' be approved for the reasons outlined in Report PED-PD-01-2018;
3. AND THAT the Zoning By-law amendment attached to Report PED-PD-01-2018 to amend the Town of Dunnville Zoning By-law 1-DU 80 be presented for enactment;
4. AND THAT the Holding (H) Provision By-law attached to Report PED-PD-01-2018 be presented for enactment, and the General Manager of Planning and Economic Development be granted authority to remove the holding provision when all conditions relating to the matter are satisfactorily addressed;
5. AND THAT staff bring forward for approval an easement agreement and municipal capital facilities lease between the future developer and/or operator and the County;

6. AND THAT the proposal is considered consistent with the Provincial Policy Statement 2014, the Provincial Growth Plan 2017 and other matters of provincial interest.

CARRIED

2 PED-PD-02-2018 Information Regarding a Draft Plan of Subdivision - Gardens Communities Inc. - Hagersville (Empire)

J. Miller presented the report.

Steven Armstrong, proponent, Armstrong Planning and Project Management spoke to the staff report and proposed development plans. He advised that 335 single-detached units are proposed in total. The whole site is designated residential and therefore no Official Plan amendment is required.

James Parkin, Planner, MHBC Planning Urban Design and Landscape Architecture was present on behalf of Lafarge. Mr. Parkin spoke to the proposed development in relation to the nearby quarry. Mr. Parkin noted compatibility, separation and health and safety concerns about the residential development being close to a quarry site and advised that further work will be done on this prior to the commencement of the development.

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 Grice

1. THAT Report PED-PD-02-2018 Information Regarding a Draft Plan of Subdivision - Gardens Communities Inc. - Hagersville (Empire) be received;
2. AND THAT in accordance with County By-law 7/01, the General Manager of Planning and Economic Development advise Council when draft approval for the plan of subdivision has been issued.

CARRIED

Recommendation 3

Moved By: Councillor Bartlett

Seconded By: Councillor Corbett

THAT the presentation from Steven Armstrong, Armstrong Planning and Project Management dated January 16, 2018 be received as information.

CARRIED

DEPARTMENTAL STAFF REPORTS

1 COMMUNITY SERVICES BUSINESS

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

1.1 CMS-GM-01-2018 Cayuga Library and Heritage Centre Revised Budget

Recommendation 4

Moved By: Councillor Morison

Seconded By: Councillor Grice

1. THAT Report CMS-GM-01-2018 Cayuga Library and Heritage Centre Revised Budget be received;
2. AND THAT the revised budget for the new Cayuga Library and Heritage Centre capital project, as outlined in report CMS-GM-01-2018, be approved.

CARRIED

PRESENTATIONS AND CONSIDERATION OF RELATED REPORTS

None.

DEPARTMENTAL STAFF REPORTS (Continued)

1 PLANNING AND ECONOMIC DEVELOPMENT BUSINESS

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

1.1 PED-PD-03-2018 Deferral of Development Charges – Wabasso Gardens

Recommendation 5

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

1. THAT Report PED-PD-03-2018 Deferral of Development Charges – Wabasso Gardens be received;

2. AND THAT the deferral of Development Charges be approved on the basis of the criteria and principles outlined in Report PED-PD-03-2018 for Wabasso Gardens and be subject to the terms and parameters as set out in Report PED-PD-03-2018;
3. AND THAT the Mayor and Clerk be authorized to execute any agreement or legal documents associated with the deferral of development charges;
4. AND THAT a non-refundable Deferral of Fees administrative processing charge of \$500.00 be applicable to the subject request.

CARRIED

1.2 Other Business

1.2.1 Correspondence from Riverside Properties RE: Caledonia Old Mill - Removal of Heritage Designation

Recommendation 6

Moved By: Councillor Grice

Seconded By: Councillor Bartlett

1. THAT the correspondence from Riverside Properties Re: Caledonia Old Mill - Removal of Heritage Designation dated January 4, 2018 be received as information;
2. AND THAT staff be directed to prepare a by-law to amend the heritage designation on the Caledonia Old Mill to apply to the site only, as outlined in Report PED-PD-41-2016 and in accordance with the *Ontario Heritage Act*.

CARRIED

MOTIONS OF CONSENT

None.

DEPARTMENTAL STAFF REPORTS (Continued)

1 COMMUNITY SERVICES BUSINESS (Continued)

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

1.1 CMS-GM-02-2018 Dunnville Seniors Affordable Housing Land Lease

Recommendation 7

Moved By: Councillor Corbett

Seconded By: Councillor Morison

1. THAT Report CMS-GM-02-2018 Dunnville Seniors Affordable Housing Land Lease be received;
2. AND THAT the request by Capability Support Services Inc. to enter into a 49 year Land Lease agreement with an annual lease payment of \$1, plus their responsibility for associated insurance, utilities, property taxes and maintenance, for use of the property identified as Part of Lot 3, Indian Reserve, Plan 69 being Parts 1,2,3,4 on 18R-7504, Haldimand County, 663 Broad Street West, Dunnville, be approved;
3. AND THAT the proposed seniors affordable housing development, as outlined in Report CMS-GM-02-2018, be considered a Municipal Housing Project Facility for the purposes of the lease agreement, as contemplated by Section 110 of the *Municipal Act*, and by Section 3(1) of Ontario Regulation 603/06;
4. AND THAT a by-law to designate Part of Lot 3, Indian Reserve, Plan 69 being Parts 1,2,3,4 on 18R-7504 Haldimand County, 663 Broad Street West, Dunnville as a Municipal Capital Facility, be presented for enactment;
5. AND THAT the Mayor and Clerk be authorized to sign the attached Land Lease agreement with Capability Support Services Inc.

CARRIED

1.2 Other Business

None.

2 PUBLIC WORKS BUSINESS

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

2.1 Other Business

Update RE: Winter Control – Staff advised that drifting has been an issue in certain areas, but that Winter Control operations have been going well overall.

Discussion RE: Carillion Bankruptcy Backup - Staff advised that Carillion is a British-based firm and that there is uncertainty on how it will impact operations in Canada. Staff understand that the Canadian Division's intent is to continue to honour the Ministry of Transportation contract.

Status RE: Traffic Lights in Cayuga - Staff advised that they are looking at the controllers and will look into maintaining an inventory of them for future potential malfunctions.

Discussion RE: Potholes on Highway 6 – Staff have been in contact with the Ministry of Transportation and were informed that potholes are being monitored and repaired as needed by a maintenance contractor. Staff will follow up to see if something can be done now.

Concerns RE: Condition of Regional Road #3 near Nanticoke

Petition RE: Request for Completion of Paving on King Street East from Main Street to Parkview Road in the 2018 Tax Supported Capital Budget King Street

Recommendation 8

Moved By: Councillor Bartlett

Seconded By: Councillor Shirton

THAT the notice provisions of the Procedural By-law be waived to consider a petition requesting completion of paving on King Street East from Main Street to Parkview Road in the 2018 Tax Supported Capital Budget.

CARRIED

Recommendation 9

Moved By: Councillor Bartlett

Seconded By: Councillor Dalimonte

1. **THAT the petition regarding the paving of King Street East from Main Street to Parkview Road be received;**
2. **AND THAT staff be directed to prepare a brief for consideration during the review of the Draft 2018 Tax Supported Capital Budget on the paving of King Street East from Main Street to Parkview Road in 2018.**

CARRIED

3 JOINT SERVICES BUSINESS

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

3.1 Other Business

None.

DELEGATIONS AND CONSIDERATION OF RELATED REPORTS

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

- 1 CS-SS-04-2018 Road Closure and Conveyance, Part Road Allowance Between Concession 1 and 2, South of Talbot Road, North Cayuga

1.1 Peter Hogeterp

Mr. Hogeterp, abutting land owner, spoke to a letter he had received from the County regarding the road closure and conveyance. Mr. Hogeterp had previously applied to purchase the land in 2003, however his application was refused. He noted that potential construction on the lands by someone else could impede his view.

Recommendation 10

Moved By: Councillor Bartlett

Seconded By: Councillor Corbett

THAT the correspondence and presentation material from Peter Hogeterp Re: CS-SS-04-2018 dated January 4, 2018 be received as information.

CARRIED

Recommendation 11

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

1. THAT Report CS-SS-04-2018 Road Closure and Conveyance, Part Road Allowance between Concession 1 and 2, South of Talbot Road, North Cayuga, be received;
2. AND THAT the application from Becki Moellgaard for the road closure and conveyance of PIN # 38226-0164(LT) being part of the road allowance Between Concessions 1 and 2, South of Talbot Road, between the westerly limit of Part 4 on 18R-5205 and the westerly limit of the Grand River; Haldimand County not be approved for the reasons outlined in Report CS-SS-04-2018.

CARRIED

2 CS-SS-05-2018 Road Closure and Conveyance, Part of the Road Allowance Between Lots 8 and 9, Concession 1, Sherbrooke

2.1 Edward Burtch

Mr. Burtch noted that the road allowance backs onto his property and was supportive of not approving the road closure and conveyance.

2.2 T. David Marshall, Duxbury Law

Mr. Marshall, on behalf of his clients, noted that the property is in a sensitive ecological area and increased usage could degrade and endanger surrounding properties in terms of erosion. The area is known as Mohawk Heights, and nearby residents have enjoyed the subject property for numerous years.

2.3 Kathleen Hickman

Ms. Hickman did not appear.

2.4 Karen Rosinski Letourneau and Luc Letourneau

Mr. Letourneau noted that he was a resident of Mohawk Estates and presented concerns over lakefront erosion. The potential building of new structures along the lake could be impacted by further erosion in this area.

2.5 Mohawk Heights Estates Association Inc.

Mohawk Heights Estate Association representative spoke to concerns over the application. The area is on a bicycle route and should be left open for enjoyment of the scenery.

2.6 Brandon and Erika Searles

Mr. and Mrs. Searles noted objections to the closure and sale of the road allowance due to its linking of residents in nearby areas.

2.7 Joseph and Mary Mussari

Mr. and Mrs. Mussari noted inaccuracies with the comments from area residents. They advised that the Grand River Conservation Authority has no objections to their proposal for the area and that their reason for purchasing part of the road allowance was to assist with enhancements to the breakwall.

Recommendation 12

Moved By: Councillor Corbett

Seconded By: Councillor Grice

1. THAT Report CS-SS-05-2018 Road Closure and Conveyance, Part of the Road Allowance Between Lots 8 and 9, Concession 1, Sherbrooke, be received;
2. AND THAT the application from Joseph Mussari for the road closure and conveyance of Part of PIN # 38127-0334(LT), being the southerly part of the road allowance between Lots 8 and 9, Concession 1, Sherbrooke, Haldimand County, not be approved for the reasons outlined in Report CS-SS-05-2018.

Amendment

Moved By: Councillor Corbett

Seconded By: Councillor Grice

3. **AND THAT staff be directed to meet with the applicants to review solutions to their breakwall concerns and report back to Council.**

CARRIED

Subsequently, the main motion was carried as amended.

Recommendation 13

Moved By: Councillor Shirton

Seconded By: Councillor Bartlett

THAT correspondence from the following individuals Re: CS-SS-05-2018 be received as information:

- Edward Burtch dated January 8, 2018;
- T. David Marshall, Duxbury Law dated January 10, 2018;
- Kathleen Hickman dated January 8, 2018;
- Karen Rosinski Letourneau and Luc Letourneau dated January 7, 2018;
- Mohawk Heights Estates Association Inc. dated January 9, 2018;
- Brandon and Erika Searles dated January 8, 2018;
- Joseph and Mary Mussari dated January 15, 2018.

CARRIED

- 3 CS-SS-06-2018 Road Closure and Conveyance, Easterly Portion of Orchard Avenue, Plan 9413, Lowbanks

3.1 Donald and Ann Watson, Susan Leary, and Margaret Black

Ann Watson, Susan Leary, and Margaret Black spoke to the staff report. They noted that the subject property adjoins theirs and advised of their interest in purchasing the property if their neighbour Ms. Lymburney does not wish to purchase it.

Recommendation 14

Moved By: Councillor Shirton

Seconded By: Councillor Bartlett

THAT the correspondence and presentation material from Donald and Ann Watson, Susan Leary, and Margaret Black Re: CS-SS-06-2018 dated January 7, 2018 be received as information.

CARRIED

3.2 Lorraine Lymburney

Recommendation 15

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT in accordance Section 19.3.5 of the Procedural By-law, Lorraine Lymburney be permitted to appear as a delegation.

CARRIED

Ms. Lymburney spoke to concerns over the property's future and expressed her interest in purchasing the property should it become available. She noted that if the subject land is sold, her lands could become landlocked.

Recommendation 16

Moved By: Councillor Shirton

Seconded By: Councillor Grice

1. THAT Report CS-SS-06-2018 Road Closure and Conveyance, Easterly Portion of Orchard Avenue, Plan 9413, Lowbanks, be received;
2. AND THAT the application from Loraine Lymburner for the road closure and conveyance of Part of PIN # 38100-0130(LT), being the easterly part of Orchard Avenue, Plan 9413, Haldimand County, not be approved for the reasons outlined in Report CS-SS-06-2018.

CARRIED

4 CS-SS-03-2018 Unsolicited Offers - Aikens Road Area, Dunnville

Following the delegation, this item was deferred for consideration until after the Closed Session portion of the meeting.

4.1 Ron Ticchiarelli

Mr. Ticchiarelli spoke to the staff report. He noted that he had taken an interest in the property and submitted an offer. In the process, he wrote to property owners in the area and discovered that the County owns a dozen lots in the area. All were willing to cooperate in the process. There have been drainage issues with the property that have been left from the 1960's. The lot size and drainage would have to be addressed in order for any development to occur.

Recommendation 17

Moved By: Councillor Corbett

Seconded By: Councillor Morison

THAT the correspondence and presentation material from Ron Ticchiarelli Re: CS-SS-03-2018 dated January 15, 2018 be received as information.

CARRIED

DEPARTMENTAL STAFF REPORTS (Continued)

1 CORPORATE SERVICES BUSINESS

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

- a. CS-SS-01-2018 Road Closure of Part of Seneca Street and Part of Cayuga Street, Cayuga

Recommendation 18

Moved By: Councillor Corbett

Seconded By: Councillor Bartlett

1. THAT Report CS-SS-01-2018 Road Closure of Part of Seneca Street and Part of Cayuga Street, Cayuga be received;
2. AND THAT Part of PIN # 38228-0086(LT), being Part of Seneca Street, Plan of the Village of Cayuga, now Haldimand County, and Part of PIN # 38228-0148(LT), being Part of Cayuga Street, Plan of the Village of Cayuga, now Haldimand County, identified on Attachment #1 to Report CS-SS-01-2018 be closed;
3. AND THAT easements over the subject road be given to Union Gas and Hydro One for existing infrastructure;

4. AND THAT public notice of the proposed closures be published for one week in the local newspaper;
5. AND THAT a By-law be passed to authorize the closures;
6. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

CARRIED

1.2 Other Business

Verbal Update RE: Niagara Peninsula Conservation Authority (NPCA) Levy Appeal - Staff advised that the appeal by the City of Hamilton was dismissed. The final order is that the default formula in the regulation should be used versus the agreement that came about as a result of restructuring in 2001.

Concerns RE: Delegation Process - Staff advised that amendments to the Procedural By-law were approved in December, 2017 to clarify how and when the public could appear as a delegation. It was noted that Council can always waive the provisions of the Procedural By-law to hear from someone.

Mayor Hewitt resumed the Chair for the remainder of the meeting.

REPORTS FROM SPECIAL PURPOSE COMMITTEES, BOARDS AND COMMISSIONS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- 1 Draft Motion RE: South Cayuga Projects

Recommendation 19

Moved By: Councillor Morison

Seconded By: Councillor Bartlett

THAT staff be directed to prepare a brief for consideration during the review of the Draft 2018 Tax Supported Capital Budget on the following projects:

- Paving of Yaremy Road between River Road and Haldimand Road 20;
- Opportunities to widen and tar/chip River Road, including identifying areas for 'pull overs' (allowing drivers of large/farm vehicles to pull over and let other drivers pass) and enhancing signage related to safety; and
- Lighting enhancements along Lakeshore Road, particularly at intersections and increased 'no parking' signage at intersections.

CARRIED

INQUIRIES, ANNOUNCEMENTS AND CONCERNS OF COUNCILLORS

None.

CLOSED SESSION

Recommendation 20

Moved By: Councillor Grice

Seconded By: Councillor Bartlett

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 3:38 p.m. closed to the public, to discuss:

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

- 1 CMS-GM-03-2018 Purchase of Land for a New Caledonia Fire/EMS Station
- 2 CS-SS-M01-2018 Additional Information Related to CS-SS-03-2017 Unsolicited Offers - Aikens Road, Dunnville

CARRIED

Recommendation 21

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

THAT this closed meeting now adjourn at 4:07 p.m. and reconvene in open session.

CARRIED

Recommendation 22

Moved By: Councillor Shirton

Seconded By: Councillor Corbett

THAT consideration of Report CMS-GM-03-2018 Purchase of Land for a New Caledonia Fire/EMS Station, be deferred to the Council Meeting of January 24, 2018.

CARRIED

Recommendation 23

Moved By: Councillor Shirton

Seconded By: Councillor Bartlett

1. THAT Report CS-SS-03-2018 Unsolicited Offers – Aikens Road Area, Dunnville be received;
2. AND THAT Memorandum CS-SS-M01-2018 Additional Information Related to Report CS-SS-03-2018 be received as information and remain confidential;
3. AND THAT Report CS-SS-31-2017 Unsolicited Offers to Purchase Vacant Land – Aikens Road, Dunnville be received as information;
4. AND THAT Memorandum CS-SS-M12-2017 Additional Information Related to Report CS-SS-31-2017 Unsolicited Offers to Purchase Vacant Land – Aikens Road, Dunnville be received as information and remain confidential;
5. AND THAT PIN # 38134-0238(LT), Part Lot 7, Concession 2, north of Dover Road, being Part 44 on 18R9, Dunn, now Haldimand County, be declared surplus to the needs of the municipality;
6. AND THAT staff be authorized to negotiate the sale of the subject properties, legally described as: PIN # 38134-0237(LT), Part Lot 7, Concession 2, north of Dover Road, being Part 43 on 18R9, Dunn, now Haldimand County; PIN # 38134-0238(LT), Part Lot 7, Concession 2, north of Dover Road, being Part 44 on 18R9, Dunn, now Haldimand County; and PIN # 38134-0239(LT), Part Lot 7, Concession 2, north of Dover Road, being Part 45 on 18R9, Dunn, now Haldimand County; in accordance with **Option 5** as outlined in Memorandum CS-SS-M01-2018;
7. AND THAT public notice of the pending sale be published in the local newspaper;
8. AND THAT the Mayor and Clerk be authorized to execute all necessary documents;
9. AND THAT once a final sale agreement has been reached, a by-law be presented to authorize the sale.

CARRIED

ADJOURNMENT

Recommendation 24

Moved By: Councillor Bartlett

Seconded By: Councillor Morison

THAT this meeting is now adjourned at 4:09 p.m.

CARRIED

MAYOR

DEPUTY CLERK