



THE CORPORATION OF
HALDIMAND COUNTY

COUNCIL IN COMMITTEE MINUTES

DATE: January 13, 2015

TIME: 9:30 a.m.

PLACE: Cayuga Municipal Administration Building, Council Chambers

PRESENT:

Council	K. Hewitt	Mayor	(arrived at 9:47 a.m.)
	L. Bartlett	Councillor	(arrived at 9:38 a.m.)
	F. Morison	Councillor	
	C. Grice	Councillor	
	T. Dalimonte	Councillor	
	R. Shirton	Councillor	
	B. Corbett	Councillor	
SMT	D. Boyle	Chief Administrative Officer	
	K. General	General Manager, Corporate Services	
	T. Haedrich	Director, Engineering Services & Roads Operations	
	H. Hanly	General Manager, Community Services	
	C. Manley	General Manager, Planning & Economic Development	
	P. Mungar	General Manager, Public Works	
Staff	M. Evers	Manager, Planning & Development	
	M. Ferris	Planner	
	B. Hammond	Manager, Roads Operations	
	J. Jackson	Administrator, Grandview Lodge	
	S. Marsh	Property Coordinator	
	M. Merritt	Treasurer	
	J. Regan	Manager, Economic Development & Tourism	
	W. Wight	Water & Waste Water Technologist	
Clerk	E. Eichenbaum	Clerk	

CALL TO ORDER

Councillor Morison called the Council in Committee meeting to order.

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 19, 2015 Council meeting.

PED-PD-01-2015 RE: TEMPORARY USE BY-LAW TO PERMIT AN ADDITIONAL USE – NORTH CAYUGA (GARDNER)

M. Evers introduced and provided an overview of Report PED-PD-01-2015 outlining an application to pass a Temporary Use By-law for a period of 11 days to permit an additional use.

The applicant and his agent were in attendance to answer questions.

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

Recommendation 1

Moved By: Councillor Dalimonte

Seconded By: Councillor Grice

1. THAT Report PED-PD-01-2015 Re: Temporary Use By-law to Permit an Additional Use – North Cayuga (Gardner) dated December 03, 2014 BE RECEIVED;
2. AND THAT application PLZ-HA-2014-207, to pass a Temporary Use By-law for a period of 11 days to permit an additional use BE APPROVED for reasons outlined in Report PED-PD-01-2015;
3. AND THAT the application is deemed to be consistent with the Provincial Policy Statement 2014, the Provincial Growth Plan and other matters of Provincial interest;
4. AND THAT the Temporary Use By-law attached to Report PED-PD-01-2015 BE PASSED.

CARRIED (Unanimously 7-0)

PED-PD-02-2015 RE: INFORMATION REPORT: WALPOLE SQUARE SUBDIVISION – PHASE 9 (WALPOLE (HAGERSVILLE) HOLDINGS INC.)

M. Evers introduced Report PED-PD-02-2015 outlining an application for draft approval for the plan of subdivision.

Robert Walters and Kevin Gonnsen, Metropolitan Consulting, were in attendance to answer questions. Mr. Walters and Mr. Gonnsen noted that completion is anticipated for 2016.

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

Recommendation 2

Moved By: Councillor Dalimonte

Seconded By: Councillor Bartlett

1. THAT Report PED-PD-02-2015 Re: Information Report: Walpole Square Subdivision – Phase 9 (Walpole (Hagersville) Holdings Inc.) dated December 09, 2014 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;
3. AND THAT the implementing zoning by-law amendment be submitted for Council consideration following draft approval for the plan of subdivision;
4. AND THAT the General Manager of Planning and Economic Development be granted authority to remove the holding provision from the zoning by-law referred to in recommendation #3 when all conditions relating to the matter are satisfactorily addressed.

CARRIED (Unanimously 7-0)

PED-PD-04-2015 RE: ZONING BY-LAW AMENDMENT FOR PROPOSED INSTITUTIONAL DEVELOPMENT, DUNNVILLE (GHANDI)

M. Ferris introduced Report PED-PD-04-2015 outlining an application to amend the Town of Dunnville Zoning By-law 1-DU 80 to (i) rezone the subject lands from 'General Industrial (MG)' Zone & 'Urban Residential Type 2 (R2)' Zone to 'Neighbourhood Institutional - Holding (IN-H)' Zone with a series of special provisions to facilitate institutional development.

David Roe, agent for applicant, was in attendance to answer questions. Mr. Roe expressed his support for staff report and recommendations. It was noted that a workshop was held for surrounding property owners in the summer 2014.

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

Recommendation 3

Moved By: Councillor Corbett

Seconded By: Councillor Grice

1. THAT Report PED-PD-04-2015 Re: Zoning By-law Amendment for Proposed Institutional Development, Dunnville (Ghandi) dated December 1, 2014 be RECEIVED;
2. THAT application PLZ-HA-2014-135 to amend the Town of Dunnville Zoning By-law 1-DU 80 to (i) rezone the subject lands from 'General Industrial (MG)' Zone & 'Urban Residential Type 2 (R2)' Zone to 'Neighbourhood Institutional - Holding (IN-H)' Zone with a series of special provisions to facilitate institutional development BE APPROVED for reasons outlined in Report PED-PD-04-2015;
3. THAT the Zoning By-law attached to Report PED-PD-04-2015 BE PASSED;

4. THAT the holding provision removal by-law attached to Report PED-PD-04-2015 BE PASSED 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. THAT servicing allocation in the amount of 21.8 m³/day of water and 18.8 m³/day of wastewater be assigned to the subject proposal;
6. THAT Council approve an easement over the Dunnville Multi-Purpose Facility site to facilitate the provision of municipal servicing to the subject lands as generally shown on Attachment 4;
7. THAT Council authorize staff to negotiate the sale of a portion of land at the Dunnville Multi-Purpose Facility site, to the applicant, to facilitate the establishment of a sidewalk from the development to Forest Street as generally shown on Attachment 4, at the appraised value, with a future report to be brought forward by the Support Services Division authorizing the transaction;
8. AND THAT the proposal is deemed to BE CONSISTENT with the Provincial Policy Statement (2014), and the Growth Plan for the Greater Golden Horseshoe.

CARRIED (Unanimously 7-0)

DEPARTMENTAL STAFF REPORTS

Planning and Economic Development Business

PED-PD-03-2015 RE: SERVICE STANDARDS – 2014 UPDATE

Recommendation 4

Moved By: Councillor Bartlett

Seconded By: Councillor Corbett

THAT Report PED-PD-03-2015 Re: Service Standards – 2014 Update dated December 01, 2014 be received.

CARRIED (Unanimously 7-0)

OTHER BUSINESS:

None.

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

PRESENTATIONS AND CONSIDERATION OF RELATED REPORTS

1. John Regan, Manager, Economic Development and Tourism RE: Economic Development and Tourism – Path Forward

MOTIONS OF CONSENT

Recommendation 5

Moved By: Councillor Corbett
Seconded By: Councillor Grice

THAT the following memorandum/report be received as information:

1. PW-WW-M01-2015 Re: Annual Drinking Water Quality Management Standard (DWQMS) Update
2. CS-CL-02-2015 Re: 2014 Municipal Election Summary

CARRIED (Unanimously 7-0)

CLOSED SESSION

Recommendation 6

Moved By: Councillor Corbett
Seconded By: Councillor Shirton

THAT pursuant to Section 239 of the *Municipal Act*, as amended, Council convene in a meeting at 1:03 p.m. closed to the public, to discuss:

- the security of the property of the municipality or local board
 1. Correspondence from Haldimand County Hydro Re: Client Direction form from Norton Rose Fulbright LLP
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
 1. White Oaks
 2. Verbal Update Re: Niagara Peninsula Conservation Authority Levy Apportionment

CARRIED (Unanimously 7-0)

Recommendation 7

Moved By: Councillor Bartlett
Seconded By: Councillor Shirton

THAT this closed meeting now adjourn at 2:05 p.m. and reconvene in open session.

CARRIED (Unanimously 7-0)

DEPARTMENTAL STAFF REPORTS (CONTINUED)

PUBLIC WORKS Business

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

PW-ES-01-2015 RE: AWARD OF TENDER PW-ES-014-059, NANTICOKE WATER TREATMENT PLANT UPGRADES

Recommendation 8

Moved By: Councillor Morison

Seconded By: Councillor Grice

1. THAT Report PW-ES-01-2015 Re: Award of Tender PW-ES-014-059, Nanticoke Water Treatment Plant Upgrades dated December 22, 2014 be received;
2. AND THAT the Revised Budget as outlined in Report PW-ES-01-2015 be approved;
3. AND THAT the Treasurer certifies that the issuance of debentures for this project will not cause Haldimand County to exceed its annual debt repayment limit; funding of the Nanticoke Water Treatment Plant Upgrades be provided through the issuance of debentures, for a repayment term not to exceed 10 years, and in an amount not to exceed \$7,798,150;
4. AND THAT the upset limit of Contract PW-ES-013-077 with J.L. Richards and Associates for the engineering work related to the Nanticoke Water Treatment Plant Upgrades be increased from \$734,861 to \$847,245 plus applicable taxes;
5. AND THAT the services of an Optimization Specialist be acquired through Veolia Water to assist with transitioning to the upgraded treatment processes at a cost of \$26,550 plus applicable taxes;
6. AND THAT Tender PW-ES-014-059 for the Nanticoke Water Treatment Plant Upgrades be awarded to H.I.R.A. Limited in the amount of \$7,106,787.20 plus applicable taxes;
7. AND THAT the Director of Engineering Services be authorized to execute the contract documents.

CARRIED (Unanimously 7-0)

PW-RO-M01-2015 RE: EMERGENCY REPLACEMENT OF TWIN CULVERTS ON HALDIBROOK ROAD, CALEDONIA

Recommendation 9

Moved By: Councillor Grice

Seconded By: Councillor Corbett

THAT Memorandum PW-RO-M01-2015 Re: Emergency Replacement of Twin Culverts on Haldibrook Road, Caledonia dated December 22, 2014 be received as information.

CARRIED (Unanimously 7-0)

OTHER BUSINESS:

1. Resident Concern RE: Transmission Line along County Road 20 – It was noted that significant noise is emitted through transmission lines during rain and snow periods. Also, a concern was raised about snow accumulation adjacent to the barriers around the transmission poles.

Joint Services Business

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

OTHER BUSINESS:

None.

Community Services Business

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

CMS-GL-01-2015 RE: MINISTRY OF HEALTH AND LONG-TERM CARE INSPECTION REPORT FINDINGS

Recommendation 10

Moved By: Councillor Shirton
Seconded By: Councillor Morison

THAT Report CMS-GL-01-2015 Re: Ministry of Health and Long-Term Care Inspection Report Findings dated December 22, 2014 be received.

CARRIED (Unanimously 7-0)

CMS-GM-01-2015 RE: DISPOSITION OF FORMER KOHLER LAND AMBULANCE STATION LOCATED AT 279 LINK ROAD, KOHLER

Recommendation 11

Moved By: Councillor Corbett
Seconded By: Councillor Morison

1. THAT Report CMS-GM-01-2015 Re: Disposition of the Former Kohler Land Ambulance Station Located at 279 Link Road, Kohler dated January 02, 2015 be received;
2. AND THAT the property owned by Haldimand County located at 279 Link Road, Kohler, being the former Kohler Land Ambulance Station and Kohler Community Center, be declared surplus to the needs of the County;
3. AND THAT staff be authorized to prepare the property for disposal by obtaining an appraisal and a survey and determining if it will be feasible to sell as two lots rather than one lot;
4. AND THAT once the property(ies) become marketable, staff be authorized to list with a local realtor and report back to Council with the results;

5. AND THAT any unbudgeted costs required to dispose of this property be funded by the Land Sales Reserve.

CARRIED (Unanimously 7-0)

OTHER BUSINESS:

1. Hagersville Fire Hall Property

Recommendation 12

Moved By: Councillor Shirton
Seconded By: Councillor Corbett

THAT the notice provision of the Procedural By-law be waived to consider a recommendation on the Hagersville Fire Hall property at 15 Alma Street North.

CARRIED (Unanimously 7-0)

Recommendation 13

Moved By: Councillor Corbett
Seconded By: Councillor Morison

WHEREAS the existing Hagersville Fire Hall, located at 15 Alma Street North, has been declared surplus, via Report CMS-GM-05-2014;

THEREFORE BE IT RESOLVED THAT staff be authorized to prepare the Hagersville Fire Hall property for disposal by obtaining an appraisal and survey, if required, with this unbudgeted cost funded by the Land Sales Reserve;

AND THAT, once the 15 Alma Street North property has been vacated through the relocation to the new Hagersville Fire Hall on Main Street South, the property be listed for sale with a local realtor;

AND THAT staff report back to Council with any offers to purchase property.

CARRIED (Unanimously 7-0)

2. Accommodation Review – Members of Council discussed the possibility of addressing this matter prior to budget deliberations. It was noted that one-time funding to move certain priorities forward would be an option.

Councillor Morison left at 3:05 p.m. for the remainder of the meeting.

3. Update RE: New Fire Hall/EMS Buildings – The Cayuga Fire Hall/EMS facility is now fully operational. The Hagersville Fire Hall is expected to be operational in mid-February. The South Haldimand Fire Hall is scheduled for completion by the end of May.

Corporate Services Business

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

CS-SS-01-2015 RE: UNREGISTERED ROAD WIDENING – 2285 NORTSHORE DRIVE, LOWBANKS

Recommendation 14

Moved By: Councillor Corbett

Seconded By: Councillor Bartlett

1. THAT Report CS-SS-01-2015 Re: Unregistered Road Widening - 2285 Northshore Drive, Lowbanks dated November 07, 2014 be received;
2. AND THAT consent be given to acquire, from Kevin Andrew Drenth and Jennifer Lynn Drenth, the land comprised of an unregistered road widening, along the north side of County Road 3 (Northshore Drive) and identified as Part 2 on Draft Reference Plan of Part of Lot 16, Concession 2, Sherbrooke, now Haldimand County, for a purchase price of \$2.00 plus all related costs of transfer;
3. AND THAT, following registration of the transfer of land adjacent to 2285 Northshore Drive, Lowbanks, to The Corporation of Haldimand County, a road dedication by-law be passed;
4. AND THAT the Mayor and Clerk be authorized to execute all necessary documents required to give effect to the intention herein;
5. AND THAT a by-law be passed delegating authority to the Director of Engineering, together with the Manager of Support Services, to acquire lands required for road widenings under the following conditions:
 - The subject land is physically contained within the municipally occupied and maintained limits of a County road, as confirmed by an accredited Ontario Land Surveyor;
 - The road widening portion of the land is inadvertently included in the legal description of an adjacent property;
 - Upon consultation with County Divisions, it is determined it is in the best interest of the County to obtain legal ownership of the subject land for the purpose of the road widening;
 - Any costs to obtain the subject land can be accommodated within an approved budget; and
 - Following acquisition of the subject land, a by-law would be presented to Council to formally authorize the road dedication.

CARRIED (Unanimously 6-0)

CS-SS-03-2015 RE: JARVIS PROPERTY LEASE – DUXBURY

Recommendation 15

Moved By: Councillor Bartlett

Seconded By: Councillor Grice

1. THAT Report CS-SS-03-2015 Re: Jarvis Property Lease - Duxbury dated November 18, 2014 be received;
2. AND THAT the existing lease between Haldimand County and Bruce and Susan Duxbury, for property known as Part Lot 5, Concession 8, City of Nanticoke, now Haldimand County, be terminated;
3. AND THAT Haldimand County enter into a new lease for farming purposes, as outlined in Attachment #3, with Bruce and Susan Duxbury, for property known as Part Lot 5, Concession 8, City of Nanticoke, now Haldimand County, less the portion of land containing the Jarvis Fire Station and the lands to be sold to Cargo Ease;
4. AND THAT the Mayor and Clerk be authorized to execute all necessary documents;
5. AND THAT a by-law authorizing the lease be presented to Council.

CARRIED (Unanimously 6-0)

CS-SS-04-2015 RE: TRANSFER OF LANDS TO HML HOLDINGS LTD.

Recommendation 16

Moved By: Councillor Corbett

Seconded By: Councillor Shirton

1. THAT Report CS-SS-04-2015 Re: Transfer of Lands to HML Holdings Ltd. dated November 18, 2014 be received;
2. AND THAT the land described as the easterly 1 foot of Lot 8, Registered Plan 91 as in HC146107, Haldimand County, be declared surplus to the needs of the municipality and transferred to HML Holdings Ltd. for \$2.00 plus all associated conveyance costs, subject to an easement for municipal purposes;
3. AND THAT public notice of the proposed conveyance be published in the local newspaper;
4. AND THAT a By-law be presented to authorize the sale;
5. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

CARRIED (Unanimously 6-0)

CS-SS-06-2015 RE: VESTING ORDER APPLICATION – 1 JAMES STREET, JARVIS

Recommendation 17

Moved By: Councillor Corbett

Seconded By: Councillor Bartlett

1. THAT Report CS-SS-06-2015 Re: Vesting Order Application - 1 James Street, Jarvis dated December 05, 2014 be received;
2. AND THAT staff be authorized to proceed with an Application to Court to obtain a Vesting Order for PIN # 38248-0359(R), being Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block O, Plan 2683, Part of Lot 4, Concession 7, Walpole, Part of Park Street and Part of James Street, Plan 2683, Haldimand County, municipally known as 1 James Street, Jarvis;
3. AND THAT, in the event it is determined that an alternative method would be more efficient in these circumstances, staff be authorized to proceed with the alternative method of vesting title;
4. AND THAT, once the County has legal ownership of the lands, the County solicitor be authorized to proceed with the registration of an Application General to convert the lands from Registry to Land Titles Conversion Qualified;
5. AND THAT the Mayor and Clerk be authorized to execute all necessary documents.

CARRIED (Unanimously 6-0)

CS-FI-01-2015 RE: MUNICIPAL DRAIN BILLING

Recommendation 18

Moved By: Councillor Shirton

Seconded By: Councillor Bartlett

1. THAT Report CS-FI-01-2015 Re: Municipal Drain Billing dated January 5, 2015 be received;
2. AND THAT the Municipal Drain Construction and Maintenance Billing Policy, as outlined in Attachment 1 to Report CS-FI-01-2015, be approved;
3. AND THAT the applicable By-laws be passed to levy the actual costs of maintenance for the McNichol, Fred Buckner, Buckner, Lindsay, Stonehaven, Horseshoe Bay, Boyt, Waines, Bravin, Ellsworth, Furry, MacKeigan, Tweed, Harvey, North Hutchinson North, North Hutchinson South, South Hutchinson, and County Road 3 Municipal Drains Maintenance;
4. AND THAT the applicable By-laws be passed to levy the actual costs of construction for the Deamude and South Hutchinson Drains;
5. AND THAT the draft letter (Attachment #2) be sent to the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) regarding concerns over the timing of receipt of annual Municipal Drain Maintenance Grants;

6. AND THAT the unbilled amounts related to the Municipal Drains identified in CS-FI-01-2015, totaling \$119,471.82, be written off as uncollectible, for the reasons outlined in the Report, with this one-time expense funded by the Contingency Reserve.

CARRIED (Unanimously 6-0)

CS-CL-01-2015 RE: REQUEST TO APPEAR AS DELEGATIONS AT THE 2015 ROMA CONFERENCE

Recommendation 19

Moved By: Councillor Corbett

Seconded By: Councillor Grice

1. THAT Report CS-CL-01-2015 Re: Request to Appear as Delegations at the 2015 ROMA Conference dated December 18, 2014 be received;
2. AND THAT the following Requests for Delegations with Provincial Ministries, at the 2015 ROMA Conference, be submitted by the Mayor's Office by the deadline of January 16, 2015:
 - i) Transportation
 - a) Update on signalization and turning lane improvements at Highway 3 and Highway 56, Canfield
 - b) Update on signalization and turning lane improvements at Highway 6 and 1st Line, Hagersville
 - c) Cayuga bridge work stoppage
 - o Socio/Economic effect on Haldimand County
 - o Impact on Haldimand County's image as a place to invest
 - ii) Health and Long Term Care
 - a) Increased funding for mandatory Provincial public health programs, long term care and land ambulance
 - iii) Children and Youth Services
 - a) Increased funding for mandatory Provincial social services programs due to growing impact on municipal tax levy – i.e.:
 - o Healthy babies/Healthy children
 - o Prenatal/postnatal nurse practitioner
 - o Preschool speech language and infant hearing
 - o Healthy Smiles Ontario
 - iv) Economic Development
 - a) More funding for infrastructure to enhance economic development in rural municipalities such as Haldimand County
 - b) More funding and assistance to help us create development at the Lake Erie Industrial Park
 - v) Infrastructure
 - a) Haldimand County's inability to qualify for provincial infrastructure grants
 - b) Parkview Meadows land in Townsend
 - vi) Energy
 - a) Nanticoke OPG plant and future use of transmission corridor

vii) Aboriginal Affairs

- a) Douglas Creek Estates and aboriginal issues that affect Haldimand County.

CARRIED (Unanimously 6-0)

OTHER BUSINESS:

1. 2015 Mayor's Gala – A motion will come forward at a subsequent meeting. All charitable groups should submit their expression of interest as recipient by the end of January.

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

DELEGATIONS AND CONSIDERATION OF RELATED REPORTS

None.

REPORTS FROM SPECIAL PURPOSE COMMITTEES, BOARDS AND COMMISSIONS

UNFINISHED BUSINESS

1. Town of Collingwood correspondence dated October 20, 2014 RE: Reconsider Decision to Eliminate Home to Home Postal Delivery – Discussion ensued surrounding postal delivery within Haldimand County.

NEW BUSINESS

None.

INQUIRIES, ANNOUNCEMENTS AND CONCERNS OF COUNCILLORS

1. Discussion RE: Winter Control Parking Issues

ADJOURNMENT

Recommendation 20

Moved By: Councillor Bartlett

Seconded By: Councillor Shirton

THAT this meeting is now adjourned at 3:52 p.m.

CARRIED (Unanimously 6-0)

MAYOR

CLERK