

Council Minutes
The Corporation of Norfolk County

May 17, 2022
1:00 p.m.
Council Chambers

Present: Tom Masschaele, Linda Vandendriessche, Michael Columbus, Chris Van Paassen, Ian Rabbitts, Amy Martin, Kim Huffman

Absent with Regrets: Mayor Kristal Chopp, Ryan Taylor

Staff Absent: Brandon Sloan, Bill Cridland, Shelley Darlington, Heidy VanDyk, Erin Anderson, Teresa Olsen, Kevin Klingenberg, Beverly Osterberg, Aren Plante, Al Meneses, Julie Ellis

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- 1. Ceremonial Activities**
 - 2. Approval of Agenda/Changes to the Agenda**

Resolution No. 1

Moved By: Councillor Masschaele

Seconded By: Councillor Huffman

THAT the agenda be approved with the following amendments:

- Communications Item 7.1 pulled by Councillor Van Paassen for discussion and moved to Item under Staff Reports under Corporate Services
- Reference to the May 3rd Open and Closed Special Council Meeting have been added to the agenda

- Resolution 20 from May 10th, 2022 CIC agenda pulled by Councillor Rabbits for discussion

- Item 16.1 was amended to include a second Closed Session exemption

Carried.

3. Disclosure of Pecuniary Interest

4. Early Closed Session

5. Consent Items

6. Presentations & Deputations

7. Communications

Resolution No. 2

Moved By: Councillor Vandendriessche

Seconded By: Councillor Rabbits

THAT the following Communications Items be received for information:

Carried.

7.1 Information Memo - Long Point Beach Access

7.2 Information Memo - COVID-19 Safety Plan Requirements for Special Events

7.3 Delhi Business Improvement Area Minutes - March 10, 2022

7.4 Delhi Business Improvement Area Minutes - April 14, 2022

Carried.

8. Approval of Minutes

8.1 Council Minutes - April 19, 2022 (Open and Closed)

8.2 Special Council Minutes - May 3, 2022 (Open and Closed)

Resolution No. 3

Moved By: Councillor Columbus

Seconded By: Councillor Masschaele

THAT the April 19, 2022 Regular Council Minutes (Open and Closed) and the May 3, 2022 Special Council Minutes (Open and Closed) be approved as presented.

Carried.

9. Reports of Committee of the Whole

9.1 Public Hearing Committee Minutes - April 5, 2022

9.2 Council-In-Committee Minutes - May 10, 2022 (Open and Closed)

Andrew Grice, General Manager of Environmental and Infrastructure Services, spoke to the report and responded to questions of Council.

Resolution No. 4

Moved By: Councillor Vandendriessche

Seconded By: Councillor Rabbitts

THAT the May 3rd, 2022 Public Hearings Committee Minutes and the balance of the May 10th, 2022 Council-in-Committee (Open and Closed) minutes excluding Resolution 20 (open minutes) be approved as presented.

Carried.

Resolution No. 5

Moved By: Councillor Rabbitts

Seconded By: Councillor Huffman

THAT Report EIS 22-022 Rainbow Crosswalk Installation Simcoe be received as information;

AND THAT the Rainbow Crosswalk in Simcoe on Union Street at the intersection of Norfolk Street South be approved for installation with the recommended pre formed thermoplastic material and as outlined in the report to be funded in full by donations provided by Ryders Rainbow group;

AND THAT the Rainbow Crosswalk in Simcoe project only proceed when the Ryders Rainbow fundraising dollars are provided to the County;

AND THAT Staff be directed to initiate procurement to install a Rainbow Crosswalk in Simcoe on Union Street at the intersection of Norfolk Street South when the funds are received;

AND FURTHER, if additional funds are provided by Ryders Rainbow group that the additional funds be transferred to the Roads Reconstruction Reserve to be tracked separately within the Reserve to ensure the funds are used for future rainbow crosswalk maintenance;

AND FURTHER staff be directed to bring back a report and policy on Decorative Crosswalk Guidelines to a future council meeting.

Carried.

10. Reports of Committees

10.1 Community Policing Committee Minutes - April 26, 2022

Resolution No. 6

Moved By: Councillor Huffman

Seconded By: Councillor Martin

THAT Council direct By-law Enforcement Supervisor Jim Millson to attend the next Community Policing Committee meeting to provide an update on by-law enforcement matters within Norfolk County.

Carried.

Resolution No. 7

Moved By: Councillor Huffman

Seconded By: Councillor Columbus

THAT Council appoint Councillor Huffman as a representative on the Community Policing Committee.

Carried.

Resolution No. 8

Moved By: Councillor Martin

Seconded By: Councillor Rabbitts

THAT the April 26, 2022 Community Policing Committee minutes be received as information.

Carried.

11. Staff Reports/Discussion Items

11.1 Health & Social Services

11.2 Community Development Division

11.2.1 ZNPL2022062 - An application has been received to amend the Zoning By-law to permit an animal hospital as an additional use on the subject lands in the Agricultural (A) Zone, CD-22-041

Brandon Sloan, General Manager of Community Development introduced the report.

Resolution No. 9

Moved By: Councillor Vandendriessche

Seconded By: Councillor Columbus

THAT the application by ERIC ELVER AND DR. EMILY ZAKRAJSEK., affecting the lands described as Part Lot 184, Concession 1 STR, Geographic Township of Midleton, Norfolk County, to amend the Norfolk County Zoning By-Law 1-Z-2014 from Agricultural Zone (A) to Agricultural Zone (A) with a special provision, File Number ZNPL2022062, BE APPROVED as shown in Attachment C to report CD-22-041;

AND THAT all public input received for this application was considered as part of the decision, as outlined in staff report CD 22-041.

Carried.

11.2.2 ZNPL2022034 - An application has been received to amend the Norfolk County By-Law 1-Z-2014 to rezone the subject lands from Hamlet Commercial Zone to Hamlet Residential Zone, CD-22-045

Brandon Sloan, General Manager of Community Development introduced the report.

Resolution No. 10

Moved By: Councillor Vandendriessche

Seconded By: Councillor Huffman

THAT the application ZNPL2022034 by MARTIN REATH and LESLEY WATSON affecting the lands described as 3695 Highway 59, Norfolk County to amend the Norfolk County Zoning By-Law 1-Z-2014 from “Hamlet Commercial Zone (CHA) to Hamlet Residential Zone (RH) to facilitate the conversion of an existing structure to residential with a Special Provision 14.1019, BE APPROVED as attached as Appendix G;

AND THAT all public input received for this application were considered as part of the decision, as outlined in staff report CD 22-045.

Carried.

11.2.3 OPNPL-2022-096 and ZNPL-2022-097 - Development applications proposing to amend the Norfolk County Official Plan from Mixed Residential Commercial Designation to Mixed Residential Commercial Designation with a site specific policy area, CD-22-047

Brandon Sloan, General Manager of Community Development introduced the report and responded to questions of Council.

Resolution No. 11

Moved By: Councillor Rabbitts

Seconded By: Councillor Columbus

THAT the application by NATHAN KEW, File Number OPNPL2022096, affecting the lands described as Part Lots 8 and 9, Block 126, Plan 182, Urban Area of Simcoe, Norfolk County, to amend the Norfolk County Official Plan from Mixed Residential/Commercial Designation to Mixed Residential/Commercial Designation with a site specific policy area, BE REFUSED, as it is not consistent with the Provincial Policy Statement (2020);

AND THAT the application by NATHAN KEW, File Number ZNPI2022097, affecting the lands described as Part Lots 8 and 9, Block 126, Plan 182, Urban Area of Simcoe, Norfolk County, to amend the Norfolk County Zoning By-Law 1-Z-2014, from Residential Commercial Business Zone (CRB) to Residential Commercial Business Zone (CRB) with a special provision, BE REFUSED as it is not consistent with Provincial Policy Statement (2020) and does not conform to the Official Plan;

AND FURTHER THAT all public input received for this application were considered as part of the decision, as outlined in staff report CD22-047 and Council decision.

Defeated.

Resolution No. 12

Moved By: Councillor Huffman

Seconded By: Councillor Masschaele

THAT the application by NATHAN KEW, File Number OPNPL2022096, affecting the lands described as Part Lots 8 and 9, Block 126, Plan 182, Urban Area of Simcoe, Norfolk County, to amend the Norfolk County Official Plan from Mixed Residential/Commercial Designation to Mixed Residential/Commercial Designation with a site specific policy area, BE APPROVED, as shown in Attachment B to Report CD-22-047;

AND THAT the application by NATHAN KEW, File Number ZNPL2022097, affecting the lands described as Part Lots 8 and 9, Block 126, Plan 182, Urban Area of Simcoe, Norfolk County, to amend the Norfolk County Zoning By-Law 1-Z-2014, from Residential Commercial Business Zone (CRB) to Residential Commercial Business Zone (CRB) with a special provision, BE APPROVED, as shown in Attachment C to Report CD-22-047;

AND FURTHER THAT all public input received for this application were considered as part of the decision, as outlined in staff report CD22-047.

Carried.

11.2.4 ZNPL2022013 - An Application has been received to change the zoning from Urban Residential Type 1 (R1-B) with a Holding (H) to Urban Residential Type 2 (R2) to permit 6 semi-detached units, CD-22-050

Brandon Sloan, General Manager of Community Development introduced the report.

Resolution No. 13

Moved By: Councillor Huffman

Seconded By: Councillor Vandendriessche

THAT the zoning amendment application ZNPL2022013 by BROOK GREEN GROUP INC. on behalf of BROOK GREEN GROUP INC. and agent G. DOUGLAS VALLEE LTD. affecting the lands described as Part Lot 1, Block 17, Plan 19B, Urban Area of Waterford, Norfolk County to amend the Zoning By-Law 1-Z-2014 from Urban Residential Type 1 (R1-B) with a Holding (H) to Urban Residential Type 2 (R2) with a Holding (H), BE APPROVED as identified as Attachment C.

Carried.

11.2.5 ZNPL2022037 - An application has been received to change the zoning from Urban Residential Type 2 Zone (R2) to Urban Residential Type 3 Zone (R3) to permit an additional unit by converting a semi-detached dwelling into a triplex dwelling, CD-22-051

Brandon Sloan, General Manager of Community Development introduced the report and responded to questions of Council.

Resolution No. 14

Moved By: Councillor Huffman

Seconded By: Councillor Columbus

THAT the zoning amendment application ZNPL2022037 by LANDPRO PLANNING SOLUTIONS on behalf of BRODY DUNNETT affecting the lands described as 739 – 741 Norfolk Street North, Simcoe, Norfolk County to amend the Zoning By-Law 1-Z-2014 from Urban Residential Type 2 Zone (R2) to Urban

Residential Type 3 Zone (R3) Zone with a Special Provision, BE APPROVED as identified as Attachment C.

Carried.

11.3 Environmental and Infrastructure Services Division

11.3.1 Long Point Causeway - Update, EIS-22-021

Andrew Grice, General Manager of Environmental and Infrastructure Services, introduced the report and responded to questions of Council.

Kathy LaPlante, Treasurer/Director of Financial Management and Planning, responded to questions of Council.

Mike King, Director of Engineering, responded to questions of Council.

Resolution No. 15

Moved By: Councillor Masschaele

Seconded By: Councillor Vandendriessche

THAT Report EIS-22-021 be received as information;

AND THAT the Approved Capital Budget be amended (increased) for the Long Point Causeway Bridge Replacement (Project 5531719) by \$3,744,000 to a total budget of \$11,982,000;

AND THAT the additional funding required for the Long Point Causeway Bridge Replacement in the amount of \$3,744,000 be provided from the issuance of debentures for an amended project total debenture financing amount of \$7,816,000 as per Table 1 for a period of time not to exceed 20 years;

AND THAT the General Manager, Environmental and Infrastructure Services be authorized to execute a purchase order for Sierra Bridge Inc. for the costs outlined in this report in the amount of \$1,964,742 (excluding HST);

AND THAT the General Manager, Environmental and Infrastructure Services be authorized to execute a purchase order for Parsons Inc. for the costs outlined in this report in the amount of \$507,151 (excluding HST);

AND THAT the scope of work for the wetland offsetting post construction monitoring requirements be included in the Proposed 2023-2031 Capital Plan for Council's consideration;

AND FURTHER THAT Council direct staff to investigate alternatives for the Long Point Causeway Road Construction.

Carried.

11.4 Operations Division

11.5 Corporate Services Division

11.5.1 Salary Gapping Policy - CS-22-093

Kathy LaPlante, Treasurer/Director of Financial Management and Planning, presented the report and responded to questions of Council.

Erin Anderson, Director of Human Resources responded to questions of Council.

Al Meneses, Chief Administrative Officer, responded to questions of Council.

Resolution No. 16

Moved By: Councillor Martin

Seconded By: Councillor Vandendriessche

THAT Report CS-22-093 Approved Budgeted Complement and Corporate Salary Gapping Policy be received as information;

AND THAT a clause be added to indicate that if any restructuring of Senior Leadership Positions is considered, that the CAO bring forward a report for Council's information,

AND THAT clause 6 be amended as follows:

Salary gapping savings may also be used in the recruitment process for senior positions understanding advertisement may be included and if recruitment firms and moving costs are part of the recruitment that the CAO bring forward a report for Council's information,

AND THAT the attached Approved Budgeted Complement and Corporate Salary Gapping Policy be approved.

Carried.

11.5.2 Information Memo - Property Sale Update - Waverly Street, Delhi

Councillor Van Paassen passed the Chair to Councillor Vandendriessche.

Kathy LaPlante, Treasurer/Director of Financial Management and Planning, responded to questions of Council.

Councillor Van Paassen resume as Chair.

Resolution No. 17

Moved By: Councillor Van Paassen

Seconded By: Councillor Masschaele

THAT staff be directed to review the County's various Reserves, reserve mandates, and balances and bring a report forward to the 2023 budget deliberations with recommendations, if any, including strategies related to but not limited to, an Assessment Review Reserve and the Industrial Land Reserve.

Carried.

11.6 Office of the Chief Administrative Officer

12. By-Laws

- 12.1 By-law 3-OP-2022 Being a By-Law to Adopt Amendment Number 143 to the Norfolk County Official Plan in respect of lands described as Plan 182 Block 126, Pt Lot 9, Pt Lot 9, RP37R1546 Pt of Part 1**
- 12.2 By-law 10-Z-2022 Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 12, Concession 13, Geographic Township of North Walsingham, Norfolk County**
- 12.3 By-law 11-Z-2022 Being a By-law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 1, Concession 14, Urban Area of Simcoe, Norfolk County in the Name of Brody Dunnett and James Dunnett**

- 12.4 By-Law 12-Z-2022 Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 1, Block17, Plan 19B, Urban Area of Waterford, Norfolk County in the Name of BrookGreen Group**
- 12.5 By-law 13-Z-2022 Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Part Lot 184, Concession 1 STR, Geographic Township of Midleton, Norfolk County**
- 12.6 By-law 14-Z-2022 Being a By-Law to Amend Zoning By-Law 1-Z-2014, as amended, for property described as Plan 182 Block 126, Pt Lot 9, Pt Lot 9, RP37R1546 Pt of Part 1, Urban Area of Simcoe, Norfolk County**
- 12.7 By-law 2022-32 Being a By-Law to Amend By-Law 2011-189, as Amended, to Regulate Parking within Norfolk County**
- 12.8 By-law 2022-42 Being a By-Law to Designate Part of a Registered Plan of Subdivision not to be Deemed a Registered Plan of Subdivision for property LT 15-16, PL 378, S/T INTEREST IN NR336356 T/W NR562190; Norfolk County**
- 12.9 By-law 2022-43 Being a By-law to Designate Part of a Registered Plan of Subdivision not to be Deemed a Registered Plan of Subdivision for property Lot 14, Plan 439; Norfolk County**
- 12.10 By-law 2022-45 Being a By-law to Establish Tax Policies and Tax Rates for the 2022 Taxation Year**
- 12.11 By-law 2022-47 Being a By-law to Prohibit Refuse and Debris on Private Property**
- 12.12 By-law 2022-48 Being a By-Law to amend the assessment schedules based on actual costs incurred for constructing various drains**

Resolution No. 18

Moved By: Councillor Martin

Seconded By: Councillor Huffman

THAT By-Laws 10-Z-2022 to 13-Z-2022 inclusive, By-law 2022-32, 2022-42, 2022-43, 2022-45, 2022-47 and 2022-48 be approved and that the by-laws be signed by the Mayor and Clerk and affixed with the Corporate Seal.

Carried.

Resolution No. 19

Moved By: Councillor Vandendriessche

Seconded By: Councillor Martin

THAT By-laws 3-OP-2022 and 14-Z-2022 be approved and that the by-laws be signed by the Mayor and Clerk and affixed with the Corporate Seal.

Carried.

13. Motions

14. Notices of Motion

15. General Announcements

Huffman - firefighter retirement ceremony for two firefighters with long-time service

Thanking Norfolk County Staff with assistance during Friday the 13th in Port Dover.

Councillor Columbus, shared petition from 2019 re: County Line 45 bridge and will be presenting the petition to the Clerk.

Councillor Vandendriesche - Thanking motorcycle place for invitation to their event, wishing them luck?

16. Closed Session

Resolution No. 20

Moved By: Councillor Rabbitts

Seconded By: Councillor Masschaele

THAT council enter into closed session at 2:56 p.m. to discuss the following matters:

16.1 OLT Case No. OLT-22-003453 Legal advice - SW Corner - Hwy #3 and Cockshutt Road, Renton

16.2 Information Memo - Interest Arbitration Award between the Corporation of Norfolk County and the Service Employees International Union, Local 1 Canada for the Term January 1, 2020 to December 31, 2022

Pursuant to Section 239 (d) (e) and (f) of the Municipal Act, 2001, as amended as the subject matter pertains to labour relations or employee negotiations, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried.

16.1 OLT Case No. OLT-22-003453 Legal advice - SW Corner – Hwy. #3 and Cockshutt Road, Renton

16.2 Information Memo – Interest Arbitration Award between the Corporation of Norfolk County and the Service Employees International Union, Local 1 Canada for the Term January 1, 2020 to December 31, 2022

Resolution No. 21

Moved By: Councillor Masschaele

Seconded By: Councillor Martin

THAT Council reconvene in open session at 3:47 p.m.

Carried.

Resolution No. 22

Moved By: Councillor Rabbitts

Seconded By: Councillor Columbus

THAT the Confidential Information Memo, Interest Arbitration Award between the Corporation of Norfolk County and the Service Employees International Union, Local 1 Canada for the Term January 1, 2020 to December 31, 2022, be received as information;

AND THAT a By-Law be passed authorizing the Mayor and the County Clerk to sign the Collective Agreement on behalf of the Corporation of Norfolk County.

17. Confirming By-Law

17.1 By-law 2022-46 Being a By-Law to Confirm the Proceedings of the Council of Norfolk County at this Regular Council Meeting Held on the 17th Day of May 2022

Resolution No. 23

Moved By: Councillor Masschaele

Seconded By: Councillor Vandendriessche

THAT By-law 2022-46 Being a By-law to Confirm the Proceedings of the Council of Norfolk County at this Regular Council Meeting Held on the 17th Day of May 2022.

Carried.

18. Adjournment

Resolution No. 24

Moved By: Councillor Huffman

Seconded By: Councillor Martin

THAT Council be adjourned at 3:50 pm.

Carried.

Mayor

Clerk