

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
January 22, 2008
7:00 p.m.

Present: Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Atfield, Powell, Chambers, Hodge, Coleman and Gatward.

Staff: Glassford, Compeau, Johnston, Underwood, Bell, and Carman.

Mayor Eddy in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the Brant County Council agenda and addendum for the January 22, 2008 meeting be approved as distributed, with the following additions:

- Response to letter from Brantford Public Library Board
- Presentation of congratulatory resolution

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Area Studies Criteria**

Floyd Montour, on behalf of the Six Nations Confederacy, read from the 1784 Haldimand Treaty proclamation granting the land six miles on both sides of the Grand River to the Six Nations. He advised that patents for the land have been fraudulently made over the years, but that the Six Nations Confederacy is the rightful owner of the land. He expressed concern that developments are taking place in Brantford and Brant County without the developers being advised about the ownership of the land. The newly elected Six Nations Council has advised that they will administer affairs on the Six Nations, with the Confederacy being the voice for land claims and development. In addition, Six Nations needs to be consulted on Area Studies. He has been authorized by the Confederacy to meet with developers at their sites to advise of the need to include Six Nations in the consultation process. He pointed out that the Haudenosaunee Development Institute has opened an office in Ohsweken.

Brad Rogers, Stantec, on behalf of Walton International, suggested that Planning staff has ignored the direction of the Corporate Development Committee with respect to the intent for the proposed “notwithstanding clause”. The County needs options when considering areas for future growth, and allowing the preparation of area studies should be at the discretion of Council and not at the discretion of the Province.

James Hitchon, on behalf of Steve Kulmatycky and Domenic Zavarella, did not attend the meeting. However, a letter from Mr. Hitchon confirming support for the staff recommendations clarifying the County policy on area studies criteria was distributed. The letter pointed out that if the area studies criteria was not approved, developers could proceed with applications for Official Plan amendments and Plans of Subdivision based solely on Section 2.4 of the County’s Official Plan. He suggested that both the applicants and the municipality would be better served by the detail contained in the proposed policy which will lead to made-in-Brant decisions as opposed to Ontario Municipal Board decisions.

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Peter Jeffrey, Senior Policy Advisor, Ontario Federation of Agriculture, advised that the OFA Agricultural Land Use Policy Statement states that the highest and best use of arable land is for agriculture, which ensures a safe, sustainable supply of food, fuel and fibre for Ontario, Canada and the world. Intensification and redevelopment within urban boundaries are supported in the Provincial Policy Statement, the Places to Grow Act and the Greater Golden Horseshoe Growth Management Plan in order that arable land is protected for long-term agricultural use. The loss of agricultural lands, the creation of incompatible uses and the fragmentation of the agricultural land base have serious negative consequences on meeting current and future food needs and on the agriculture and food sector, which is Ontario's second largest industry. Mr. Jeffrey agreed with the proposal that area studies only be allowed within urban settlement boundaries. He requested that large tracts of agricultural land be protected from urban sprawl and suggested that the County's future development needs can be accommodated within the current urban boundaries.

Ted Shelegy, Sustainable Brant, provided information on some of the speakers featured at the four public meetings sponsored by Sustainable Brant to inform the public about development pressures and provide positive examples of best practices in other areas to preserve agricultural lands. He suggested that the format of public meetings be changed to allow a more open and broader type of public consultation process. Sustainable Brant requests that the Official Plan Five-Year Review be completed before a decision is made on the Area Studies criteria and the moratorium is lifted.

Murray MacDonald, agreed with the staff recommendation to not include a notwithstanding clause in the Area Studies criteria. The Brant East area does not require a notwithstanding clause, since the development of this area will be dealt with as part of the Official Plan review. Mr. MacDonald requested that the moratorium on area studies be left in place until the Official Plan review has been completed.

Jeremy Schuurman, Christian Farmers of Ontario, Brant County Branch, advised that their organization predicted that the Green Belt legislation would cause development to leap frog into areas such as Brant. They are not opposed to development, but would hope that a common sense approach is taken. Development should stay within the urban boundaries if possible. He requested that specific areas be defined for agriculture, suggesting that Class 1 and 2 farmland should be protected. Development and severances should be stopped in agricultural areas to prevent problems with inconsistent uses.

Ella Haley, on behalf of the Ecological Farmers of Ontario, Brant County Branch, noted that the Places to Grow and Greenbelt legislation has worked against the protection of prime farmland in areas outside of the Greenbelt. She read a statement made by the Ecological Farmers of Ontario about the rapid loss of prime farmland in Ontario because of the lack of adequate provincial farmland preservation policies. The Ecological Farmers of Ontario have requested the Ministry of Municipal Affairs and Housing to amend the Greenbelt Plan to extend greenbelt protection to all prime farmland in Classes 1, 2 and 3 and to re-evaluate the zoning by-laws adversely affecting farmland that is already encroached upon by urban sprawl. The EFO are requesting that the moratorium on area studies be continued and no decision on Area Studies criteria be made until the Official Plan review is completed. She suggested that there is a need for greater public participation in the Official Plan review. Ms. Haley noted several options for ensuring that land is preserved for farmland use, including farmland trusts, conservation easements and protective zoning.

Ted Shelegy, on behalf of the National Farmers Union, Brant County Branch, presented a statement from the National Farmers Union recommending an immediate freeze on urban and industrial development on prime Class 1, 2 and 3 agricultural land and requesting that this land be designated for agricultural use only. The organization strongly supports the maintenance of a vibrant rural agricultural community made up of family farms for generations to come. He requested a democratic, transparent review of the Official Plan before voting on any Area Studies criteria. Agricultural land used for development threatens food security and the loss of food products being grown in Canada.

Steve Sickle, President of the St. George Citizens' Association, requested that Council maintain the moratorium on Area Studies until after the review of the Official Plan is completed. Their group agrees with the criteria that area studies may only be considered within urban settlement areas. He questioned whether the County would be liable to proceed with an area study once the criteria has been met. Development should not be allowed to proceed on lower classes of farmland, as this can limit viable farm operations from being able to expand because of MDS requirements.

Brian Smith, Plansmith, on behalf of the owners for the proposed North Paris Area Study, advised that they support the staff report and recommendations on the Area Studies criteria. He noted that proceeding with the area studies criteria is an important planning document in order to have managed growth in the County of Brant.

MINUTES

Moved by – Councillor Hodge
Seconded by – Councillor Coleman

That the minutes of the January 8, 2008 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

Councillor Powell refuted statements that were made at the January 8 meeting that the Concerned Citizens of Mile Hill are holding up the process for the Ministry of the Environment approval of the Southwest Paris wastewater servicing proposal. Councillor Powell was requested to put his concerns in writing on this matter so that they can be addressed.

BUSINESS ARISING FROM THE MINUTES

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the following letters be received as information:

1. Copy of letter to Diane Baltaz from the Ministry of the Environment regarding the Part II Order request.
2. Letter from M.P.P. Dave Levac regarding the Province's offer for assistance on the Grand River slope failure.

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3. Information from M.P. Lloyd St. Amand regarding farm land trusts.
4. Copy of letter from the Brantford Public Library Board re: reciprocal borrowing.

. Carried

Councillor Wheat read a letter from himself and Councillor Chambers in response to Geoff Wilson, Chair of the City of Brantford Public Library Board, pointing out the positive responses to the reciprocal agreements with seven other libraries. The County of Brant Public Library will continue to allow City residents to use County of Brant libraries free of charge. The City of Brantford annual membership fee for County residents to \$40.00 has been received under advisement.

CONSENT ITEMS

Moved by – Councillor Powell
Seconded by – Councillor Hodge

That the following Consent Information Report item be received:

1. Notice of public meeting re: leash-free dog park to be held on Wednesday, January 30 at 7 p.m. at the County of Brant Fire Administration Building;

And that the following Consent Communication items be received:

1. AMO Member Communications - Municipal Infrastructure Investment Initiative update.
2. Ministry of Municipal Affairs and Housing – News release re: McGuinty Government Actions over the past year.
3. Information on the B HOME Ownership Program being offered to City and County residents through the City Housing Department.
4. Notice of Public Open House for the West of Conklin Secondary Plan Study to be held on February 7 at the Salvation Army Wyndfield Community Church at 6 p.m.
5. Stewardship Ontario re: Municipal Blue Box Recycling program.
6. Ministry of Agriculture, Food and Rural Affairs – Information on Agricultural Drainage infrastructure program and upcoming drainage courses.
7. January 2008 *Update* newsletter from the Ministry of Municipal Affairs and Housing.
8. Brant County Health Unit – Early Development Instrument (EDI) Brant County and The City of Brantford 2002 & 2006 Results Summary report for the Brantford/Brant Best Start Network.
9. Information on Pitch-in Ontario membership and programs.
10. Information on Communities in Bloom programs.
11. January 2008 newsletter from the Grand River Community Health Centre.
12. Grand Erie Training and Adjustment Board – 2008 Trends, Opportunities and Priorities Report for Brant, Haldimand and Norfolk and December *Workforce Focus* newsletter.
13. Thank you from Task Force on Seniors Issues and the Disabled for Council's consideration of their request for funding for shelving, noting that Brant County programs will continue to be highlighted in their Resource Office.
14. *Boost* Child Abuse Prevention and Intervention December 2007 newsletter.
15. Thank you from Wendy Whynott, Public Works, for Christmas vouchers.
16. Thank you from Margaret Hunter for recognition of her 80th Birthday.
17. Chamber of Commerce Brantford-Brant *In Touch* newsletter for January.

18. Brant Haldimand Norfolk Catholic District School Board – Director’s Annual Report 2006-07.
19. Minutes of Meetings:
 - a. Brant County Board of Health – December 13, 2007.
 - b. City of Brantford Environmental Policy Committee – December 13, 2007
 - c. Brant County Power Inc. – December 12, 2007

.Carried

PUBLIC WORKS

Councillor Coleman presented the following report from the January 15, 2008 meeting of the Public Works Committee:

1. Whereas Council authorized staff to negotiate with Halton Recycling Limited (HRL) to implement two sided collection in all areas of the County;

And whereas there are sufficient funds in the 2008 operating budget;

Be it hereby resolved that the proposal from HRL to implement two sided collection effective February 18, 2008 be accepted at a cost of \$88 per tonne for garbage collection and \$330 per tonne for recycling collection in accordance with the current terms and conditions of RFP 3-07.

2. Whereas Paris Central School Council has expressed concern for the safety of students walking to and from school in relation to the volume and speed of motorists traveling Broadway Street East and Broadway Street West and has requested that a “School Crossing Zone” be erected, with speed limit reductions and the installation of speed bumps or noise bars;

Be it hereby resolved that the request for a “School Crossing Zone” be denied as per existing traffic restrictions and characteristics of Broadway Street East and Broadway Street West;

And that Brant County O.P.P. be requested to monitor the area for speed enforcement.

3. Whereas at its July 18, 2006 meeting, County Council passed the following recommendation of the Public Works Roads Committee:

“That no action be taken to implement traffic control measures on Mulberry Street (at Wellington Street) at this time”;

And whereas the Councillor for the area continues to have concerns regarding the intersection of Mulberry Street and Wellington Street pertaining to the grade of the hill on Mulberry Street and that the stop control is for Wellington Street motorists only;

And whereas a number of solutions were previously discussed including taking no action, installing multi-way stop control and implementing one-way traffic control signs;

And whereas analysis of collision history and a review of vehicular volumes indicates that no additional traffic control measures are warranted at this intersection;

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Be it hereby resolved that no further action be taken by staff until additional submissions are made by area ratepayers requesting traffic control measures at the intersection of Mulberry Street and Wellington Street.

4. That Public Works staff prepare a strategy for the installation of 4-way stop signs at the intersection of County Highway 54 and Pauline Johnson Road / Chiefswood Road to address notification, visibility and enforcement concerns, for Council's consideration.
5. That the traffic control at the intersection of Fawcett Road and Old Greenfield Road be amended to provide for a stop sign on Fawcett Road only, with Old Greenfield Road being a through road;

And that the appropriate amending by-law be prepared.

6. That the County of Brant install an advanced green for left-turns for traffic traveling north on County Road 18 and turning onto Colborne Street East at an estimated cost of \$8,000.

Moved by – Councillor Coleman
Seconded by – Councillor Chambers

That the report of the Public Works Committee from its January 15, 2008 meeting be adopted.

.Carried

In response to a question, Councillor Coleman advised that the proposal negotiated with HRL is an estimated savings of \$110,000 over the amount approved in the 2008 budget.

Moved by – Councillor Coleman
Seconded by – Councillor Chambers

That the proposed strategy dated January 18, 2008, to implement a four-way stop control at the intersection of County Highway 54 and Pauline John Road/Chiefswood Road be approved.

. Carried

CORPORATE DEVELOPMENT

Report from January 7, 2008 Meeting

Moved by – Councillor Haggart
Seconded by – Councillor Chambers

That the report prepared by David Johnston dated January 16, 2008 regarding Area Studies be received.

. Carried

Councillor Haggart presented the following report of the Corporate Development Committee from its January 7, 2008 special meeting on Area Studies:

1. **(Amended)** That the General Terms of Reference for Area Studies attached to this report, **as amended**, be confirmed as the items to be addressed in the preparation of

Area Studies within the Urban Settlement Areas of Paris and St. George or in the future through a five year review of the Official Plan where Council expands or establishes a new Urban Settlement Boundary.

2. **(Amended)** That the following list of criteria be addressed in the preparation of any Area Studies:

Mandatory Requirements:

- i) Any Area Study must be within a currently defined Urban Settlement Boundary* in the County of Brant Official Plan.
- ii) Any Area Study prepared must be consistent with Provincial Policy Statements.
- iii) Any Area Study prepared must be consistent with the Provincial Plan for the Greater Golden Horseshoe.
- iv) Any Area Study must demonstrate an available supply of municipal water and the capability of such water being supplied in sufficient quantity and quality to service the needs of the Study Area.
- v) Any Area Study must demonstrate an available capacity of sanitary conveyance and treatment capacity to service the Study Area.
- vi) The Implementation Plan and required Infrastructure Plan of the Area Study must minimize the cost to the County and be within the financial capability of the County to install and maintain.
- vii) The infrastructure design for the Study Area must conform to the current County of Brant Engineering and Development Standards as adopted by Council.
- viii) The persons sponsoring the Area Study must agree in writing to pay the cost of either using the County's consulting planners, engineers and financial analysts or agree in writing prior to the submission of their Area Study to pay the cost of having their consultant's work peer reviewed by the County's consultants and/or staff. The proponent must post securities in favour of the County of Brant prior to the commencement of the Area Study or prior to its peer review. Such securities must cover 100% of the cost of the preparation of the Area Study or peer review costs.
- ix) The persons sponsoring the Area Study must be prepared to a prepayment of 100% of the applicable Development Charges at the time of plan registration.
- x) The Area Study prepared must conform to the General Terms of Reference prepared for Area Studies as attached to this report.
- xi) The proponent of an Area Study must notify First Nations of the undertaking of an Area Study at the commencement of the study and offer the opportunity for Six Nations input throughout the study process.**

* Note: There is one possible exception to item i) and that deals with the Cainsville/Brant East Area. If the City/County negotiations with respect to boundary adjustments prove successful the County reserves the right through the Official Plan 5-year review to establish Cainsville/East Brant as a Special Study Area. Based upon Provincial acceptance, the County may then wish to accept or undertake an Area Study within the identified Special Study Area which utilizes the negotiated municipal water supply available to the area.

Other Criteria to be used in the preparation of Area Studies

- ~~ix)~~ Plans should demonstrate the greatest potential for balanced economic growth with emphasis being placed on employment lands being developed. The higher the employment content of the Plan the more favourable the plan will be regarded.

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- ~~ii~~ii) Area Studies should assist the County in optimizing the utility of existing infrastructure while conforming to Provincial Policy Statements. This will include an analysis of including but not limited to water supply, waste disposal, transportation needs, parks and recreation and storm water management.
 - ~~iii~~iii) The development should assist the County in addressing Ministry of Environment concerns with respect to existing infrastructure deficiencies and regulatory compliance.
 - ~~iv~~iv) Area Studies should demonstrate that the infrastructure is cost efficient to operate and maintain.
 - ~~v~~v) Area Studies should promote infilling and intensification in accordance with the Plan for the Greater Golden Horseshoe.
 - ~~vi~~vi) Area Studies should demonstrate good urban design and are complimentary to the existing urban form.
 - ~~vii~~vii) The private sector should be prepared to accept the municipal share of the cost of infrastructure that would normally fall to the municipality to fund.
 - ~~viii~~viii) Area Studies should provide for mixed uses and a variety of forms of housing types.
 - ~~ix~~ix) Area Studies should provide for the logical sequential expansion of the existing urban form. Such growth will be phased to comply with the Provincial and County Growth Strategy.
 - x. Notwithstanding the area studies evaluation criteria listed in this section, the County reserves the right to authorize area studies that do not comprehensively address these criteria and further reserves the right to add additional criteria if in the opinion of the County such criteria are deemed to be in the best interests of the County.**
3. That those participating in an Area Study must sign a letter indicating their recognition that the County is not in a financial position to participate in the extension of infrastructure to the extent that private concerns may anticipate nor is the County in the position to maintain the extension of infrastructure that adversely impact water or sewer rates.
 4. That the Developers interested in proceeding with an Area Study post Securities in advance of the undertaking of the Area Study or in advance of the peer review of the Area Study to provide for 100% of the cost of preparation of the Area Study or in the case of a privately funded Study 100% of the estimated peer review costs of the Area Study which shall include the hiring of other consultants or project co-coordinators, or dedicated in house staff to manage the various Area Study to ensuring ample opportunity of public input and adherence to the approved General Terms of Reference for Area Studies and to assist the County in the prioritization of completed Area Studies.
 5. **(Amended)** That Council rescind the previously passed moratorium on Area Studies and proceed in accordance with the policies of the Official Plan **and the policy on Area Studies.** ~~the General Terms of Reference for the for the preparation of Area Studies as attached to this report and the evaluation criteria as set out in this report.~~

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That the report of the Corporate Development Committee from its January 7 meeting be adopted, it being agreed that Recommendations 1, 2 and 5 would be dealt with separately.

. No Vote – Amendments Follow

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Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendation 1 of the Corporate Development Committee from its January 7, 2008 meeting be adopted.

. No Vote – Amendments Follow

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the General Terms of Reference referred to in Recommendation 1 be amended by removing the “Reminder of Council’s Priority” section (development priority for South West Paris) from the document.

. Carried

Moved by – Councillor Chambers
Seconded by – Councillor Gatward

That the General Terms of Reference referred to in Recommendation 1 be amended by removing the third paragraph (development priority for South West Paris) in the “Introduction” section.

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendation 1 of the Corporate Development Committee report from its January 7, 2008 meeting be adopted as amended.

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendation 2 of the Corporate Development Committee report from its January 7, 2008 meeting be adopted.

. No Vote – Amendments Follow

Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That Recommendation 2 be amended by separating the “Mandatory Requirements” from the “Other Criteria to be used in the preparation of Area Studies”, and that the clauses under “Other Criteria to be used in the preparation of Area Studies” be renumbered 1 through 9.

. Carried

Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That Recommendation 2 be amended by the addition of Clause xi) to the “Mandatory Requirements” as follows:

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“xi) The proponent of an Area Study must notify First Nations of the undertaking of an Area Study at the commencement of the study and offer the opportunity for Six Nations input throughout the study process.”

. Carried

Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That Recommendation 2 be amended by the addition of the Clause x) to the “Other Criteria to be used in the preparation of Area Studies” as follows:

“x) Notwithstanding the area studies evaluation criteria listed in this section, the County reserves the right to authorize area studies that do not comprehensively address these criteria and further reserves the right to add additional criteria if in the opinion of the County such criteria are deemed to be in the best interests of the County.”

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendation 2 of the Corporate Development Committee report from its January 7, 2008 meeting be adopted as amended.

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendations 3 and 4 of the Corporate Development Committee report from its January 7, 2008 meeting be adopted.

. Carried

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendation 5 of the Corporate Development Committee report from its January 7, 2008 meeting be adopted.

. No Vote – Amendment Follows

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the wording for Recommendation 5 be amended to read as follows:
“That Council rescind the previously passed moratorium on Area Studies and proceed in accordance with the policies of the Official Plan and the policy on Area Studies.”

. Carried

Moved by – Councillor Gatward
Seconded by – Councillor Powell

That the wording of Recommendation 5 be amended to read as follows:
“That Council rescind the previously passed moratorium on Area Studies and proceed in accordance with the policies of the newly approved Five-Year reviewed Official Plan and the policy on Area Studies.”

. Defeated

Moved by – Councillor Haggart
Seconded by – Councillor Wheat

That Recommendation 5 of the Corporate Development Committee report from its January 7, 2008 meeting be adopted as amended.

. Carried

The meeting recessed at 9:55 p.m. and resumed at 10:10 p.m.

DELEGATION – AREA STUDIES

Dr. Mary Ann Gorcsi requested that Council complete the review of the Official Plan before a decision is made on Area Studies. She noted the importance of agricultural land to the County, particularly with the recent emphasis on eating a diet that has been grown or produced within a 100-mile radius of where we live. From a health perspective, it is important to keep arable land in agricultural production to ensure food productivity and protection in the future.

CORPORATE DEVELOPMENT COMMITTEE

Report from the January 14, 2008 Meeting

Councillor Haggart presented the following report from the January 14, 2008 meeting of the Corporate Development Committee:

1. That the County of Brant enter into an agreement with the Province of Ontario to match the Provincial funding of \$200,000 to share in the cost of purchasing the two residential properties affected by the slope failure in the Newport Road and River Road area and demolishing the buildings on these properties;

That County staff, with assistance from the County Solicitor, be directed to develop an agreement regarding the disbursement of the funds between the property owners, the County of Brant and the Province of Ontario;

And that the agreement be referred directly to Council for approval.

2. That the County of Brant renew the County Insurance Program with the Frank Cowan Company Ltd. for a one-year term commencing February 28, 2008, at the annual premium amount of \$797,321.00, plus applicable taxes.
3. That Report CD-08-10, RFP Results for Specialized Transportation Services, be received as information;

And that the contract for Specialized Transportation Services be awarded to Paris Transportation Services for a three-year term beginning June 1, 2008.

4. That part of unopened Hamilton Road designated as Parts 4 & 5, 2R-6861 and part of the unopened Ancaster Road designated as Part 2, 2R-6532, geographic Township of Brantford, be declared surplus to the needs of the County and said lands be closed as public highway;

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And that in accordance with Sections 7 and 9 of the County of Brant Sale of Land By-law 201-02, Council declare the property to be surplus to the County's needs and give notice of the proposed sale at an open meeting of Council.

5. Whereas the owner of 61 Willow Street has requested an exemption from Council Policy PWE-2005-02 (Paris Interim Water Servicing Policy) for the installation of a convenience washroom;

And whereas 61 Willow Street is currently connected to the Paris water supply system;

And whereas the water usage from 61 Willow Street will not increase in relation to the existing pattern of municipal water usage as the occupancy of the dwelling will not change;

Be it therefore resolved that an exemption from Council Policy PWE-2005-02 (Paris Interim Water Servicing Policy) for 61 Willow Street be approved with the following condition:

- That the owner of 61 Willow Street install a low water usage toilet and water saving fixtures in the proposed convenience washroom.

6. Whereas a request has been received for an exemption from Council Policy PWE-2005-02 (Paris Interim Water Servicing Policy) for 13 Jury Street, Paris;

And whereas an increase in water consumption will be realised with a connection to the existing water service and therefore requires an exemption to Council Policy PWE-2005-02;

And whereas a water service connection was installed prior to 1979 for 13 Jury Street;

And whereas it was the intent of the Policy that lots that currently have a water service connection to the municipal water system be allowed to proceed with obtaining a Building Permit;

And whereas an exemption to County Policy PWE-2003-02 (Willow Street Pumping Station Interim Servicing Policy) is not required since a sanitary stub was installed in 1979 for this property and a Building Permit can be obtained without any other planning approvals;

Be it therefore resolved that an exemption from Council Policy PWE-2005-02 (Paris Interim Water Servicing Policy) for 13 Jury Street be approved;

And that the property owner of 13 Jury Street be directed to apply for and obtain the required Public Works Department permits and any other applicable permits prior to connecting to the system.

7. Whereas the owner of 100 Consolidated Drive in Paris has previously obtained an exemption from Council Policy PWE-2005-02 for an expansion of the main plant, as approved by County Council at its August 22, 2006 meeting, but no longer plans to construct the expansion of the main plant as proposed;

Be it therefore resolved that the Brant County Council resolution granting an exemption from Council Policy PWE-2005-02 (Paris Interim Water Servicing Policy) for 100 Consolidated Drive for the expansion of the main plant, dated August 22, 2006, be rescinded.

8. Whereas the owner of 100 Consolidated Drive in Paris has requested an exemption from Council Policy PWE-2005-02 (Paris Interim Water Servicing Policy) for an expansion of the existing maintenance shop (a separate building from the main plant), including the installation of an additional water service connection for fire protection and the construction of expanded kitchen and washroom facilities;

And whereas the domestic water usage will not increase in relation to the existing pattern of domestic water consumption as the workforce will not be increased prior to the expansion of other facilities on the subject lands;

Be it therefore resolved that an exemption from Council Policy PWE-2005-02 for 100 Consolidated Drive for expansion of the maintenance shop be approved subject to the following conditions:

- That the property owner of 100 Consolidated Drive be required to provide the County with a letter upon application for site plan control indicating that they acknowledge that:
 - That the water usage for 100 Consolidated Drive is not to exceed the average historical water usage until such time as County Council rescinds Council Policy PWE-2005-02;
 - That if the water usage for 100 Consolidated Drive exceeds the historical water usage, the County reserves the right to take any measures necessary to limit the domestic supply of water to the subject lands; and
 - That the existing toilets on the property are to be replaced with low water usage toilets immediately. Also, low water usage toilets and water saving fixtures are to be installed in the proposed expansion of the maintenance shop.
 - That the applicant must obtain a registered development agreement with accompanying site plan of the proposed works through an application for site plan control, prior to an application for a building permit.
9. That Report CD-08-09, Terms of Reference – Council Code of Conduct Sub-committee, be received as information;

That the terms of reference for the Council Code of Conduct Sub-Committee be adopted as follows:

- Review the existing code of conduct as provided in the Procedural By-law;
- Research and review other Codes of Conduct as adopted by other municipalities;
- Identify topics for consideration in the Council Code of Conduct; and
- Draft a Council Code of Conduct for presentation to the Corporate Development Committee and approval by Council;

And that the following members of Council be appointed to the sub-committee:

- Councillor Robert Chambers
 - Councillor Joan Gatward
 - Councillor Shirley Simons
10. That RFP CS-L-01-07, for the provision of Realty Services be awarded to CB Richard Ellis Limited Realtor for a three-year term commencing upon the date of approval.

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11. That Staff Report CD-08-03, Sidewalks in Estate Residential Subdivisions, be referred to the Development Liaison Committee for input, and then to the Public Works Committee for consideration.

12. That Report CD-08-04, Fringe Benefit Renewal, be received as information;

That the accidental death and dismemberment benefit be transferred to AIG resulting in an annual savings in premium of \$3,500;

That the County of Brant's stop loss limit be increased to \$15,000 in 2008 resulting in an annual savings in premium of \$6,684;

And that renewal of the County fringe benefit program with Sun Life be approved for 2008, at a monthly premium amount of \$86,424, including taxes.

13. Whereas the Grand Erie District School Board has requested an exemption from the Paris Interim Water Servicing Policy (PWE-2005-02) for the Paris Elementary School Site, located in Grandville Phase 3;

And whereas a new public elementary school would benefit the community;

And whereas the Grand Erie District School Board proposes to close both the Queen's Ward Public School and the Bethel Public School;

And whereas only the Queen's Ward Public School is presently connected to the municipal water system while the Bethel Public School is presently serviced by a private well and septic system;

And whereas the closing and transfer of students from the Bethel Public School to the Paris Elementary School would increase the consumption on the municipal water and wastewater systems;

Be it hereby resolved that the water and sanitary servicing allocation for the Queen's Ward Public School be temporarily transferred to the Paris Elementary School Site, located in Grandville Phase 3, subject to the following conditions:

- That the allocation is temporary;
- That the requirements of the County Council resolution of January 23, 2007 be completed to the satisfaction of the County when servicing capacity is available for the remainder of Grandville Phase 2;
- That prior to the removal of the holding provision on the site, the Grand Erie District School Board provide the County of Brant with a letter that acknowledges and agrees to the following items:
 - That reallocation of water and sanitary servicing to the Paris Elementary School site in Grandville Phase 3 is temporary;
 - That the students attending Bethel Public School not be allowed to attend the new Paris Elementary School in Grandville Phase 3 until there is sufficient additional supply of water available;
 - That the Bethel Public School is to remain open and in operation with students attending from within the existing Bethel Public School attendance boundary;
 - That the Queen's Ward Public School cannot be disposed of by the Grand Erie District School Board until water allocation is available for the property or for a period of five (5) years (from the date of the letter), which ever is sooner;

- That the new daycare facility proposed in the Paris Elementary School site will NOT be permitted to be operated until there is sufficient additional supply of water available;
 - That the Grand Erie District School Board cannot connect any underground sprinkler systems until there is sufficient additional supply of water available; and
 - That the Queen's Ward Public School will be closed and cannot be used until there is sufficient additional supply of water available.
14. That the request for an exemption from the County of Brant's Paris Interim Water Servicing Policy (PWE-2005-02), related to Consent B74/06/SS (Graham, 8 Catherine Street) be deferred until such time as the policy is rescinded by Council on the recommendation of the Corporate Development Committee.
15. That the County of Brant accept the proposal for a Municipal Comprehensive Review of Employment Lands for the County of Brant, to be prepared by Brookfield Homes at their sole cost with no costs to be incurred by the County of Brant, including any costs associated with a peer review as determined by the County.
16. That the Apple Fest Committee be advised that Council is willing to provide for the placement of five signs as described in Report CD-08-18 dated January 8, 2008, within the municipal road allowance on hydro poles, provided the structural and electrical concerns of Brant County Power are addressed to the satisfaction of Brant County Power and the County is satisfied that the location and placement of the five signs will not pose a traffic or public safety problem;

And that the Apple Fest Committee be advised that the cost of obtaining any technical reports necessary to satisfy Brant County Power shall be the responsibility of the St. George Apple Fest Committee.

17. That no change in the road name of Highway #5 be made.
18. That the direct sale of part of unopened Hamilton Road, formerly Ancaster Road, in the geographic Township of Brantford, to the adjoining land owners upon closure as road allowance lands, for the price of \$23,019.20, be approved, on the condition that the subject lands are consolidated with the adjoining owners' lands at 1674 and 1700 Colborne Street East;

That the Purchaser is to be responsible for the legal costs and any other costs related to the purchase of the property;

And that the subject lands will go through the process of being closed as road allowance lands.

Moved by – Councillor Haggart
Seconded by – Councillor Schmitt

That the report of the Corporate Development Committee from its January 14, 2008 meeting be adopted.

.Carried

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PLANNING ADVISORY

Councillor Chambers presented the following report of the January 16, 2008 meeting of the Planning Advisory Committee:

1. That application ZBA 38/07/SS from William Janssen, applicant and owner of 41 Main Street South, Plan 81, Block K, Part Lots 1, 2 & 3, RP2R3488, Part 2 & Part 3, County of Brant in the geographic Township of South Dumfries to change the present special provision Special Industrial (M2-5) zoning to permit general commercial uses be approved.

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the report of the Planning Advisory Committee from its January 16, 2008 meeting be adopted.

. Carried

COMMITTEE OF MANAGEMENT – JOHN NOBLE HOME

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That the Committee of Management – John Noble Home minutes of January 16, 2008 be received as information.

. Carried

POLICE SERVICES

Councillor Powell presented the following report of the Police Services Board from its January 16, 2008 meeting:

1. That the net profit of \$563.47 resulting from the disposal of beyond repair bicycles be allocated to the 2008 Police Services Board budget, to be assigned a GL account in the future.

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the report of the Police Services Board from their January 16, 2008 meeting be adopted.

. Carried

STAFF REPORTS

Salary Grid

Moved by – Councillor Schmitt
Seconded by – Councillor Simons

That the salary grid for the County of Brant's non-bargaining employees be increased by 3% effective January 1, 2008.

. Carried

Twin Pad Facility Tour

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

Whereas the County of Brant is proceeding with the design phase of the Twin Pad Arena with Shore Tilbe, Irwin and Partners;

That all members of Council be invited to attend a road trip to tour recreational facilities to assist with the planning for the Twin Pad Arena and that a specific date for the tour be selected.

. Carried

It was agreed that the tour would be arranged for either Friday, February 1 or Friday, February 8. It was also suggested that representatives of the user groups be invited to attend the tour. The Parks and Recreation Committee will further discuss the suggestion that representatives of the user groups be invited to attend the tour.

Municipal Infrastructure Investment Initiative (MIII)

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

Whereas in consideration of the Municipal Infrastructure Investment Initiative's (MIII) guidelines and evaluation criteria;

Be it hereby resolved that submission of an application under the MIII funding program for the rehabilitation of County Highway 54 at 100% of the estimated cost of \$3.5 million be approved;

And that as required under the Municipal Infrastructure Investment Initiative (MIII) the necessary by-law be prepared and presented for Council's consideration at its February 5, 2008 meeting.

. Carried

Family Day Statutory Holiday

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

Whereas the County of Brant Ice Policy states that on statutory holidays arenas are closed unless otherwise directed;

And whereas the policy requires that the rental fee includes a surcharge of 45% for any requests for ice on a statutory holiday;

And whereas the Province has declared February 18, 2008 as a statutory holiday named "Family Day";

Be it hereby resolved that the Burford, Syl Apps and South Dumfries Community Centres be closed for Family Day on February 18, 2008;

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That all user groups be notified of the facility closing and that any user group requesting ice be charged the 45% surcharge;

And that the County of Brant Ice Policy be amended to include Family Day as one of the listed statutory holidays.

. Carried

CORRESPONDENCE

1. Brant Community Healthcare System – Information on 2008 – 2010 annual budgets required for the Hospital Annual Planning Submission
2. Paul Moore, Armstrong & Hunter, on behalf of Empire Communities in St. George, re: Area Studies report.
3. Steve Talos, 9 Fawcett Road, requesting compensation for bank failure along River Road.

Moved by – Councillor Haggart
Seconded by – Councillor Coleman

That the letter from Steve Talos requesting compensation for the bank failure along River Road be received and referred to the Corporate Services Committee for consideration.

. Carried

QUESTIONS

1. In response to a question, the Director of Development Services advised that, in consultation with the County's Consultant, the following dates are being considered for public meetings on the Official Plan Review - February 21, 27 and 28 and March 3, 5 and 6.

CONGRATULATIONS – ONTARIO CHILDREN'S LIBRARIAN OF THE YEAR

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That congratulations from the County of Brant be extended to Zeta Phillippo who has been chosen as the "Ontario Children's Librarian of the Year".

. Carried

OTHER BUSINESS

1. Invitation to Finalists' Reception for the 24th Annual Business Excellence Awards – January 30 at the Brantford Golf and Country Club.
2. Roundabouts Workshop to be held at the Waterloo Inn on March 18-19, 2008.
3. Invitation to Paris Agricultural Society's Annual Dinner to be held on Thursday, January 24 at 6:30 p.m.

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4. Information on the Effective Municipal Councillor Program – Putting the Pieces Together workshop.
5. Invitation to Burford Agricultural Society's Annual Meeting to be held on Wednesday, January 23 at 6:30 p.m.
6. Information on the upcoming ROMA/OGRA and OSUM Conferences.

In Camera at 10:35 p.m. to discuss property negotiations and litigation matters, on motion of Councillors Hodge and Wheat.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated January 22, 2008.

Open Session at 10:37 p.m., on motion of Councillors Chambers and Schmitt.

CORPORATE DEVELOPMENT

Moved by – Councillor Haggart

Seconded by – Councillor Schmitt

That the In Camera report of the Corporate Development Committee from its January 14, 2008 meeting be adopted.

. Carried

BY-LAWS

Moved by – Councillor Simons

Seconded by – Councillor Haggart

That the following by-laws be now read a first time:

- By-law Number 12-08 to amend Traffic By-law 182-05 (remove stop signs on Old Greenfield Road at Fawcett Road and other housekeeping changes).
- By-law Number 13-08 to authorize an Encroachment Agreement with David William McMillan and Gail Marie McMillan for lands at 13 Church Street, Paris.
- By-law Number 14-08 to authorize a Development Agreement with William James Sharp for property located in Part of Lot 15, Concession 4, geographic Township of South Dumfries (south side of McLean School Road).
- By-law Number 15-08 to amend By-law Number 110-01 for property located in Part of Lots 1, 2 and 3, Block "K", Plan 81, geographic Township of South Dumfries to permit general commercial uses (Janssen, 41 Main Street South).
- By-law Number 16-08 to authorize the sale of residential property being Part of Ellis Avenue closed, Plan 445 and Part of Lot 7, Plan 427, described as Part 2, 2R-6949, known as 547 Burtch Road to Graham E. Sayles, or as he may direct.
- By-law Number 17-08 to authorize the transfer of property in Part of Lot 3, Concession 5, geographic Township of Oakland to the Grand River Conservation Authority.
- By-law Number 18-08 to authorize the sale of property being Part of Lot 44, Concession 1, in the geographic Township of Brantford, to Randall Walter Scott (Powerline Road).
- By-law Number 19-08 to permanently close and transfer lands described as Part of Lot 5, Range 1, north of the Ancaster Road, geographic Township of Brantford (Molson Road).

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- By-law Number 20-08 to amend By-law Number 19-99 to establish Community Recreation Centres.
- By-law Number 21-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Haggart

That the following by-laws be now read a second time and all clauses and preamble be adopted:

- By-law Number 12-08 to amend Traffic By-law 182-05 (remove stop signs on Old Greenfield Road at Fawcett Road and other housekeeping changes).
- By-law Number 13-08 to authorize an Encroachment Agreement with David William McMillan and Gail Marie McMillan for lands at 13 Church Street, Paris.
- By-law Number 14-08 to authorize a Development Agreement with William James Sharp for property located in Part of Lot 15, Concession 4, geographic Township of South Dumfries (south side of McLean School Road).
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- By-law Number 20-08 to amend By-law Number 19-99 to establish Community Recreation Centres.
- By-law Number 21-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Haggart

That the following by-laws be now read a third time, passed, signed and sealed:

- By-law Number 12-08 to amend Traffic By-law 182-05 (remove stop signs on Old Greenfield Road at Fawcett Road and other housekeeping changes).
- By-law Number 13-08 to authorize an Encroachment Agreement with David William McMillan and Gail Marie McMillan for lands at 13 Church Street, Paris.
- By-law Number 14-08 to authorize a Development Agreement with William James Sharp for property located in Part of Lot 15, Concession 4, geographic Township of South Dumfries (south side of McLean School Road).
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- By-law Number 20-08 to amend By-law Number 19-99 to establish Community Recreation Centres.
- By-law Number 21-08 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 10:40 p.m. to meet again on **Tuesday, February 5, 2008 at 7:00 p.m.** in the Council Chambers, Paris.

Mayor

Date Minutes Approved

Clerk