

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
March 4, 2008
7:00 p.m.

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

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

Mayor Eddy in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the Brant County Council agenda and addendum for the March 4, 2008 meeting be approved as distributed, with the addition of a notice of motion on the Earth Hour Challenge.

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Presentation – Dr. Hank Hedges – Ontario Senior Achievement Award**

Mayor Eddy presented a certification of appreciation to Dr. Hank Hedges in recognition of him recently receiving an Ontario Senior Achievement Award.

Long Point Region Conservation Authority – 2008 Operating and Capital Budgets

Cliff Evanitski, Manager of the Long Point Region Conservation Authority, presented information on the 2008 Operating and Capital Budgets. In order to move from deficit funding by utilizing reserves to cover operating expenses in the past to a more sustainable financial position for the future, the LPRCA has increased the 2008 Operating Budget by 38%. The County of Brant's 2008 levy will increase by \$18,121 to \$55,069. Mr. Evanitski reviewed the key factors for the 14% increase in the Operating Budget.

Ron Sackrider, Chair of the LPRCA Board, reinforced the need for sustainable funding in order for the Conservation Authority to carry out its mandate. Mr. Evanitski and Councillor Chambers outlined the various projects the LPRCA is involved in the County of Brant in the Burford area.

Update from Brant Flyers

Dennis Pybus presented an update on the activities of the Brant Flyers over the past year, including a display at the Lynden Park Mall and an on-site demonstration for Council at the Dufferin Field. Brant Flyers operated out of the Dufferin Field from April 17 until October 31 in 2007. Due to the fact that their organization has complied with the requirements set out by the County and that there have not been any complaints received from the public over the past three years, Mr. Pybus requested that Council relax the restrictions on their hours of operation. They are seeking permission to operate from 9 a.m. to 8 p.m. (or one hour before sunset) on weekdays, from 9 a.m. – 6 p.m. on Saturdays, and from noon – 6 p.m. on Sundays and holidays.

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Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the request from the Brant Flyers for an increase in their hours of operation be referred to the Planning Advisory Committee for consideration.

. Carried

Leash-free Dog Park

Brian Speagle thanked the Parks and Recreation Committee and staff for their support in principle for a leash-free dog park in the Paris area, and the recommendation that an Ad Hoc Committee be established to assist in the development of this park. Although he is still in the process of organizing a group of dog owners who are interested in the park, he suggested that the park should be established on land owned by the County, and that the dog owners would be responsible for fund-raising through private and corporate donations to cover the cost of the fence. He also requested that the County assist with maintenance of the facility, including such items as grass cutting, snowplowing of the parking area, etc.

MINUTES

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That the minutes of the February 19, 2008 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

BUSINESS ARISING FROM THE MINUTES:

1. The PrimaCare Family Health Team will be making a presentation to update Council on their activities at the April 1 meeting.

2007 STATEMENT OF REMUNERATION AND EXPENSES FOR MEMBERS OF COUNCIL, BOARDS AND COMMITTEES

Moved by – Councillor Gatward
Seconded by – Councillor Powell

That the Statement of Remuneration and Expenses for Members of Council, the Police Services Board and the Committee of Adjustment for the year ended December 31, 2007 be received.

. Carried

CONSENT ITEMS

Moved by – Councillor Powell
Seconded by – Councillor Simons

That the following Consent Information Report items be received:

1. Police Services Board minutes from the February 21, 2008 meeting.
2. County of Brant Media release - "Burn It Smart" workshop.
3. Social Services Committee minutes from January 30, 2008 meeting.

. Carried

Council discussed the following communications information reports:

1. Update on legal proceedings - Zitia Investments Inc. – 2 Grand River Street South, Paris
In response to a question regarding “continuation or repetition of the offence”, it was noted that Zitia would be further to subject charges by the municipality if they continued to carry on a business at this location without a change in zoning. The C.A.O. advised that the County’s Solicitor has recommended that no further action be taken by the municipality to lay additional charges until the appeal time has expired in two to three weeks.
2. Source Protection Update newsletter for February 2008
Councillor Haggart pointed out that this newsletter is being published on a monthly basis to provide information to Councils, municipal staff, the media and other interested parties on the Source Water Protection project. Due to the significant financial burden that all municipalities will be facing in the future, it is important for all members of Council to be aware and knowledgeable about source water protection matters. The information in the newsletter will also be available on the County’s website.

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

That the communication information reports on the legal update on Zitia Investments and the Source Protection Update newsletter be received.

. Carried

Moved by – Councillor Colerman
Seconded by – Councillor Schmitt

That the following Consent Communications items be received:

1. AMO Member Communications:
 - a. Province reviewing more than 450 applications for MIII Funding
 - b. Federal Liberal Party pledges infrastructure money
 - c. Federal Budget makes gas tax permanent
 - d. Announcement of additional infrastructure funding for municipalities
 - e. New ROMA Chair and Executive
 - f. Information on Municipal Communications Toolkit to promote projects funded by the Federal Gas Tax revenue
 - g. Information on Energy Management workshops
2. Hon. Tony Clement, Minister for the Federal Economic Development Initiative for Northern Ontario – notice of \$50 million in federal funding under the Ontario Potable Water Program.
3. Jay Hope, Deputy Minister, Ministry of Community Safety and Correctional Services – notification that in 2007 the County fulfilled the municipal requirements of the Emergency Management and Civil Protection Act.
4. Julian Fantino, Commissioner, Ontario Provincial Police – changes to the Police Services Act re: costing formula for policing services. **Councillor Gatward requested clarification that O.P.P. involvement in special events, such as the Caledonia situation, would not be billed to municipalities.**
5. Notice of Study commencement for detail design and Class EA for Highway 403 Interchange at Oak Park Road.
6. Notification from Laurier Brantford of recipients for the County of Brant Scholarships – Erin Bodyk, First Year Award, and Joanne Baldwin, Third Year Award.

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7. Notice from the City of Hamilton of a joint Public Information Centre for the Gage Park Master Plan and the Lower East End Storm Drainage Study.
8. Notice of Public Information Centres for the Waterdown/Aldershot Transportation Master Plan.
9. *Workforce Focus* newsletter from the Grand Erie Training and Adjustment Board for January.
10. Information on the International Awards for Liveable Communities program.
11. Minutes of Meetings:
 - a. Brant County Board of Health – January 17, 2008.
 - b. Paris BIA – February 12, 2008.
 - c. Social Services – January 30, 2008.
 - d. Wardens, Mayors, CAOs and EDO's - Brant, Norfolk, Elgin, Oxford and Middlesex Counties and lower-tier municipalities re: SCOR project – February 22, 2008.

.Carried

PLANNING ADVISORY

Councillor Chambers presented the following report from the February 20, 2008 meeting of the Planning Advisory Committee:

1. That application ZBA 1/08/SS from J.H. Cohoon Engineering Ltd., agent for Lois Walker, applicant and owner of 160 Harley Road, Part Lot 13, Concession 9, County of Brant in the geographic Township of Burford to rezone the subject lands from Agricultural (A) to Village Residential Type 1 (VR1) in order to permit village residential development be approved.
2. That application ZBA 4/08/MD from Snodgrass Consulting, agent for 2113126 Ontario Inc. (Jamie & Nancy Collins), applicants and owners of 518 Mount Pleasant Road, Part of the Phelps Tract, County of Brant in the geographic Township of Brantford, to rezone the subject lands from Agricultural (A) to Village Residential, with a special exception to recognize a reduced lot frontage for three lots that have been granted provisional consent be approved.
3. That the request for the return of application fees for Committee of Adjustment file B2/08/MD, from Brimage, Tyrrell, Van Severen & Homeniuk, agent for John and Jennie Pajor, owners of Part of Lot 8, Concession 1, County of Brant in the geographic Township of Oakland, located at 79 Oakland Road, be refused.
4. That the mandate of the Agricultural Advisory Committee be approved and presented to the Agricultural Advisory Committee at their inaugural meeting.

Moved by – Councillor Chambers
Seconded by – Councillor Powell

That the report of the Planning Advisory Committee from its February 20, 2008 meeting be adopted.

.Carried

PARKS AND RECREATION

Councillor Wheat presented the following report from the February 27, 2008 meeting of the Parks and Recreation Committee:

1. That the 2008 Parks and Recreation Annual Volunteer Recognition Awards Ceremony be held on the following date and time:
Date: Tuesday, April 15, 2008
Time: 6:15 p.m. (prior to scheduled Council meeting)
Location: Council Chambers
2. That the County of Brant supports the upcoming events to celebrate the 50th Anniversary of the Paris Community Pool.
3. That the mandate for the Parks and Recreation Advisory Committees be adopted and presented to all members of the Parks and Recreation Advisory Committees.
4. That the County of Brant supports in principle a leash-free dog park in the Paris area;

That an Ad Hoc Committee be struck consisting of seven (7) members, as follows:

- 1 Parks and Recreation staff person;
- 1 Member of the Paris Parks and Recreation Advisory Committee; and
- 5 Members of the general population of the County of Brant;

And that the Ad Hoc Committee have a mandate to research, review and make recommendations to the Parks and Recreation Committee on such items as:

- Location of a leash-free dog park in the Paris area;
- The group(s) responsible for funding the construction of the dog park;
- The group(s) responsible for the post-construction maintenance of such a park;
- The day-to-day policing of the park – i.e. Rules and Regulations for users; and
- Other pertinent items that may arise.

5. That prior to the sale of lots abutting a proposed County of Brant park, all lots have a clause registered on title to advise people buying lots next to a proposed active park that such a park could include (but is not limited to) soccer fields, baseball fields, playground equipment and lights;

That this clause be included in the final draft Plan of Subdivision for the Farrington Park expansion in the Valley Estates subdivision;

That this clause be incorporated for all new County parks (e.g. Foxhill Heights);

And that this approval be subject to review by Legal Services and Development Services staff.

Moved by – Councillor Wheat

Seconded by – Councillor Schmitt

That the report of the Parks and Recreation Committee from its February 27, 2008 meeting be adopted.

. Carried

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It was suggested that the Ad Hoc Committee for the leash-free dog park should also consider the costs and a proposed budget for operation of the park, including maintenance items such as grass cutting, snow removal, etc.

EMERGENCY SERVICES

Councillor Wheat presented the following report from the February 27, 2008 meeting of the Emergency Services Committee:

1. That the proposal of Northern911 for the provision of 9.1.1. Emergency Response Network services for a three-year term, with an option of a two-year renewal, at an annual cost of \$54,906.85, be approved, to be effective April 1, 2008 or earlier, subject to the completion of the necessary cut-over arrangements with Bell Canada and the current incumbent OPP.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the report of the Emergency Services Committee from its February 27, 2008 meeting be adopted.

.Carried

TWIN PAD ARENA ADVISORY

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the Twin Pad Arena Advisory Committee minutes of February 21, 2008 be received as information.

. Carried

STAFF REPORTS

Proposed Amendments to Section 12 of By-law Number 116-06 – Restrictions on External Watering

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

Whereas many citizens of Brant County are dependent upon groundwater for the supply of potable water;

And whereas restricting outdoor municipal water use is an effective means of promoting water conservation to protect the environment, defer capital expenses and extend the apparent capacity of the existing water system to support growth and development;

Be it hereby resolved that By-law 116-06, Section 12 – Use of Municipal Water Externally, be repealed in its entirety and be replaced with the amendments as contained in Attachment “A” of the report from Lynn Dale dated February 27, 2008.

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Councillor Gatward	1	
Mayor Eddy		1
Councillor Wheat		1
Councillor Schmitt		1
Councillor Simons	1	
Councillor Haggart		1
Councillor Powell	1	
Councillor Atfield		1
Councillor Chambers	1	
Councillor Hodge	1	
Councillor Coleman	1	
. Carried	<u>6</u>	<u>5</u>

PW-08-08 – Improvements arising from Willow Street/Curtis Avenue North Class EA – Recommendation 1 re: traffic lights at Dundas Street East and Willow Street

Moved by – Councillor Coleman
 Seconded by – Councillor Chambers

Whereas the Class EA for Willow Street Realignment, Urbanization of Curtis Avenue has been finalized;

And whereas the warrants are met for the installation of traffic signals at the intersection of Dundas Street East and Willow Street (including advanced warning);

And whereas there are sufficient funds available in the Capital budget;

Be it hereby resolved that traffic signals, including the advanced warning, be installed at the intersection of Dundas Street East and Willow Street.

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Councillor Powell		1
Councillor Atfield		1
Councillor Chambers	1	
Councillor Hodge	1	
Councillor Coleman	1	
Councillor Gatward		1
Mayor Eddy	1	
Councillor Wheat	1	
Councillor Schmitt	1	
Councillor Simons	1	
Councillor Haggart	1	
. Carried	<u>8</u>	<u>3</u>

INFORMATION REPORTS

1. Mayor Eddy advised that the traffic light at Curtis Avenue and Dundas Street East is currently working on an alternating basis. These lights will be reprogrammed back to a demand light once the weather improves.

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2. An Information report from CAO on the former Burtch Industrial Farm was distributed to Council. Mr. Fiebig recommended that the proposed advisory committee of the Mayor, two elected officials and two representatives from the local community to assist the Province in the organization of a public information meeting to inform local residents about the future plans for the site not be established until there has been a further meeting with the Ministry of Aboriginal Affairs on this matter.

CORRESPONDENCE

1. Horizon Utilities – requesting opportunity to make presentation to Council re: Brant County Power. The Clerk was requested to arrange for Horizon Utilities to make a presentation to Council.
2. City of Brantford – Social Services Committee recommendations approved by Brantford City Council regarding transferring the John Noble Home Committee of Management responsibilities to the Social Services Committee. Staff was requested to provide information on the current City/County agreement for the operation of the John Noble Home.
3. Request from the Mayor of Quebec City to ring the bells in our municipality at 11:00 a.m. on July 3 in recognition of when Samuel de Champlain landed in Quebec City 400 years ago – received as information.
4. Hon. Jim Watson, Minister of Municipal Affairs and Housing – *Growing the Greenbelt – Consultation 2008*

Moved by – Councillor Chambers
Seconded by – Councillor Schmitt

That the “Growing the Greenbelt – Consultation 2008” publication from the Ministry of Municipal Affairs and Housing be referred to Planning staff for preparation of a report for consideration by the Planning Advisory Committee.

. Carried

QUESTIONS

1. In response to a question, Mayor Eddy advised that he had approached the Minister of the Environment at the OGRA/ROMA Conference to inquire on the status of the Part 2 request for the Mile Hill project. The Director of Public Works advised that staff from the Minister’s office has indicated that the approval process was ongoing and that the earliest a decision would be on the Minister’s desk would be during the week of March 17.
2. In response to a question, the C.A.O. advised that the County has not received a response from the Minister of Indian and Northern Affairs regarding the tow path lands in Middleport. It was noted that M.P. St. Amand had also written a letter to Minister Strahl requesting a response.

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SIDEWALKS ON DUNDAS STREET EAST

Moved by – Councillor Powell
Seconded by – Councillor Atfield

Whereas the Class Environmental Assessment for the Willow Street Realignment has been finalized;

And whereas there is no sidewalk on the south side of Dundas Street East from the easterly edge of the High Level Bridge to the corner of Dundas Street and Curtis Avenue (traffic signals);

And whereas there is no sidewalk on the north side of Dundas Street East from the corner of Curtis Avenue and Dundas Street East (traffic signals) to the new proposed sidewalk on Willow Street;

And whereas Brant County Council desires to promote the healthy exercise of walking;

And whereas the walking trail crosses Dundas Street at Curtis Avenue;

And whereas to ensure the safety of pedestrians;

Be it hereby resolved that the above mentioned sidewalks be included in the new sidewalk to be installed on Willow Street from Dundas Street East to connect to the existing sidewalk on Willow Street.

. No Vote – Motion to Table Follows

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the motion regarding the installation of sidewalks on Dundas Street East from Curtis Avenue to Willow Street be tabled and referred to Public Works staff for preparation of a report.

. Carried

OTHER BUSINESS

1. Invitation to participate on the County of Brant Walkability Task Force – first meeting to be held on Thursday, March 20 from 9:30 a.m. – 11:30 a.m. at the Paris Library.
2. Information on “Charting Your Future” workshops being offered by AMO.
3. Councillor Simons advised that she would be presenting a motion at the March 18 Council meeting encouraging County residents to participate in the Earth Hour Challenge by turning out their lights from 8 – 9 p.m. on Saturday, March 29.

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TWIN PAD ARENA AD HOC COMMITTEE

Moved by – Councillor Atfield
Seconded by – Councillor Powell

That Council reconsider the membership of the Twin Pad Arena Advisory Committee.

. Carried – Two-thirds majority

Moved by – Councillor Atfield
Seconded by – Councillor Gatward

That one additional member be added to the Twin Paid Arena Advisory Committee from the Paris area.

. Carried

Councillor Atfield nominated Councillor Powell to serve on the Twin Pad Arena Advisory Committee. Councillor Coleman nominated Councillor Simons.

Moved by – Councillor Chambers
Seconded by – Councillor Schmitt

That nominations for the Twin Pad Arena Advisory Committee be closed.

. Carried

Councillor Simons indicated that she was not willing to stand for nomination to the Committee. As a result, Councillor Powell was declared a member to the Twin Pad Arena Advisory Committee.

BY-LAWS

The Clerk advised that the by-law to extend the agreement with the O.P.P. for the 9.1.1. call answering service had been withdrawn from the agenda, and would instead be presented at the March 18 meeting.

Moved by – Councillor Hodge
Seconded by – Councillor Chambers

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

- By-law Number 33-08 to amend By-law Number 110-01 for property located in Part of the Phelps Tract, geographic Township of Brantford to permit hamlet residential development (2112125 Ontario Inc., 518 Mount Pleasant Road).
- By-law Number 34-08 to amend By-law Number 110-01 for property located in Part of Lot 13, Concession 9, geographic Township of Burford to permit village residential development (Walker, Harley Road).
- By-law Number 35-08 to amend By-law Number 110-01 for property located in Part of Lot 15, Concession 4, geographic Township of South Dumfries to remove the holding provision to permit estate residential uses (Wm. Sharp, 378 McLean School Road).
- By-law Number 36-08 to authorize a Development Agreement with 2063519 Ontario Inc. for property located in Part of Lots 10 and 11, Concession 2, geographic Township of Onondaga, Old Onondaga Road East, County of Brant.

- By-law Number 37-08 to authorize a Garden Suite Development Agreement with George and Patricia Margaret Eelkema for property located at Part of Lot 8, Concession 1, geographic Township of South Dumfries (32 Lyons Road).
- By-law Number 38-08 to authorize an agreement with the City of Brantford for the “After School Program”.
- By-law Number 39-08 to authorize an agreement with the City of Brantford for the “Can We Help? Program”.
- By-law Number 40-08 to authorize an Agreement between the City of Brantford and the County of Brant for the development of new affordable rental housing units at 130 West River Street, Paris, under the CMHC-Ontario New Affordable Housing Program.
- By-law Number 41-08 to authorize an Architectural Services Contract with Shore Tilbe Irwin & Partners for the Twin Pad Arena.
- By-law Number 42-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Hodge
Seconded by – Councillor Chambers

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

- By-law Number 33-08 to amend By-law Number 110-01 for property located in Part of the Phelps Tract, geographic Township of Brantford to permit hamlet residential development (2112125 Ontario Inc., 518 Mount Pleasant Road).
- By-law Number 34-08 to amend By-law Number 110-01 for property located in Part of Lot 13, Concession 9, geographic Township of Burford to permit village residential development (Walker, Harley Road).
- By-law Number 35-08 to amend By-law Number 110-01 for property located in Part of Lot 15, Concession 4, geographic Township of South Dumfries to remove the holding provision to permit estate residential uses (Wm. Sharp, 378 McLean School Road).
- By-law Number 36-08 to authorize a Development Agreement with 2063519 Ontario Inc. for property located in Part of Lots 10 and 11, Concession 2, geographic Township of Onondaga, Old Onondaga Road East, County of Brant.
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- By-law Number 40-08 to authorize an Agreement between the City of Brantford and the County of Brant for the development of new affordable rental housing units at 130 West River Street, Paris, under the CMHC-Ontario New Affordable Housing Program.
- By-law Number 41-08 to authorize an Architectural Services Contract with Shore Tilbe Irwin & Partners for the Twin Pad Arena.
- By-law Number 42-08 to confirm the proceedings of Council.

. Carried

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Moved by – Councillor Hodge
Seconded by – Councillor Chambers

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

- By-law Number 33-08 to amend By-law Number 110-01 for property located in Part of the Phelps Tract, geographic Township of Brantford to permit hamlet residential development (2112125 Ontario Inc., 518 Mount Pleasant Road).
- By-law Number 34-08 to amend By-law Number 110-01 for property located in Part of Lot 13, Concession 9, geographic Township of Burford to permit village residential development (Walker, Harley Road).
- By-law Number 35-08 to amend By-law Number 110-01 for property located in Part of Lot 15, Concession 4, geographic Township of South Dumfries to remove the holding provision to permit estate residential uses (Wm. Sharp, 378 McLean School Road).
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- By-law Number 40-08 to authorize an Agreement between the City of Brantford and the County of Brant for the development of new affordable rental housing units at 130 West River Street, Paris, under the CMHC-Ontario New Affordable Housing Program.
- By-law Number 41-08 to authorize an Architectural Services Contract with Shore Tilbe Irwin & Partners for the Twin Pad Arena.
- By-law Number 42-08 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 9:45 p.m. to meet again on **Tuesday, March 18, 2008 at 7:00 p.m.** in the Council Chambers, Paris.

Mayor

Date Minutes Approved

Clerk