

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
May 6, 2008
7:00 p.m.

- Present:** Mayor Eddy, Councillors Wheat, Schmitt, Haggart, Simons, Atfield, Powell, Chambers, Coleman and Gatward
- Regrets:** Councillor Hodge
- Staff:** Fiebig, Glassford, Compeau, Johnston, Underwood, Bell, Wamsteeker, Ayres, Murphy and Carman.

Mayor Eddy in the Chair. He announced that he had attended a plaque unveiling by the Institute of Electrical and Electronics Engineers, Hamilton Section, at The River Lily on May 4 recognizing the first long distance transmission of speech by Alexander Graham Bell on August 10, 1876.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Wheat

That the Brant County Council agenda and addendum for the May 6, 2008 meeting be approved as distributed, with the following additions:

- Official Plan - Next Steps
- Update from Brantford Airport Commission meeting

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS

Introduction of Brant County O.P.P. Detachment Commander

Mayor Eddy introduced Inspector Dave Durant as the new Detachment Commander for the Brant County O.P.P. Inspector Durant gave a brief outline of his policing experience with the Ontario Provincial Police.

Residents of Cedar Street re: Reconstruction.

Linda Schott, on behalf of a large number of the residents of Cedar Street, requested that Council reconsider their decision to move ahead with Option 2 to install a watermain and sanitary sewers on Cedar Street and widen the road from 5 metres to 6 metres. The residents are proposing a modified Option 1, which would involve an upgraded watermain on the west side of the road allowance, and delay the upgrading of the road and the installation of the sanitary sewers at this time. This would result in a substantial savings of the \$880,000 budget for the Option 2 work. The residents are concerned about the cost of connecting to the sanitary sewer, particularly when the majority of the residents have septic systems that have been maintained and are in good working condition.

The residents of Cedar Street are not opposed to development, but want any development to be consistent with their current neighbourhood. Ms. Schott suggested that prospective developers should be responsible for the cost for installing the sanitary sewers, and

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that existing residents would reimburse the developers for their share of the frontage costs when they are required to connect to the system. Ms. Schott requested that a meeting be arranged with the residents of Cedar Street and County staff to discuss matters related to development and infrastructure, including estimates for the sanitary sewer connections, tree management, tree planting, etc.

Moved by – Councillor Haggart
Seconded by – Councillor Schmitt

That the presentation regarding the reconstruction of Cedar Street be referred to the “Other Business” portion of the meeting for further consideration.

. Carried

Planning Application ZBA 8/08/MD

Elizabeth Ottaway, Planning and Information Consulting on behalf of Jennifer Wood and her family, requested that the zoning application for the property located at 365 Highway 2 be referred back to the May Planning Advisory Committee meeting for further consideration. A number of modifications to the property are being proposed to address the concerns of the neighbours, including moving the dog compound farther away from abutting properties, installation of landscaping and berms for aesthetic purposes and noise control, etc. Ms. Ottaway provided information and references on Ms. Wood’s current kennel operation in Woodstock. In addition, it is being proposed that the draft zoning by-law be amended to allow only three dogs to be outside at any one time and no breeding on site. Ms. Wood is agreeable to site plan control for this property, as well as a temporary approval for a three-year period. If the application is referred back to the Planning Advisory Committee for further consideration, a meeting will be arranged for May 14 at the site to allow the neighbours an opportunity to view the site and the proposed plans for the kennel operation. Ms. Ottaway clarified the minutes from the April 15 Planning Advisory Committee meeting that the only kennel licensing required in Oxford County is for breeding kennels.

Eric White, who lives at 628 West Quarter Town Line Road, expressed his opposition to the rezoning application for 365 Highway 2. He has concerns about the size of the kennel and feels that it should be in a more secluded area. Mr. White also has concerns related to safety, noise and environmental issues.

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the presentations regarding Planning Application ZBA 8/08/MD be referred for consideration during the Planning Advisory Committee report.

. Carried

Erie-Agri Food Innovations Initiative

Harold Schooley, Chair of the Erie-Agri Food Innovations Steering Committee, advised that the Committee has submitted an application to the Federal Government CanAdvance Program for funding for the Erie-Agri Food Innovations Initiative. This Initiative proposes the development of a Rural Economic Development Plan for the SCOR Region, consisting of Brant,

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Oxford, Norfolk, Middlesex and Elgin. The Steering Committee hopes to raise \$1.1 million over the four years of the project to find sustainable alternatives to crops traditionally grown in this area. A full-time Director of Innovation and Commercialization will be hired to seek out opportunities for agriculture in the region, including seeking out investment capital for worthy ventures, research on development of new crops or crops with value-added characteristics, etc.

Brenda Lammens, Chair of the Ontario Fruit and Vegetable Growers Association, outlined the various partners in this project and requested that the County of Brant support the Initiative through a grant of \$20,000 per year for four years.

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That the presentation on the Erie-Agri Food Innovations Initiative be referred to the Corporate Development Committee for consideration.

. Carried

Public Meeting – Proposed Sign By-law

Keith Middleton, representing the concerned citizens for the Sign By-law, questioned the state of a sign at the Memorial Garden on Rest Acres Road and whether this sign would be “grandfathered” under the proposed sign by-law. In response to questions, Mayor Eddy advised that there was an agreement with the County for the sign to be erected on municipal property.

Terry Collins commended staff on development of the by-law. He noted that he does not like temporary signs because of the distractions that they provide to motorists. He questioned whether the by-law requirements for temporary signs will apply to signs that are already in place when the new by-law comes into effect, since the new by-law does not apply to an advertising device that was in place on the day the sign by-law comes into effect. Mr. Collins also pointed out that the sign by-law needs to be enforced by the County’s By-law Enforcement Officers.

It was agreed that the comments received at this public meeting on the proposed sign by-law would be referred to County staff for their review.

Twin Pad Arena

Keith Middleton, representing the concerned citizens for the Twin Pad Arena, expressed his concern with the rising costs for the proposed Twin Pad Arena – from \$9 million in April 2006 to \$22 million in April 2008. He suggested that if this is a County arena, and not a Paris arena, it should be located more centrally in the County. He does not feel that the arena is located in a location that can be classified as the “gateway to the community.” In addition, the proposed location for the twin pad arena is in the area of a former gypsum mine. Mr. Middleton pointed out that a \$15.3 million twin pad arena project in the amalgamated Town of Essex has kick-started a de-amalgamation movement in Harrow and Colchester South.

Hollecrest and Associates re: sale or merger of Brant County Power

Andy Woodburn suggested that the County should a consultant to carry out an independent third-party review of all potential merger, sale and amalgamation options for Brant County Power Inc. in order to provide reduced electricity costs.

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Sieg Holle explained that a reduction in the number of electricity providers in the Province of Ontario is required in order to benefit from economies of scale. He suggested that the model used by the City of London to review all buy, merge or sell options is an alternative for the County of Brant. He recommended that a third party, preferably local, be hired to review the options on an objective basis to find the best deal for the County of Brant. The information on the options considered should be visible so the public is aware of the process and the decisions made. Mr. Holle offered the services of his company, Hollecrest & Associates, at a cost of \$25,000 - \$40,000 to carry out this strategic study.

Moved by – Councillor Gatward
Seconded by – Councillor Powell

That the presentation by Hollecrest and Associates regarding the sale or merger of Brant County Power be received as information and referred to Brant County Power Inc. for their consideration.

. Carried

Greenbelt Criteria

Ella Haley reviewed the background of Sustainable Brant and noted that the organization is circulating petitions throughout the municipality to have the greenbelt extended to the County of Brant. The members of Sustainable Brant are concerned with the serious leapfrogging effects of pressure from developers who are buying up farmland in the County, since it is located on the edge of the Greenbelt. Ms. Haley noted that the County was voting on criteria for expanding the Greenbelt, including the provision that requesting inclusion in the Greenbelt was to be at the initiative of the municipality. Ms. Haley suggested that they would prefer to have a Province-wide greenbelt to protect farmland throughout Ontario, or alternatively for the Province to consider citizen petitions to expand the Greenbelt. She referred to a letter from the Ontario Farmland Trust recommending that the Greenbelt plan include compensation for farmers for the risks they are taking, the need for retirement and business succession options, assistance for new farmers, etc.

Ted Shelegy corrected some statements that had been made at the special Council meeting held on May 5 regarding a meeting of Sustainable Brant that had been held in St. George. The attendees at that meeting had supported a concept of a temporary greenbelt in all of southern Ontario, in order to allow the development of an overall plan to determine where development should occur to protect both agricultural lands and the natural environment.

MINUTES

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the minutes of the April 15, 2008 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That the In Camera minutes of the April 22, 2008 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

. Carried

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BUSINESS ARISING FROM THE MINUTES:

1. The City of Brantford has provided their Council recommendation on the John Noble Home Governance Review for the consideration of the John Noble Home Committee of Management and Brant County Council. This matter will be discussed at the May 7 John Noble Home meeting and at the May 20 County Council meeting with Dan Tempriple and Eleanor Maslin in attendance to answer questions.

CONSENT ITEMS

Moved by – Councillor Powell
Seconded by – Councillor Coleman

That the following Consent Information Report items be received:

1. Decisions from the April 24, 2008 Committee of Adjustment meeting.
2. Applications to be heard at the May Committee of Adjustment meeting.
3. Police Services Board minutes from the April 16, 2008 meeting.
4. Notice of Study Completion for the River Road Class EA.
5. Notice of Public Information Centre on the Mount Pleasant Water Storage Upgrades to be held on Thursday, May 8 from 5 – 8 p.m. at the Mount Pleasant Community Centre.
6. Media Release from County of Brant Fire Department re: open air burning.

And that the following Consent Communications items be received:

1. AMO Member Communications:
 - a. Report on March 2008 Board meeting
 - b. Update from April 2007 ROMA Board meeting.
 - c. Energy Management Updates
 - d. Deadline for Federal Gas Tax award
 - e. Cashing in on Energy Savings workshops
2. Copy of letter to M.P.P. Dave Levac from Hon. Jim Bradley, Minister of Transportation re: renewal of Highway 54.
3. News release from M.P. Joe Preston, Elgin-Middlesex-London Riding, re inaugural meeting of Economic Development Task Force meeting.
4. Ontario Good Roads Board Brief from the April 11 meeting.
5. Ministry of the Environment – notice of final report by noise expert on wind turbine noise issues, and notice that a wind turbine noise policy will be developed by the Ministry in two phases.
6. Ministry of Municipal Affairs and Housing April newsletter.
7. Notice from the Ontario Flue-Cured Tobacco Growers' Marketing Board of resignation of Tom McElhone as Chair of the Board and election of Linda Vandendriessche as Chair and Fred Neukamm as Vice-Chair.
8. Region of Waterloo – Notice of proposed Regional Official Policies Plan Amendment to clarify what constitutes a complete application.
9. Information on the "Rural Matters! – Forging Healthy Canadian Municipalities" conference to be held in Nisku, Alberta from July 5 – 8, 2008.
10. Information on the Brantford Home Ownership Made Easy Housing Program.
11. Grand Erie Training and Adjustment Board – April 2008 newsletter.
12. Immigrant Settlement Transition, Employment and Partnerships report "A Community Partnership at Work".
13. *GRCA Minutes* newsletter for April 2008.

14. Minutes of Meetings:

- a. Brant County Board of Health – March 20, 2008.
- b. Grand River Conservation Authority – March 28 and April 15, 2008.
- c. County of Brant Public Library Board – March 11, 2008.
- d. Brant County Power Services Inc. – April 3, 2008.
- e. Committee of Adjustment – March 27, 2008.

. Carried

ENERGY CONSERVATION WEEK

Moved by – Councillor Gatward
Seconded by – Councillor Simons

That the County of Brant declare the week of May 25 – 31, 2008 as “Energy Conservation Week in the County of Brant”.

. Carried

PLANNING ADVISORY

A letter from the Oxford Community Police Services regarding Planning Advisory Committee Recommendation 2 was received as information.

Councillor Chambers presented the following report from the April 16, 2008 meeting of the Planning Advisory Committee, it being agreed that Recommendation 4 would be dealt with separately:

1. That application ZBA7/08/SS from Snodgrass Consulting Services Inc., agent for Ross Ilett Farms Ltd., applicant and owner of Part Lot 9, Concession 3, County of Brant, in the geographic Township of South Dumfries, located at 239 County Highway 5, to rezone a portion of this property in order that a truck maintenance and repair shop can be established in one of the existing buildings be approved.
2. That application ZBA9/08/SS from Gerry and Fran Morgan, owners and applicants of Part Lot 16, Concession 1, County of Brant, in the geographic Township of Burford, located at 325 County Highway 2, to rezone and change the present Agricultural (A) zone to permit a music festival on a limited basis be approved on a temporary basis for a period no greater than three (3) years, and subject to the following restrictions:
 - i. Duration – not to exceed four (4) days during the summer months in any calendar year;
 - ii. Time – Entertainment performances limited to 12:00h to 22:00h;
 - iii. Area – Festival activities shall be confined to approximately the north 250m of the property;
 - iv. Structures – No permanent buildings and/or structures shall be constructed for the purpose of the music festival;
 - v. Power – Generators shall not operate before 08:00h or after 18:00h;
 - vi. Emergency Services – the owner/applicant/festival organizer enters into an agreement or undertaking with the County for the provision and maintenance of access routes for emergency services during the event; and
 - vii. Buffering – The owner/applicant/festival organizer enter into an agreement or undertaking with the County, in consultation with the Conservation Authority, for the provision and maintenance of an appropriately sized buffer along the northern edge of the Horner Creek and associated wetland feature during the event.

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3. That the matter of the owner/developer for Draft Plan of Subdivision application PS1/08/SS (Tuczynski) agreeing to contribute \$3,511.00 per lot/unit toward upgrading the Mount Pleasant Water Supply System, which may be above and beyond the amount required by the County of Brant Development Charges By-law at the time of registration, and which may be required by Council for inclusion in the Subdivision Agreement, be approved for payment at the time that payment of development charges would normally be required;

And that the application from J.H. Cohoon Engineering Ltd., agent for John & Halina Tuczynski, applicants and owners of Part Lot 9, Concession 3, County of Brant in the geographic Township of Oakland and Part of Lot 1, Range 1, WMPR, County of Brant in the geographic Township of Brantford, located on Mount Pleasant Road and CKPC Road for a Draft Plan of Subdivision, to allow for the development of a portion of the property for 10 estate residential lots be approved, subject to the following conditions:

- i. That the owner/developer satisfy the County of Brant by providing the appropriate documentation and/or taking the appropriate actions and entering into a Subdivision Agreement with respect to such things as:
 - 1) That the owner/developer of the lands enter into a Subdivision Agreement with the County of Brant and satisfy all requirements, financial and otherwise, concerning the provisions and installation of required municipal services both within and external to the subdivision, that may be required with said installation being secured by a letter of credit to the satisfaction of the County of Brant;
 - 2) That at the time of registration the owner/developer convey to the County of Brant the Blocks required for the 0.3 metre reserves as shown on the plan to the satisfaction of the County of Brant;
 - 3) That at the time of registration the owner/developer conveys Block 12 to the County of Brant for road purposes, and the County of Brant conveys Block 11 to the owner/developer;
 - 4) That the owner/developer installs trees on the portion of the lots abutting the road allowance, at a minimum of 2 trees per lot frontage and 4 trees per corner lot, being 50 mm in calliper DBH, and of a native species as listed in the County of Brant's Recommended Plant Species list, to the satisfaction of the County of Brant;
 - 5) That the prospective purchasers are advised that the County of Brant requires the installation of high nitrate removal systems for all dwelling units despite soil conditions, and that at the time of issuance of a building permit, the builder/home owner will be required to submit a design of the systems and a copy of the annual maintenance agreement between the landowner and the maintenance contractor in accordance with the requirements of the Ontario Building Code;
 - 6) That all easements and blocks required for utilities, servicing and drainage purposes be granted and conveyed by the owner to the County of Brant or the appropriate authority at no cost to the County of Brant and free from all encumbrances;
 - 7) That prior to registration the owner/developer rezone the subdivision lands for Estate Residential uses and rezone the remnant agricultural lands as required;
 - 8) That prior to the registration and final approval of this subdivision the following requirements be completed to the satisfaction of the County of Brant:

- (a) The developer is to install and pay for street lighting to be located along Mt. Pleasant Road and C.K.P.C. Road, if required by the County; and
 - (b) Approval of the subdivision drawings shall be in accordance with the conditions of the Subdivision Agreement and the County of Brant's Development and Engineering Standards.
- 9) That with the written authorization of the County of Brant the Subdivision Agreement between the owner/developer and the County of Brant be registered by the owner/developer against the lands to which it applies and the County of Brant shall be entitled to receive whatever notice and documentation of such registration the County of Brant deems appropriate;
- 10) That all road widenings and the daylighting triangle shown on the plan be dedicated to the County of Brant, free and clear of all encumbrances at the expense of the owner/developer;
- 11) That prior to the approval of the final plan, the owner/developer prepares, submits, and obtains approval from the County of Brant and the Grand River Conservation Authority, of the following plans:
- (a) Stormwater Management Plan in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices Planning and Design Manual;
 - (b) An Erosion and Siltation Control Plan, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction; and
 - (c) Location plans illustrating the building envelope, the location of the primary sewage system of suitable size for the proposed building and the driveway location on each lot.
- 12) That the Subdivision Agreement between the owner/developer and the County of Brant contain provisions for the completion and maintenance of the works in accordance with the approved plans and reports noted above in Condition 1 & 11;
- 13) That the owner/developer enters into a subdivision agreement with the County of Brant prior to any subdivision signage being established on the development. All required signage shall be designed, installed and thereafter maintained in accordance with County of Brant sign regulations;
- 14) That the owner/developer provides evidence to the County of Brant that the Ministry of the Environment requirements have been met via submission of appropriate documentation such as the prerequisite hydrogeological report that is accompanied with its method of implementation;
- 15) That the following be included in the subdivision agreement: "That if the watermain and appurtenances (excluding service connections) are constructed by the owner/developer, and others chose to connect to the watermain and appurtenances as installed, then the proportional costs for the installation of the watermain and appurtenances (excluding service connections) may be recovered from others. The County of Brant will assist, to the best of its ability, in the recovery of the proportionate costs from others, should the owner/developer require assistance. The County of Brant's assistance in recovering these costs shall lapse twenty (20) years after the date of registration of the plan";
- 16) That the following be included in the subdivision agreement: "That if the watermain and appurtenances (excluding service connections) are constructed by others prior to this development, that when the

owner/developer connects to the watermain and appurtenances as installed, the proportional costs for the installation of the watermain and appurtenances (excluding service connections) will be payable by the owner/developer to others”;

- 17) That prior to the registration of the subdivision plan and the disturbance of any soil on the site, save and except any soil disturbance required for the required archaeological assessment, the owner/developer provides a full report on the archaeological significance of the site and the County of Brant is advised by letter that the Ministry of Culture is satisfied and has no objection to the registration of the plan;
- 18) That the subdivision agreement referred to in Condition 1 will include a requirement that the owner/developer shall ensure that no stockpiles of fill or any overland drainage patterns be altered on the north, west and east sides of the total holdings within 30 metres of the property boundary. The height of any stockpiles of fill shall not exceed 6 metres in height. Any stockpile with greater than a 2 to 1 slope shall be fenced and the areas posted as being dangerous;
- 19) That the subdivision agreement referred to in Condition 1 will include a requirement that the owner/developer is to maintain the site in a safe and satisfactory condition free of debris, weeds and other such materials until the plan is fully developed and the servicing is assumed by the County of Brant;
- 20) That the owner/developer be required at his cost to repair all disturbed areas of all roads to the satisfaction of the County of Brant as a result of the owner/developer installing underground services within the Mt. Pleasant Road and C.K.P.C. Road right of way;
- 21) That prior to registration all public utilities are to advise the County of Brant that they are satisfied with the servicing arrangements between the owner and all public utilities;
- 22) That the owner/developer shall provide an overall plan showing the building envelopes and private sewage disposal bed envelopes for each lot prior to the issuance of any building permit. Such drawings shall be in compliance with the Ontario Building Code and to the satisfaction of the Building Division of the County of Brant;
- 23) That the owner/developer give his consent to the County of Brant having requirements of Conditions 11 & 14 peer reviewed by a qualified hydrogeologist and/or engineer, and/or County staff, all at the owner's expense;
- 24) That noise warning clauses be included in the Subdivision Agreement and placed in all offers to purchase for those lots affected by the results of the study;
- 25) That the subdivision agreement be registered against the land to which it applies to the satisfaction of the County of Brant;
- 26) That should the owner/developer wish to phase the subdivision; any phasing is to be to the satisfaction of the County of Brant;
- 27) That prior to the finalization of the Subdivision Agreement and registration of the plan, the owner/developer shall submit and receive final approval of the engineering plans which are to be prepared in a manner consistent with the County's Development and Engineering Standards; and
- 28) That prior to the removal of the holding symbol “h” provision in the zoning bylaw the owner/developer shall submit and receive final approval of the

servicing plans including the connection and supply to the municipal water and fire service to the satisfaction of the County of Brant. To this end, until the reservoir works for the Mt. Pleasant Water Supply System are tendered and awarded, this development will not be able to proceed.

- ii) That the owner/developer provides proof that improvements to the water system, including the extension of the water lines and hydrants, have been planned to the satisfaction of the County of Brant and accounted for in the Subdivision Agreement, prior to registration;
- iii) That the owner/developer provides proof that the County of Brant park requirements have been satisfied in accordance with the provisions of the Planning Act. The value of the land will be determined by a certified appraisal at the expense of the owner/developer. Otherwise, the owner/developer may suffice this condition in a manner consistent with the Cash in Lieu of Parkland Dedication Policy, 2006;
- iv) That the owner/developer provides a list showing all lot frontages and lot areas to assess compliance with the zoning by-law minimum frontage and area requirements. This list shall be prepared and certified by a qualified Ontario Land Surveyor;
- v) at the owner/developer agree to contribute \$3,511.00 per lot/unit towards the upgrades of the Mt. Pleasant Water System, which may be above and beyond that which is required by the County of Brant Development Charges By-law at the time of registration and which may be required by Council for inclusion in the Subdivision Agreement; and
- vi) pursuant to Section 51 (32) of the Planning Act, draft plan approval, together with all conditions, shall hereby lapse in three years from the date of granting draft plan approval by the County of Brant, should final approval not be given.

NOTES TO DRAFT PLAN APPROVAL

- i) It is the owner/developer's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded to the County of Brant by the appropriate agencies;
 - ii) The final plan approved by the County of Brant must be registered within 30 days of final clearance by the County of Brant or the County of Brant may withdraw its approval pursuant to Section 51 of the Planning Act; and
 - iii) As noted as a condition, the County of Brant will require registration of the Subdivision Agreement against the subject lands, to which it applies, as notice to prospective purchasers.
4. **(Referred back to Planning Advisory Committee for further consideration)** ~~The application ZBA8/08/MD from Elizabeth Ottaway, agent for Jennifer Wood, applicant, of Part Lot 18, Concession 1, County of Brant, in the geographic Township of Burford, located at 365 County Highway 2, to rezone the site from Agricultural (A) to Agricultural with an exception to allow a dog kennel for up to 30 dogs be refused.~~
5. That application ZBA2/08/MD from J.H. Cohoon Engineering Ltd., agent for Gus Iliopoulos (Olde School Restaurant) applicant and owner of Part Lot 21, Concession 1, County of Brant, in the geographic Township of Brantford, located at 685 & 687 Powerline Road, to rezone the subject lands from Highway Commercial (C2) and Estate Residential (ER) to Highway Commercial (C2) with a special exception to facilitate the installation of an outdoor patio be approved.

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6. That the County of Brant accept the proposed guidelines and draft criteria for Growing the Greenbelt as published February 2008 and advise the Province accordingly.
7. That the request by Stirling Bridge for a reduction and waiving of fees be referred to the Five-Year Review of the Official Plan.

Moved by – Councillor Schmitt
Seconded by – Councillor Haggart

That Recommendations 1 – 3 and 5 – 7 of the Planning Advisory Committee from its April 16, 2008 meeting be adopted.

.Carried

It was agreed that a suggestion for a review to be undertaken to determine the impact of implementing the current Greenbelt before considering an expansion would be included in the letter to the Province accepting the proposed guidelines and draft criteria for Growing the Greenbelt.

Moved by – Councillor Schmitt
Seconded by – Councillor Haggart

That Recommendation 4 of the Planning Advisory Committee from its April 16, 2008 meeting be adopted.

. No vote- Deferral motion follows

Moved by – Councillor Haggart
Seconded by – Councillor Atfield

That Recommendation 4 of the Planning Advisory Committee be referred back to Planning Advisory Committee for further consideration.

. Carried

PARKS AND RECREATION

Councillor Wheat presented the following report from the April 22, 2008 meeting of the Parks and Recreation Committee, it being agreed that Recommendation 9 would be dealt with separately, and that a minor wording change would be made to Recommendation 9:

1. That a multi-use pad including basketball standards be constructed in place of a skateboard facility in the south end of the play equipment area at the park located in the Village of Onondaga.
2. Whereas on March 4, 2008 Council approved a resolution “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”, subject to review by Legal Services and Development Services staff;

And whereas Development Services staff has advised that any requirements or restrictions should be contained in the Subdivision Agreement, which will be registered on title of each lot;

Be it therefore resolved that the policy to register a clause on title to advise people buying lots next to a proposed active park of the possible uses be rescinded;

And that the identification of parkland and possible parkland uses continue to be identified within the requirements and restrictions of subdivision agreements.

3. That the County of Brant proclaim the week of May 5-11, 2008 as "County of Brant International Youth Week".
4. That the County of Brant approve the proclamation in support of "June is Recreation & Parks Month".
5. That the Request for Proposal for a zamboni from Zamboni Company Ltd. in the amount of \$72,220.00 less their trade in offer of \$18,000.00 for a total of \$58,557.60 including applicable taxes be accepted.
6. Whereas the Twin Pad Building Committee identified the need to address the future uses of the Syl Apps Community Centre;

Be it hereby resolved that the proposed Terms of Reference for the Syl Apps Community Centre Repositioning Ad Hoc Committee be accepted.

7. That the Terms of Reference for the Leash-Free Dog Park Ad Hoc Committee be accepted;

And that the following people be appointed to the Ad Hoc Committee:

Mr. Brian Speagle (member of the general public);
Mr. Dwayne Budgell (member of the general public);
Ms. Susan Dimitry (member of the general public);
Mr. George Hatton (member of the general public);
Mr. Bill Williams (member of Paris Parks and Recreation Advisory Committee);
and
Mr. Bill Leask (Manager of Parks and Recreation).

8. That the request from the St. George Fire & Thunder Committee for permission to hold their 16th Annual fireworks show at the South Dumfries Community Centre on Tuesday July 1, 2008, at approximately 10:00 p.m. (rain date Saturday July 5, 2008) be approved.
9. Whereas the Council of the County of Brant had approved the release of a Request for Proposal for Architectural and Engineering teams to coordinate all phases of the design development, contract documents and tendering, contract administration, construction management and post construction review for a two storey addition to the South Dumfries Community Centre building project;

Be it hereby resolved by the Council of the County of Brant that the firm Group Eight Engineering be awarded the contract for the South Dumfries Community Centre Project at a design fee of \$136,799.00 and that a three member Building Committee be appointed as an **Ad Hoc Standing** Committee of Council for the purpose of the South Dumfries Community Centre.

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10. Whereas the stairs at Lions Park, Paris have been deemed unsafe by Cowan Insurance;

And whereas the stairs are regularly used as a pedestrian walkway that connects downtown Paris to the subdivisions in the west end;

Be it hereby resolved, that the stairs currently in place at Lions Park be removed and a proper set of stairs be constructed with a handrail;

And further, that staff be directed to find the funds for this project in either the 2008 operating or capital budgets.

11. That staff proceed with the installation of a multi-use pad measuring 40 feet by 60 feet in Rest Acres Ridge Park, subject to a suitable location and lighting;

And that security issues with regard to location and lighting of the pad be discussed with Constable Linda Madden.

Moved by – Councillor Wheat

Seconded by – Councillor Schmitt

That Recommendations 1 – 8 and 10 and 11 of the Parks and Recreation Committee report from its April 22, 2008 meeting be adopted.

. Carried

Moved by – Councillor Wheat

Seconded by – Councillor Schmitt

That Recommendation 9 of the Parks and Recreation Committee report from its April 22, 2008 meeting be adopted.

. Carried

Moved by – Councillor Coleman

Seconded by – Councillor Powell

That Mayor Eddy, Councillors Chambers, Wheat and Atfield be appointed to the South Dumfries Community Centre Ad Hoc Building Committee.

. Carried

EMERGENCY SERVICES

Councillor Wheat presented the following report from the April 22, 2008 meeting of the Emergency Services Committee:

1. That staff be directed to review rental arrangements for the Tranquility Ambulance Station, including an option to charge market rental rates.
2. That the action of the Tranquility Ambulance Station Project Team in hiring the firm of Joe Somfay Architect Inc., 103-03 Father David Bauer Drive, Waterloo, Ontario as the Project Architect be confirmed;

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That expenditures required for the construction or renovation for the Tranquility Hall Ambulance Station be cost shared in accordance with the current cost sharing agreement between the County of Brant and the City of Brantford;

That the design process as generally described in Report ES-08-17, dated March 31, 2008 be approved in principle;

And that the Project Team be directed to report back to the Emergency Services Committee with a recommended design option and proposed costs.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the report of the Emergency Services Committee from its April 22, 2008 meeting be adopted.

.Carried

TWIN PAD ADVISORY

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That the minutes of the Twin Pad Arena Advisory Committee meeting of April 17, 2008 be received as information.

. Carried

STAFF REPORTS

Financing Twin Pad Arena Project

Don Glassford, Treasurer/Director of Corporate Services, reviewed Alternative 4 of the Project Funding Models for the Twin Pad Arena Project, noting that making the project more usable and attractive could result in attracting increased fundraising, grants and other sources of funding. Alternative 4 provides the greatest potential for the lowest amount of debt.

Moved by – Councillor Schmitt
Seconded by – Councillor Coleman

That the Twin Pad Building Committee continue working with the consultants to develop the program components and optional spaces that incorporate the needs of the broader community;

And that Alternative 4 be the preferred funding model for this project.

. No Vote – Amendment Follows

Moved by – Councillor Simons
Seconded by – Councillor Haggart

That the following wording be added to the recommendation regarding the Twin Pad project: "And that the Junior 'C' Hockey Club be requested to contribute \$500,000 towards the cost of the Twin Pad Arena Building Project."

. Defeated – Tie Vote

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Mayor Eddy then called for a vote on the original motion, as follows:

“That the Twin Pad Building Committee continue working with the consultants to develop the program components and optional spaces that incorporate the needs of the broader community;

And that Alternative 4 be the preferred funding model for this project.”

	<u>Recorded Vote</u>	
	<u>Yes</u>	<u>No</u>
Councillor Wheat	1	
Councillor Schmitt	1	
Councillor Simons		1
Councillor Haggart	1	
Councillor Powell	1	
Councillor Atfield	1	
Councillor Chambers	1	
Councillor Hodge		absent
Councillor Coleman	1	
Councillor Gatward		1
Mayor Eddy	<u>1</u>	<u>1</u>
. Carried	<u>8</u>	<u>2</u>

INFORMATION REPORTS

1. Councillor Schmitt provided an update from the Brantford Airport Commission meeting held earlier in the day, noting that the City has approved funding of \$1.9 million to reconstruct the runways and install new lighting and storm sewers on the western runway. This work, to be undertaken by Capital Paving, is to be completed prior to the Air Show scheduled for late August.

CORRESPONDENCE

1. Request from Ahmadiyya Muslim Community Canada to declare Tuesday, May 27 as “Khilafat Day” or “Ahmadiyya Day” in the County of Brant.
2. Hanlon Heights Condominium, Brant Standard Condominium Corp. 60 re: watering restrictions. Councillor Schmitt declared a conflict of interest and removed himself from the Council table during discussion of this matter.

Moved by – Councillor Simons
Seconded by – Councillor Powell

That the letter from the Hanlon Heights Condominium, Brant Standard Condominium Corp. 60 regarding watering restrictions be referred to the Public Works Committee for consideration.

. Carried

3. Letter from Brantford Home Builders' Association to Murray Coolican re: Development Moratorium along the Grand River. Councillor Gatward noted that she had forwarded a statement by Justice Linden from the Ipperwash Report to members of Council for their information.
4. Request from the Spina Bifida and Hydrocephalus Association of Ontario to proclaim June as Spina Bifida and Hydrocephalus Awareness Month.
5. Request from City Councillor Richard Carpenter to declare May as MS Awareness Month.
6. Mount Pleasant United Church re: Mount Vernon United Church property for use by the Burford Co-op Preschool. Mayor Eddy advised that the Burford Co-op Preschool is also reviewing another building in Burford for this use. It was agreed that the letter would be referred to County staff to prepare a report.

OTHER BUSINESS

1. Invitation to Garden of Hope Official Opening to be held on Saturday, May 17 at 1:00 p.m.
2. Request for Nominations for 2008-09 AMO Board of Directors.

Moved by – Councillor Chambers
Seconded by – Councillor Schmitt

That Mayor Ron Eddy be nominated to serve on the 2008-09 AMO Board of Directors to represent the Rural Caucus.

. Carried

3. Offer from Bram Westfall, Ontario Growth Secretariat to make a presentation on the Growth Plan for the Greater Golden Horseshoe.

Moved by – Councillor Gatward
Seconded by – Councillor Wheat

That a representative of the Ministry of Public Infrastructure Renewal be invited to make a presentation on the Growth Plan for the Greater Golden Horseshoe to the Planning Advisory Committee.

. Carried

4. Invitation to Ontario Public Works Association workshop to be held on May 14, 2008 in Mississauga.

5. **Official Plan Policy Directions**

Councillor Chambers noted that at the May 5 Council meeting, the recommendation regarding the Growth Strategy and Policy Directions for the Official Plan Update was deferred until the July 8 meeting of Council for further consideration. He requested that Council provide direction to the County's consultants on the broad-based policy directions so that work can continue on this part of the report. The two recommendations related to urban settlement areas will continue to be deferred until the July 8 Council meeting.

The Director of Development Services advised that in the two-month interim before the urban settlement recommendations are considered, staff will pursue further information from the Ministry of Public Infrastructure Renewal. Staff will outline the situation with the current designations in the Official Plan, the situation in the Cainsville area with respect to the existing infrastructure, and the proposals included in the Letter of Intent with the City of Brantford.

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the suggested policy directions as contained in Sections 5.2.1, Scoped Issues and Proposed Policy Direction of the MMM Growth Strategy and Policy Directions Report, be approved in principle, exclusive of any recommendations related to urban expansion issues, as the policy direction to be used by the County's consultants in formulating policy changes to the Official Plan;

And that the suggested policy directions as outlined in Section 5.2.2., Technical Amendments and Required Actions, be adopted in principle as the policy direction to be used in the update of the Official Plan and related Schedules.

. Carried

6. **Cedar Street Reconstruction**

In response to a question, the Director of Public Works advised that the engineering consultant for the project has been hired, the public consultation process has been completed, and the final drawings and specifications are currently being reviewed. The tender for this project is scheduled to close on May 30, with tender approval by Council scheduled for the June 17 meeting.

Moved by – Councillor Haggart
Seconded by – Councillor Chambers

That County Public Works and Development Services staff be directed to meet with the Cedar Street citizens group to discuss their concerns regarding the reconstruction project and planning matters.

. Carried

7. Councillor Haggart requested that staff review the process for receiving delegations at meetings, so that delegations have an opportunity to be heard in a timely fashion without limiting the amount of time available to deal with the business of Council.

8. **Police Pensions**

Moved by – Councillor Chambers
Seconded by – Councillor Wheat

That the In Camera report on Police Pensions be referred to the May 20 Council meeting for consideration.

. Carried

EXTENSION OF CURFEW

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That this meeting extend beyond the 11:00 p.m. curfew.

. Carried

Councillor Chambers left the meeting.

In Camera at 11:00 p.m. to discuss legal matters and matters about an identifiable individual, on motion of Councillors Coleman and Wheat

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated May 6, 2008.

Open Session at 11:50 p.m., on motion of Councillors Coleman and Schmitt.

BY-LAWS

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

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

- By-law Number 73-08 to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for 2008.
- By-law Number 74-08 to appoint Lesley Lehmann as Deputy Clerk
By-law Number 75-08 to amend Parking By-law Number 164-01 (to prohibit parking on a portion of Hanlon Place).
- By-law Number 76-08 to approve a listing agreement with CB Richard Ellis Ltd. for the sale of a portion of Part of the Douglas Tract, Brantford, Part Lots 3-4, Concession 4, geographic Township of Brantford (1249 Colborne Street West).
- By-law Number 77-08 to amend By-law Number 110-01 for property located in Part of Lot 8, Concession 3, geographic Township of South Dumfries to reconfigure the present rural commercial zoning on a part of the lands and extend the permitted uses to recognize the existing truck repair business (Ross Ilett Farms Ltd., 239 Highway 5).
- By-law Number 78-08 to amend By-law Number 110-01 for property located in Part of Lot 16, Concession 1, geographic Township of Burford to permit a music festival on a limited basis (Morgan, 325 Highway 2).
- By-law Number 79-08 to authorize a development agreement with Antoli Szeksztello and Zofia Szeksztello for property located in Part of Lots "A" and 53, Concession 3, geographic Township of Brantford, and designated as Parts 1, 2 and 3 on RP 2R-6930.
- By-law Number 80-08 to authorize a development agreement with 2113126 Ontario Inc. for property located on part of the Phelps Tract, being Parts 1 to 3, Plan 2R-6955, geographic Township of Brantford (Collins, 518 Mount Pleasant Road).
- By-law Number 81-08 to authorize a development agreement with Joseph Steven Arva and Tami-Anne Arva for property located in Part of Lots 3, 4 and 5, Plan 24 and as shown as Parts 2 and 3, Plan 2R-6979, geographic Township of Brantford (789 Mount Pleasant Road).

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- By-law Number 82-08 to authorize a development agreement with Pearl Baranyai for property located in Part of Lot 10, Concession 3, being Parts 4 and 5 on Plan 2R-6797, geographic Township of Oakland (east side of CKPC Road).
- By-law Number 83-08 to authorize an agreement with Gamsby and Mannerow Limited for professional consulting services for the M. Sharpe Reservoir and Pumping Station upgrades.
- By-law Number 84-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

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

- By-law Number 73-08 to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for 2008.
- By-law Number 74-08 to appoint Lesley Lehmann as Deputy Clerk
By-law Number 75-08 to amend Parking By-law Number 164-01 (to prohibit parking on a portion of Hanlon Place).
- By-law Number 76-08 to approve a listing agreement with CB Richard Ellis Ltd. For the sale of a portion of Part of the Douglas Tract, Brantford, Part Lots 3-4, Concession 4, geographic Township of Brantford (1249 Colborne Street West).
- By-law Number 77-08 to amend By-law Number 110-01 for property located in Part of Lot 8, Concession 3, geographic Township of South Dumfries to reconfigure the present rural commercial zoning on a part of the lands and extend the permitted uses to recognize the existing truck repair business (Ross Ilett Farms Ltd., 239 Highway 5).
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- By-law Number 79-08 to authorize a development agreement with Antoli Szeksztello and Zofia Szeksztello for property located in Part of Lots “A” and 53, Concession 3, geographic Township of Brantford, and designated as Parts 1, 2 and 3 on RP 2R-6930.
- By-law Number 80-08 to authorize a development agreement with 2113126 Ontario Inc. for property located on part of the Phelps Tract, being Parts 1 to 3, Plan 2R-6955, geographic Township of Brantford (Collins, 518 Mount Pleasant Road).
- By-law Number 81-08 to authorize a development agreement with Joseph Steven Arva and Tami-Anne Arva for property located in Part of Lots 3, 4 and 5, Plan 24 and as shown as Parts 2 and 3, Plan 2R-6979, geographic Township of Brantford (789 Mount Pleasant Road).
- By-law Number 82-08 to authorize a development agreement with Pearl Baranyai for property located in Part of Lot 10, Concession 3, being Parts 4 and 5 on Plan 2R-6797, geographic Township of Oakland (east side of CKPC Road).
- By-law Number 83-08 to authorize an agreement with Gamsby and Mannerow Limited for professional consulting services for the M. Sharpe Reservoir and Pumping Station upgrades.
- By-law Number 84-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

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

- By-law Number 73-08 to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for 2008.
- By-law Number 74-08 to appoint Lesley Lehmann as Deputy Clerk
By-law Number 75-08 to amend Parking By-law Number 164-01 (to prohibit parking on a portion of Hanlon Place).
- By-law Number 76-08 to approve a listing agreement with CB Richard Ellis Ltd. For the sale of a portion of Part of the Douglas Tract, Brantford, Part Lots 3-4, Concession 4, geographic Township of Brantford (1249 Colborne Street West).
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- By-law Number 79-08 to authorize a development agreement with Antoli Szeksztello and Zofia Szeksztello for property located in Part of Lots “A” and 53, Concession 3, geographic Township of Brantford, and designated as Parts 1, 2 and 3 on RP 2R-6930.
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- By-law Number 82-08 to authorize a development agreement with Pearl Baranyai for property located in Part of Lot 10, Concession 3, being Parts 4 and 5 on Plan 2R-6797, geographic Township of Oakland (east side of CKPC Road).
- By-law Number 83-08 to authorize an agreement with Gamsby and Mannerow Limited for professional consulting services for the M. Sharpe Reservoir and Pumping Station upgrades.
- By-law Number 84-08 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 11:55 p.m. to meet again on **Tuesday, May 20, 2008 at 7:00 p.m.** in the Council Chambers, Paris.

Mayor

Date Minutes Approved

Clerk