

COUNTY OF BRANT COUNCIL MINUTES

Council Chambers, Paris
Tuesday, October 21, 2008
7:00 p.m.

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

Regrets: Councillor Haggart

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 October 21, 2008 meeting be approved as distributed.

. Carried

DELEGATIONS/PRESENTATIONS/PETITIONS**Physician Recruitment**

Jim Steele, Chair of the Community Physician Recruitment Committee, reviewed the implementation of the Committee in the Spring of 2008 to recruit family physicians and other allied health professionals to relieve the current shortage of nineteen family physicians in Brantford and Brant County. He outlined the key priorities and recruitment budget for 2008/09, noting that five family physicians have been recruited in the last ten months. The Committee would like to improve the recruitment activities in 2009/10 in order to attract an additional 5 – 7 physicians and nurse practitioners. Mr. Steele requested that Council consider increasing their grant for physician recruitment to \$30,000 in 2009.

Update on Rural Water Quality Program

Louise Heyming, Grand River Conservation Authority, provided an overview of the Brant Water Quality Program, noting that over \$400,000 has been granted to Brant County landowners to complete approximately 200 projects to improve and protect water quality on Brant County farms. She presented a video highlighting the accomplishments of the Waterloo Rural Quality Program over the ten years of its operation.

Site Specific Area Study for Stoney Ridge Subdivision

Kevin Fergin of Stantec Consulting, on behalf of the Activa Group, expressed concern with the Corporate Development Committee recommendation to approve a site specific area study for the proposed Stoney Ridge subdivision in St. George, particularly when Council had directed that a comprehensive area study be completed for the St. George urban settlement area to ensure long-term servicing requirements. He refuted some of the calculations related to

sanitary sewer capacity, housing densities, etc. provided by Joe Cohoon for this development. Mr. Fergin questioned if Council would consider other similar requests from other developers for individual area studies if the Stoney Ridge Subdivision request is approved. In response to a question, Mr. Fergin advised that the group of developers participating in the comprehensive St. George Area Study is in the beginning stages of the area study preparations.

Joe Cohoon, representing Starlite Homes, advised that his client would like to proceed with Stage 4 of the Sunnyside Development located in the northeast section of St. George. He reviewed the various components of infrastructure that have been designed during the development of the three phases of the Sunnyside subdivision to accommodate this development. Their calculations indicate that there is sufficient sewage and water capacity to service this subdivision, noting that Starlite Homes is prepared to prepay the \$1.6 million development charges that are required as a condition of the area study. Mr. Cohoon outlined the various contributions that Starlite Homes has made to the St. George community over the past fifteen years, and requested that Council support the Corporate Development Committee recommendation to proceed on a site specific area plan study for the Stoney Ridge subdivision.

Brian Smith, Plansmith, on behalf of Riverview Highlands who owns 21 acres of land on the south side of Beverly Street in St. George, objected to the recommendation to approve a site specific area study for the Stoney Ridge subdivision, as this is contrary to the area study criteria and general terms of reference that require a comprehensive review of the development issues facing the community. Before allowing any development to proceed, the County needs a better understanding of the servicing capacity issues, options and timing, as well as timing for the payment of development charges. Assigning priority to one developer restricts the County's options to deal with other developments that may be presented. All developers agreed to prepare a comprehensive area study for St. George and financial and personnel resources should be focused on this, rather than allowing one developer to proceed. Mr. Smith suggested that in order to avoid an appeal to the Ontario Municipal Board, a solution be developed that would allow the various development groups to discuss with County staff options to proceed so that development can move forward in a planned and staged manner, including finding a way to give the Stoney Ridge development some reasonable type of a short-term priority in a way that doesn't totally commit any available sewage capacity.

It was agreed that the presentations regarding the Stoney Ridge Area Study Plan would be referred for consideration during the Corporate Development Committee report.

MINUTES

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the minutes of the October 7, 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

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That the written update provided by Councillor Haggart regarding parking at the Paris Medical Arts Building be received as information.

. Carried

CONSENT ITEMS

Employee Christmas Party

Moved by – Councillor Chambers
Seconded by – Councillor Atfield

That the Council of the County of Brant provide a grant of \$2,500.00 towards the Annual County of Brant Employee Christmas Party.

. Carried

Remembrance Day Proclamation

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the Proclamation for the City/County Remembrance Day Service to be held on November 11, 2008 at the Brant County War Memorial be approved.

. Carried

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the following Consent Information Report items be received:

1. Applications to be heard at the October 23 Committee of Adjustment meeting.
2. Notice from Southern Ontario Railway of lane closures on Old Onondaga Road between Brant School Road and County Highway 54 on October 22 from 8 a.m. to 1 p.m. in order to make repairs. One lane will be kept open to traffic during the repairs.

And that the following Consent Communications items be received:

1. AMO Member Communications – Proposed Amendments to Facilitate Brownfield Redevelopment.
2. HealthForceOntario – advising of new and easier registration policy for U.S. physicians who wish to practice in Ontario.
3. Bill Johnston, Chair, Grand Erie District School Board – thank you for County staff co-operation with new Paris School Project.
4. Stewardship Ontario – Notice of second quarterly payment of \$14,344.08 towards the Blue Box recycling program.
5. Hon. Jim Watson, Minister of Municipal Affairs and Housing, regarding input received from municipalities at the recent AMO Conference in Ottawa.
6. Thank you from the Optimist Club of Paris to the Community Services Department for installing a fence around the patio area of the Optimist building.

7. Federation of Canadian Municipalities – information on CH3M Hill Sustainable Community Awards.
8. Media Release from the Ontario Flue-Cured Tobacco Growers' Marketing Board re: reduction in 2008 crop size and target price.
9. Local Authority Services (LAS) Ltd. – brochure on Energy Management Tool.
10. Minutes of Meetings:
 - a. Brant County Board of Health – June 19, 2008
 - b. Brant County Power Inc. – August 13 and September 10, 2008
 - c. City of Brantford Environmental Policy Advisory Committee – September 11, 2008, including a list of species at risk in the Middle Grand River

. Carried

CORPORATE DEVELOPMENT

The following letters were received as information:

1. Letter from Larry Maseo, Vice-President of Planning and Acquisitions, Activa Group, re: lack of overall direction for the area study process in St. George.
2. Letter from Stephen Armstrong, Armstrong Hunter and Associates, on behalf on Empire Communities, objecting to area study approval for Stoney Ridge Subdivision.

Councillor Gatward presented the following report from the October 6, 2008 meeting of the Corporate Development Committee, it being agreed that Recommendation 6 would be dealt with separately:

1. That the County of Brant agree to co-partner with the Brant County Federation of Agriculture in their application to the Ministry of Agriculture, Food and Rural Affairs for funding from the Market Investment Fund for the "Buy Local, Buy Fresh" initiative;

And that a grant of \$1,000.00 as the County's contribution to this project be approved, and that County staff be directed to determine the source of funding for this grant.
2. That the County of Brant support the resolution from the Town of Fort Erie petitioning the Minister of Health to enact the previous protective status of the Rural Hospital designation and apply the designation to the Fort Erie Douglas Memorial Hospital and all other qualifying hospitals in Ontario.
3. That the County of Brant support the resolution from the Municipality of Tweed requesting the Provincial and Federal Governments to reduce taxes on petroleum products for municipal purposes.
4. That the request from Zavarella Construction to lower the sanitary sewer during the reconstruction of Barker Street be approved, on the understanding the Zavarella Construction will be responsible for the costs of this additional work, at an estimated cost of \$77,679.34.
5. That the Property Management Strategy dated September 16, 2008 be received;

That County of Brant staff be directed to provide a copy of the Property Management Strategy report to all user groups regarding their specific facility, and that these groups be encouraged to provide input on the recommendations contained in the report;

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That the recommendations contained in the Property Strategy Report and the input received be referred to the appropriate Standing Committees for review during the 2009 budget deliberations;

And that the Corporate Development Committee review the Customer Service offices.

6. **(Referred to staff for preparation of a report)** ~~That the request from J. H. Cohoon Engineering Limited to proceed with an Area Study specifically for the Stony Ridge Subdivision in St. George be approved.~~
7. That the adult school crossing guard located at Grand River St. North and Homestead Road in Paris be eliminated conditional upon sufficient notice being provided to the parents.
8. That Council approve the following Corporate Priorities for 2009 as identified by Senior Administration:
 - update of the current Visioning Plan or alternately undertake a community-based strategic plan
 - finalize the growth plan for the County after the completion of the Official Plan Review and after the completion of a number of secondary plans now in progress
 - undertake a review of the County's Capital Financing Plan following completion of the above
 - undertake a staff resources utilization plan
 - undertake an economic development strategy
9. That an amendment to the Sign By-law to permit awnings under certain conditions within prescribed areas be approved.
10. That County of Brant representatives attend the presentation of results of the feasibility study for the Nanticoke Grand Valley Area Water Supply Project scheduled to take place in the Region of Waterloo on December 16.
11. **(Amended)** That ~~an ex-gratia~~ a payment in the amount of \$89.25 be authorized with respect to Claim #29-08.
12. **(Amended)** That ~~an ex-gratia~~ a payment in the amount of \$84.00 be authorized with respect to Claim #30-08.
13. That no action be taken at this time with regard to the Agreement of Purchase and Sale received on September 21, 2008 to purchase 120 King Street, Burford;

And that subsequent to this property being declared surplus by Council, it be exposed on the open market at a sale price based on the Opinion of Market Value, as prepared by CB Richard Ellis Ltd., dated February, 2008.

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

That Recommendations 1 – 5 and 7 – 13 of the Corporate Development Committee report from its October 6, 2008 meeting be adopted.

. No Vote – Amendment Follows

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Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That Recommendations 11 and 12 be amended by the removal of the word “ex-gratia”.

. Carried

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

That Recommendations 1 – 5 and 7 – 13 of the Corporate Development Committee report from its October 6, 2008 meeting be adopted, as amended.

. Carried

Moved by – Councillor Gatward
Seconded by – Councillor Schmitt

That Recommendation 6 of the Corporate Development Committee report from its October 6, 2008 meeting be adopted.

. No Vote –Tabling Motion Follows

Moved by - Councillor Chambers
Seconded by – Councillor Hodge

That Recommendation 6 of the Corporate Development Committee report from its October 6, 2008 meeting be tabled and referred to staff for a written report on this request at the next Corporate Development Committee meeting.

. Carried

PUBLIC WORKS

Councillor Coleman presented the following report from the October 16, 2008 meeting of the Public Works Committee:

1. Whereas the Ontario Energy Board has directed that Brant County Power Inc. modify its rates with respect to streetlight charges;

And whereas the Ontario Energy Board requires confirmation from the County of Brant that it will not require an oral hearing before the Ontario Energy Board with respect to same;

Be it hereby resolved that the streetlight upgrade charges, as directed by the Ontario Energy Board, be approved;

And that the County of Brant confirms that it will not require an oral hearing before the Ontario Energy Board with respect to same;

And that correspondence be prepared and forwarded to Brant County Power Inc., indicating that the County of Brant will not require an oral hearing before the Ontario Energy Board.

2. Whereas Brant County Power Services, through their initiative, and at their cost, is proposing to provide to consumers an Energy Conservation Kit comprised of three energy efficient light bulbs, a toilet leak detection kit and a water faucet flow test kit;

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Be it hereby resolved that the County of Brant partner with Brant County Power Services to promote and distribute, as the County of Brant deems appropriate and at no cost to the County of Brant, the Energy Conservation Kit.

3. Whereas UEM Inc. were awarded RFP 6-07 "For a Class Environmental Assessment to Consider Solution Options and a Preferred Solution to River Road Instability at Newport Road";

And whereas the Ministry of Environment have received Part II Order requests in relation to the project;

And whereas the work now required to be undertaken by the consultant is beyond the original scope of work due to the Part II Order requests;

And whereas there are sufficient funds in the approved budget;

Be it hereby resolved that the request for additional fees prepared for the River Road Class Environmental Assessment project be approved as outlined in the UEM Inc. letter dated September 24, 2008 for a total of \$10,000 (excluding GST) with funding from the existing Capital Budget for the project.

4. Whereas leaves are collected and processed in a composting facility;

And whereas plastic bags present a contamination in the composting process;

And whereas the collection contractor has requested Kraft paper bags be used by the residents;

And whereas Kraft paper bags can be processed through composting facilities without having to be removed;

And whereas the Kraft paper bags are readily available at retail outlets;

Be it therefore resolved that the County require the leaves brought to the curbside for collection be contained in open topped containers or Kraft paper bags only commencing 2009;

And be it therefore resolved that tipping fees be waived from October 1 to December 15 each year for leaves taken to and de-bagged at a County waste management facility as has been the past practice.

5. Whereas residents currently take materials that fall into the definition of municipal hazardous or special waste for disposal at the landfill site;

And whereas the County recognises the benefits of providing services that reduce the amounts of these materials from being disposed of at the landfill site through Household Hazardous Waste (HHW) events.

And whereas the County has been hosting HHW Events since it was amalgamated;

And whereas the diversion of Municipal Hazardous or Special Waste (MHSW) is a valuable program designed to prevent items that contribute to leachate volumes and strengths from negatively impacting our landfill disposal facility;

And whereas the Province of Ontario is requiring Brand Owners or First Importers to financially support the collection, transportation and processing of designated items under the MHSW Program;

And whereas the County has been asked to sign an agreement that would allow the recovery of funds to assist with the costs to manage MHSW items;

Be it therefore resolved that the Mayor and the Clerk be authorised to sign the agreement put forward by the Province under Stewardship Ontario for the management of Municipal Hazardous or Special Waste items.

6. Whereas the resident at 9 Mulholland Drive is moving to 4 Dumfries Street and has submitted a request that two existing "Deaf Child" caution signs be relocated to accommodate her hearing impaired child;

And whereas at the October 9, 2007 Public Works Committee meeting, the Members agreed that staff would install a "Deaf Child" sign near 9 Mulholland Drive, with the understanding that if the family moves, the sign would be removed;

Be it hereby resolved that staff relocate the existing "Deaf Child" signs from the area of 9 Mulholland Drive to the area of 4 Dumfries Street due to the vehicular volumes on Dumfries Street, at an estimated cost of \$100.00, with the understanding that if the family moves from Dumfries Street the signs will be removed.

7. Whereas the additional drilling was identified as a contingency item in the cost proposal for the Schedule C Class Environmental Assessment for Slope Stability and Site Access, Paris Waste Transfer Station, as it was not known whether the drilling would be required until a review of the existing information was completed;

And whereas Urban & Environmental Management (UEM) has determined that the need for additional Geotechnical Assessment of subsurface conditions for analysis of slope stability is required;

And whereas the additional cost is greater than 10% of the original awarded cost of \$134,885.00;

And whereas there are sufficient funds to support the additional geotechnical costs;

Be it hereby resolved that the additional drilling and testing program, for the Schedule C Class Environmental Assessment for Slope Stability and Site Access, Paris Waste Transfer Station, be implemented at the total additional cost of \$34,000.00, excluding GST.

8. Whereas the County of Brant has initiated a comprehensive parking study to identify and address certain parking issues in Paris as they relate to road maintenance and winter control operations;

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And whereas the magnitude of this study has resulted in a parking proposal for a "Test Area" of roads north of Silver Street during the 2009/2010 winter season;

Be it hereby resolved that staff seeks the residents' comments regarding the County's parking proposal to remove alternate parking and permit parking on only one side of the road during certain time periods within the "Test Area" north of Silver Street;

And that, should the results provide favourable and constructive responses, recommend implementing the "Test Area" prior to the start of the 2009/2010 winter season;

And that the Brant County Ontario Provincial Police Department (O.P.P.) be advised of the County's proposed parking "Test Area."

9. Whereas a resident proclaiming to represent the petitioners for the extension of the Burtch watermain has submitted a letter requesting a formal meeting between all petitioners of municipal water for the Campbell Farm/Burtch/War Road "loop" and representatives of the County of Brant;

Be it hereby resolved that staff be directed to arrange a meeting for November 24, 2008;

And that the petitioners for the extension of the Burtch watermain be advised that following the meeting of November 24, 2008, if the County of Brant has not received a sufficient petition by December 5, 2008, that the County of Brant will consider the matter closed, until such time as a sufficient petition has been received.

10. Whereas correspondence and a petition has been received from ratepayers residing along Onondaga Townline Road, requesting the hard surfacing of a 1.5 mile section of Onondaga Townline Road;

Be it hereby resolved that the request be referred to 2009 budget deliberations.

Moved by – Councillor Coleman
Seconded by – Councillor Chambers

That the report of the Public Works Committee from its October 16, 2008 meeting be adopted.

. Carried

PLANNING ADVISORY

Councillor Chambers presented the following report from the October 15, 2008 meeting of the Planning Advisory Committee:

1. That the request for an extension of the time within which to satisfy the draft plan conditions associated with the proposed residential plan of subdivision at 385 McPherson School Road for the Proposed Plan of Subdivision and County File No. PS1/04, from Murray Pearson, owner, Himm Developments Inc., for Part of Lot 19, Concession 5, County of Brant (formerly Township of South Dumfries), **be approved**;

And that condition 29 associated with the draft plan approval for 385 McPherson School Road be amended to extend the lapse period to November 2, 2009, and that Council's resolution, together with a copy of Staff Report PA-08-56, including all attachments be forwarded to the agent and owner.

2. That, Zoning By-law Amendment File No. ZBA23/08/SS (Steiss), received from J.H. Cohoon Engineering, on behalf of Ruth Steiss, owner of Lots 3 & 4, Plan 51A, County of Brant, geographic Township of Burford, and located on the north side of Elizabeth Avenue, to change the present Highway Commercial (C2) Zone to permit the redevelopment of these lands for Village Residential Type 1 (VR1) uses, **be approved**;

And that Zoning By-law Amendment File No. ZBA23/08/SS (Steiss), received from J.H. Cohoon Engineering, on behalf of Ruth Steiss, owner of Lots 3 & 4, Plan 51A, County of Brant, geographic Township of Burford, and located on the north side of Elizabeth Avenue, to reduce the minimum lot area for an unserviced lot from 3,000 m² to 1,700 m² in a Village Residential Type 1 (VR1) Zone, **be refused**, for the following reasons:

- i. inconsistent with Policy 1.6 (Infrastructure) of the Provincial Policy Statement; and
 - ii. conflicts with Section 2.2.1 (Site Suitability) of the Official Plan
3. That Draft Plan of Subdivision PS3/07/MD, 977243 Ontario Ltd., located on Franklin Way and Russell Street, being Lots 12-17 & Part of Lots 9-11 North of Russell Street Lots 12-17 & Part of Lot 11 South of Russell Street Registered Plan 48 & Part of Lot 4 - Range 1 West of Mount Pleasant Road, County of Brant, geographic Township of Brantford to permit the development of the site as a plan of subdivision with 28 lots for single detached dwellings and two remnant residential blocks **be approved**, subject to the following conditions of draft approval (*please note in these conditions of draft approval any reference to owner, developer or applicant shall be interpreted as referring to 977243 Ontario Ltd – Barnes Estates Phase 2*):
- i. That at the time of registration, the owner/developer conveys Block 32 to the abutting landowner described in Roll # 2920-004-020-23900 (known municipally as 743 Mt. Pleasant Rd.). If this option cannot be achieved, the County of Brant will maintain ownership of Block 32 and the Owner/developer will be required to maintain the land at their expense.
 - ii. That prior to registration, the County of Brant conveys Parts 1 & 3, Plan 2R-3668 to the Owner/developer, at the expense of the developer.
 - iii. That the plan be redline revised to provide a 0.3 metre reserve along the easterly frontage of Block 33 to the satisfaction of the County of Brant.
 - iv. That at the time of registration, the Owner/developer conveys Blocks 34 and 35 (0.3 metre reserve) to the satisfaction of the County of Brant, at the expense of the developer.
 - v. That at the time of registration the Owner/developer conveys Blocks 31 and 33 to the County of Brant for road purposes, at the expense of the developer.
 - vi. That the Owner/developer install trees not within 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's Recommended Plant Species List, to the satisfaction of the County.
 - vii. 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 and that such agreement shall be embedded in the subdivision agreement.

- viii. That all easements and blocks required for utilities, servicing and drainage purposes be granted and conveyed by the Owner/developer to the County of Brant or the appropriate authority at no cost to the County and free from all encumbrances.
- ix. That the road allowances indicated in the draft plan of subdivision be dedicated as public highways at no cost and free of all encumbrances.
- x. That the proposed streets be named to the satisfaction of the County of Brant and that 75% of the names be selected from the list of names of War Veterans.
- xi. 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. Daylight triangles are required at the intersection of all internal streets as shown on the proposed plan.
 - b. The Developer is to install and pay for street lighting to be located along the proposed streets as required.
 - c. The Owner/developer is to provide evidence that a traffic study has been completed to the satisfaction of the County of Brant. The traffic study is to include, but not be limited to, the analysis of the affects that traffic generated from this development will have on the intersections of Mount Pleasant Road & Russell Street, Burtch Road & Barnes Farm Road, Barnes Farm Road & Franklin Way and Mount Pleasant Road & Burtch Road.
 - d. Approval of the subdivision drawings shall be as per conditions included in the Subdivision Agreement and the County's Development and Engineering Standards.
- xii. 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 all municipal services both within and external to the subdivision and including but not limited to municipal fees, road works, street lights, underground services, storm water management, fencing and securing the works and all other matters to be done, that may be required and specified by a letter of credit to the satisfaction of the County of Brant.
- xiii. 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 shall be entitled to receive whatever notice and documentation of such registration the County of Brant deems appropriate.
- xiv. That the Owner/developer agrees, which may be above and beyond that which is required by the County of Brant Development Charges By-law at the time of the signing of the subdivision agreement, to contribute \$3,511 per lot/unit towards the upgrades of the Mt. Pleasant Water System as may be required in the Subdivision Agreement.
- xv. That all road widenings and daylighting triangles shall be constructed to the satisfaction of the County of Brant, free and clear of all encumbrances at the expense of the Owner/developer.
- xvi. 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, for the following plans:
 - a. a detailed Stormwater Management report in accordance with the 2003 Ministry of Environment Report entitled, "Stormwater Management Practices, Planning and Design Manual;

- b. An erosion and siltation control plan, in accordance with the Greater Golden Horseshoe Area Conservation Authorities Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006,
 - c. Detailed landscaping, lot grading and drainage plans for the storm water management block, for the lands described as Roll #2920 004 020 2319000 0000;
 - d. An application for Permission pursuant to the Conservation Authority's Regulation of Development, Interference and Wetlands and Alteration to Shorelines and Watercourses, Ontario Regulation 150/06 as amended, if required.
- xvii. 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 Conditions 11 & 16.
- xviii. That the Owner/developer enters into a subdivision agreement with the County of Brant prior to any signage being placed near the entrances to the subdivision. This agreement will describe the location, design and maintenance of the signage promoting this subdivision.
- xix. 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.
- xx. That prior to the registration of the subdivision plan and the disturbance of any soil on the site, the Owner/developer provides a full report on the archaeological significance of the site and the County be advised by letter that the Ministry of Culture is satisfied and has no objection to the registration of the plan.
- xxi. That the subdivision agreement referred to in Condition 12 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, east, west and south 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.
- xxii. That the subdivision agreement referred to in Condition 12 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 as contemplated by the subdivision agreement.
- xxiii. That the Owner/developer be required to reconstruct all roads to the satisfaction of the County of Brant if installing underground services from Franklin Way and Russell Street. The cost of the rehabilitation of the roads and the installation of services shall be done at the Owner/developer's expense.
- xxiv. That prior to registration, the public utilities advise the County of Brant that they are satisfied with the servicing arrangements between the owner and the public utility.
- xxv. 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.

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- xxvi. That the owner/developer give his consent to the County to have the requirements of Conditions 11, & 16 peer reviewed by a qualified hydrogeologist and/or engineer, all at the owner's expense.
 - xxvii. That the subdivision agreement be registered against the lands to which it applies to the satisfaction of the County of Brant.
 - xxviii. 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.
 - xxix. 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.
 - xxx. That prior to registration, the Owner/developer conveys Block 29 to the County of Brant, at the expense of the developer.
 - xxxi. That the Owner/developer provide to Union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited.
 - xxxii. That the Owner/developer is hereby advised that prior to commencing any work within the Plan, the Owner/developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development. In the event that such infrastructure is not available, the Owner/developer is hereby advised that the Owner/developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure, the Owner/developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).
 - xxxiii. That the Owner/developer shall agree in Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/developer shall be responsible for the relocation of such facilities or easements.
 - xxxiv. That 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.
 - xxxv. That should the Owner/developer wish to phase the subdivision, any phasing is to be to the satisfaction of the County of Brant.
4. That the Annual Accessibility Plan for 2009 be approved and implemented.
- Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That the report of the Planning Advisory Committee from its October 15, 2008 meeting be adopted.

. Carried

TWIN PAD BUILDING COMMITTEE

The Twin Pad Building Committee minutes of October 9, 2008 were received as information. Councillor Coleman advised that the comments from the public meeting and the candidates for the Campaign Chair will be discussed at the Twin Pad Building Committee meeting scheduled for October 23,

POLICE SERVICES BOARD

Councillor Powell presented the following report from the October 15, 2008 meeting of the Police Services Board, it being agreed that the wording of Recommendation 2 would be amended to remove the words "approved and":

1. That the presentation from Mr. Rothenberg be received as information and that County of Brant staff investigate options for regulating tow truck operators.
2. **(Amended)** That the Draft 2009 County of Brant Police Services Board Budget in the total amount of \$16,623.00, including an amount of \$3500.00, to print and distribute a 2008 O.P.P. Year-End-Report, be ~~approved and~~ referred to the County of Brant budget deliberations.

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the report of the Police Services Board from its October 15, 2008 meeting be adopted.

. Carried

Councillor Coleman requested clarification from the monthly statistical reports for the decrease in speeding violations and foot patrols in 2008.

STAFF REPORTS

Building Canada Fund

It was requested that the proposed resolution be divided into two components to be dealt with separately.

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That Council authorize the submission of an application to the Building Canada Fund (BCF) program for funding for the Twin Pad Arena.

. Carried

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That preparation commence in 2009 for submission of the Burford Servicing plan under the second intake of the Building Canada Fund.

. Carried

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In response to questions, C.A.O. Rick Fiebig advised that the background studies for the Burford Servicing plan will be discussed as part of the 2008 capital budget deliberations.

Closed Meeting Investigation.

Moved by – Councillor Hodge
Seconded by – Councillor Coleman

That Section 9.b. of County of Brant Procedural By-law Number 239-07 be amended to read as follows:

- 9.b. Agendas, along with supporting material, shall be prepared and made available to members 48 hours prior to the regular meeting. Agendas for all Council and Standing Committee meetings shall be published in advance of the meeting and shall be available to the public during posted business hours at all County Customer Service offices and County Library Branches and on the County website by 4:00 p.m. on the Friday prior to the meeting. The distribution of meeting agendas and the posting of monthly meeting calendars on the County's website and at County Customer Service Offices shall constitute public notice of meetings in accordance with Section 238 (2.1) of the Municipal Act, 2006, c. 32, Sch. A, s. 102(3).

. Carried

Zoning By-law Number 189-08 – 1084 Rest Acres Road

Moved by – Councillor Chambers
Seconded by – Councillor Hodge

That By-law Number 189-08 be repealed and an amended by-law be approved to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Township of Brantford, to change the present Agricultural Restrictive (AR) to permit commercial uses (First Urban Inc./Mason, 1084 Rest Acres Road);

And that staff be directed to reissue the Notice of the Passing of a By-law, associated with Zoning By-law Amendment ZBA3/08, and the Notice of the Adoption of a proposed Official Plan Amendment, associated with Official Plan Amendment No. 15, via ordinary mail.

. Carried

Site Plan SP23/07/MD for 130 West River Street - G. K. York Management Services

Moved by - Councillor Chambers
Seconded by – Councillor Hodge

That Council adopt a by-law authorizing the Mayor and the Clerk to sign the site plan Agreement for the Affordable Housing Project at 130 West River Street, Paris as soon as the matters related to the Record of Site Conditions have been resolved to the satisfaction of the County.

. Carried

Moved by – Councillor Chambers
Seconded by – Councillor Coleman

That the required water allocation for the 36 affordable housing units project at 130 West River Street, Paris be allocated from the County's reserve capacity.

. Carried

OTHER BUSINESS

1. Information on nominations to the Ontario Good Roads Association Board of Directors.
2. It was noted that the special meeting of Council scheduled for October 23 will be held at the Fire Administration Building at 7:00 p.m.
3. Councillor Coleman noted that the Grand River Conservation Authority Board gave approval this week for the proposed improvements to Big Creek Road.

APPOINTMENT TO COMMUNITY PHYSICIAN RECRUITMENT COMMITTEE

Moved by – Councillor Simons
Seconded by – Councillor Atfield

That Councillor Murray Powell be appointed as the County of Brant representative to the Community Physician Recruitment Committee.

. Carried

CORRESPONDENCE

1. Request from Murray Allemang and Gina Coles, 374 Onondaga Townline Road for repair and hard surfacing of Onondaga Townline Road.

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the letter from Murray Allemang and Gina Coles requesting repairs and hard surfacing of Onondaga Townline Road be referred to Public Works.

. Carried

In Camera at 9:00 p.m. to discuss personal information about an identifiable individual, on motion of Councillors Gatward and Hodge.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated October 21, 2008.

Open Session at 9:30 p.m., on motion of Councillors Chambers and Coleman.

UPDATE – CITY/COUNTY BOUNDARY NEGOTIATIONS

Mayor Eddy reported on the City/County Negotiations Committee meeting held earlier in the day. The County responded to questions posed by the City in regard to the phasing in of the tax rate, the water flushing rebate, the Cainsville urban settlement boundary and the County's growth strategy for the next thirty years. Due to the fact that the Cainsville urban settlement boundary will not be changing, the County has requested that the City water of 120L/s proposed for Cainsville be directed to other areas of the County. The next meeting of the Committee has been scheduled for January 13, 2009.

BY-LAWS

Moved by – Councillor Simons
Seconded by – Councillor Schmitt

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

- By-law Number 192-08 to amend By-law Number 110-01 for property located in Lots 3 and 4, north of Elizabeth Avenue and Part of Lots 3 and 4 south of Burford Street, all on R.P. 51A, geographic Township of Burford (Steiss, north of Elizabeth Avenue).
- By-law Number 193-08 to amend By-law Number 181-08, the Sign By-law for the County of Brant (awnings).
- By-law Number 194-08 to authorize an agreement to amend the agreement between the City of Brantford and the County of Brant for the operation of the John Noble Home.
- By-law Number 195-08 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Township of Brantford, to change the present Agricultural Restrictive (AR) to permit commercial uses and repeal By-law Number 189-08 (First Urban Inc./Mason; 1084 Rest Acres Road).
- By-law Number 196-08 to authorize a Development Agreement with 2149751 Ontario Limited for property located at Part of Lot 31, Concession 1, geographic Township of South Dumfries, Part Lot 1, Block 22, Plan 492 (G. K. York Management, 130 West River Street, Paris).
- By-law Number 197-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Schmitt

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

- By-law Number 192-08 to amend By-law Number 110-01 for property located in Lots 3 and 4, north of Elizabeth Avenue and Part of Lots 3 and 4 south of Burford Street, all on R.P. 51A, geographic Township of Burford (Steiss, north of Elizabeth Avenue).
- By-law Number 193-08 to amend By-law Number 181-08, the Sign By-law for the County of Brant (awnings).
- By-law Number 194-08 to authorize an agreement to amend the agreement between the City of Brantford and the County of Brant for the operation of the John Noble Home.
- By-law Number 195-08 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Township of Brantford, to change the present Agricultural Restrictive (AR) to permit commercial uses and repeal By-law Number 189-08 (First Urban Inc./Mason; 1084 Rest Acres Road).

- By-law Number 196-08 to authorize a Development Agreement with 2149751 Ontario Limited for property located at Part of Lot 31, Concession 1, geographic Township of South Dumfries, Part Lot 1, Block 22, Plan 492 (G. K. York Management, 130 West River Street, Paris).
- By-law Number 197-08 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Simons
Seconded by – Councillor Schmitt

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

- By-law Number 192-08 to amend By-law Number 110-01 for property located in Lots 3 and 4, north of Elizabeth Avenue and Part of Lots 3 and 4 south of Burford Street, all on R.P. 51A, geographic Township of Burford (Steiss, north of Elizabeth Avenue).
- By-law Number 193-08 to amend By-law Number 181-08, the Sign By-law for the County of Brant (awnings).
- By-law Number 194-08 to authorize an agreement to amend the agreement between the City of Brantford and the County of Brant for the operation of the John Noble Home.
- By-law Number 195-08 to amend By-law Number 110-01 for property located in Part of Lot 10, Concession 1, geographic Township of Brantford, to change the present Agricultural Restrictive (AR) to permit commercial uses and repeal By-law Number 189-08 (First Urban Inc./Mason; 1084 Rest Acres Road).
- By-law Number 196-08 to authorize a Development Agreement with 2149751 Ontario Limited for property located at Part of Lot 31, Concession 1, geographic Township of South Dumfries, Part Lot 1, Block 22, Plan 492 (G. K. York Management, 130 West River Street, Paris).
- By-law Number 197-08 to confirm the proceedings of Council.

. Carried

NEXT MEETING

The meeting adjourned at 9:40 p.m. to meet again on **Thursday, October 23** at the Fire Administration Building **for a special meeting with Brant County Power** and on **Tuesday, November 4, 2008 at 7:00 p.m.** in the Council Chambers for the next regular meeting.

Mayor

Date Minutes Approved

Clerk