

**COUNTY OF BRANT COUNCIL MINUTES**

Council Chambers, Paris  
August 11, 2009  
7:00 p.m.

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

**Staff:** Johnston, Comeau, Bell, Ballantyne and Carman

Mayor Eddy in the Chair.

**APPROVAL OF AGENDA**

Moved by – Councillor Coleman  
Seconded by – Councillor Simons

That the Brant County Council agenda and addendum for the August 11, 2009 meeting be approved, with the following additions:

- Resolution in response to the petition from Cainsville business owners
- Request for Twin Pad campaign volunteers

. Carried

**DECLARATION OF PECUNIARY INTEREST**

Councillor Schmitt advised that he had a pecuniary interest in regard to Agenda Item 4f – presentation by Gail Allarie regarding noise concerns at the St. George Legion.

**DELEGATIONS/PRESENTATIONS/PETITIONS****Discrepancy in Park Rental Fees**

Marilyn McCulloch, Co-Chair of Springtime in Paris, expressed her concern with the Council decision to waive the rental fee for the Cobblestone Festival. She provided information on the Springtime in Paris events and the contributions made to the community by this organization, noting that their Committee paid a rental fee for the use of Paris Lions Park. Mrs. McCulloch suggested that all community groups should be treated equally for the rental of County park facilities, and that any requests for refunds should be accompanied by financial statements. It was agreed that this matter would be discussed later in the meeting under "Other Business".

**31 Cobblestone Drive – Drainage complaint**

The Clerk advised that Cathy Raycraft would be attending the September 1 Council meeting to make her presentation regarding a drainage problem at 31 Cobblestone Drive.

**LEED Certification for Twin Pad Arena**

Terry Collins, Chair of Brant County Power Inc., advised that the Minister of Energy and Infrastructure has established targets for the reduction of power consumption. One of the standards for sustainability is LEEDS certification that involves energy efficiency, reuse and recycling of materials, and effective site construction and management.

Mr. Collins noted his concern that Council had decided to remove the Silver LEEDS certification from the Twin Pad Arena Complex in order to reduce costs. County staff has advised that implementation of certification at this point would delay the project three months. A consulting firm retained by Brant County Power has indicated, from their independent review, that although Silver certification cannot be achieved at this time, LEEDS certification can be achieved with minimal disruption to the current schedule. He advised that the Brant County Power Board would be reviewing a proposal at their August 12 meeting to assume all costs associated with achieving LEEDS certification for the Twin Pad Arena project. The consulting engineer will then meet with County staff and architects to discuss the changes that are required.

Members of Council discussed that the Brant County Power proposal regarding LEEDS certification should be dealt with by the Twin Pad Building Committee. Concern was expressed about the responsibility for costs involved with LEEDS certification, as well as the delay in the Twin Pad project schedule to meet the LEEDS requirements.

Moved by – Councillor Coleman  
Seconded by – Councillor Wheat

That the presentation by Terry Collins, Chair of Brant County Power Inc., regarding LEEDS certification for the Twin Pad Arena be referred to the Twin Pad Building Committee.

. Carried

### **Cemetery Maintenance and Interment Contract, and Cemetery Operations**

Dave Thomson questioned the recommendation of the Parks and Recreation Committee regarding the Cemetery Maintenance and Interment Contract, noting that the present contractor has been doing a good job at the St. George cemetery. He is concerned that accepting a lower tender price will result in lower service. Mr. Thomson also stated his concern with the Cemetery Budget, since it appears that two-thirds of the budget is spent at the Paris Cemetery, with the other third used for all the other cemeteries in the County. He does not feel that all cemeteries in the County are receiving equal treatment, and highlighted maintenance concerns in the St. George Cemetery and Baptist Church Cemetery on Burt Road.

Moved by – Councillor Wheat  
Seconded by – Councillor Atfield

That the presentation by Dave Thomson on Cemetery maintenance be received as information.

. No Vote – Amendment Follows

Moved by – Councillor Gatward  
Seconded by – Councillor Haggart

That the presentation by Dave Thomson on Cemetery maintenance be received as information, and referred to the Parks and Recreation Committee.

. Carried

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### **Paris Agricultural Society – Noise By-law Concerns**

Russell Press, General Manager, presented the official position of the Paris Agricultural Society in response to recent media coverage of neighbours' complaints about noise resulting from motorized events at the Fairgrounds. He noted that the PAS would like to work together with residents in the vicinity over the next few months to reach a solution through input and consideration. However, the PAS did not receive any input from area residents in response to an advertisement requesting their comments on the noise concerns.

Mr. Press provided information on the history of the Agricultural Society, its composition, chronology of occupancy, family-oriented events, community involvement and its economic impact on the community. He suggested that restrictions should not be placed on events at the Fairgrounds, as this affects their ability to earn revenue to cover operating expenses. He extended an invitation to Council to attend the Paris Fair on the Labour Day weekend.

In response to questions, Mr. Press advised that a third track was built at the west end of the property; however, they were unaware that they needed a zoning amendment for this change, since it was an extension of a current parking lot.

Moved by – Councillor Wheat  
Seconded by – Councillor Hodge

That the presentation by Russell Press, Paris Agricultural Society, regarding noise concerns be received as information.

. Carried

### **Noise Concerns at St. George Legion**

Councillor Schmitt declared a pecuniary interest in this matter and removed himself from the Council table during discussion of this matter.

Gail Allarie advised that her presentation regarding excessive noise from Branch 605 of the Royal Canadian Legion was on behalf of neighbours in the vicinity of the Legion. She outlined the noise concerns that have affected her quality of life, and provided information on the actions she has taken to date to try to resolve the problems, including calling the police which only provides a temporary solution. Ms. Allarie presented some proposed solutions to resolve the noise concerns, including closing off the patio door, closing down the Legion or moving it to a non-residential area.

Moved by – Councillor Chambers  
Seconded by – Councillor Wheat

That the presentation by Gail Allarie regarding noise concerns at the St. George Legion be received.

. Carried

Councillor Schmitt returned to the Council table.

### **Public meeting – Proposed Changes to Fees and Charges By-law 19-09**

There were no members of the public present to speak to the proposed changes to the Fees and Charges By-law 19-09 for advertising rates for arena backlit signs, ice resurfacing machines and the County's Leisure Guide.

### **Resolution of Drainage Problem and Resurfacing of Bishopsgate Road**

Al Pike advised that the drainage problem on his property on Bishopsgate Road has been resolved by a contractor at a cost of \$1,700, and that he will maintain responsibility for this drain for the rest of his life. He noted, however, that there is now a washout on the other side of the road that needs to be addressed.

Mr. Pike outlined flooding and washouts on his property that have occurred as a result of the reconstruction of Bishopsgate Road several years ago. He requested that when Bishopsgate Road is reconstructed this year that the road be "retipped" the other way so that water drains into the field on the other side of the road.

Moved by – Councillor Simons  
Seconded by – Councillor Schmitt

That the presentation by Al Pike regarding the reconstruction of Bishopsgate Road be referred to the Public Works Committee.

. Carried

### **Petition to expand the Greenbelt**

Ella Haley requested information on the recommendations approved by CDC regarding the implementation of development charges for non-residential properties. She suggested that the County would be increasing their debt by exempting industries from paying Development Charges, and putting an extra burden on residential taxpayers. She suggested that instead industries should be given tax breaks for developing on brownfields or greyfields. Ms. Haley noted her concern with the petition submitted by business owners in Cainsville, noting that there are far more people in the area who are interested in saving farmland. She presented a petition signed by approximately 600 people requesting that Brant County be included in the Greenbelt in order to protect prime farmland, wetlands and the Galt-Paris moraine and natural areas. Ms. Haley referred to the information provided by the Friends of the Greenbelt Foundation, including incentives that are provided for farming initiatives in the Greenbelt. She also referred to the letter from Linda Geary, noting her concern that Ms. Geary's suggestion to reduce the population density will lead to urban sprawl.

Moved by – Councillor Wheat  
Seconded by – Councillor Schmitt

That the presentation and petition submitted by Ella Haley regarding expansion of the Greenbelt into Brant County be received as information.

. Carried

### **Stevens – Official Plan Submission A-38, West Quarter Town Line Road**

Rob van Poorten, on behalf of Edward and Judith Stevens, responded to the petition by neighbours of Mr. Stevens. He provided information on the submission, noting that the proposal is to rezone the current recreational land to a residential designation to complete an infilling. He noted that this submission will not result in the loss of any agriculturally zoned lands.

It was agreed that this presentation would be referred for consideration during the Planning Advisory Committee report.

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## MINUTES

Moved by – Councillor Simons  
Seconded by – Councillor Haggart

That the minutes of the July 21, 2009 meeting of Brant County Council be adopted, copies having been forwarded to the members prior to the meeting.

.Carried

## CONSENT ITEMS

Moved by – Councillor Hodge  
Seconded by – Councillor Schmitt

That the following Information Reports be received:

1. Decisions from the July 23, 2009 Committee of Adjustment meeting.
2. Social Services Committee minutes – June 3, 2009 – **it was agreed that Ontario Works staff would be requested to provide an update on caseload statistics and costs.**
3. Police Services Board minutes – July 22, 2009 minutes.

Consent items to be received – Communications:

1. AMO Member Communications:
  - a. MOE Drinking Water Stewardship Funding Program – **Councillor Haggart pointed out that the Grand River Conservation Authority, through the Source Protection Committee, has received almost \$1 million through this program. He noted that these funds can be accessed by individuals, in both urban and rural areas, for various water stewardship projects.**
  - b. Count Me In! Community Challenge.
2. Copy of letter from Premier Dalton McGuinty to the Tax Recovery Group regarding the proposed harmonized sales tax.
3. Notification of County Road 16 Rehabilitation Project under the Infrastructure Stimulus Fund.
4. Friends of the Greenbelt Foundation – copy of Greenbelt Public Awareness survey 2009 and article from Reader's Digest.
5. Information from Industry Canada on survey about availability of high-speed internet services.
6. Invitation from Sport Alliance of Ontario to submit bid to host Ontario Games.
7. Stewardship Ontario – cheque for \$3,593.94 for funding for promotion and educational activities related to recycling and household hazardous waste disposal.
8. 2008 rebate from LAS Natural Gas Program - \$4,497.15
9. Thank you from Brantford General Hospital Foundation for 2009 MRI donation.
10. Request from Clinton Ekdahl, Saskatoon, to declare May 29, 2010 as "The Day of the Honey Bee" to raise awareness of honey bees.
11. Minutes of Meetings:
  - a. Brant County Power Services Inc. – March 19 and May 21, 2009
  - b. Grand River Conservation Authority – June 26 and July 21, 2009.
  - c. Brantford Multi-Use Trails/Bikeway Advisory Committee – April 16 and May 21, 2009.
  - d. Chamber of Commerce Green Energy Hub – July 14, 2009.

. Carried

## **PLANNING ADVISORY**

Councillor Schmitt presented the following report from the July 15, 2009 meeting of the Planning Advisory Committee:

1. That application ZBA 23/09/SS from Edward Roberts, applicant for South Dumfries Non-Profit Housing Corporation, owner of 50 High Street, Plan 81, Block T, Part Lot 1, Concession 2, Part Lot 6, County of Brant in the geographic Township of South Dumfries to rezone the subject lands to Residential Third Density with an exception to recognize the use of this land for apartments be approved;

That any redevelopment of Plan 81, Block T, Part Lot 1, Concession 2, Part Lot 6, County of Brant in the geographic Township of South Dumfries, located at 50 High Street, by its owner, South Dumfries Non-Profit Housing Corporation be subject to and accounted for by Council as per its implementation of the Servicing Capacity – St. George Policy CDC-2009-03, as approved on June 16, 2009 to a maximum of 35 apartment units;

And that Planning Staff be directed to meet with the applicant and concerned ratepayers to finalize the amending by-law taking into consideration any restrictions and/or exceptions needed to facilitate the use and address issues such as building height, number of stories, number of units and setbacks.

Moved by – Councillor Schmitt  
Seconded by – Councillor Wheat

That the report of the Planning Advisory Committee from its July 15, 2009 meeting be adopted.

.Carried

Councillor Hodge presented the following report from the July 22, 2009 Special meeting of the Planning Advisory Committee, it being agreed that Recommendations 2, 5, 7 and 8 would be dealt with separately:

1. That the County of Brant refuse the following submissions made as part of the Five Year Update to the Official Plan:  
B-5(A, B & C), E-11 & F-8, H-36 and H-40
2. **(Defeated)** ~~That the County of Brant approve submission A-38 as part of the Five Year Update to the Official Plan.~~
3. That the County of Brant approve submission E-13 as part of the Five Year Update to the Official Plan.
4. That the County of Brant approve submission F-21 as part of the Five Year Update to the Official Plan.
5. **(Defeated)** ~~That the County of Brant approve Submission H-2(A) as part of the Five Year Update to the Official Plan.~~

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6. That the County of Brant approve Submission H-8 as part of the Five Year Update to the Official Plan.
7. ~~(Defeated) That the County of Brant approve Submission H-21 as part of the Five Year Update to the Official Plan to the extent of designating a portion of the frontage of the subject lands as Rural Residential for a length of 60m and to a depth of 150m.~~
8. ~~(Defeated) That the County of Brant approve Submission H-48 as part of the Five Year Update to the Official Plan.~~
9. That the County of Brant approve Submission H-49 as part of the Five Year Update to the County of Brant Official Plan.
10. That the County of Brant approve the designation of lands contained in Submissions F-1(A) and (B) to Urban Reserve as part of the Five Year Update to the Official Plan.
11. That the County of Brant receive as information Submission H-41 made as part of the Five Year Update to the Official Plan.
12. That with respect to Submission H-37 made as part of the Five Year Update to the County of Brant Official Plan, the County of Brant endorse the creation of a special policy area for downtown Paris and work with the Grand River Conservation Authority to establish policies that encourage growth while addressing issues related to the flood plain.
13. That the County of Brant approve submissions H-19, H-22 and H-42 made as part of the Five Year Update to the Official Plan.

Moved by – Councillor Hodge  
Seconded by – Councillor Chambers

That Recommendations 1, 3, 4, 6 and 9 – 13 of the Planning Advisory Committee from its July 22, 2009 special meeting be adopted.

.Carried

Moved by – Councillor Hodge  
Seconded by – Councillor Chambers

That Recommendation 2 of the Planning Advisory Committee from its July 22, 2009 special meeting be adopted.

. Defeated

Moved by – Councillor Chambers  
Seconded by – Councillor Atfield

That the County of Brant not approve submission A-38 as part of the Five Year Update to the Official Plan.

. Carried

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Moved by – Councillor Hodge  
Seconded by – Councillor Chambers

That Recommendation 5 of the Planning Advisory Committee from its July 22, 2009 special meeting be adopted.

. Defeated

Moved by – Councillor Chambers  
Seconded by – Councillor Atfield

That the County of Brant not approve Submission H-2(A) as part of the Five Year Update to the Official Plan.

. Carried

Moved by – Councillor Hodge  
Seconded by – Councillor Chambers

That Recommendation 7 of the Planning Advisory Committee from its July 22, 2009 special meeting be adopted.

. Defeated

Moved by – Councillor Chambers  
Seconded by – Councillor Atfield

That the County of Brant not approve Submission H-21 as part of the Five Year Update to the Official Plan to the extent of designating a portion of the frontage of the subject lands as Rural Residential for a length of 60m and to a depth of 150m.

. Carried

Moved by – Councillor Hodge  
Seconded by – Councillor Chambers

That Recommendation 8 of the Planning Advisory Committee from its July 22, 2009 special meeting be adopted.

. Defeated

Moved by – Councillor Chambers  
Seconded by – Councillor Atfield

That the County of Brant not approve Submission H-48 as part of the Five Year Update to the Official Plan.

. Carried

## **PARKS & RECREATION**

Councillor Wheat presented the following report from the July 28, 2009 meeting of the Parks & Recreation Committee, it being agreed that the two recommendations would be dealt with separately:

1. Whereas a call for tender was issued for Cemetery Maintenance and Interment Services;

And whereas two tenders were received in response to that request;

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Be it hereby resolved that the contract for Cemetery Maintenance and Interment Services be awarded to the lowest bidder for each bid area, for a five-year term as outlined below:

- Bid Area A – Brant Lawn Care and Maintenance
- Bid Area B – Brantford Sunshine Grounds Care
- Bid Area C – Brantford Sunshine Grounds Care
- Bid Area D – Brant Lawn Care and Maintenance

2. That the following evaluation criteria be approved for the T.H.&B. Trail Construction Tender, as per Article 6.10 of the County of Brant Purchasing Policy (By-law 271-04):
- |    |   |    |
|----|---|----|
| a. | Bid price, meeting terms and conditions of the contract | 70 |
| b. | Bidder's experience with similar contracts              | 10 |
| c. | Bidder's equipment check                                | 10 |
| d. | Bidder's reference check                                | 10 |

Moved by – Councillor Wheat  
Seconded by – Councillor Schmitt

That Recommendation 2 of the Parks & Recreation Committee report from its July 28, 2009 meeting be adopted.

.Carried

Members of Council discussed the process and the factoring of the criteria for the Cemetery Maintenance and Interment tender. The Director of Corporate Services advised that based on the consistent and fair application of the criteria to the tenders received, Council may be at risk if they make a different decision than the staff recommendation approved by the Parks and Recreation Committee. If Council wishes to reconsider the criteria for this tender, then the work should be retendered immediately with the revised criteria. Councillor Gatward suggested that the Cemeteries operation should be reviewed to address the contracting out of services and maintenance concerns about cemeteries.

Moved by – Councillor Wheat  
Seconded by – Councillor Schmitt

That Recommendation 1 of the Parks & Recreation Committee report from its July 28, 2009 meeting be adopted.

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

Councillor Wheat then presented the following report of the Parks and Recreation Committee from its August 11, 2009 meeting, it being agreed that Recommendation 3 would be dealt with separately:

1. 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 an addition and renovation to the Burford Community Center;

Be it hereby resolved that the Council of the County of Brant award the contract for Architectural and Engineering services for the addition and renovations at the Burford Community Centre to Group Eight Engineering, at a price of \$219,950.00, plus GST.

2. Whereas the paving at the Burford Community Centre is in need of resurfacing and staff have identified the critical areas needing repair and resurfacing.

And whereas the lowest tender received is approximately \$13,000 higher than the budgeted amount of \$60,000.

Be it hereby resolved that the Parks and Recreation Committee approve the necessary funds be transferred from the \$30,000 budgeted for replacement of the compressor at the Burford Community Centre to the paving project.

3. That Councillors who are interested in serving on the Building Committee for the addition and renovations to the Burford Community Centre indicate their interest to Council.

Moved by – Councillor Wheat  
Seconded by – Councillor Haggart

That Recommendations 1 and 2 of the Parks and Recreation Committee report from its August 11, 2009 meeting be adopted.

. Carried

Councillors Hodge and Chambers noted their interest in serving on the Burford Community Centre Building Committee.

Moved by – Councillor Wheat  
Seconded by – Councillor Haggart

That Recommendation 3 of the Parks and Recreation Committee report from its August 11, 2009 meeting be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Schmitt

That the Burford Community Centre Building Committee be comprised of Mayor Eddy, Chair of the Parks and Recreation Committee (Councillor Wheat), and Councillors Chambers and Hodge.

. Carried

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### **EMERGENCY SERVICES**

Councillor Wheat presented the following report from the July 28, 2009 meeting of the Emergency Services Committee:

1. That the Mayor and the Clerk of the County of Brant be authorized to sign the Mutual Release Agreement with the County of Oxford for the remittance of a one-time payment in the amount of \$26,067 to the County of Oxford, to compensate Oxford for the net Ambulance Calls for the period January 1, 2001 through to December 31, 2007.
2. That the Mayor and the Clerk of the County of Brant be authorized to sign the Mutual Release Agreement with Haldimand County for the remittance of a one-time payment in the amount of \$20,873 to Haldimand County, to compensate Haldimand for the net Ambulance Calls for the period January 1, 2001 through to December 31, 2007.
3. Whereas the County of Brant has historically acknowledged Fire Prevention Week each year;

Be it hereby resolved that the County of Brant proclaims the week of October 4 – 10, 2009 as Fire Prevention Week.

4. That the Emergency Services Committee receive and file requests for endorsement to support the proposed volunteer firefighter presumptive legislation, until such time as further information is available to municipalities including what the costs will be and how the proposed legislation will be funded.

Moved by – Councillor Wheat

Seconded by – Councillor Schmitt

That the report of the Emergency Services Committee from its July 28, 2009 meeting be adopted.

.Carried

### **PUBLIC WORKS**

Councillor Coleman presented the following report from the August 11, 2009 Public Works Committee meeting:

1. Whereas there are sufficient funds in the 2009 Public Works Operations Budget to complete the project, comprised of Parts A, B, D, E & F;

And whereas there are insufficient funds in the 2009 Community Services Capital Budget to complete Part C – Burford Community Centre Parking Lot as tendered;

Be it hereby resolved that Tender RDT 19-09 “Hot Mix Paving – Maintenance Projects” be awarded to Capital Paving;

And that the Community Services Department advise of the scope of work to be undertaken under Part C – Burford Community Centre Parking Lot.

2. Whereas complaints have arisen that vehicles are allowed to park on both sides of Oak Avenue from Silver Street to Whitlaw Way during certain days of the month;

And whereas the current parking by-law has designated a portion of Oak Avenue as "Parking Prohibited Certain Days of the Month" and designated another portion on the west side of the road as "Parking Prohibited Anytime";

Be it hereby resolved that staff be authorized to amend Parking By-Law Number 164-01 in order to allow vehicles to park only on the west side of Oak Avenue from Silver Street to Whitlaw Way by recommending the following parking restrictions:

- Install "No Parking" signs on the east side of Oak Avenue from Silver Street to Whitlaw Way, as there are fewer driveway entrances on the west side;
- Install "No Parking" signs on the west side of Oak Avenue approximately 15 metres north and 15 metres south of the Paris Fairgrounds/Paris Curling Club Entrance to ensure that motorists' visibility is not obstructed when exiting the Paris Fairgrounds/Paris Curling Club;
- Remove "Alternate Parking" signs on both the east and west sides of Oak Avenue from Silver Street to Whitlaw Way;
- Remove "Snow Route – No Parking" signs on the east side of Oak Avenue from Silver Street to Whitlaw Way;
- Maintain "Snow Route – No Parking" signs on the west side of Oak Avenue from Silver Street to Whitlaw Way to ensure winter emergency compliance;

And that the Brant County Ontario Provincial Police and County of Brant Legal & By-Law Enforcement Services be advised of these parking changes.

3. Whereas the rehabilitation of the Grand River Bridge structure located on Dundas Street East, west of Willow Street, has been underway since Monday, May 11, 2009, with only eastbound traffic being allowed to travel through the construction zone;

And whereas in order for the south side of the bridge to be rehabilitated, it is necessary for eastbound traffic to now travel on the north side;

And whereas it is desirable to improve the sight visibility of motorists travelling through the intersection of Dundas Street East and Willow Street;

And whereas the intersection of Dundas Street East and Willow Street has an existing stop sign for southbound motorists;

And whereas there are sufficient funds in the approved Grand River Bridge Rehabilitation Project;

Be it hereby resolved that staff be authorized to amend Traffic By-Law Number 182-05 (Schedule B) in order to install "Stop" signs for eastbound motorists at the intersection of Dundas Street East and Willow Street for the duration of the rehabilitation on the south side of the Grand River Bridge;

That, upon completion of the rehabilitation of the Grand River Bridge, staff be authorized to amend Traffic By-Law Number 182-05 (Schedule B) in order to remove the "Stop" signs for eastbound motorists at the intersection of Dundas Street East and Willow Street;

And that the Brant County Ontario Provincial Police and County of Brant Legal & By-Law Enforcement Services be advised of these changes.

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4. Whereas the Grandville Sewage Pumping Station Upgrades is included in the 2009 Capital Budget;

And whereas there are sufficient funds in the approved 2009 budget to complete this project;

And whereas the County of Brant has received a Recommendation for Award from Gamsby and Mannerow Limited in regard to tender EST 1-09, Grandville Sewage Pumping Station Upgrades;

Be it hereby resolved that in reliance upon the recommendation of Gamsby and Mannerow Limited dated July 22, 2009, tender EST 1-09, Grandville Sewage Pumping Station Upgrades be awarded to Wellington Construction Company for the tendered price of \$242,000.00 excluding G.S.T., subject to receipt of required approvals.

Moved by – Councillor Coleman  
Seconded by – Councillor Chambers

That the report of the Public Works Committee from its August 11, 2009 meeting be adopted.

. Carried

### **CORPORATE DEVELOPMENT**

Councillor Chambers referred to a memo dated August 11, 2009 from the Director of Corporate Services outlining conflicts between the Committee recommendations and the requirements of the Development Charges Act. He then presented the following report of the Corporate Development Committee from its August 10, 2009 meeting, it being agreed that the recommendations would be dealt with separately.

1. That the Mayor and the Clerk be authorized to sign the contract (on behalf of the County) with Active Network for the acquisition and implementation of a Cashiering / POS System and an Activity Registration System.
2. That based on the revised cost estimate for the Willow Street Pumping Station, the Development Charges for the Paris Urban Settlement Area (excluding Southwest Paris) be increased to reflect the increased costs as per the addendum dated August 10, 2009.
3. That no additional public meeting be held regarding the revised cost estimates for the Paris Urban Settlement Area (excluding Southwest Paris).
4. That the County-wide Development Charges rates for Residential Development, as provided in the 2009 County-wide Development Charges Background Study and amended as per the Addendum dated August 5, 2009 be implemented effective September 1, 2009
5. That the revised Development Charges Rates for the Paris Urban Settlement Area, excluding South-west Paris, as documented in the 2009 Development Charges Background Study for Paris (excluding Southwest Paris) and as amended by the Addendum dated August 10, 2009, be approved and implemented effective September 1, 2009.

6. That the revised Development Charges Rates for Non-Residential Development, as provided in the 2009 County-wide Development Charges Background Study, as amended by the Addendum dated August 5, 2009 and in the 2009 Development Charges Background Study for Paris (excluding South-west Paris), as amended by the Addendum dated August 10, 2009, be approved and implemented September 1, 2010. (The current County-wide Development Charge will be maintained prior to September 1, 2010).

7. **(Amended)** That Industrial Buildings, as defined below, be exempt from **County-wide Non-Residential Development Charges until September 1, 2010, and for the Paris Urban Settlement Area until September 1, 2010**, in order to provide an incentive to industry and encourage balanced economic growth:

*Industrial Building means a building used for or in connection with,*

*(a) manufacturing, producing, processing, storing or distributing goods*

*(b) research or development in connection with manufacturing, producing, or processing goods,*

*(c) retail sales by a manufacturer, producer or processor of goods they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place,*

*(d) office or administrative purposes, if they are,*

*a. carried out with respect to manufacturing, producing, processing, storage or distribution of goods, and*

*b. in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution.*

**And further that as of September 1, 2011 the Development Charge for Industrial Buildings will be 16% of the 2009 County-wide Non-residential calculated charge, as indexed;**

**And that as of September 1, 2012 the Development Charge for Industrial Buildings will be 33% of the 2009 County-wide Non-residential calculated charge, as indexed;**

**And that as of September 1, 2013 the Development Charge for Industrial Buildings will be 50% of the 2009 County-wide Non-residential calculated charge, as indexed.**

~~And that continuation of the exemption for Industrial Buildings be reviewed prior to September 1, 2010.~~

8. That pursuant to Section 12(3) of the Development Charges Act, 1997, the Council for the County of Brant has determined that a further public meeting is not necessary for the proposed Development Charges By-laws.
9. That two By-laws to give effect to the recommendations contained in this report, and to implement the revised development charges rates, for the County-wide Development Charges, as amended by the Addendum dated August 5, 2009 and the Paris Urban Settlement Area (except South-west Paris), as amended by the Addendum dated August 10, 2009, be presented for consideration by Council on August 26, 2009.

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10. ~~(Not Approved) That Industrial Buildings, as defined below, in the South west Paris area be exempt from Non Residential Development Charges until September 1, 2010, in order to provide an incentive to industry and encourage balanced economic growth, subject to clarification from the County's consultant:~~

~~Industrial Building means a building used for or in connection with,  
(e) manufacturing, producing, processing, storing or distributing goods  
(f) research or development in connection with manufacturing, producing, or processing goods;  
(g) retail sales by a manufacturer, producer or processor of goods they manufactured, produced or processed, if the retail sales are at the site where the manufacturing, production or processing takes place;  
(h) office or administrative purposes, if they are,  
a. carried out with respect to manufacturing, producing, processing, storage or distribution of goods, and  
b. in or attached to the building or structure used for that manufacturing, producing, processing, storage or distribution.~~

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 10 of the Corporate Development Committee report from its August 10, 2009 meeting not be approved.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Gatward

That Recommendation 7 be amended by striking the last paragraph of the recommendation.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 1 of the Corporate Development Committee report from its August 10, 2009 meeting be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 2 of the Corporate Development Committee report be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 3 of the Corporate Development Committee report be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendations 4 and 5 of the Corporate Development Committee report be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 6 of the Corporate Development Committee report be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 7 of the Corporate Development Committee report be adopted.

. No Vote – Amendment Follows

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That the words “until September 1, 2010” be struck from Recommendation 7 of the Corporate Development Committee report.

. Defeated

Moved by – Councillor Hodge  
Seconded by – Councillor Schmitt

That Recommendation 7 be amended to offer an exemption for Industrial Buildings for two years, with the final three years to be phased in to reach 50% of the Development Charges by the final year.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 9 of the Corporate Development Committee report be adopted.

. Carried

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

That Recommendation 8 of the Corporate Development Committee report be adopted.

. Carried

The meeting recessed at 10:25 p.m. and resumed at 10:35 p.m.

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### **TWIN PAD**

The Twin Pad Building Committee minutes of July 21, 2009 were received as information.

Councillor Haggart noted that the Twin Pad Arena Campaign is looking for volunteers to participate in campaigning at special events.

### **JOHN NOBLE HOME COMMITTEE OF MANAGEMENT**

Councillor Coleman presented the following report from the August 5, 2009 meeting of the John Noble Home Committee of Management:

1. John Noble Home Quality Improvement Report – June 2009 (PHSS2009-51)  
That the John Noble Home Quality Improvement Report for June 2009 be received.
2. John Noble Home Monthly Budget Summary – June 2009 (PHSS2009-50)  
That the John Noble Home June 2009 Monthly Budget Summary be received.
3. John Noble Home Day & Stay Centre 2008 Annual Audited Statement (PHSS2009-52)  
That the John Noble Home Day & Stay Annual 2008 Audited Statement be received.

Moved by – Councillor Coleman  
Seconded by – Councillor Wheat

That the report of the Committee of Management – John Noble Home from its July 28, 2009 meeting be adopted.

.Carried

### **STAFF REPORTS**

**Accessibility Customer Service Standards** – report from Andre Gravelle, Deputy Chief Building Official

Moved by – Councillor Atfield  
Seconded by – Councillor Chambers

That the “Accessibility Standards for Customer Service” Policy be approved and implemented.

. Carried

**2009 Debenture Issue** – report from Heather Mifflin, Treasurer

Moved by – Councillor Chambers  
Seconded by – Councillor Hodge

Whereas Council approved completion of the following capital projects:

<b>Project</b>	<b>Debentures Required</b>
Cainsville Elevated Tank	1,538,074
Gilbert Well	4,293,328
Gilbert Well adjacent property	1,457,500
Willow Street Pumping Station	4,500,000
	<u><b>11,788,902</b></u>

And whereas Council approved complete and/or partial funding of these capital projects by debt;

And whereas these capital projects are complete or nearing completion;

And whereas the current cashflow level can no longer support the temporary funding of these projects;

Therefore the Council of the County of Brant authorize staff to proceed with the application with Infrastructure Ontario for the purpose of issuing debentures for these projects.

. Carried

### **INFORMATION REPORTS**

1. 31 Cobblestone Drive – Drainage Complaint – report from Don Cunningham, Development Technologist. The Clerk advised that this report would be referred to the September 1, 2009 meeting when a delegation on this matter will be made.
2. South Dumfries Non-Profit Housing Corporation – Meeting with Stakeholders – report from Steve Stone, Senior Planner.

### **CORRESPONDENCE**

1. City of Brantford advising of resignation of County representative Bob Wyatt from the City's Tourism Advisory Committee and requesting new appointment

Moved by – Councillor Gatward  
Seconded by – Councillor Powell

That the Clerk be directed to advertise for a County representative to the City of Brantford Tourism Advisory Committee.

. Carried

### **Extension of Curfew**

Moved by – Councillor Chambers  
Seconded by – Councillor Atfield

That the curfew for this meeting be extended beyond 11 p.m.

. Carried

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2. Petition from sixteen business owners in Cainsville to amend the Official Plan and Employment Lands Report to allocate and promote new growth and commerce

Moved by – Councillor Coleman  
Seconded by – Councillor Gatward

That County staff and their consultants be hereby directed to:

- Bring forward to this Council a County of Brant growth plan that also includes Cainsville and Brant East
- Allocate the needed population to Cainsville and Brant East that will allow the growth to begin and that will give this area a balance of employment, commercial and residential land uses
- Change/prepare all their reports and documentation so they support this County Growth plan that includes Cainsville and Brant East.

. No Vote – Tabling Motion follows

Moved by – Councillor Chambers  
Seconded by – Councillor Haggart

That the resolution regarding a growth plan for the Cainsville/Brant East area be tabled for consideration at a special meeting of Council specifically for this purpose.

. Carried

It was agreed that a copy of the motion would be circulated to all members of Council for their information. Councillors Coleman and Gatward will arrange a date for this meeting, to be held in Cainsville, in consultation with the Clerk.

3. Petition from nine residents of Gobles objecting to proposed change to the Official Plan re: application A-38 by Edward and Judith Stevens, West Quarter Townline Road – Received for information
4. Linda Geary – Concerns and questions regarding population/job density for the Paris urban area and County rural area.

Moved by – Councillor Powell  
Seconded by – Councillor Schmitt

That the letter from Linda Geary be referred to the Planning Advisory Committee for consideration.

. Carried

5. James Hitchon, on behalf of the North Powerline Group re: City/County Potential Boundary Adjustment

Moved by – Councillor Haggart  
Seconded by – Councillor Schmitt

That the letter from James Hitchon regarding the City/County potential boundary adjustment be referred to the County Boundary Negotiations Committee for consideration.

. Carried

6. Simply Grand Paris Senior Citizens Club – Copy of request to M.P.P. Dave Levac for facility for Paris Seniors Club – Received as information

### **OTHER BUSINESS**

1. Invitation to attend 151<sup>st</sup> Paris Fair Opening Ceremonies on Thursday, September 3 at 7 p.m. at the Grandstand.
2. Councillor Haggart suggested that the matter of joint Committee meetings be added to the agenda for the meeting with Six Nations Council scheduled for August 13.
3. Springtime in Paris Presentation

Moved by – Councillor Schmitt  
Seconded by – Councillor Coleman

That the presentation by Springtime in Paris regarding discrepancies in the policy for park rental fees be deferred for consideration.

. Carried

4. As there will not be a quorum for the August 16 Planning Advisory Committee, it was agreed that all applications and matters to be considered at that meeting will be deferred until the September 16 meeting.

**In Camera at 11:40 p.m. to discuss a property negotiations matter**, on motion of Councillors Hodge and Coleman.

This portion of the meeting is recorded in the In Camera – Confidential Brant County Council minutes dated August 11, 2009.

**Open Session at 11:45 p.m.**, on motion of Councillors Wheat and Coleman.

### **BY-LAWS**

Moved by – Councillor Powell  
Seconded by – Councillor Atfield

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

- By-law Number 120-09 to authorize an Agreement for Professional Consulting Services with Trow Associates Inc. for the King Edward Street reconstruction between Church Street and Rest Acres Road.
- By-law Number 121-09 to amend Parking By-law Number 164-01 for Church Street West and Colborne Street West.
- By-law Number 122-09 to amend Traffic By-law Number 182-05 to reduce the speed on a portion of Shellard Lane and install a stop sign on the Grand River Bridge at the intersection of Dundas Street East and Willow Street.

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- By-law Number 123-09 to amend County of Brant Fence By-law 54-02 (2 Kelly Court).
- By-law Number 124-09 to amend By-law Number 110-01 for property located in Plan 2M-1845, Lot 9, Concession 1, Part Lot 6 and Registered Plan 2R-5745, Part 1 in order to redevelop the site for estate residential uses, while accounting for the steep slopes in this area (Delottinville, Tysons Way).
- By-law Number 125-09 to amend By-law Number 110-01 for property located in Part of Lot 4, Concession 11, geographic Township of Burford to permit village residential uses (Prolific Estates Ltd., 165 Maple Avenue South).
- By-law Number 126-09 to amend By-law Number 110-01 for property located in Part of Lot 6, Concession 2, geographic Township of South Dumfries to permit a residential apartment use (South Dumfries Non-Profit Housing Corporation, 50 High Street).
- By-law Number 127-09 to amend By-law Number 110-01 for property located in Part of Lot 6, Concession 3, geographic Township of South Dumfries to permit a residential plan of subdivision (Starlite Homes, St. George Road).
- By-law Number 128-09 to amend the Official Plan for property located in Part Lots 1, 11, 12 and 13, of Block D, geographic Township of South Dumfries to establish medium density residential uses in the form of a Plan of Condominium (Glenwood Homes, 20 Tolhurst Avenue).
- By-law Number 129-09 to amend By-law Number 110-01 for property located in Part Lots 1, 11, 12 and 13, of Block D, geographic Township of South Dumfries to permit rowhouse residential development (Glenwood Homes, 20 Tolhurst Avenue).
- By-law Number 130-09 to authorize a development agreement with Alexandra Marie, Piotr and Matthew Gdyczynski for property located in Part of Lots 7 and 8, Range 2, EMPR, geographic Township of Brantford (Cockshutt Road).
- By-law Number 131-09 to authorize a development agreement with Raymond Adam and Catharina Jeannette Borsuk for property located in Part of Lot 8, Range 1, EMPR, geographic Township of Brantford (Mount Pleasant Road).
- By-law Number 132-09 to authorize a development agreement with Judy Doreen Delottinville for property located in Part of Lot 9, Plan 2M-1845, geographic Township of Oakland (Tysons Way).
- By-law Number 133-09 to authorize a Memorandum of Agreement between Gerry Van Den Heuval, Brian Hamilton, Kate Hamilton and the County of Brant regarding a reapportionment of the drainage assessment pertaining to the Almas Drain.
- By-law Number 134-09 to amend County of Brant Fees and Charges By-law Number 19-09 (Parks and Recreation advertising, Development Charges for Southwest Paris, and used tires).
- By-law Number 135-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Powell  
Seconded by – Councillor Atfield

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

- By-law Number 120-09 to authorize an Agreement for Professional Consulting Services with Trow Associates Inc. for the King Edward Street reconstruction between Church Street and Rest Acres Road.
- By-law Number 121-09 to amend Parking By-law Number 164-01 for Church Street West and Colborne Street West.

- By-law Number 122-09 to amend Traffic By-law Number 182-05 to reduce the speed on a portion of Shellard Lane and install a stop sign on the Grand River Bridge at the intersection of Dundas Street East and Willow Street.
- By-law Number 123-09 to amend County of Brant Fence By-law 54-02 (2 Kelly Court).
- By-law Number 124-09 to amend By-law Number 110-01 for property located in Plan 2M-1845, Lot 9, Concession 1, Part Lot 6 and Registered Plan 2R-5745, Part 1 in order to redevelop the site for estate residential uses, while accounting for the steep slopes in this area (Delottinville, Tysons Way).
- By-law Number 125-09 to amend By-law Number 110-01 for property located in Part of Lot 4, Concession 11, geographic Township of Burford to permit village residential uses (Prolific Estates Ltd., 165 Maple Avenue South).
- By-law Number 126-09 to amend By-law Number 110-01 for property located in Part of Lot 6, Concession 2, geographic Township of South Dumfries to permit a residential apartment use (South Dumfries Non-Profit Housing Corporation, 50 High Street).
- By-law Number 127-09 to amend By-law Number 110-01 for property located in Part of Lot 6, Concession 3, geographic Township of South Dumfries to permit a residential plan of subdivision (Starlite Homes, St. George Road).
- By-law Number 128-09 to amend the Official Plan for property located in Part Lots 1, 11, 12 and 13, of Block D, geographic Township of South Dumfries to establish medium density residential uses in the form of a Plan of Condominium (Glenwood Homes, 20 Tolhurst Avenue).
- By-law Number 129-09 to amend By-law Number 110-01 for property located in Part Lots 1, 11, 12 and 13, of Block D, geographic Township of South Dumfries to permit rowhouse residential development (Glenwood Homes, 20 Tolhurst Avenue).
- By-law Number 130-09 to authorize a development agreement with Alexandra Marie, Piotr and Matthew Gdyczynski for property located in Part of Lots 7 and 8, Range 2, EMPR, geographic Township of Brantford (Cockshutt Road).
- By-law Number 131-09 to authorize a development agreement with Raymond Adam and Catharina Jeannette Borsuk for property located in Part of Lot 8, Range 1, EMPR, geographic Township of Brantford (Mount Pleasant Road).
- By-law Number 132-09 to authorize a development agreement with Judy Doreen Delottinville for property located in Part of Lot 9, Plan 2M-1845, geographic Township of Oakland (Tysons Way).
- By-law Number 133-09 to authorize a Memorandum of Agreement between Gerry Van Den Heuval, Brian Hamilton, Kate Hamilton and the County of Brant regarding a reapportionment of the drainage assessment pertaining to the Almas Drain.
- By-law Number 134-09 to amend County of Brant Fees and Charges By-law Number 19-09 (Parks and Recreation advertising, Development Charges for Southwest Paris, and used tires).
- By-law Number 135-09 to confirm the proceedings of Council.

. Carried

Moved by – Councillor Powell

Seconded by – Councillor Atfield

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

- By-law Number 120-09 to authorize an Agreement for Professional Consulting Services with Trow Associates Inc. for the King Edward Street reconstruction between Church Street and Rest Acres Road.
- By-law Number 121-09 to amend Parking By-law Number 164-01 for Church Street West and Colborne Street West.

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- By-law Number 122-09 to amend Traffic By-law Number 182-05 to reduce the speed on a portion of Shellard Lane and install a stop sign on the Grand River Bridge at the intersection of Dundas Street East and Willow Street.
- By-law Number 123-09 to amend County of Brant Fence By-law 54-02 (2 Kelly Court).
- By-law Number 124-09 to amend By-law Number 110-01 for property located in Plan 2M-1845, Lot 9, Concession 1, Part Lot 6 and Registered Plan 2R-5745, Part 1 in order to redevelop the site for estate residential uses, while accounting for the steep slopes in this area (Delottinville, Tysons Way).
- By-law Number 125-09 to amend By-law Number 110-01 for property located in Part of Lot 4, Concession 11, geographic Township of Burford to permit village residential uses (Prolific Estates Ltd., 165 Maple Avenue South).
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- By-law Number 127-09 to amend By-law Number 110-01 for property located in Part of Lot 6, Concession 3, geographic Township of South Dumfries to permit a residential plan of subdivision (Starlite Homes, St. George Road).
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- By-law Number 134-09 to amend County of Brant Fees and Charges By-law Number 19-09 (Parks and Recreation advertising, Development Charges for Southwest Paris, and used tires).
- By-law Number 135-09 to confirm the proceedings of Council.

. Carried

### **NEXT MEETING**

The meeting adjourned at 11:45 p.m. to meet again on **Wednesday, August 26 at 7:00 p.m. for a special meeting on Development Charges** and on **Tuesday, September 1, 2009 at 7:00 p.m. for the regular session.**

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Mayor

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Date Minutes Approved

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Clerk