

CORPORATE DEVELOPMENT COMMITTEE

County Council Chambers
7 Broadway Street West, Paris
Monday, May 11, 2009
7:00 p.m.

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

Regrets: Councillor Hodge

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

Councillor Chambers in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the agenda and addendum for the May 11, 2009 meeting of the Corporate Development Committee be approved as printed, with the following additions:

- Delegation – Jennifer Vos on behalf of the St. George Area Study Group
- Information Reports – Councillors Gatward and Powell
- Drainage issue – Pike property, Falkland

.Carried

DELEGATIONS / PRESENTATIONS / PETITIONS

St. George Area Study Group – St. George Servicing Capacity

Jennifer Vos, Manager of Planning with Activa Group, advised that she was speaking on behalf of the St. George Area Study Group. She noted that the St. George Area Study Group has been working for some time to examine servicing options for the St. George urban area. They were unaware of the St. George Water Pollution Control Plant Process Capacity Assessment being undertaken by Gambsy and Mannerow. Ms. Vos expressed concern that there had been no consultation with the St. George Area Study Group regarding the assessment or the staff recommendation, and she requested that the staff recommendation be deferred to allow them to review the report and discuss same with County staff.

MINUTES

Moved by – Councillor Schmitt
Seconded by – Councillor Wheat

That the Corporate Development Committee minutes of April 6 and 29, 2009 be approved as printed.

.Carried

CONSENT ITEMS

CD-09-59 – Annual Accessibility Awards Ceremony – L. Atkinson

Moved by – Councillor Powell
Seconded by – Councillor Wheat

Whereas in previous years the Accessibility Advisory Committee recognized local businesses and organizations that support accessibility;

Be it hereby resolved that the County of Brant support the Annual Accessibility Advisory Committee Recognition Awards Ceremony;

That the 2009 Accessibility Advisory Committee Recognition Awards be held on the following date and time:

Date: Tuesday, June 2, 2009
Time: 6:00 p.m. (prior to scheduled County Council meeting)
Location: Council Chambers

And that the County of Brant proclaim the week of May 31 - June 7, 2009 as “County of Brant Accessibility Awareness Week”.

.Carried

Moved by – Councillor Schmitt
Seconded by – Councillor Powell

That the following consent items be received as information:

1. CD-09-54 – Building Division Financial Report 2008 – L. Balfour.
2. CD-09-53 – Update on MTO Brantford to Cambridge Transportation Corridor EA – T. Lasko.
3. CD-09-62 – SMART Water Meters – A. Davidson.
4. Correspondence – Tax Recovery Group Re: Harmonized Sales Tax.
5. Correspondence – Nestle Waters Canada Re: Environmental Stewardship and Health Benefits Associated with Bottled Water.

. Carried

Resolution – Town of Fort Erie – Hamilton Niagara Haldimand Brant LHIN

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the Council of the County of Brant support the resolution from the Town of Fort Erie requesting the Office of the Auditor General to immediately begin an audit of the Niagara Health System and the LHIN.

. Carried

Resolution – Municipality of Middlesex Centre – Drainage Works

Moved by – Councillor Coleman
Seconded by – Mayor Eddy

That the Council of the County of Brant support the resolution from the Municipality of Middlesex Centre petitioning the Department of Fisheries and Oceans to review and shorten the time frame required for approval of drainage maintenance and construction and bridge reconstruction requests to allow for a more flexible and reasonable construction/maintenance season, especially where weather conditions warrant an extended season.

. Carried

Resolution – City of Cornwall – Provincial Harmonized Sales Tax

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the Council of the County of Brant support the resolution from the City of Cornwall requesting the Provincial Government to exempt items related to the rental of recreation facilities and registration fees for minor sports to ensure that all youth are able to afford to participate.

. Carried

Township of Uxbridge – Green Energy Act

Moved by – Councillor Powell
Seconded by – Councillor Atfield

That the Council of the County of Brant advise the Mayor of the Township of Uxbridge of Council's agreement that further study needs to be undertaken before approval is given to install more wind farms in Ontario.

. Carried

REPORTS FROM STAFF

Policy PBEC-1-04 “Servicing Capacity – St. George”

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

Whereas the County has received and reviewed a report entitled “St. George Water Pollution Control Plan Process Capacity Assessment” authored by Gamsby and Mannerow Limited, dated April of 2009;

And whereas the County has received some development inquiries in the St. George Urban Settlement Area;

And whereas our solicitors have advised that the County must retain the allocation for the former Parmalat property (domestic use – approximately equivalent to 10 single detached residential units);

And whereas there is sufficient water supply capacity for 50 single detached residential units;

And whereas it is necessary to retain a "buffer" of approximately 13 single detached residential units in accordance with MOE guidelines;

Be it hereby resolved that Council Policy PBEC -1-04 "Servicing Capacity – St. George" be rescinded and replaced with the following policy:

"That the current (as of May 1, 2009) uncommitted hydraulic reserve capacity for the St. George Water Pollution Control Plan is approximately equivalent to 50 single detached residential units. Plans of Subdivisions and Plans of Condominiums may be considered for draft plan approval until such time as this capacity is depleted.

The allocation will be given at the time of Draft Plan Approval and in accordance with the policies contained with the Official Plan. Development Services staff will keep a "running total" of the number of single detached residential units available.

Once the running total of allocation of 50 single detached residential units has been achieved, no further applications for draft plan approval for Plans of Subdivision or Plans of Condominium will be considered".

And further be it hereby resolved that staff be directed to obtain a work plan for the optimization and potential additional capacity of the St. George Water Pollution Control Plant, to be presented to Committee for their review and recommendation to Council.

.No Vote – Motion to Table Follow

In response to questions, Lee Robinson, Manager of Infrastructure Services, advised that staff had been requested to ascertain the unreserved capacity at the St. George Water Pollution Control Plan. Gamsby and Mannerow Limited were hired to carry out this assessment, which indicated that there is additional unreserved capacity for 50 single detached residential units. Ms. Robinson noted that the current policy PBEC-1-04 does not allow any plans of subdivision or condominium for draft plan approval in St. George until there has been a reallocation of servicing capacity. Staff is recommending that Policy PBEC-1-04 be rescinded and replaced with a policy that would provide an allocation equivalent to 50 single detached residential units. It was noted that development applications that require an area study will still be required to provide the study regardless of the change in policy.

Moved by – Councillor Atfield
Seconded by – Councillor Haggart

That the report on the St. George Servicing Strategy be tabled for one cycle to allow the development community to discuss the recommendations with staff.

. Carried

It was suggested that staff provide further background information on the recommendation for the next meeting.

CD-09-51 – Request for Exemption from PWE-2003-05 (Paris Interim Water Servicing Policy) for 20 Cedar Street, Paris

Moved by – Mayor Eddy
Seconded by – Councillor Powell

Whereas a request has been received from the agent for Cedarview Evangelistic Centre at 20 Cedar Street for an exemption from County Policy PWE-2003-05 (Paris Interim Water Servicing Policy) for proposed development on the applicant's property;

And whereas the proposal does not plan to increase the congregational space of the existing church;

And whereas the proposed development results in no increase in water consumption, as the proposal is limited to the construction of support facilities for the existing congregation and all existing and proposed washrooms will be equipped with low flow fixtures;

Be it hereby resolved that the request received from the agent for Cedarview Evangelistic Centre at 20 Cedar Street for an exemption from Council Policy PWE-2003-05 (Paris Interim Water Servicing Policy) be approved;

And that the applicant must obtain all required approvals, prior to an application for a building permit.

.Carried

CD-09-66 – Optional Tools for Capping and New Construction

Moved by – Mayor Eddy
Seconded by – Councillor Schmitt

That the by-law for optional tools for administering limits for the Commercial, Industrial and Multi-Residential Property Classes be approved;

And that the by-law for optional tools for eligible properties within Section 331 (New Construction) for Commercial, Industrial and Multi-Residential property classes be approved.

.Carried

Drainage Issues - Falkland

Councillor Chambers noted that he had been contacted by the Pike's who are concerned about the drainage issues in Falkland that are affecting their property and the planting season, particularly if this matter is not dealt with until the June 8 Corporate Development Committee meeting as suggested by staff. It was agreed that a staff report on this matter would be referred to the May 20 Planning Advisory Committee meeting for consideration.

CD-09-60 – Ontario Municipal Board Hearing – Zoning By-law Amendment File No. ZBA25/08 (1590361 Ontario Inc.) – 22 Airport Road

The Director of Development Services explained that County Planning staff will not be appearing at the OMB hearing unless they are subpoenaed. The County Solicitor will review the file, decide what experts are required to defend the County's decision, and then recommend a strategy to Council, including a preliminary estimate of costs.

Moved by – Councillor Gatward
Seconded by – Councillor Coleman

That Clause 3 of the Municipal Policy for Representation at OMB Hearings be implemented wherein Legal Counsel is to represent the County's interest and assist the Board in the matter of reviewing the merits of the Zoning By-law Amendment File No. ZBA25/08, from IBI Group, agent for 1590361 Ontario Inc., applicant / owner of Lot 1 of Plan 1029, County of Brant, geographic Township of Brantford, located at 22 Airport Road.

. Carried

CD-09-61 – Source Water Protection – Memorandum and Agreement with the Grand River Conservation Authority

Moved by – Councillor Coleman
Seconded by – Mayor Eddy

Whereas the County of Brant and Grand River Conservation Authority are cooperating to develop the components related to the County of Brant for the provincially mandated Assessment Report required by the Lake Erie Source Protection Committee under the Clean Water Act, 2006;

And whereas a number of changes over the course of this project resulting from the nature of the work, extended timelines due to delayed proclamation of provincial regulations and issuance of technical rules, and consultant staff changes result in some required housekeeping actions including formalizing some matters with the Grand River Conservation Authority and changing arrangements with consultants;

Be it hereby resolved that the County of Brant enter into a Memorandum of Agreement with the Grand River Conservation Authority to provide the necessary financial and technical administration of the technical studies;

And that the County terminate its arrangement with AECOM Canada for services to this project.

.Carried

CD-09-52 – Combined System Acquisition

Moved by – Councillor Powell
Seconded by – Mayor Eddy

That the Corporate Development Committee approve the acquisition of three application systems, subject to successful negotiations being concluded with each vendor and the total cost not to exceed \$369,000, being the approved Capital budget for these three systems:

1. Tax Collection System (**VTAX**) from Vailtech Inc.;
2. Cashiering / POS System (**Payment Manager**) from Active Network;
3. Program Registration System (**Class**) from Active Network.

.Carried

INFORMATION REPORTS

1. Councillor Gatward advised that an application has been submitted to the Committee of Adjustment for a solar energy farm in the former Township of Oakland.
2. Councillor Powell provided information on two sessions that he had attended at the recent OSUM Conference in regard to energy conservation and business investment and retention. Councillor Simons reported that she had attended a Code of Conduct session that was very informative.

MATTERS REFERRED FROM COUNCIL

Request for a Reduction in Application Fees – Edgar Rezoning (B26/08/MD)

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the request from Rob VanPoorten for a reduction in the fees from \$1,670.00 to \$495.00 for rezoning application B26/08/MD for the Edgar property be approved.

. Carried

OTHER BUSINESS

Bid Bonds

C.A.O. Don Glassford reported that a request has been made to the County to consider bid bonds instead of the County's policy for a certified cheque or bank draft for tender deposits. He noted that this policy has been in effect since 2005, and there have only been two instances where a bid bond was requested. It was agreed that no changes would be made to the current policy for tender deposits.

DIRECTORS' UPDATE

1. Mr. Glassford advised that due to the many demands and projects facing staff, an exercise will be undertaken to identify all the projects and establish priorities on what can reasonably be accomplished in 2009. He noted that staff has submitted a number of funding applications which will impact the priorities should they be approved.
2. Kathryn Underwood, Director of Community Services, reported that the RinC funding program had been announced today. Staff will be preparing a report to identify eligible projects for the May 19 Council meeting.

In Camera at 8:35 p.m. to discuss legal matters, potential property sale and personal matters about identifiable individuals, on a motion of Councillors Wheat and Gatward.

This portion of the meeting is recorded in the In Camera – Confidential Corporate Development Committee minutes dated May 11, 2009.

Open Session at 8:55 p.m., on a motion of Councillor Wheat and Mayor Eddy.

IN CAMERA MATTERS

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

That the following matters from the In Camera meeting be approved:

1. That a settlement offer of \$1,443.40 be made to the claimant in Claim #34.08, in exchange for a full and final release.
2. That the listing price for the sale of 1249 Colborne Street West, Mount Vernon, be reduced to \$599,000;

And that staff be authorized to amend the Listing Agreement with CB Richard Ellis to reflect the reduced listing price, for a period of six months.

3. That the request for relief from tax penalty and interest for Roll Number 2920 018 27900 0000 be denied.
4. That the County of Brant advise Barbara Reibling that the possible diversion of the established drainage on a privately owned property is a civil matter between the two property owners;

That Ms. Reibling be advised that the County will attempt to speak with the homeowner at 23 Sunnyside Drive and attempt to resolve the drainage issue using the services of the original developer's engineer;

And that the County write to both developer engineering groups involved in this matter and strongly encourage that they, as the Developer's Engineer, take appropriate action to correct the situation by providing a recommended solution and an estimated cost of such a solution given that incorrect information was filed with the County with respect to the drainage on the subject lot.

. Carried

NEXT MEETING

The Committee adjourned at 9:00 p.m. to meet again on Monday, June 8, 2009 at 7:00 p.m. in the County Council Chambers.

Secretary