

CORPORATE DEVELOPMENT COMMITTEE

County Council Chambers
7 Broadway Street West, Paris
Monday, July 13, 2009
7:05 p.m.

Present: Mayor Eddy, Councillors Simons, Haggart, Powell, Chambers, Coleman and Gatward.

Regrets: Councillors Wheat, Schmitt, Atfield and Hodge.

Staff: Glassford, Johnston, Bell, Robinson and Carman

Councillor Chambers in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Simons
Seconded by – Councillor Coleman

That the agenda and addendum for the July 13, 2009 meeting of the Corporate Development Committee be approved as printed.

.Carried

DELEGATIONS / PRESENTATIONS / PETITIONS

Development and Engineering Standards Revisions

Bob Phillips, on behalf of the Brant Development Liaison Committee, requested that Report CD-09-86 – Development and Engineering Standards Revisions be deferred for one meeting cycle to provide an opportunity for further input from the Brant Development Liaison Advisory Committee members prior to Committee consideration of the Standards.

Moved by – Councillor Haggart
Seconded by – Councillor Coleman

That consideration of the draft Development and Engineering Standards, Staff Report CD-09-86, dated June 2009 be deferred for one meeting cycle.

. Carried

SPECIAL COUNCIL MEETING

It was agreed that a special Council meeting would be scheduled for Wednesday, July 15, 2009 at 6:45 p.m. to consider the award of an asphalt contract that could result in cost-savings for the County if awarded in a timely manner.

MINUTES

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the Corporate Development Committee minutes of June 8, 2009 be approved as printed.

.Carried

CONSENT ITEMS RECEIVED AS INFORMATION

Moved by – Councillor Coleman
Seconded by – Councillor Simons

That the following Consent Items be received as information:

- i. CD-09-76 – O.P.P. Contract Negotiations – F. Bell.
- ii. Resolution – City of Welland re: Access to Medical and Health Services.
- iii. Resolution – Township of Stirling-Rawdon re: Municipal Drinking Water Licensing Plan.
- iv. Resolution – Township of Bonnechere Valley re: Annual Provincial Grants to Public Libraries.
- v. Resolution – Town of Arnprior re: Canadian Nuclear Technology.
- vi. Correspondence – Dr. M. Blouw, Wilfrid Laurier University, re: County’s Endowment Fund.
- vii. Grand River Conservation Authority News Release re: Drinking Water Source Protection.

. Carried

CD-09-82 – Brant Tourism – Grand River Country – E. Rowen

Mayor Eddy noted that the staff report indicated that the County of Brant was the only municipality in the Grand River watershed that was involved in the “Trails Take Flight” project.

Moved by – Mayor Eddy
Seconded by – Councillor Coleman

That Staff Report CD-09-82, Brant Tourism – Grand River Country, be received as information.

. Carried

Resolution – Town of Innisfil Re: Harmonized Sales Tax

Moved by – Councillor Simons
Seconded by – Councillor Powell

That the resolution from the Town of Innisfil requesting the Province Of Ontario to exempt electricity sales from the provincial portion of the single harmonized sales tax until the stranded debt of Ontario Hydro is fully retired be received as information.

. Carried

Resolution – Municipality of Hastings Highlands Re: Payment for Services to Municipal Fire Departments from Hydro One

Moved by – Councillor Gatward
Seconded by – Councillor Simons

That the resolution from the Municipality of Hastings Highlands requesting payment for services provided by Municipal Fire Departments to Hydro One for fallen power lines be referred to the County of Brant Fire Department for comments.

. Carried

Resolution – Canadian Union of Postal Workers Re: Public Post Offices and Rural Delivery

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

Whereas the report of the Canada Post Corporation Strategic Review (CPCSR) recommends that the current moratorium on post office closures in rural and small towns be replaced with a mechanism involving new rules and procedures, including the ability to replace public post offices with private outlets;

And whereas the report also recommends that rural mailbox delivery be reconsidered;

And whereas these recommendation, if implemented by the federal government, would undermine public postal service and jobs in our community and fundamentally change the nature of Canada Post's retail and delivery network;

And whereas the report proposes that Canada Post's highly inadequate community consultation process be used when closing or "rationalizing" a post office/outlet and that a similar process be used when replacing rural mailbox delivery with delivery to a community box, green box or post office;

Be it hereby resolved that the Council of the County of Brant request the Government of Canada to preserve public postal service and jobs in our community by rejecting the CPCSR recommendations that would:

1. Put an end to the moratorium on post office closures in rural and small towns and give Canada Post the flexibility to close post offices covered by the current moratorium or convert these public post offices to private outlets;
2. Cut delivery to rural mailboxes without exploring all options or properly consulting with residents or the representatives of rural delivery workers;

And further that consultation be undertaken with the public, postal unions and other major stakeholders to develop a uniform and democratic process for making fundamental changes to Canada Post's retail and delivery network.

. Carried

Nanticoke Grand Valley Area Water Supply Project – Feasibility Study Results

It was agreed that Public Works staff would provide an update on the status of the Nanticoke Grand Valley Area Water Supply Project for the next meeting of the Corporate Development Committee.

CD-09-83 – St. George Servicing Allocation – D. Johnston

In response to a question, the Director of Development Services advised that this report was provided for the information of the Committee, noting that the Planning Advisory Committee will be considering planning applications that will require allocation of some of the servicing capacity that has been identified.

STAFF REPORTS

CD-09-78 – CONVEYANCE OF LAND TO THE FAMILY HEALTH TEAM

Moved by – Councillor Haggart
Seconded by – Councillor Powell

That subject to there being no appeals of the zoning by-law amendment, the provisions of Section 50 (3)(c) of the *Planning Act* be utilized in order to dispose of municipal property (approximately 14,412 square metres / 3.56 acres) fronting on Curtis Ave to the PrimaCare Community Family Health Team;

That the Mayor and the Clerk be authorized to sign such documents as are necessary to achieve the conveyance;

That the deed include a requirement that the County of Brant have registered on title the option of having the land returned to the County at no cost to the County should the PrimaCare Community Family Health Team wish to sell the property;

And that construction of the facility must be commenced within 18 months and construction completed within 30 months of the land being conveyed to the PrimaCare Community Family Health Team or upon the County's request, the land will be deeded back to the County of Brant.

.Carried

CD-09-80 – ONTARIO MUNICIPAL BOARD HEARING – 22 AIRPORT ROAD

In discussion of Staff Report CD-09-80, it was suggested that a hydrologist should be retained to provide expert advice to support the County's denial of the rezoning application for 22 Airport Road. Councillor Gatward noted that the local citizens who opposed the application would be willing to share information they had gathered with the County's legal counsel. Councillor Powell requested that Council be kept apprised of the costs involved in the County's defense of this appeal.

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That clause three of the "Municipal Policy for Representation at Ontario Municipal Board Hearings" wherein legal counsel and consulting planner are to represent the County's interest and assist the Board, be implemented in the matter of reviewing the merits of the Zoning By-law Amendment File No. ZBA25/08 received 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;

And that legal counsel be authorized to utilize additional consulting services as deemed necessary to represent the County's interests in this appeal.

.Carried unanimously

CD-09-81 – ONTARIO MUNICIPAL BOARD HEARING – 80 WILLOW STREET

Moved by – Councillor Coleman
Seconded by – Councillor Powell

That clause three of the “Municipal Policy for Representation at Ontario Municipal Board Hearings” wherein legal counsel and consulting planner are to represent the County’s interest and assist the Board, be implemented in the matter of reviewing the merits of the Revised Draft Plan of Subdivision PS5/08, Draft Plan of Condominium CDM1/08 and Zoning By-law Amendment ZBA27/08 (Stirling Bridge), geographic Town of Paris, County of Brant, located at 80 Willow Street.

.Carried

Councillor Chambers suggested that a review of the issues that arise when Council does not approve staff recommendations for planning applications should be undertaken at a future time, noting that staff prepares their recommendations prior to public input being received at the Planning Advisory Committee meeting.

CD-09-73 – TOW TRUCK LICENSING BY-LAW

Fran Bell, Director of Corporate Services, briefly reviewed the options set out in Report CD-09-73 for tow truck licensing, noting that the first four options would require considerable administrative and enforcement by County staff. She referred to comments provided by the County’s Solicitor, Andrew Wright, recommending that the Police Services Board call the tender for police-ordered tows, which should resolve some of the problems that have arisen in the past few months in regard to towing charges.

In response to questions, Ms. Bell advised that at the present time, the O.P.P. uses a rotation list of members of the Tow Truck Operators Association for police-ordered tows. All police cruisers carry a list of local towing companies which is provided to motorists who require towing services. Councillor Haggart expressed his concern that the proposed recommendation does not address towing charges for private tows, although this may be achieved through the proposed Private Member’s Bill to regulate the towing industry.

Moved by – Mayor Eddy
Seconded by – Councillor Powell

Whereas the Police Services Board, at their March 18, 2009 meeting, reviewed complaints received regarding the rates charged to vehicle owners on police ordered tows and recommended that the County of Brant implement a by-law to regulate the Towing Industry;

And whereas at their April 7, 2009 meeting, County Council referred the recommendation to staff for comment and review;

And whereas various options to control the rates charged by Tow Truck operators on police ordered tows have been reviewed with the County Solicitor;

And whereas the County Solicitor has recommended that the best solution is for the Police Services Board to tender for one or more tow truck operators to provide service to the O.P.P.;

Be it hereby resolved that the matter be referred back to the Police Services Board to consider issuing a tender for provision of towing services to the Brant County O.P.P.

.Carried

CD-09-84 – RECOVERY OF REVENUE FOR CAPPING LEGISLATION

Moved by – Councillor Haggart
Seconded by – Councillor Coleman

That the by-law to finalize the requirements of the capping legislation as per Section 330 of the *Municipal Act* be approved.

.Carried

CD-09-90 – ST. GEORGE WATER POLLUTION CONTROL PLANT OPTIMIZATION STUDY AND WORK PLAN

In response to questions, the Manager of Infrastructure Services advised that the optimization study is being recommended because the St. George Water Pollution Control Plan is not operating at full capacity due to inefficiencies. The St. George area study will review expansion of the plant in order to meet future needs.

Moved by – Councillor Coleman
Seconded by – Councillor Haggart

Whereas the Council resolution of June 16, 2009 directed staff 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;

And whereas Gamsby & Mannerow Limited has recently completed the Process Capacity Assessment Report (April 2009) for the St. George Water Pollution Control Plan, on behalf of the County of Brant;

And whereas Gamsby & Mannerow Limited does not have any conflicting interests within the County of Brant with respect to the proposed works;

And whereas engaging Gamsby & Mannerow Limited would provide compatibility with the existing works and will result in efficiencies, and they are available to do this highly specialized work;

And whereas Gamsby & Mannerow Limited was requested to prepare a work plan for the optimization and potential additional capacity of the St. George Water Pollution Control Plant, which has subsequently been completed;

And whereas, the County's Purchasing Bylaw allows negotiation with a single supplier when compatibility with existing services is a primary consideration provided prior approval of the appropriate Standing Committee is obtained, and where the negotiated purchase is greater than \$50,000 the purchase shall be subject to approval from Council following a report being made to the appropriate Standing Committee;

And whereas there is sufficient funding available;

Be it hereby resolved that the work plan as outlined in the letter dated July 6, 2009 be awarded to Gamsby & Mannerow Limited, Guelph, Ontario, to complete an Optimization Study for the St. George Water Pollution Control Plant for an estimated cost of \$111,400.00 plus disbursements.

. No Vote – Amendment Follows

Moved by – Councillor Simons
Seconded by – Councillor Haggart

That the resolution be amended by removing the final two paragraphs and replacing them with the following:

“And whereas development projects are typically funded by the development industry;

And whereas this study is not included in the Development Charges background study that is currently underway;

Be it hereby resolved that staff be directed to discuss the matter with the St. George Area Study Group;

And be it hereby resolved that if the St. George Area Study Group agrees, in writing, to fund the Optimization Study for the St. George Water Pollution Control Plant that the work plan as outlined in the letter dated July 6, 2009, be awarded to Gamsby & Mannerow Limited, Guelph, Ontario, to complete an Optimization Study for the St. George Water Pollution Control Plant for an estimated cost of \$111,400.00, plus disbursements.”

. Defeated

Mayor Eddy then called for a vote on the **original motion** as presented, and it was **defeated**.

Moved by – Councillor Haggart
Seconded by – Mayor Eddy

That County staff be directed to discuss with St. George Area Study Group their participation in the Optimization Study and Work Plan for the St. George Water Pollution Control Plant;

And that a report on this matter be prepared for the consideration of the Corporate Development Committee.

. Carried

CD-09-74 – COMPOSITION OF LICENSE APPEAL TRIBUNAL

Moved by – Councillor Gatward
Seconded by – Councillor Powell

That the composition of a three-member License Appeal Tribunal to hear licensing appeals pursuant to the County of Brant Business Licensing By-law and the County of Brant Tax Licensing By-law be three citizen members;

That the Clerk proceed with recruitment and appointment for positions for the County of Brant License Appeal Tribunal;

That the members of the License Appeal Tribunal be paid at a rate of \$100.00 each per meeting and mileage;

And that staff prepare the required by-law and amendments to achieve this purpose.

.Carried

It was suggested that the recruitment process be undertaken for consideration at the September Corporate Development Committee meeting.

CD-09-91 – DRAFT PARIS SERVICING ALLOCATION POLICY

In response to questions, the Director of Development Services advised that the proposed Paris Servicing Allocation Policy would allocate water to South West Paris and the approximate 20 infill vacant conveyable lots within the Paris Urban Settlement Area.

Moved by – Councillor Haggart
Seconded by – Councillor Coleman

That the Municipal Water Servicing Allocation Policy for the Paris Urban Settlement Area, as attached to Staff Report CD-09-91 be adopted;

That until such time as the Development Charges By-Laws have been revised, there shall be no allocations for servicing outside of the South West Paris Study Area except as outlined in the Municipal Water Servicing Allocation Policy for the Paris Urban Settlement Area;

And that following the Development Charges By-laws review, if it is determined to equalize the charges between South West Paris and the rest of Paris, then the Municipal Water Servicing Allocation Policy for the Paris Urban Settlement Area would apply to the entire Paris Urban Settlement Area.

.Carried

CD-09-89 – VIDEO SURVEILLANCE POLICY

In response to questions, the Director of Corporate Services advised that the County currently has two video surveillance systems in operation, with a third proposed for the Burford Community Centre to deter vandalism. The costs of these units are included in the operating budgets for the facilities involved.

Moved by – Councillor Coleman
Seconded by – Councillor Gatward

That the Video Surveillance Policy as attached to Staff Report CD-09-89 be adopted.

.No Vote – Amendment Follows

Moved by – Mayor Eddy
Seconded by – Councillor Coleman

That a clause be added to the resolution providing that Council be advised when video surveillance systems are installed at County facilities.

. Carried

Councillor Chambers then called for a vote on the resolution, as amended to read as follows:

“That the Video Surveillance Policy as attached to Staff Report CD-09-89 be adopted;

And that Brant County Council be advised when video surveillance systems are installed at County facilities.”

. Carried

CORRESPONDENCE

1. Request for Support from Mr. S. Farley Re: Theatre Performance Intensive Program at the Stratford Shakespeare Festival - received as information.

In Camera at 8:10 p.m. to discuss legal and property matters, on a motion of Councillors Gatward and Powell.

This portion of the meeting is recorded in the In Camera – Confidential Corporate Development Committee minutes dated July 13, 2009.

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

DIRECTOR'S UPDATE

1. Fran Bell noted that she is looking forward to working with Council and senior staff in her new role as Director of Corporate Services. She advised that she appreciates receiving questions from members of Council prior to meetings so that can she be prepared with the appropriate information.
2. The Director noted that a briefing session with the Development Charges consultant has been arranged for July 14. Information to be reviewed at the meeting was distributed to Council members at this meeting.

OTHER BUSINESS

1. Mayor Eddy advised that Chief Montour has advised that Six Nations Council is willing to meet with Brant County Council during the second week of August, preferably at a morning meeting. It was agreed that the date for the meeting would be discussed at the July 21 Council meeting.

NEXT MEETING

The Committee adjourned at 8:57 p.m. to meet again on Monday, August 10, 2009 at 7:00 p.m. in the County Council Chambers.

Secretary