

CORPORATE DEVELOPMENT COMMITTEE

County Council Chambers
Monday, March 8, 2010
7:00 p.m.

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

Staff: Glassford, Compeau, Johnston, Davidson and Carman

Councillor Chambers in the Chair.

APPROVAL OF AGENDA

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the Corporate Development Committee agenda and addendum for March 8, 2010 be approved, with an additional item of other business regarding the budget process and a change in the order of proceedings to deal with the presentations.

.Carried

DELEGATIONS / PETITIONS / PRESENTATIONS

Drainage Issues in Sunnyside Subdivision

Holly Landry and Mark Decker presented information on the drainage/groundwater issues related to their properties located at 43 Taylor Road and 54 Southampton Drive, St. George. They noted that Joe Cohoon, the engineer for this subdivision, advised Council that the groundwater issues were unforeseen by the developer, that the developer has met all the requirements of the subdivision agreement, and as such the property owners should be responsible for the costs of the proposed solution to allow the homeowners to connect to the County's storm drain. Ms. Landry and Mr. Decker advised that they feel that the developer should be responsible to solve the drainage issues before the subdivision is assumed by the County. They requested that the County, the developer and the home builder work together to rectify the drainage problems at no cost to the property owners. In response to questions, Ms. Landry advised that she had been given an estimated cost of over \$10,000 to rectify the drainage problem.

C.A.O. Don Glassford advised that an engineer had provided an estimate of \$6,000 – \$7,500 per lot to do the work to connect to the County's storm sewer. The Director of Public Works noted that under the County's Fees and Charges By-law, where a connection to the storm sewer is allowed, it is at the applicant's expense.

Moved by – Councillor Wheat
Seconded by – Councillor Schmitt

That County staff be directed to contact the developer of Sunnyside Subdivision, Phase III, to advise that Brant County Council is of the opinion that it is the developer's responsibility to rectify, as expeditiously as possible at his cost, the drainage issues at 43 Taylor Road and 54 Southampton Drive, St. George.

. Carried

CD-10-35 – WATER AND WASTEWATER RATE STUDY – PROPOSED RATES AND IMPACT ANALYSIS

Alex Davidson, Water Manager, presented an overview of the Recommended Rates and Phase-In Strategy 2010 – 2014 for the Water and Wastewater Study. He reviewed the process to date, including review of the rate structure and development of the long-range financial plan. A public consultation process is scheduled for the end of March, followed by additional analysis and presentation of the final study to Council in June. The period from July – December 2010 will be utilized to communicate the changes to the public and allow for billing reprogramming at Brant County Power, with implementation of the new rate structure in January 2011. Mr. Davidson outlined the 2010 rate analysis, noting that an increase is recommended effective June 1, 2010. This will increase the residential water (0%) and wastewater rates (3%) resulting in a combined rate of 1.1% and the non-residential rate by a combined rate of 10.3% for the remainder of 2010. A phase-in plan from 2011 to 2014 has been developed to allow time for non-residential customers to properly plan and adjust to the new rate structure. Mr. Davidson reviewed the impact analysis rate structure for 2011 – 2014, as well as anticipated cost increases, taking into account the estimated budget increases from 2011 – 2014.

Moved by – Councillor Wheat
Seconded by – Councillor Coleman

Whereas the County is carrying out a comprehensive water and wastewater rate study with considerations of fairness and equity, affordability, conservation, economic development, and simplicity for understanding;

And whereas Council has previously provided direction in principle regarding the determination of costs to be funded and proposed distribution of the funding of these costs amongst the consumers via the recommendations of CD-10-05 “Water & Wastewater Rate Study/Water Financial Plan” and CD-10-25 “Water & Wastewater Rate Study - Financial Plan”;

And whereas these principles have been applied in the preparation of the report titled “Water and Wastewater Rate Study, Recommended Rates and Phase-in Strategy 2010-2014” prepared by BMA Management Consulting Inc. (BMA), March 2010 which includes recommendations regarding comprehensive revisions to the structure of the water and wastewater rates with a phased implementation commencing January 1, 2011 with annual adjustments through 2014, and implementation of an interim rate based on a percentage adjustment of the existing structure effective June 1, 2010;

Be it hereby resolved that the recommendations of the “Water and Wastewater Rate Study, Recommended Rates and Phase-in Strategy 2010-2014”, BMA, March 2010 regarding comprehensive revisions to the structure of the water and wastewater rates be presented to the public via Public Information Centres at Paris on March 29, 2010 and Cainsville on March 30, 2010;

And that effective June 1, 2010 the non-residential water rates be adjusted upward by 3.0%, the residential wastewater rates be adjusted upward by 3.0%, and the non-residential wastewater rates be adjusted upward by 18%, resulting in a combined water and wastewater upward adjustment of 1.1% for residential and 10.3% for non-residential customers, and that notice be given in accordance with the Public Notice By-law 236-07.

.Carried

MINUTES

Moved by – Councillor Hodge
Seconded by – Councillor Coleman

That the Corporate Development Committee minutes of February 8, 2010 be approved.

.Carried

CONSENT ITEMS RECEIVED AS INFORMATION

Moved by – Councillor Powell
Seconded by – Councillor Gatward

That the following Consent Items be received as information:

1. South West Economic Alliance – Economic Summit Finds Common Priorities, Encourages Strategic Investments;
2. Mayor Michael Harding, City of Woodstock – Power Pledge Community Challenge;
3. Land Use Council – Information Bulletin Re: Land Management in Ontario / Role and Function of Conservation Authorities;
4. Resolution – Town of Gravenhurst – Office of the Ombudsman Jurisdiction Over Hospitals.

.Carried

CONSENT ITEMS TO BE APPROVED

CD-10-32 – Paris to Ancaster Bicycle Race

Moved by – Councillor Powell
Seconded by – Councillor Gatward

Whereas the Race Director for the Paris to Ancaster Bicycle Race has submitted a request to use County roads along with parking at the Green Lane Sports Complex and South Dumfries Community Centre for their annual event to be held on Sunday, April 18, 2010;

And whereas County of Brant staff does not object to the use of County roads and parking areas at the Green Lane Sports Complex and the South Dumfries Community Centre;

Be it hereby resolved that use of the following County roads for the Paris to Ancaster Bicycle Race scheduled for April 18, 2010, be approved, subject to the event complying with all requirements of this report and of the Brant County Ontario Provincial Police Department:

- Green Lane
- McLean School Road
- Howell Road
- Harrisburg Road
- Burlington Street
- East River Road
- McPherson School Road
- County Highway 5
- German School Road

That the Paris to Ancaster Bicycle Race be allowed to use the Green Lane Sports Complex and South Dumfries Community Centre parking areas and grounds;

And that the request for a temporary road closure of Green Lane for the Paris to Ancaster Bicycle Race on April 18, 2010, between 9:00 a.m. and 11:30 a.m. be approved.

.Carried

CD-10-26 – BUSINESS LICENSING BY-LAW AMENDMENT

Moved by – Councillor Schmitt
Seconded by – Councillor Hodge

That the following amendments to Business Licensing By-law Number 50-05 to implement a Licensing Tribunal to hear business licensing appeals be approved:

Section	Description
1.	Inserts a definition of License Tribunal
4(4)	Amends section 4(4) to retain an administrative fee if a license is refused
6.	Deletes subsection 6(7) and 6(9), which by reference to this section in section 7 would require a hearing to refuse to issue a license on the grounds of non-payment of the applicable license fee or where the number of licenses is limited and the issuance would result in exceeding the number as set out in the by-law. These provisions are replaced by Section 7.1 of the proposed provisions which allows the Licensing Officer to refuse to issue a license if the fee is not paid or if issuing the license would exceed the number of licenses permitted by by-law, so that it is not necessary to convene the <i>License Tribunal</i> for that purpose.
7.	Deletes section 7 which grants Council the authority to refuse, revoke and suspend a license and inserts sections 7.1 – 7.17 which grants that authority to the Licensing Tribunal and sets out the hearing process
8.	Deletes section 8 which grants Council the authority to place conditions on a license since that that authority is granted to the Licensing Tribunal in the proposed section 7.11 and 7.14.
17.	Deletes section 17 regarding the current hearing process since the process is addressed in the proposed section 7.1-7.17
18.	Deletes section 18 regarding the current hearing process since the process is addressed in the proposed section 7.1-7.17

And that the appropriate amending by-law be forwarded to Council for approval.

.Carried

CD-10-33 – TAXI LICENSING BY-LAW AMENDMENT

Moved by – Councillor Simons
Seconded by – Councillor Powell

That the following amendments to Taxi Licensing By-law Number 53-09 to reflect the use of a Licensing Tribunal to hear licensing appeals be approved:

Section	Description
9.	Amends section 9(5) to require a criminal record check once every two years
12.	12(4) Permits the Licensing Officer to refuse to issue or renew a license if the application is not complete and 12(5) allows the Licensing Officer to issue a conditional license if there are circumstances where an application requirement cannot be met before the renewal date.

25.	25(1) Permits the Licensing Officer to refuse a license where the applicant has been given notice of the right to a hearing and has not filed a request for a hearing, 25(2) amends the notice procedure to meet the requirements of the Statutory Powers Procedure Act, 25(3) allows the License Tribunal to proceed in the person's absence if they fail to appear at a scheduled hearing in accordance with the Statutory Powers Procedure Act.
26.	Amends section 26(2) to provide that notice is deemed to be served five days after mailing to be consistent with the provision in the Business Licensing By-law.
28.	Amends section 28 to permit a refund of the license fee minus a 25% administration fee where the license is refused and to not allow any refund where a license is suspended or revoked by the License Tribunal.
29.	Deletes section 29 to remove the right to a refund of the license fee where the License Tribunal makes a decision to suspend or revoke and clarifies the authority and responsibilities of the License Tribunal.

And that the appropriate amending by-law be prepared for Council approval.

.Carried

CD-10-30 – POTENTIAL CLOSURE OF ONONDAGA COMMUNITY CENTRE

Moved by – Councillor Hodge
Seconded by – Councillor Coleman

That the Onondaga community be notified and be given an opportunity to provide feedback to the County of Brant by April 30, 2010 with respect to the potential to close and dispose of the Onondaga Community Centre.

. No Vote – Amendment Follows

Moved by – Councillor Coleman
Seconded by – Councillor Schmitt

That the feedback date for the Onondaga community be amended to read “June 30, 2010”.

. Carried

The Chair then called for a vote on the original motion, amended to read as follows:
“That the Onondaga community be notified and be given an opportunity to provide feedback to the County of Brant by June 30, 2010 with respect to the potential to close and dispose of the Onondaga Community Centre.”

. Carried

Councillor Coleman requested that Onondaga community groups and residents be asked to provide suggestions for the relocation of the memorabilia/artifacts currently housed in the community centre. He also requested that staff investigate options for the cemetery that is located at the rear of the property.

CD-10-27 – DEVELOPMENT LIAISON COMMITTEE

Moved by – Councillor Haggart
Seconded by – Councillor Powell

That subject to concurrence of the current Development Liaison Committee, Council authorize staff to implement the following recommendations to re-formulate the Development Liaison Committee:

1. Request the Brantford Home Builders' Association to appoint their President and their First Vice-President (or a delegate from the Association's Board of Directors) as well as four members from their Association or the development community to sit on a reconstituted Brant Development Liaison Committee to be known as the "Brant Development Liaison Committee";
2. That the County appoint the CAO and the President of the Brantford Home Builders' Association to Co-Chair the meetings of the Brant Development Liaison Committee and the Directors of Development Services, Corporate Services and Public Works be appointed to the Group with resource personnel, such as the Chief Planning Official, Manager of Public Infrastructure, Manager of Economic Development and Tourism and Chief Building Official to attend meetings as required by their Directors;
3. That the Brantford / Brant District Real Estate Board be requested to select two members who specialize in commercial and industrial properties to represent their Board at these meetings;
4. That Six Nations Council be requested to send one representative from staff to sit on the Brant Development Liaison Committee;
5. That the Brant Development Liaison Committee meet as required but at a minimum of four times per year to discuss building and development-related issues and exchange ideas; and
6. That the minutes and recommendations of the Brant Development Liaison Group be reported to the County of Brant Senior Management Group who will report to Council through the Corporate Development Committee.

. No Vote – Motion to Table Follows

The Committee members discussed the report outlining proposed changes to the current Development Liaison Committee, and raised the following concerns:

- size of Committee at thirteen members is too large
- number of members from the Brantford/Brant Home Builders Association should be reduced from the proposed six members
- the Committee itself should decide on the Chair and the mandate of the Committee
- suggestion that this Committee report directly to Council rather than to Senior Administration
- concern about loss of current members of the Committee who are familiar with the process

Moved by – Councillor Haggart
Seconded by – Councillor Atfield

That the motion regarding the Development Liaison Committee be tabled for one meeting cycle to allow County staff an opportunity to provide further information to address issues which have been identified in the proposal.

. Carried

CD-10-22 – 2009 SUMMARY REPORTS ON THE COUNTY OF BRANT'S MUNICIPAL DRINKING WATER SYSTEMS

Moved by – Councillor Coleman
Seconded by – Councillor Hodge

Whereas O.Reg. 170/03 requires owners of large and small municipal residential drinking water systems to provide members of municipal Council with a summary report for the previous year no later than March 31;

Be it hereby resolved that CD-10-22 “2009 Summary Report on the County of Brant’s Municipal Drinking Water Systems” be received by Brant County Council, as required by O.Reg. 170/03.

.Carried

OTHER BUSINESS

1. In response to a suggestion from Councillor Gatward, it was agreed that an item of discussion would be included on the April or May CDC agenda to allow for viewpoints from Councillors on the 2010 budget process and suggestions for improvements in 2011.
2. Councillor Haggart advised that County of Brant staff had recently received a draft Water Vulnerability Report from the Source Water Protection Committee. This report will be reviewed by staff in detail, with a report to be presented to the April CDC meeting.

In Camera at 8:20 p.m. to discuss property acquisition and disposal matters, on a motion of Councillors Schmitt and Powell.

This portion of the meeting is recorded in the In Camera – Confidential Corporate Development Committee minutes dated March 8, 2010.

Open Session at 9:05 p.m., on motion of Councillors Powell and Coleman.

ADJOURNMENT AND NEXT MEETING

The Committee adjourned at 9:05 p.m. to meet again **on Monday, April 12, 2010 at 7:00 p.m. at the County Council Chambers.**

Secretary