

March 22, 2022

Committee of the Whole – Planning and Administration Report #2022-03-08

REPORT TO: Mayor and Members
City Council

Your Committee of the Whole – Planning and Administration submits the following recommendations from its meeting held on March 8, 2022:

12.4.1 Application for Zoning By-law Amendment PZ-11-21 - 461 Blackburn Avenue [Financial Impact - None], 2022-73

- A. THAT Zoning By-law Amendment Application PZ-11-21, submitted by MHBC Planning on behalf of Losani Homes, affecting lands at 461 Blackburn Drive, City of Brantford, to further amend the provisions of the “Residential Medium Density Type A – Exception 61 Zone (R4A-61)” BE APPROVED, in accordance with the applicable provisions as noted in Section 9.2 of Report 2022-73; and
- B. THAT Pursuant to Section 34(18) of the Planning Act, R.S.O. 1990, c.P.13. the following statement SHALL BE INCLUDED in the Notice of Decision:

“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 8.2 of Report 2022-73.”

12.4.2 2023 Ontario 55+ Summer Games Co-Hosting Opportunity [Financial Impact - \$79,653], 2022-133

- A. THAT Report 2022-133 regarding the 2023 Ontario 55+ Summer Games Co-Hosting Opportunity BE RECEIVED; and
- B. THAT staff BE DIRECTED to proceed with the Corporation of the City of Brantford expressing their mutual intent, with the Corporation of the County of Brant, to Games Ontario to co-host the 2023 Ontario 55+ Summer Games; and
- C. THAT \$25,000 BE TRANSFERRED from the Economic Development and Tourism Marketing Reserve (RF0508) to the Tourism Administration operating budget to support the 2023 Ontario 55+ Summer Games; and
- D. THAT City staff BE PERMITTED to be seconded to support the onsite delivery of the 2023 Ontario 55+ Summer Games for the 3-day period in August 2023, pending management approval; and
- E. THAT the fees related to hosting Games competitions, registration, special events or other sanctioned events in City-owned facilities BE HELD AT 2022 rates subject to the following reductions:

- i. Community Programs and Social Development facilities at 50% reduction; and
 - ii. Parks and Facilities Department at 50% reduction; and
 - iii. Golf Operations at no reduction (existing senior's rate); and
- F. THAT the fees related to hosting related events in the Sanderson Centre for the Performing Arts lobby BE WAIVED in favour of recovering the cost of staff time; and
- G. THAT if the event is confirmed the municipality PROVIDE transit services in the amount of up to \$50,000 for the 2023 Ontario 55+ Summer Games to be used for the delivery of Transit services for the participants from accommodation locations to various events hosted including sport competition venues and other sanctioned events; and
- H. THAT Councillor Sless BE APPOINTED to the 2023 Ontario Summer Games Organizing Committee;
- I. THAT the Local Agreement between The Corporation of the City of Brantford and The Corporation of the County of Brant as it relates to the 2021 Ontario 55+ Winter Games BE AMENDED to reflect the new delivery date for the 2023 Ontario 55+ Summer Games and other items reflected in the Transfer Payment Agreement with the Province of Ontario; and
- J. THAT the Director of Economic Development & Tourism BE AUTHORIZED to sign the Local Agreement with The Corporation of the County of Brant, on behalf of the Corporation of the City of Brantford, once it is completed to the satisfaction of the City Solicitor, or designate; and
- K. THAT the Director of Economic Development & Tourism BE AUTHORIZED to sign the Transfer Payment Agreement with the Province of Ontario, on behalf of the Corporation of the City of Brantford, once it is completed to the satisfaction of the City Solicitor, or designate.

12.4.3 Acquisition of 159 Dufferin Avenue [Financial Impact - \$650,000.00], 2022-80

- A. THAT the acquisition of the property municipally known as 159 Dufferin Avenue by The Corporation of the City of Brantford for the sum of \$650,000.00 from the estate of Helen Bridget Power BE APPROVED; and
- B. THAT the acquisition amount of \$650,000.00 BE FUNDED from the Capital Funding Envelope Reserve RF0556; and
- C. THAT the required by-law to authorize the purchase of 159 Dufferin Avenue BE PRESENTED to City Council for consideration; and

- D. THAT Staff REPORT BACK on the potential uses for the building if it is retained; and
- E. THAT Staff REPORT BACK on the estimate of the total cost of the pathway project.

12.4.4 Hayman Family History, Research, and Commemoration [Financial Impacts - None], 2022-141

- A. THAT Report 2022-141, titled “Hayman Family History, Research and Commemoration”, BE RECEIVED; and
- B. THAT Staff be directed to develop a commemorative sign or plaque in Grand Woodlands Park identifying the wooded area as “Hayman Grove”, that two park benches be installed adjacent to or within the grove, and further that Staff consult with the members of the Hayman Family on the wording for the commemorative sign or plaque; and
- C. THAT funds to install park benches and the commemorative sign/plaque described in Recommendation B BE FUNDED from the Council Priorities Reserve (RF0558) to a maximum amount of \$3,000.

12.4.5 Heritage Register Project Part 2 – Phase B Properties Recommended for Listing [Financial Impact – None], 2022-64

- A. THAT Report 2022-64, titled “Heritage Register Project Part 2 – Phase B Properties Recommended for Listing”, BE RECEIVED; and
- B. THAT the properties identified in Appendix B of Report 2022-64 BE ADDED to the Heritage Register as nondesignated, listed properties; and
- C. THAT Planning Staff BE DIRECTED to provide notice to the owners of the properties that are added to the Heritage Register in accordance with the requirements of Section 27(5) and (6) of the Ontario Heritage Act.

12.4.6 Road Closing and Conveyance – Portion of Unopened Road Allowance West of Morrell Street [Financial Impact - \$5,000.00], 2022-146

- A. THAT Report No 2022-146 entitled “Road Closing and Conveyance of Portion of Morrell Street”, BE RECEIVED; and
- B. THAT Staff BE DIRECTED to initiate the process to close a portion of Morrell Street described as Part Block B, Plan 428, abutting west limit of 2R1188; S/T interest of the Corporation of the City of Brantford; and
- C. THAT the necessary closure by-law BE PRESENTED to City Council for adoption.

12.4.7 Trillium way Paris New Development Agreements [Financial Impact - \$15,000,000 Capital Agreement – City Impact \$0], 2022-193

- A. THAT Report 2022-193 Trillium Way Paris New Development Agreements BE RECEIVED; and
- B. THAT the Chief Administrative Officer, City of Brantford, or designate, BE AUTHORIZED to sign the Trillium Way Capital Contribution Agreement, subject to approval as to form by the City Solicitor or designate; and
- C. THAT the Chief Administrative Officer, City of Brantford, or designate, BE AUTHORIZED to sign the Trillium Way Land Exchange Agreement, and any other related agreements, subject to approval as to form by the City Solicitor or designate; and
- D. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.

12.4.8 Update on Measures to Address Graffiti [Financial Impact - None], 2022-171

That Report No. 2022-171, title “Update on Measures to Address Graffiti”, BE RECEIVED.

12.4.9 Police Station Task Force Report #2022-02-28 regarding Brantford Police Services Facility Redevelopment Project Overview

- A. THAT Staff Report 2022-197 – Brantford Police Services Facility Redevelopment Project Overview BE RECEIVED; and
- B. THAT staff BE DIRECTED to provide a report with comprehensive analysis in regards to alternative locations 1, 3 and 4 as detailed in Table 1 of this report for consideration by the Police Station Task Force.

12.4.10 2021 Council and Committee Attendance Report [Financial Impact – None], 2022-91

THAT Report 2022-91, “2021 Council and Committee Attendance Report”, BE RECEIVED.

12.4.11 Salvage Yard - Expanded Licensing

WHEREAS sections 9, 10, 11, and 151 of the Municipal Act, 2001 permits municipalities to provide for a system of licences with respect to businesses and further permits municipalities to impose conditions as a requirement of obtaining, continuing to hold, or receiving a business licence; and

WHEREAS The Corporation of the City of Brantford (the “City”) licenses certain businesses pursuant to Chapter 326 of the City of Brantford Municipal Code; and

WHEREAS Salvage Yards in the City are licensed under Chapter 326 of the City of Brantford Municipal Code; and

WHEREAS Brantford Police Service have reported that the theft of salvaged goods is an ongoing issue in the City of Brantford; and

WHEREAS there are numerous reasons and mitigating circumstances that may be a contributing factor to theft or other crimes within our community; and

WHEREAS the City of Brantford makes a significant investment in social services, including income support, homelessness, and housing programs in addition to providing streamlined referrals to other community services; and

WHEREAS one of the common motivators of this crime is the ease in which the stolen product can be sold to salvage yards for quick cash; and

WHEREAS salvage yards are licensed by the City of Brantford and must adhere to a number of regulations which includes maintaining a digitized registry; and

WHEREAS despite efforts to regulate Salvage Yards through Chapter 326 of the City of Brantford Municipal Code, crime continues to be an issue in our community; and

WHEREAS the City of Brantford deems it to be in the public interest, having regard for both public health and safety and nuisance control to reduce crime in relation to scrap metal;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Staff BE DIRECTED to collect feedback from community partners and other relevant stakeholders including the Brantford Police Service, Neighbourhood Associations and Brantford Chamber of Commerce and to engage the public through a Let's Talk Brantford campaign that investigates expanding salvage yard licensing to include those whom sell scrap; and
- B. THAT Staff BE DIRECTED to investigate expanding Salvage Yard Licensing including financial and human resource costs associated with the implementation and REPORT BACK to Council with potential amendments to Chapter 326 of the City of Brantford Municipal Code to further regulate the sale of goods through Salvage Yards including, without limitation, provisions to address the seller of goods at Salvage Yards.

12.4.12 Joint and Several Liability

WHEREAS many municipalities across Ontario, including The Corporation of the City of Brantford have experienced significant increases in the cost of insurance; and

WHEREAS a significant driver of insurance costs for Municipalities across Ontario is joint and several liability, a legal concept which allows a claimant to recover financial compensation from a party in excess of that party's proportionate legal responsibility for an injury; and

WHEREAS in 2018 Premier Ford committed to reviewing the issue of joint and several liability; and

WHEREAS that review was conducted in 2019 with participation from various interested parties including the Association of Municipalities of Ontario (AMO); and

WHEREAS the results of the Provincial review have not been released to the public and the Provincial Government has not taken any meaningful action to help reduce insurance costs for Municipalities across Ontario, including but not limited to, eliminating joint and several liability; and

WHEREAS to help advance the policy conversation and advocate for the elimination of joint and several liability in Ontario, AMO submitted a position paper to the Provincial Government in 2019 titled "Towards a Reasonable Balance – Addressing Growing Municipal Liability and Insurance Costs;" and

WHEREAS the AMO position paper included seven (7) straightforward recommendations to help reduce constantly increasing insurance costs for Municipalities:

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the City of Brantford;

- A. Supports the seven (7) recommendations contained in the AMO position paper titled "Towards a Reasonable Balance – Addressing Growing Municipal Liability and Insurance Costs". Those recommendations being:
 - i. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
 - ii. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
 - iii. Implement a cap for economic loss awards.
 - iv. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.

- v. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
 - vi. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
 - vii. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.
- B. Respectfully requests that the Provincial Government release the results of its review of joint and several liability conducted in 2019;
- C. That a copy of this Resolution be delivered to the Honourable Doug Downey at attorneygeneral@ontario.ca, the Minister of Municipal Affairs and Housing, the Honourable Steve Clark at minister.mah@ontario.ca, the current AMO President, Jamie McGarvey at amopresident@amo.on.ca, the Premier of Ontario, MPP Will Bouma and MPP Toby Barrett.

Respectfully Submitted,

Councillor Wall, Chair