



CITY COUNCIL

MINUTES

January 25, 2022

6:00 p.m.

Brantford City Hall, 58 Dalhousie Street

Mayor Davis in the Chair.

1. NATIONAL ANTHEM

The National Anthem was played.

2. INVOCATION

The Mayor read in the invocation

3. ROLL CALL

Present: Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Sless, Councillor Utlej, Councillor Martin, Councillor McCreary, Councillor Carpenter, Councillor Antoski, Councillor Wall, Councillor Van Tilborg

4. DECLARATIONS OF CONFLICTS OF INTEREST

4.1 Rotary Centennial Waterworks Park Pavilion –Naming “The Margot and Paul Williamson Family Pavilion” – Councillor Utlej

Councillor Utlej declared a conflict of pecuniary interest on Item 12.1.7 - Rotary Centennial Waterworks Park Pavilion –Naming “The Margot and Paul Williamson Family Pavilion” due to his membership with the Rotary Club Sunrise, where Mr. Williamson is a Friday Rotary Member.

4.2 Zoning By-law Amendment PZ-02-20 – 9 Lloyd Street [Financial Impact - None], 2022-15 – Mayor Davis

Mayor Davis declared a conflict of pecuniary interest on Item 12.3.1 – Zoning By-law Amendment PZ-03-20 regarding 9 Lloyd Street as the subject property is within 200 metres of his current property.

4.3 Notice of Intention to Demolish an Accessory Structure at 106 Oak Street, which is a Listed Property on the City of Brantford’s Heritage Register [Financial Impacts – None], 2022-23 – Councillor Wall

Councillor Wall declared a conflict of pecuniary interest on Item 12.3.2 – Notice of Intention to Demolish an Accessory Structure at 106 Oak Street, which is a Listed Property on the City of Brantford’s Heritage Register as the applicant is a client of his.

4.4 Notice of Intention to Demolish an Accessory Structure at 106 Oak Street, which is a Listed Property on the City of Brantford’s Heritage Register [Financial Impacts – None], 2022-23 – Councillor Sicoli

Councillor Sicoli declared a conflict of pecuniary interest on Item 12.3.2 – Notice of Intention to Demolish an Accessory Structure at 106 Oak Street, which is a Listed Property on the City of Brantford’s Heritage Register as the applicant is a client of her workplace.

5. SEPARATION OF ITEMS IN COMMITTEE REPORTS FOR DISCUSSION PURPOSES

Moved by Councillor Martin

Seconded by Councillor McCreary

THAT all Items contained within the Committee Reports (Items 12.1 to 12.5) not separated for discussion purposes BE APPROVED.

Recorded Vote on All Items Not Separated:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

The following items were subject to the vote and carried accordingly:

12.1 Committee of the Whole - Operations Report #2022-01-11

12.1.1 Vision and Long Term Strategy Framework - Solid Waste Program [Financial Impact –None], 2022-8

- A. THAT Report No. 2022 – 008, titled “Vision and Long Term Strategy Framework - Solid Waste Program”, BE RECEIVED; and
- B. THAT Council APPROVE the Vision Statement for the Solid Waste Program ; and

- C. THAT staff BE DIRECTED to prepare a finalized Long Term Strategy Report for the Solid Waste Program which includes the results from public consultation and community engagement activities; and
- D. THAT the Clerk BE DIRECTED to forward a copy of Report No. 2022-008 to the Environmental and Sustainability Policy Advisory Committee (ESPAC).

12.1.2 Feasibility of Electrifying the Fleet / Light Duty Vehicles - Corporate Fleet Electrification [Financial Impacts - \$45,000], 2022-24

- A. THAT Report No. 2022-24, titled Light Duty Vehicles - Corporate Fleet Electrification BE RECEIVED; and
- B. THAT Council ENDORSE the plan to convert 10 Light Duty Vehicles to Battery Electric Vehicles over the next nine years; and
- C. THAT staff BE DIRECTED to include the recommended departmental transfers to reserve to acquire battery electric vehicles as an unmet need in the 2022 Estimates Committee in the amount of \$45,000.

12.1.3 Road Dedicating By-law, Gillespie Drive and Bee Crescent [Financial Impact - None], 2022-31

- A. That Report 2022-31 titled "Road Dedicating By-law, Gillespie Drive and Bee Crescent" BE RECEIVED; and
- B. That the following by-laws BE PRESENTED to City Council for ADOPTION:
 - i. By-law to declare and dedicate Part 2, Reference Plan 2R-8617, City of Brantford, as part of the Public Highway, to be known as Gillespie Drive; and
 - ii. By-law to declare and dedicate Part 4, Reference Plan 2R-8617, City of Brantford, as part of the Public Highway, to be known as Bee Crescent.

12.1.4 Strickland Avenue Road Dedication By-law [Financial Impact – none], 2022-19

- A. That Report 2022-19 titled "Strickland Avenue Road Dedication By-law" BE RECEIVED; and
- B. That the following by-law BE PRESENTED to City Council for ADOPTION:

- C. By-law to declare and dedicate Part 2, Reference Plan 2R-8149, City of Brantford, as part of the Public Highway, to be known as Strickland Avenue.

12.1.5 KPMG Service Review Update: Community Grants and Community Foundation Funding [Financial Impacts: None], 2022-29

THAT report 2022-29 KPMG Service Review Update: Community Grants and Community Foundation Funding BE RECEIVED.

12.1.6 City of Brantford Youth Strategy and Action Plan [Financial Impacts: None], 2022-28

- A. THAT Report 2022-28 City of Brantford Youth Strategy and Action Plan BE RECEIVED; and
- B. THAT Staff BE DIRECTED to implement the Empowering Youth: City of Brantford Youth Strategy Action Plan as outlined in Appendix A.

12.1.8 Noise Attenuation Wall along Colborne Street West

WHEREAS the Council of the Corporation of the City of Brantford has facilitated the construction of noise attenuation berms, walls and fencing surrounding railway tracks and four-lane roadways throughout the city, and

WHEREAS Colborne St., West from the intersection of Veterans Memorial Parkway to Pleasant Ridge Road constitutes a major four lane entry point to the area known as West Brant and,

WHEREAS during construction of the Veterans Memorial Parkway and intersection realignment, the Council of the day committed to installing sufficient noise attenuation measures protecting the area residents from noise being generated by increasing traffic flows and volumes and,

WHEREAS residents of the Oakhill Drive community have expressed concern of high noise levels emanating from Colborne Street West, and

WHEREAS City Council directed staff to conduct a noise study along Colborne Street West for the determination of existing noise sources, noise levels, potential mitigation options and potential cost to the City to implement options identified in the study, and

WHEREAS report 2019-317 “Colborne Street West – Noise Study” was received by City Council and confirmed a continuous elevated noise level above guidelines stated by the World Health Organization and The

Ontario Ministry of Transportation and Ministry of Environment, Conservation and Parks, and

WHEREAS report 2019-317 “Colborne Street West – Noise Study” indicated a continuous noise barrier adjacent to the residential properties would reduce the unwanted noise to approximately one third of the adjacent neighborhood, and

WHEREAS it is understood that environmental noise, especially that which is caused by transportation means, can lead to health disturbances including sleep deprivation, and

WHEREAS during the June 22nd, 2021 meeting of Council, a resolution was passed to pause the Oak Park Road Extension EA in order to explore alternatives at which item ‘D’ was included to direct staff to explore “Preliminary design of traffic improvements and noise attenuation along Colborne Street West from Fire Station 4 to 400m west of D’Aubigny Road.”

NOW THEREFORE BE IT RESOLVED

THAT staff BE DIRECTED to design and construct the noise attenuation wall along Colborne Street West as recommended in Report 2019-317 “Colborne Street West – Noise Study” by Q4 2022.

12.2 Social Services Committee Report #2022-01-12

12.2.1 COVID-19 Social Services Relief Funding Update [Financial Impact: None], 2022-30

- A. THAT report 2022-30 COVID-19 Social Services Relief Funding Update BE RECEIVED; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.

12.2.2 Child Care and Early Years Workforce Funding [Financial Impact – \$1,159,810 Grant Received], 2022-10

- A. THAT report 2022-10 Child Care and Early Years Workforce Funding BE RECEIVED; and
- B. THAT staff BE DIRECTED to proceed with development and implementation of the Child Care and Early Years Workforce Funding project; and

- C. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.

12.3 Committee of the Whole - Planning and Administration Report #2022-01-18

12.3.4 Robinson Avenue Road Widening Dedication [Financial Impact – None], 2022-27

- A. That Report 2022-27 titled “Robinson Avenue Road Widening Dedication” BE RECEIVED; and
- B. THAT the following By-law BE PRESENTED to City Council for ADOPTION:
- i. By-law to declare and dedicate Part of lots 24 and 26, Plan 294; being Part 5 on 2R-8580; Being Part of the PIN 32112-0054 (LT) City of Brantford, as part of the Public Highway, to be known as Robinson Avenue.

12.3.5 Review of Former Parks and Recreation Policy 010 Special Event Policy [Financial Impact – None], 2022-51

- A. THAT Staff Report 2022-51 regarding “Review of Former Parks and Recreation Policy 010 – Special Event Policy” BE RECEIVED; and
- B. THAT the revised Special Event Policy attached as Appendix “A” to Staff Report 2022-51 BE APPROVED; and
- C. THAT Parks and Recreation Policy-010 Special Event Policy BE REPEALED and REPLACED with Community Services & Social Development, Community Programming & Social Development Special Event Policy – 001; and
- D. THAT the necessary by-law to amend By-law 70-2010, being a By-law to Adopt various City of Brantford Policies and to create a Corporate Policy Manual, by repealing Parks and Recreation Policy-010 Special Event Policy by replacing with Community Services & Social Development, Community Programming & Social Development Special Event Policy – 001 BE PRESENTED to City Council for adoption; and
- E. THAT the City Clerk BE DIRECTED to update the Corporate Policy Manual to reflect the changes approved; and
- F. THAT the updated Special Event Standard attached as Appendix “B” to Staff Report 2022-51 BE RECEIVED.

6. STATUTORY PUBLIC MEETINGS

There were no statutory public meetings held.

7. RECOGNITION OF ACHIEVEMENTS

There were no recognitions of achievement.

8. PROCLAMATIONS

Moved by Councillor Carpenter

Seconded by Councillor Antoski

THAT the following proclamations BE APPROVED:

8.1 Random Act of Kindness Day - February 17, 2022

WHEREAS Brant Community Foundation, a charity serving Brantford, Brant County, Six Nations of the Grand River and Mississaugas of the Credit First Nation, builds community vitality and ;

WHEREAS, February 17, 2022, has been earmarked by the Brant Community Foundation as a day to recognize kindness and humanity in our communities and;

WHEREAS Brant Community Foundation is committed to encouraging random acts of kindness as a way to touch the lives of another and make our world a better place

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Brantford hereby PROCLAIMS February 17, 2022, to be Random Act of Kindness Day and encourages all citizens to embrace kindness and pay "acts of kindness" forward as a key to achieving a better community.

8.2 Youth Sport Appreciation Week - March 12 - 19, 2022

WHEREAS The Brantford Sports Council is an organization that promotes the development and delivery of youth sports in our community. Advocate for local sport organizations, and promote sports tourism. A community partnership dedicated to the betterment of sport in Brantford; and

WHEREAS The Brantford Sports Council proudly supports some 18 Youth Sport organizations that provide quality sport experiences to the children of Brantford and area; and

WHEREAS Thousands of children are registered annually in a variety of youth sport programming in the City of Brantford each year; and

WHEREAS the youth sport organizations are supported by Community residents who volunteer countless hours of their time in support of Youth Sport in our City; and

WHEREAS although the Covid-19 Pandemic has had a significant impact across all elements of our community. the sport community in our City of Brantford remains positive, vibrant and excited about the future of sport beyond the pandemic; and

WHEREAS The Brantford Sports Council is enthusiastically celebrating youth sport in our community in a safe manner; and engaging the athletes, coaches, families and community stakeholders with a variety of virtual opportunities to showcase their organization and the importance of youth sport in our community; and

WHEREAS in recognition of this week, a limited number of members from the Sport Community will join Mayor Kevin Davis at Harmony Square on Friday March 11th, 2022 at 12 pm, as he raises the flag to promote Youth Sport in Brantford; and to acknowledge and honour the many volunteers and community stakeholders that support the sport programming offered in our community; and

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the City of Brantford hereby PROCLAIMS the week of month of March 12, 2022 as “Youth Sport Appreciation Week” in the City of Brantford.

Recorded Vote on All Proclamations

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utle, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

9. DELEGATIONS

9.1 Sandra Biggar

Re: Item 13.1 CAO COVID-19 Emergency Update 01.25.22

Sandra Biggar appeared before Council to provide comment on meeting operations for Council and its Committees. Ms. Biggar requested Council consider resuming hybrid meetings with public in-person attendance sooner than the date included in the report's recommendation.

10. CLERK'S REPORT ON COMMUNICATIONS, 2022-104

Moved by Councillor Sicoli

Seconded by Councillor Vanderstelt

THAT the Clerk's Report on Communication for January 2022 BE RECEIVED.

Recorded Vote on Clerk's Report on Communications:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

11. MINUTES

Moved by Councillor Wall

Seconded by Councillor McCreary

THAT the following Minutes BE ADOPTED:

11.1. Special City Council – January 11, 2022

11.2. Special City Council – Private and Confidential – January 11, 2022

11.3. Estimates Committee – January 5, 2022

11.4. Estimates Committee – January 10, 2022

11.5. Estimates Committee – January 12, 2022

11.6. Estimates Committee – January 17, 2022; and

THAT the following minutes BE RECEIVED:

11.7. John Noble Home Committee of Management – January 17, 2022

Recorded Vote on All Minutes:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

12. COMMITTEE REPORTS

Prior to taking up the items separated from the Committee Reports, Council disposed of Item 13.1 - CAO COVID-19 Emergency Update 01.25.22 as there had been a delegate for this item

13.1 CAO COVID-19 Emergency Update 01.25.22 [Financial Impact: NONE], 2022-35

Moved by Councillor Antoski

Seconded by Councillor Carpenter

- A. THAT report 2022-35, titled CAO COVID-19 Emergency Update 01.25.22 BE RECEIVED; and
- B. THAT the Clerk BE DIRECTED to resume Council and its Committee Hybrid Operation Commencement – Phased Approach (Phase One) effective March 1 Committee of the Whole – Operations; and
- C. THAT the Director of Economic Development & Tourism BE AUTHORIZED to execute the 2021 amending agreement to the Museum Funding Agreement with Brant Historical Society for the provision of the grant in the maximum eligible amount set out in Section 9.0 of Report 2020-207, subject to approval as to form by the City Solicitor or designate, and
- D. THAT the Director of Economic Development & Tourism BE AUTHORIZED to execute the 2021 amending agreement to the Museum Funding Agreement with Glenhyrst Art Gallery of Brant for the provision of the grant in the maximum eligible amount set out in Section 9.0 of Report 2019-264, subject to approval as to form by the City Solicitor or designate, and
- E. THAT the Community Cultural Investment Program – Annual Operating Grants Terms of Eligibility BE WAIVED as they relate to the 2022 eligible grant calculation only for core operating and annual operating grants.

Amendment

Moved by Councillor McCreary

Seconded by Councillor Martin

THAT Clause B of Item 13.1 BE AMENDED to have a commencement date of February 1 for hybrid meetings, with a 50% attendance capacity which will be reviewed at the February 22, 2022 City Council meeting.

Recorded Vote on Amendment to Item 13.1:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

Recorded Vote on Item 13.1 As Amended:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

Moved by Councillor Utley

Seconded by Councillor Sless

THAT all Items in the Committee Reports (Items 12.1 to 12.5) separated for discussion purposes BE APPROVED.

12.1 Committee of the Whole - Operations Report #2022-01-11

12.1.7 Rotary Centennial Waterworks Park Pavilion – Naming “The Margot and Paul Williamson Family Pavilion”

WHEREAS the Brant Waterways Foundation (BWF) has provided funding assistance and advocacy to support initiatives in Brantford, Brant County and Six Nations of the Grand River that enhance, restore, protect and preserve the natural heritage of the Grand River since 1988; and

WHEREAS the BWF launched the TIRA (Trail Improvement & River Access) campaign in 2019 to support local projects contributing to healthy outdoor recreational activities and conservation of the Grand River watershed; and

WHEREAS the BWF as part of the TIRA program, committed to contribute \$250,000 to the City over 5 years to help fund several capital projects focused on protecting and enhancing the natural environment and improving river and trail access at Rotary Centennial Waterworks Park and D’Aubigny Creek Park; and

WHEREAS City Council directed staff to recognize the BWF for their generous contribution to the City through the installation of signage acknowledging the TIRA donation in Rotary Centennial Waterworks Park (CPREC 2019-391, Brant Waterways Foundation Trail Improvement & River Access Donation); and

WHEREAS Paul and Margot Williamson' generous \$100,000 donation to the TIRA campaign, was instrumental in the success of the fundraising initiative; and

WHEREAS this significant contribution to the community meets the City criteria with respect to naming and recognition;

NOW THEREFORE BE IT RESOLVED:

- A. THAT the Rotary Centennial Waterworks Park Pavilion BE NAMED "The Margot and Paul Williamson Family Pavilion", and;
- B. THAT Staff BE DIRECTED to design and install recognition signage on the pavilion as part of the improvements to the Rotary Centennial Waterworks Park pavilion project , TIRA donor recognition signage and associated landscaping works to be implemented around the pavilion at Rotary Centennial Waterworks Park in 2022.

Recorded Vote on Item 12.1.7

YES: (10): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (10 to 0)

As Councillor Utlely had declared a conflict of interest on this Item, he did not participate in the vote and refrained from all discussion.

12.3 Committee of the Whole - Planning and Administration Report #2022-01-18

12.3.1 Zoning By-law Amendment PZ-03-20 – 9 Lloyd Street [Financial Impact - None], 2022-15

As Mayor Davis had declared a conflict of interest on this Item, Councillor Martin assumed the Chair.

- A. THAT Zoning By-law Amendment Application PZ-03-20, submitted by IBI Group on behalf of 2484201 Ontario Inc., affecting the lands located at 9 Lloyd Street to amend and change the zoning to "Holding -

Residential Medium Density Type A - Exception 49 Zone (H-R4A-49)" and to "Open Space Restricted Zone (OS3)" to permit 25 townhouse units, BE APPROVED in accordance with the applicable provisions outlined in Section 9.3 of Report 2022-15; and

- B. THAT the By-law to remove the "Holding (H)" provision from the subject lands not be presented to Council until the following conditions have been satisfied:
- i. THAT the applicant has entered into a Site Plan Agreement to address all servicing and financial matters associated with the development, to the satisfaction of The Corporation of the City of Brantford; and
 - ii. THAT the applicant has submitted a scoped Environmental Impact Study (EIS), prepared by a qualified professional, to the satisfaction of the City; and
- C. THAT Pursuant to Section 34(18.2) 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 and 9.4.1 of Report 2022-15."

Recorded Vote on Item 12.3.1

YES: (10): Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (10 to 0)

As Mayor Davis had declared a conflict of interest on this Item, he did not participate in the vote and refrained from all discussion.

12.3.2 Notice of Intention to Demolish an Accessory Structure at 106 Oak Street, which is a Listed Property on the City of Brantford's Heritage Register [Financial Impacts – None], 2022-23

Mayor Davis resumed the Chair.

THAT Staff Report 2022-23, titled “Notice of Intention to Demolish an Accessory Structure at 106 Oak Street, which is a Listed Property on the City of Brantford’s Heritage Register”, BE RECEIVED.

Recorded Vote on Item 12.3.2

YES: (8): Mayor Davis, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, and Councillor Van Tilborg

CARRIED (8 to 0)

As Councillor Sicoli and Councillor Wall had declared conflicts of interest on this Item respectively, they did not participate in the vote and refrained from all discussion.

12.3.3 Joint Use Agreement with the Grand Erie District School Board and Update Regarding Negotiations with the Brant Haldimand Norfolk District School Board [Financial Impact None], 2022-50

THAT the following BE REFERRED back to Staff for further negotiations with the Grand Erie District School Board:

- A. THAT Report 2022-50 Joint Use Agreement with the Grand Erie District School Board and Update Regarding Negotiations with the Brant Haldimand Norfolk District School Board BE RECEIVED; and
- B. THAT Staff BE DIRECTED to formally terminate the current Major Ballachey Hub Space agreement (Appendix A and incorporate the terms and conditions of use for this space into the Joint Use Agreement (attached Appendix B); and
- C. THAT Council APPROVE the attached Joint Use Agreement with the Grand Erie District School Board; and
- D. THAT the Clerk BE DIRECTED to place the Joint Use Agreement between The Corporation of the City of Brantford and the Grand Erie District School Board (Grand Erie) on the January 25th, 2022 City Council signing by-law.

Recorded Vote on Item 12.3.3

YES: (10): Mayor Davis, Councillor Sicoli, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (10 to 0)

12.4 Estimates Committee Report #2022-01-17

12.4.1 Approval of 2022 Capital Budget and Other Recommendations and Direction provided during the 2022 Capital Budget Process

THAT the 2022 Capital Budget, together with all outstanding recommendations and direction as set out in the 2022 Capital Budget Worksheet, attached hereto and marked as Schedule “A”, BE APPROVED.

Recorded Vote on Item 12.4.1

YES: (9): Mayor Davis, Councillor Sicoli, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, and Councillor Wall

NO: (1): Councillor Van Tilborg

CARRIED (9 to 1)

12.5 Downtown Brantford Improvement Task Force Report #2022-01-20

12.5.1 Closing the Revolving Door of Justice – Resolution

As Mayor Davis wished to fully participate in the discussion of the Item, Councillor Martin assumed the Chair.

WHEREAS the City of Brantford has experienced a substantial increase in criminal activity leaving residents fearful for their personal safety and losing confidence in the criminal justice system; and

WHEREAS the increase in criminal activity is due in part to the failure of the justice system to hold in pre-trial custody many of the likely-to-reoffend individuals, including those who are in serious breach of prior bail conditions, a situation commonly referred to as the “revolving door of justice”; and

WHEREAS those involved in the justice system, from Justices of the Peace to those who have been arrested, acknowledge the “catch and release” bail system contributes to the increase in crime. One individual in particular, who plead guilty to several break and enter charges, together with breaches of probation and release order charges, advised the court during sentencing that he had been arrested 8 times in the previous year and felt that the system bore responsibility for failing to keep him in

custody; and that being released repeatedly without the appropriate supports made it all but impossible for him to discontinue the criminal activity he engaged in; and

WHEREAS concerns continue to be raised by businesses, post-secondary institutions in the downtown area and their student bodies, neighbourhood associations, and citizens regarding the increased criminal activity; and

WHEREAS there is a pressing need for common sense bail reform that gives priority to the dignity and safety of victims over the wellbeing of criminals;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Kevin Davis, Mayor of the City of Brantford, on behalf of the Council of The Corporation of the City of Brantford, correspond with the Honourable David Lametti, Minister of Justice and Attorney General of Canada, insisting that steps be taken immediately by his government to strengthen the bail system, including:
 - i. imposing more demanding and stringent surety and supervision requirements; and
 - ii. imposing more substantive and effective consequences for continued breaches of a judicial interim release order (as known as “bail”) resulting in pre-trial incarceration, which changes are required to safeguard law abiding citizens and to restore the citizens faith in the criminal justice system; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to Brant/Brantford MP Larry Brock and MPP Will Bouma; and
- C. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Ontario Big City Mayors (OBCM); and
- D. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the heads of all Ontario Municipalities with a request that those municipalities consider adopting a similar resolution; and
- E. THAT the City Solicitor BE DIRECTED to send the letter to be sent to the Honourable David Lametti to Brant County, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation to determine if they are willing to be signatories to the letter.

Prior to the vote, a friendly amendment was made with leave of the mover and seconder to include that the City Clerk also be directed to provide the Brantford Police Services Board with a copy of the resolution.

Recorded Vote on Item 12.5.1 as Amended:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

12.5.2 Addressing the Revolving Door of Justice – Accountability for Sureties and Swift Justice – Resolution

WHEREAS the City of Brantford has experienced a substantial increase in criminal activity leaving residents fearful for their personal safety and losing confidence in the criminal justice system; and

WHEREAS the City of Brantford strives to create vibrant, safe, livable neighbourhoods in its community; and

WHEREAS concerns continue to be raised by businesses, the post-secondary institutions in the downtown area and their student bodies, neighbourhood associations, citizens and others; and

WHEREAS bringing matters related to criminal charges more expeditiously through the court system will create a greater deterrence to such behaviour, and therefore improve the safety and security of citizens in this community; and

WHEREAS each year a significant sum of surety money is forfeited further to breaches of the conditions of judicial interim release orders (“bail”); however, the necessary steps are not taken to collect this forfeited money, thus leaving a substantial financial resource unavailable;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Kevin Davis, Mayor of the City of Brantford, on behalf of the Council of The Corporation of the City of Brantford, correspond with the Honourable Prabmeet Sarkaria, President of the Treasury Board and the Honourable Doug Downie, Attorney General of Ontario, insisting that steps be taken immediately by the government to:

- i. provide additional judicial resources dedicated to Brantford to allow for matters to move as expeditiously through the court system as possible; and
- ii. provide such additional space and/or technological resources for the local court to ensure there is adequate space and technological resources to most efficiently address the significant local caseload and consequently decrease the time a matter takes to be fully resolved; and
- iii. dedicate the required resources to collect the forfeited surety monies and reinvest that money back into the provincial judicial system; and

B. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM), Ontario Big City Mayors (OBCM) and the list of other Ontario Municipalities with a request that those municipalities pass similar resolutions; and

C. THAT the City Solicitor BE DIRECTED to send the letter referenced in Clause A to Brant County, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation to determine if they are willing to be signatories to the letter.

Recorded Vote on Item 12.5.2

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

13. URGENT REPORTS

Mayor Davis resumed the Chair.

Item 13.1 - CAO COVID-19 Emergency Update 01.25.22 was disposed of prior to the Committee reports.

14. RESOLUTIONS

There were no Resolutions made at the Meeting.

15. NOTICES OF MOTION

15.1 Time Limit Exemption Permit Parking Criteria - Councillor Sless

Councillor Sless read the title of 15.1.

WHEREAS a Time Limit Exemption Permit provides an exemption to on-street parking time limits as outlined in Schedule 30 of the City Parking By-law 144-88; and

WHEREAS the current Parking By-law 144-88 provides for the issuance of Time Limit Exemption Permits to a qualifying residential premises (dwelling unit within a one, two or three unit family dwelling); and

WHEREAS several requests for Time Limit Exemption Permit from residents of family dwellings located within a four unit family dwelling have been received.

NOW THEREFORE BE IT RESOLVED:

- A. THAT staff BE DIRECTED to amend Parking By-law 144-88 and the definition of a qualifying residential dwelling unit to include up to four family dwelling units, and issue Time Limit Exemptions permits accordingly; and
- B. THAT any necessary by-laws BE PRESENTED to City Council for adoption.

15.2 Urban Road Cross-Section for Wynarden Court - Councillor Utley

Councillor Utley read the title of 15.2.

WHEREAS Wynarden Court is a small street within the City of Brantford maintained and owned by the City; and

WHEREAS Wynarden Court, despite its small size, services a large property with an historically significant residence known as Wynarden (formerly Yates Castle); and

WHEREAS Wynarden is home to members of the Talos family who have owned, operated, and maintained Wynarden for many decades, preserving the history of the castle and investing in the beautification of the property; and

WHEREAS Wynarden is also home to tenants who require access to their respective residences by way of both Wynarden Court and the walkway that was installed and designed by the property owner; and

WHEREAS the owner of Wynarden has requested that the municipality invest in repairs to Wynarden Court, including repairs to or reconstruction of the abutting walkway providing access to Wynarden and the installation of curbs or other design improvements to control the flow of water along the roadway;

NOW THEREFORE BE IT RESOLVED:

THAT Staff BE DIRECTED to prepare a report by Q3 2022 with the estimated cost for the design and construction of Wynarden Court to an urbanized municipal cross-section, in accordance with the City Standards and Specifications, including improvements to the right-of-way to ensure private property connections are maintained

16. BY-LAWS

1st and 2nd Reading

Moved by Councillor Sicoli

Seconded by Councillor Vanderstelt

THAT LEAVE BE GIVEN to the Mover and Seconder to introduce the following By-laws for 1st and 2nd Reading:

- | | |
|--------|---|
| 1-2022 | By-law to declare and dedicate Part of Block 5, Kerr Tract, City of Brantford, being Part 2 on Reference Plan 2R-8149, City of Brantford, being Part of the PIN 32074-1152 (LT), as part of the public highway, to be known as Strickland Avenue (2022-19) (Committee of the Whole – Operations Report #2022-01-11) |
| 2-2022 | By-law to amend By-law 160-90, being a By-law to regulate the use of lands and the location and use of buildings and structures in the City of Brantford (PZ-03-20) (9 Lloyd Street) (2022-15) (Committee of the Whole – Planning and Administration Report #2022-01-18) |
| 3-2022 | By-law to declare and dedicate Part Lot 24 and 26, Plan 294; Being Part 5 on 2R-8580; Being Part of the PIN 32112-0054 (LT) City of Brantford, as part of the public highway, to be known as Robinson Avenue. (2022-27) (Committee of the Whole – Planning and Administration Report #2022-01-18) |
| 4-2022 | By-law of the City of Brantford to relieve certain parts of lots or blocks from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990 c.P.13, as amended (Part Lot Control) (PLC-04-2021) (720 Grey Street) (Corporate Policy 10 – Delegation of Authority – Schedule B) |
| 5-2022 | By-law of the City of Brantford to relieve certain parts of lots or blocks from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990 c.P.13, as amended (Part Lot Control) (PLC-05-2021) (78 and 80 Witteveen Drive) (Corporate Policy 10 – Delegation of Authority – Schedule B) |
| 6-2022 | By-law of the City of Brantford to relieve certain parts of lots or blocks from the provisions of Section 50(5) of the Planning Act, |

- R.S.O. 1990 c.P.13, as amended (Part Lot Control) (PLC-06-2021) (462, 464, 466, 468, 470 and 472 Blackburn Drive) (Corporate Policy 10 – Delegation of Authority – Schedule B)
- 7-2022 By-law of the City of Brantford to relieve certain parts of lots or blocks from the provisions of Section 50(5) of the Planning Act, R.S.O. 1990 c.P.13, as amended (Part Lot Control) (PLC-07-2021) (11 and 13 Elkington Lane) (Corporate Policy 10 – Delegation of Authority – Schedule B)
- 8-2022 By-law to authorize the John Noble Home Bell Court Redevelopment Project and to make provision for the financing of the foregoing (Estimates Committee Report #2022-01-17)
- 9-2022 By-law to authorize the Updated Accommodation Strategy 2020 – Earl Ave Redevelopment Project and to make provision for the financing of the foregoing (Estimates Committee Report #2022-01-17)
- 10-2022 By-law to amend By-Law No. 58-2019, as previously amended, (Being a By-law to authorize the Police Service Headquarters Redevelopment Project and to make provision for the financing of the foregoing) (Estimates Committee Report #2022-01-17)
- 11-2022 By-law to amend By-law 160-90, being a By-law to regulate the use of lands and the location and use of buildings and structures in the City of Brantford by removing the 'Holding' Provision from the subject lands (PZ-19-20) (2020-441) (Committee of the Whole – Community Development Report #2020-11-10)
- 12-2022 By-law to amend Chapter 326 - Business Licensing of the City of Brantford Municipal Code to add Schedule A-15 Short Term Rental Accommodations (2021-165) (Committee of the Whole – Operations and Admin Report #2021-03-02)
- 13-2022 By-law to amend By-law 70-2010, Being a By-law to Adopt Various City of Brantford Policies and to Create a Corporate Policy Manual, by repealing Parks and Recreation Policy – 010 – Special Event Policy and creating Community Services & Social Development Policy 001 – Special Events Policy (2022- 51) (Committee of the Whole – Planning and Administration Report #2022-01-18)
- 14-2022 By-law to Confirm the Proceedings of the Council of The Corporation of the City of Brantford with respect to the Meeting held on January 25, 2022.

By-law 2-2022 and By-law 10-2022 were separated.

Recorded Vote on the 1st and 2nd Reading of all By-laws not separated:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

Councillor Martin assumed the Chair.

Recorded Vote on the 1st and 2nd Reading of By-law 2-2022

YES: (10): Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (10 to 0)

As Mayor Davis declared a conflict on Item 12.3.1 – Zoning By-law Amendment PZ-03-20 regarding 9 Lloyd Street, and By-law 2-2022 was brought forward via the recommendation of Item 12.3.1, Mayor Davis did not participate in the vote on the By-law and refrained from all discussion.

Mayor Davis resumed the Chair.

Moved by Councillor McCreary

Seconded by Councillor Martin

THAT By-law 10-2022 BE DEFERRED for one cycle to allow staff to provide further information regarding the management of the project.

Recorded Vote on the Deferral of By-law 10-2022:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

3rd Reading

Moved by Councillor Van Tilborg

Seconded by Councillor Wall

THAT By-law 1-2022 through to and including By-law 9-2022, and By-laws 11-2022 through to and including By-law 14-2022 BE TAKEN as read a third time, and be finally passed and signed by the Mayor and Clerk.

By-law 2-2022 and By-law 12-2022 were separated.

Recorded Vote on the 3rd Reading of all By-laws not separated:

YES: (11): Mayor Davis, Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (11 to 0)

Councillor Martin Assumed the Chair

Recorded Vote on the 3rd Reading of By-law 2-2022:

YES: (10): Councillor Sicoli, Councillor Vanderstelt, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

CARRIED (10 to 0)

As Mayor Davis declared a conflict on Item 12.3.1 – Zoning By-law Amendment PZ-03-20 regarding 9 Lloyd Street, and By-law 2-2022 was brought forward via the recommendation of Item 12.3.1, Mayor Davis did not participate in the vote on the By-law and refrained from all discussion.

Mayor Davis resumed the Chair.

Moved by Councillor Wall

Seconded by Councillor McCreary

THAT By-law 12-2022 BE AMENDED by striking Section 5, Clause D to remove the licensing parking requirement.

Moved by Councillor Wall

Seconded by Councillor McCreary

THAT By-law 12-2022 BE REFERRED back to so that a report may be provided in the next cycle regarding further information on associated parking requirements

Recorded Vote on Referral of By-law 12-2022:

YES: (9): Mayor Davis, Councillor Sicoli, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Antoski, Councillor Van Tilborg, and Councillor Wall

NO: (1): Councillor Carpenter

CARRIED (9 to 1)

17. ADJOURNMENT

The meeting adjourned at 8:21 P.M.

K. Davis, Mayor

Tanya Daniels, City Clerk