



CITY COUNCIL

MINUTES

February 22, 2022

6:00 p.m.

Brantford City Hall, 58 Dalhousie Street

Hybrid Meeting

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 Sless, Councillor Utley, Councillor Martin, Councillor McCreary, Councillor Carpenter, Councillor Antoski, Councillor Wall, Councillor Van Tilborg

Regrets: Councillor Vanderstelt

4. DECLARATIONS OF CONFLICTS OF INTEREST

4.1 Item 12.2.1 – Child Care and Early Years 10-Year Plan 2022-2032 [Financial Impact – none] – Councillor Sless

Councillor Sless declared a conflict of interest on Item 12.2.1 as his daughters are employed as Early Child Educators (ECE), in both licensed and unlicensed facilities. Councillor Sless did not participate in debate or the vote on the item and associated by-laws.

4.2 Proposed Amendments to Chapter 206 - Animal Control [Financial Impact - None], 2022-33 – Councillor Sicoli

Councillor Sicoli declared a conflict of interest on Item 12.3.3 at Committee of the Whole – Planning and Administration as a result of the nature of the discussion, as her colleague owns a dog daycare. Councillor Sicoli noted at Council that there was no conflict with Item 12.3.3 as written. As the discussion on Item 12.3.3 did not include discussion on a dog daycare, Councillor Sicoli participated in the debate and vote on the item.

4.3 Item 12.3.5 – Enactment of a By-law to Regulate in Respect of the Fortification of and Protective Elements Applied to Land [Financial Impact - None], 2022-120 – Councillor Wall

Councillor Wall declared a conflict of pecuniary interest on Item 12.3.5 – Enactment of a By-law to regulate in Respect of the Fortification of and Protective Elements Applied to Land as he owns a surveillance system which would restrict compliance.

4.4 Item 12.3.5 – Enactment of a By-law to Regulate in Respect of the Fortification of and Protective Elements Applied to Land [Financial Impact - None], 2022-120 – Mayor Davis

Mayor Davis declared a conflict of pecuniary interest on Item 12.3.5 – Enactment of a By-law to regulate in Respect of the Fortification of and Protective Elements Applied to Land as he owns a surveillance system which would restrict compliance.

5. SEPARATION OF ITEMS IN COMMITTEE REPORTS FOR DISCUSSION PURPOSES

Moved by Councillor Sicoli

Seconded by Councillor Wall

THAT all Items contained within the Committee Reports (Items 12.1 to 12.4) not separated for discussion purposes BE APPROVED.

Recorded Vote on All Items Not Separated for Discussion Purposes:

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)

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

12.1 Committee of the Whole - Operations Report #2022-02-01

12.1.1 2021 Film Annual Report [Financial Impact: None], 2022-5

THAT Report No. 2022-5 regarding the 2021 Film Annual Report BE RECEIVED.

12.1.2 44 Elgin Street – Tractor-Trailer Access Improvements [Financial Impact - \$2,500], 2021-709

- A. THAT report no. 2021-709 titled “44 Elgin Street –Tractor-Trailer Access Improvements” BE RECEIVED; and
- B. THAT the driveway approach BE IMPROVED at 44 Elgin Street; and
- C. THAT the implementation cost for boulevard improvements, not to exceed \$2,500, BE FUNDED from the Operational Services operating budget; and
- D. THAT the necessary by-laws BE PRESENTED to City Council for ADOPTION.

12.1.3 Balmoral Drive at Oxford Street – All-way Stop Control [Financial Implication - None], 2022-13

- A. THAT report 2022-13 regarding “Balmoral Drive at Oxford Street – All-way Stop Control” BE RECEIVED; and
- B. THAT all-way stop control BE APPROVED at the intersection of Balmoral Drive at Oxford Street; and
- C. THAT Schedule “1” of Traffic By-law 37-83 which pertains to “Through Highway” BE AMENDED as outlined in Appendix “A” of report no. 2022-13 dated February 1, 2022; and
- D. THAT the necessary by-laws BE PRESENTED to City Council for adoption.

12.1.4 Fire Route on Private Property – 206-216 Dunsdon Street [Financial Impact – None], 2022-38

- A. THAT report No. 2022-38 titled “Fire Route on Private Property – 206-216 Dunsdon Street” BE RECEIVED; and

- B. THAT Schedule “27” of Parking by-law 144-88, which pertains to “Fire Routes on Private Property” BE AMENDED by adding the Fire Route for 206-216 Dunsdon Street; and
- C. THAT the necessary by-law BE PRESENTED to City Council for adoption.

12.1.5 Park Road North – Parking and Traffic Control to Accommodate On-street Parking [Financial Impact - None], 2022-14

- A. THAT report no. 2022-14 regarding “Park Road North – Parking and Traffic Control to Accommodate On-street Parking” BE RECEIVED; and
- B. THAT staff BE DIRECTED to realign the pavement markings on Park Road North from Brier Park Road to Dunsdon Street to accommodate on-street parking on the west side of the street; and
- C. THAT “No Parking” BE REPEALED on the west side of Park Road North from Dunsdon Street to Brier Park Road; and
- D. THAT a Pedestrian Crossover BE APPROVED on Park Road North at Brier Park Road; and
- E. THAT the necessary by-laws BE PRESENTED to City Council for adoption.

12.1.6 Powerline Road – Posted Speed Limit Reduction [Financial Implication - None], 2022-12

- A. THAT Report no. 2022-12 regarding “Powerline Road – Posted Speed Limit Reduction” BE RECEIVED; and
- B. THAT Staff BE DIRECTED to reduce the speed limit on Powerline Road between Paris Road and the easterly City limit from 80 km/h to 60 km/h and install posted speed limit signs to reflect the change; and
- C. THAT Staff BE DIRECTED to install flashing warning beacons on the existing "Intersection Ahead" warning signs on Powerline Road located east and west of Balmoral Drive and on Powerline Road located east and west of Brantwood Park Road.
- D. THAT the necessary by-laws BE PRESENTED to City Council for adoption.

12.1.7 Standardization of Audible Push Buttons [Financial Impact – None], 2022-7

- A. THAT Report No. 2022-7 titled “Purchase and Standardization of Audible Push Buttons” BE RECEIVED; and
- B. THAT Council APPROVE the non-competitive procurement and product standardization of the supply, delivery, and installation of Polara Audible Push Buttons from Tacel Ltd., pursuant to Section 4.02(a) and (f) of the Purchasing Policy for a five (5) year term (2022 to 2026 inclusive); and
- C. THAT the General Manager of Public Works and the Purchasing Officer BE AUTHORIZED to execute the agreement with Tacel Ltd.

12.1.8 Museum Sustainability Plan Implementation Progress Update [Financial Impact: None], 2022-4

THAT Report No. 2022-4 regarding the Museum Sustainability Plan Implementation Progress Update BE RECEIVED.

12.1.9 Letter of Agreement for 2021-2022 Dedicated Gas Tax Funds for Public Transportation Program from the Ministry of Transportation [Financial Impact - \$1,493,053], 2022-58

- A. THAT Report 2022-58 entitled Letter of Agreement for 2021-2022 Dedicated Gas Tax Funds for Public Transportation Program from the Ministry of Transportation BE RECEIVED; and
- B. THAT the Mayor and Clerk BE AUTHORIZED to sign a Letter of Agreement between the City of Brantford and Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario relating to the 2021-2022 Dedicated Gas Tax Funds for Public Transportation Program and that the Agreement BE PLACED on the Signing By-law.

12.1.10 Healthy Kids Annual Update [Financial Impact: None], 2022-39

THAT Report 2022-39 Healthy Kids Annual Update BE RECEIVED.

12.1.11 Time Limit Exemption Permit Parking Criteria

WHEREAS a Time Limit Exemption Permit provides an exemption to onstreet 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.

12.1.12 Urban Road Cross-Section for Wynarden Court

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.

12.2 Social Services Committee Report #2022-02-02

12.2.2 Update on Community Services and Social Development location at the Cowan Community Health Hub [Financial Impact: None], 2022-96

- A. THAT Report 2022-96 regarding 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.

12.3 Committee of the Whole - Planning and Administration Report #2022-02-08

12.3.2 Short Term Accommodation – Parking Requirements [Financial Impacts: None], 2022-145

- A. THAT Report 2022-145 entitled Short Term Accommodation – Parking Requirements BE RECEIVED; and
- B. THAT the parking requirement regarding each primary driveway being able to accommodate a vehicle per bedroom rented BE STRUCK as a parameter from the Short Term Rental Accommodation registry program as approved in March of 2021 (Report 2021-165); and
- C. THAT the necessary By-law to amend Chapter 326, Business Licensing of the City of Brantford Municipal Code to add Schedule A-15- Short Term Rental Accommodation, BE PRESENTED to City Council for adoption.

12.3.4 Proposed Amendments to Chapter 478 – Signs – Outdoor –Other Advertising Devices, Additional Information [Financial Impact - None], 2022-127

- A. THAT Report 2022-127, Proposed Amendments to Chapter 478 – Signs – Outdoor – Other Advertising Devices, Additional Information, BE RECEIVED as information; and

- B. THAT staff BE DIRECTED to present a by-law to amend Chapter 478 – Signs – Outdoor – Other Advertising Devices, to include:
- i. the definition of digital sign
 - ii. regulations pertaining to brightness, dwell time, and transition time
 - iii. existing signs that meet the definition of a digital sign be required to comply with digital sign regulations
 - iv. the definition of electronic message display to differentiate from the definition of a digital sign
 - v. reducing the separation distance between an illuminated sign and signalized intersection or crosswalk from 50 m to 30 m.
 - vi. a minimum dwell time of 8 seconds.

12.3.6 Building Construction Process Review Task Force Report 01-20-22

1. Development Approvals Process (DAP) Review: Phase 1 Implementation Plan [Financial Impact – None], 2022-74

- A. THAT Report 2022-74, “Development Approvals Process Review: Phase 1 Implementation Plan”, BE RECEIVED; and
- B. THAT Staff BE DIRECTED to develop a Terms of Reference to hire a consultant to complete a Planning and Development Application and Service Fee Review for Council consideration; and
- C. THAT Staff BE DIRECTED to undertake a review of the Site Plan, Site Alteration and Security Release processes to implement the “As Should Be” recommendations contained in the final DAP report, and report back to the Task Force and Council with recommendations by the end of Q2 2022; and
- D. THAT Staff BE DIRECTED to develop a Standard Operating Procedure and Planning Application Manual as part of their work plan for 2022; and
- E. THAT Staff BE DIRECTED to solicit a proposal from North Lake Design Lab to develop a work plan, schedule and budget to

configure all the required Planning functions in AMANDA for consideration by the Task Force and Council; and

- F. THAT Staff BE DIRECTED to report back to the Task Force and Council with an annual implementation update; and
- G. THAT a copy of this report BE FORWARDED to the development community who participated in the public comment process as well as the Brantford-Brant Chamber of Commerce; and
- H. THAT Staff BE DIRECTED to procure the Cloudpermit Building Module and associated implementation costs and that these costs BE FUNDED from the Building Department Operating Budget.

2. Security Release Process

WHEREAS, Builders and Developers are the lifeblood of the City of Brantford in job creation and significant property tax revenues; and

WHEREAS, Builders and Developers are required to provide the City with securities to ensure new construction comply with all building standards; and

WHEREAS, Developments can vary in size and scope for Residential, Commercial and Industrial projects; and

WHEREAS, securities deposited with the City correspond to the size of the development from thousands to millions of dollars; and

WHEREAS, Builders and Developers pay interest to the lender as well as guaranteeing the security with a corresponding amount with their bank; and

WHEREAS, the current process with the City is to hold the full amount of the security until all aspects of the project are completed to the satisfaction of the building inspector; and

WHEREAS, the project completion sign off may occur long after the building is completed; and

WHEREAS, a new process is required to provide our valued business partners with a fairer system to return their securities at set stages of project completion; and

WHEREAS, another option may be to set an upper limit on the security amount;

NOW THEREFORE BE IT RESOLVED THAT Staff BE DIRECTED to report back to the Building Construction Process Review Task Force with recommendations and answers on the following:

- A. How can the City refund partial payments at completion of key stages of the project?
- B. What are the key stages of a project?
- C. What is the feasibility of setting a dollar cap on securities rather than the full amount of the project?
- D. Investigations into allowing builders and developers to post performance labour and materials bonds;
- E. What barriers, if any, exist that prevent timely building inspections?
- F. What is the average time it takes to return securities after a project has been approved by the building inspector?
- G. That the Task Force chair invites comments from a sample of local Builders and developers for their input.

12.3.8 Dissolve the OLT (Ontario Land Tribunal)

THAT the following BE DEFERRED two cycles:

WHEREAS Municipalities across this province collectively spend millions of dollars of taxpayer money and municipal resources developing Official Plans that meet current Provincial Planning Policy; and

WHEREAS an Official Plan is developed through months of public consultation to ensure that future planning and development will meet the specific needs of The Corporation of the City of Brantford; and

WHEREAS our Official Plan includes intensification policies that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

WHEREAS our Official Plan is ultimately approved by the province; and

WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the City of Brantford Official Plan; and

WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the City of Brantford Official Plan; and

WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the City of Brantford; and

WHEREAS the OLT has the authority to make a final decision on planning matters based on a standard of “best planning outcome” and not strictly whether the proposed development is in compliance with municipal Official Plans and Provincial Planning Policy; and

WHEREAS all decisions—save planning decisions—made by Municipal Council are subject to appeal by judicial review and such appeals are limited to questions of law and/or process; and

WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans; and

WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and often futile OLT hearings; and

WHEREAS lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED:

- A. THAT the City of Brantford REQUESTS that the Government of Ontario dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
- B. THAT a copy of this Motion BE SENT to the Honourable Doug Ford, Premier of Ontario, the Minister of Municipal Affairs and

Housing, the Leader of the Opposition, the Leaders of the Liberal and Green Party, all MPPs in the Province of Ontario, the Large Urban Mayors' Caucus of Ontario, the Small Urban GTHA Mayors and Regional Chairs of Ontario; and

- C. THAT a copy of this Motion BE SENT to the Association of Municipalities of Ontario (AMO), Chamber of Commerce, Home Owners Association, BREA and all Ontario municipalities for their consideration.

12.3.9 Police Station Task Force

WHEREAS in 2020 the City of Brantford engaged Colliers to review previous assessments to reconfirm Brantford Police Station needs and to investigate options available to accommodate future growth; and

WHEREAS Colliers was reengaged later in 2020 to investigate in more detail the expansion on the current location; and

WHEREAS, based on the above, the City of Brantford has approved a total capital budget of \$39,000,000; and

WHEREAS staff reports 2021-47 – Update on Brantford Police Services Facility Accommodations Plans and 2021-321 – Brantford Police Services Facility Redevelopment Funding Sources have been presented to and approved by Council and the Police Services Board; and

WHEREAS the City of Brantford has had success in establishing accommodation steering committees in the past with the Wayne Gretzky Sports Complex, New City Hall and Walter Gretzky Golf Centre;

NOW THEREFORE BE IT RESOLVED:

- A. THAT a Task Force BE ESTABLISHED and named the Police Station Task Force; and
- B. THAT the following three members of Council BE APPOINTED to the Police Station Task Force
- i. Councillor Dan McCreary
 - ii. Councillor Greg Martin
 - iii. Councillor Jan Vanderstelt; and

- C. THAT the Brantford Police Services Board BE REQUESTED to appoint the Brantford Police Services Board Chair Mark Littell to the Police Station Task Force; and
- D. THAT the Task Force BE SUPPORTED by:
- i. City of Brantford staff liaisons, selected by the Chief Administrative Officer, who will provide technical and operational advice, and staff assistance; and
 - ii. The City Clerk, or designate, to assist with agenda preparation, minute taking, and meeting preparations; and
 - iii. Other staff as needed to support the mandate and deliverables of the Task Force; and
- E. THAT the Brantford Police Services Board BE REQUESTED to designate staff to support the Police Station Task Force; and
- F. THAT the mandate of the Polices Station Task Force is to provide advice and recommendations to City Council regarding the Brantford Police Services Facility Redevelopment project; and
- G. THAT the Task Force report to the Committee of the Whole – Operations; and
- H. THAT the term of the Task Force BE ESTABLISHED until such a time as the Task Force, recommends its disbandment having achieved its mandate.

12.4 Appointments Committee Report #2022-02-15

12.4.1 Representative for FCM Cannabis Committee

- A. THAT Councillor Carpenter BE APPOINTED as a representative of Brantford City Council to the proposed Federation of Canadian Municipalities (FCM) Committee to recommend amendments to The Cannabis Act; and
- B. THAT the City Clerk BE DIRECTED to provide a copy of this resolution to the Federation of Canadian Municipalities when the formal process for appointment of representatives commences.

12.4.3 Appointment of Liaison Members to various Committees, Boards, Advisory Committees and Task Forces

- A. THAT the following Liaison appointments BE APPROVED:

- i. **Brantford Airport Board**
Jared Houliston (Brantford-Brant Chamber of Commerce) for a term to expire November 30, 2024.
 - ii. **Brantford Cultural Advisory Committee**
Ana Olson (Brant Museums and Galleries Association) and Lorna Stratton (Brant Performing Arts) for a term to expire November 30, 2024.
 - iii. **Brantford Heritage Committee**
Nathan Etherington (Brant Museums and Galleries Association) for a term to expire November 30, 2024.
 - iv. **Brantford Accessibility Advisory Committee**
Bev Davidson (Canadian Hearing Services), Kristina Walgreave (W. Ross Macdonald School), and Sarah Manary (Vision Loss Rehabilitation Canada, formerly CNIB) for a term to expire November 30, 2024.
 - v. **South West Task Force**
Robert Milmine (Shellard Neighbourhood Association) for a term to expire November 30, 2024.
- B. THAT the necessary By-law BE PRESENTED to City Council for adoption; and
- C. THAT the appointment of members to the Active Transportation Subcommittee BE DEFERRED to allow Staff to provide a report on the current goals objectives, and funding of the Subcommittee.

6. STATUTORY PUBLIC MEETINGS

There were no statutory public hearings held at the meeting.

7. RECOGNITION OF ACHIEVEMENTS

There were no recognitions of achievement made at the meeting.

8. PROCLAMATIONS

There were no proclamations made at the meeting.

9. PRESENTATIONS/DELEGATIONS [list, if any, available at meeting]

9.1 Eden and Edward Post

Eden Post attended before Council regarding Item 12.3.3 - Proposed Amendments to Chapter 206 - Animal Control. Ms. Post asked that more

consideration be given to the proposed limit on the number of hens permitted to be kept. Ms. Post spoke in opposition of requiring permission from neighbours to keep chickens. Ms. Post spoke in support of the existing by-laws in place to regulate the keeping of urban chickens.

Ms. Post answered questions of members of Council.

9.2 Bill LaSalle

Bill LaSalle attended before Council regarding Item 12.3.7 Coyote Sightings. Mr. LaSalle spoke in opposition of an online submission form to report coyote sightings and asked that the City consider implementing a long term Wildlife Management Plan. Mr. LaSalle supports a public education program and a tagging program in conjunction with the Ministry of Natural Resources and Fisheries.

Mr. LaSalle answered questions of members of Council.

10. CLERK'S REPORT ON COMMUNICATIONS

Moved by Councillor McCreary

Seconded by Councillor Martin

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

Recorded vote on Clerk's Report on Communications:

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

CARRIED (9 to 0)

11. MINUTES

Moved by Councillor Utley

Seconded by Councillor Sless

THAT the following Minutes BE ADOPTED:

11.1 City Council - December 21, 2021

11.2. Special City Council - December 21, 2021

11.3. Special City Council - January 20, 2022

11.4. Special City Council - January 25, 2022

11.5. Special City Council - February 2, 2022

- 11.6. Special City Council - February 7, 2022
- 11.7. Special City Council - February 8, 2022
- 11.8. Special City Council - Private and Confidential - January 20, 2022
- 11.9. Special City Council - Private and Confidential - January 25, 2022
- 11.10. Special City Council - Private and Confidential - February 2, 2022
- 11.11. Special City Council - Private and Confidential - February 8, 2022

Recorded vote on all Minutes:

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. COMMITTEE REPORTS

Moved by Councillor Van Tilborg
Seconded by Councillor Wall

THAT all Items in the Committee Reports (Items 12.1 to 12.4) separated for discussion purposes BE APPROVED.

In accordance with past practice, prior to taking up the separated items in the Committee Reports, Council first disposed of Items 12.3.3 and 12.3.7, as there were delegations for these items.

12.3 Committee of the Whole - Planning and Administration Report #2022-02-08

12.3.3 Proposed Amendments to Chapter 206 - Animal Control [Financial Impact - None], 2022-33

THAT the following BE REFERRED back to Staff for further information regarding requiring permission from neighbouring properties to qualify for a license to keep chickens:

- A. THAT Report 2022-33, Proposed Amendments to Chapter 206 – Animal Control, BE RECEIVED; and
- B. THAT staff BE DIRECTED to present a by-law to amend Chapter 206 – Animal Control, to include:
 - i. regulations pertaining to the keeping, harbouring, and possessing of chickens;

- ii. a permit process pertaining to the keeping, harbouring, and possessing of chickens; and
 - iii. amendments to the definition of kennel to align with the definition of kennel as approved in the City of Brantford Zoning By-Law 160-90, as defined in Report No. 2022-33; and
- C. THAT staff BE DIRECTED to present a by-law to amend By-Law 52-2021, being a by-law to Fix Fees and Charges collected by the City of Brantford, to include the proposed inspection fee of \$100.

AMENDMENT

Moved by Councillor Sless
Seconded by Councillor Utley

THAT the referral BE STRUCK to leave the main motion as follows:

- A. THAT Report 2022-33, Proposed Amendments to Chapter 206 – Animal Control, BE RECEIVED; and
- B. THAT staff BE DIRECTED to present a by-law to amend Chapter 206 – Animal Control, to include:
 - i. regulations pertaining to the keeping, harbouring, and possessing of chickens;
 - ii. a permit process pertaining to the keeping, harbouring, and possessing of chickens; and
 - iii. amendments to the definition of kennel to align with the definition of kennel as approved in the City of Brantford Zoning By-Law 160-90, as defined in Report No. 2022-33; and
- C. THAT staff BE DIRECTED to present a by-law to amend By-Law 52-2021, being a by-law to Fix Fees and Charges collected by the City of Brantford, to include the proposed inspection fee of \$100.

Recorded Vote on Amendment

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)

Recorded Vote on Item 12.3.3 as Amended

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)

12.3.7 Coyote Sightings

WHEREAS there have been numerous sightings of coyotes in the city;
and

WHEREAS citizens are concerned about the potential danger of
coyotes attacking small children, pets and related risk of rabies; and

WHEREAS the City is limited in our ability to track the increasing
numbers of coyotes;

NOW THEREFORE BE IT RESOLVED THAT Staff BE DIRECTED to:

- A. Develop a service request whereby members of the community can notify the City of coyote sightings and suspected deaths of deer and small animals in the city via an online submission form on the City's website, to determine how widespread sightings are over a 3 month period; and
- B. Contact the Ministry of Natural Resources (MNR) to request their support in tracking/tagging and managing the coyote population in the City; and
- C. Develop a public awareness/education campaign to promote the new reporting tool and to provide tips for residents regarding how to respond and react to potential close contact with coyotes in their neighborhoods, and;
- D. Upon completion of the data collection, provide Council and the MNR with a memo outlining the findings.

AMENDMENT

THAT Item 12.3.7 BE AMENDED to add the following as Clause E:

THAT Council THANK Mr. LaSalle and THAT staff BE DIRECTED to review the comments from the delegation and to return to COW in June cycle with a Wildlife Management Plan.

Recorded Vote on Amendment:

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)

Recorded Vote on Item 12.3.7 as Amended:

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)

12.2 Social Services Committee Report #2022-02-02**12.2.1 Child Care and Early Years 10-Year Plan 2022-2032 [Financial Impact – none]**

- A. THAT report 2022-20 Child Care and Early Years 10-Year Plan 2022-2032 BE RECEIVED; and
- B. THAT Staff BE DIRECTED to implement the Child Care and Early Years 10-Year Plan 2022-2032 and provide annual update reports to Social Services Committee; and
- C. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.

Recorded Vote on Item 12.2.1:

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

CARRIED (9 to 0)

As Councillor Sless declared a conflict of interest on Item 12.2.1, he did not participate in the vote and refrained from all discussion.

12.3 Committee of the Whole - Planning and Administration Report #2022-02-08

12.3.1 2022 Municipal Election Planning, Legislation Update, Compliance Audit Committee Plan and Corporate Use of Resources in an Election Policy Update [Financial Impact –None], 2022-16

- A. THAT Report 2022-16 titled “2022 Municipal Election Planning, Legislation Update, Compliance Audit Committee Plan and Corporate Use of Resources in an Election Policy Update” BE RECEIVED; and
- B. THAT the Clerk BE DELEGATED THE AUTHORITY to solicit and select Members of the Municipal Election Compliance Audit Committee, and prepare the necessary By-law for presentation in advance of the October 1, 2022 deadline; and
- C. THAT the necessary By-law to amend By-law 70-2010, Being a By-law to adopt various City of Brantford Policies, by repealing and replacing Council Policy - 004 (Use of Corporate Resources for Election Purposes) as attached as Appendix A BE PRESENTED to City Council for adoption.

Recorded Vote on Item 12.3.1:

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

CARRIED (10 to 0)

12.3.5 Enactment of a By-law to Regulate in Respect of the Fortification of and Protective Elements Applied to Land [Financial Impact - None], 2022-120

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

- A. THAT Report 2022-120, “Enactment of a By-law to Regulate in Respect of the Fortification of and Protective Elements Applied to Land”, BE RECEIVED; and
- B. THAT By-law 164-2007, being a By-law to regulate the fortification of land and protective elements applied to land and to prohibit excessive fortification of land and excessive protective elements

being applied to land in relation to the use of land within the City of Brantford, BE REPEALED; and

- C. THAT the necessary By-law to Regulate in Respect of the Fortification of and Protective Elements Applied to Land BE PRESENTED to City Council for adoption; and
- D. THAT Staff BE DIRECTED to include the following in the by-law:
 - i. Surveillance equipment shall not include video cameras or “night vision” systems that capture sidewalks or roadways adjacent to the Lands, where there is no reasonable expectation of privacy.

Recorded Vote on Item 12.3.5:

YES: (8): Councillor Sicoli, Councillor Utey, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Carpenter, Councillor Antoski, and Councillor Van Tilborg

CARRIED (8 to 0)

As Mayor Davis and Councillor Wall declared a conflict of interest on Item 12.3.5, they did not participate in the vote and refrained from all discussion.

12.4 Appointments Committee Report #2022-02-15

12.4.2 Appointment of Citizen Members to various Committees, Boards, Advisory Committees and Task Forces

As Mayor Davis was not present at the time of taking up item 12.4.2, and Councillor Antoski requested that item 12.4.2 be separated, Councillor Wall assumed the Chair.

- A. THAT the following citizen appointments BE APPROVED:
 - i. **Environmental and Sustainability Policy Advisory Committee**
Michael Sullivan and Andy Straisfeld for a term to expire November 30, 2024.
 - ii. **Brantford Heritage Committee**
Parwinder Singh and Michael Sullivan for a term to expire November 30, 2026.
 - iii. **Community Heritage and Cultural Space Task Force**
Andy Straisfeld for a term to expire November 30, 2024.

- iv. **Downtown Business Improvement Area Board of Management**
Sandra Micucci for a term to expire November 14, 2022; and
- B. THAT the necessary By-law BE PRESENTED to City Council for adoption; and
- C. THAT the appointment of members to the Active Transportation Subcommittee BE DEFERRED to allow Staff to provide a report on the current goals objectives, and funding of the Subcommittee.

AMENDMENT

Moved by Councillor Antoski
Seconded by Councillor Carpenter

THAT item 12.4.2 Clauses A and B BE REFERRED to Appointments Committee for re-selection of the candidates.

Recorded Vote on Amendment:

YES: (2): Councillor Carpenter, and Councillor Antoski

NO: (8): Mayor Davis, Councillor Sicoli, Councillor Utle, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Van Tilborg, and Councillor Wall

LOST (2 to 8)

Mayor Davis resumed the Chair.

Recorded Vote on Item 12.4.2:

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

CARRIED (10 to 0)

13. URGENT REPORTS

13.1 CAO COVID-19 Emergency Update 02.22.22, 2022-151

Moved by Councillor Antoski
Seconded by Councillor Carpenter

- A. THAT report 2022-151, titled CAO COVID-19 Emergency Update 02.22.22 BE RECEIVED; and

- B. THAT the staff BE DIRECTED to administer a capacity limit of Council Chambers that reflects the Provincial regulations or Fire Code regulations, whichever is the presiding legislation impacting the attendance regulations of the space; and
- C. THAT proof of vaccination NOT BE REQUIRED for indoor City facilities effective upon the Province removing this requirement.

Recorded Vote on Item 13.1:

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

CARRIED (10 to 0)

13.2 Streamlining Development Approval Fund - 2022-155

Moved by Councillor Wall

Seconded by Councillor McCreary

- A. THAT Report 2022-155 entitled Streamlining Development Approval Fund BE RECEIVED; and
- B. THAT Clerk BE DIRECTED to place the Ontario Transfer Payment Agreement for the receipt of funds to streamline the development approval process for the City of Brantford on a Council signing by-law for execution by the Mayor and Clerk.

Recorded Vote on Item 13.2:

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

CARRIED (10 to 0)

14. RESOLUTIONS

There were no resolutions.

15. NOTICES OF MOTION

Councillor Antoski assumed the Chair.

Councillor McCreary read the title of the following Notice of Motion:

15.1 Ashgrove Avenue Stop Sign & Safety Measures - Councillor McCreary

WHEREAS the Ashgrove Avenue corridor is heavily travelled; and

WHEREAS the road width is extremely narrow; and

WHEREAS sightlines are restricted due to on-street parking; and

WHEREAS school children use the corridor to travel back and forth to Cedarland School; and

WHEREAS school times are very congested; and

WHEREAS an accident on February 1, 2022 has injured two children and further demonstrated the need for changes to improve safety;

NOW THEREFORE BE IT RESOLVED:

- A. THAT all-way stop control BE BY-LAWED at the intersection of Ashgrove Avenue and Waxwing Way; and
- B. THAT temporary stop signs BE INSTALLED immediately; and
- C. THAT a neighbourhood meeting BE ARRANGED by staff to hear suggestions and then devise a plan to implement further safety measures; and
- D. THAT any necessary by-laws BE PRESENTED to City Council for adoption.

Councillor Wall read the title of the following Notice of Motion:

15.2 Salvage Yard - Expanded Licensing - Councillor Wall

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 addiction and mental health challenges 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 and REPORT BACK to Council with potential amendments to Chapter 326 of the City of Brantford Municipal Code to license the seller of goods at Salvage Yards.

Mayor Davis read the title of the following Notice of Motion:

15.3 Joint and Several Liability - Mayor Davis

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 and the current AMO President, Jamie McGarvey at amopresident@amo.on.ca.

16. BY-LAWS

Mayor Davis resumed the Chair.

1st and 2nd Reading

Moved by Councillor Martin

Seconded by Councillor McCreary

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

17-2022 By-law to authorize the execution of AGREEMENTS individually dated and listed on Schedule 'A' attached hereto:

1. Letter of Agreement between the City of Brantford and Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario relating to the 2021-2022 Dedicated Gas Tax Funds for

Public Transportation Program (2022-58) (Committee of the Whole – Operations Report #2022-02-01).

2. Ontario Transfer Payment Agreement regarding Receipt of Funds from the Streamline Development Approval Fund (2022-155) (City Council – 2022-02-22)

- 18-2022 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)
- 19-2022 By-law to amend By-law 37-83, being a by-law to regulate Traffic in the City of Brantford (Balmoral Drive at Oxford Street – Schedule 1 – Through Highways - All-way Stop Control) (2022-13) (Committee of the Whole – Operations Report #2022-02-01)
- 20-2022 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Sifton Properties – Dunsdon Street - Schedule 27 – Fire Routes on Private Property) (2022-38) (Committee of the Whole – Operations Report #2022-02-01)
- 21-2022 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Park Road North – Schedule 7 – Parking Prohibited at Anytime) (2022-14) (Committee of the Whole – Operations Report #2022-02-01)
- 22-2022 By-law to amend By-law 37-83, being a by-law to regulate Traffic in the City of Brantford (Park Road North – Schedule 5 – Lane Designation, Schedule 16 – Pedestrian Crossovers) (2022-14) (Committee of the Whole – Operations Report #2022-02-01)
- 23-2022 By-law to amend By-law 37-83, being a by-law to regulate Traffic in the City of Brantford (Powerline Road – Schedule 8 – Speed Regulations) (2022-12) (Committee of the Whole – Operations Report #2022-02-01)
- 24-2022 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Time Limit Exemption Permit Parking – Section 64(d) – Qualifying Residential Premises means a dwelling unit within a one, two, three or four family dwelling) (Committee of the Whole – Operations Report #2022-02-01)
- 25-2022 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Myrtleville Drive - Schedule 12 – Alternate

- Side of Street Parking) (Public Works Policy – 021 Amending On-Street Parking Regulations)
- 26-2022 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Barker Street - Schedule 7 – Parking Prohibited at Anytime) (Public Works Policy – 021 Amending On-Street Parking Regulations)
- 27-2022 By-law to amend By-law 70-2010, Being a By-law to adopt various City of Brantford Policies, by repealing and replacing Council Policy - 004 (Use of Corporate Resources for Election Purposes) (2022-16) (Committee of the Whole – Planning and Administration Report #2022-02-08)
- 28-2022 By-law to amend Chapter 326, Business Licensing of the City of Brantford Municipal Code to add Schedule A-15- Short Term Rental Accommodation (2022-145) (Committee of the Whole – Planning and Administration Report #2022-02-08)
- 29-2022 By-law to amend Chapter 478 – Signs – Outdoor – Other Advertising Devices, Additional Information (2022-127) (Committee of the Whole – Planning and Administration Report #2022-02-08)
- 30-2022 By-law to Regulate in Respect of the Fortification of and Protective Elements Applied to Land (2022-120) (Committee of the Whole – Planning and Administration Report #2022-02-08)
- 31-2022 Being a By-law to Appoint Citizen Members and Liaisons to Various Boards, Advisory Committees and Task Forces (Appointments Committee Report #2022-02-15)
- 32-2022 By-law to amend Chapter 478 (Signs – Outdoor – Other Advertising Devices) of the City of Brantford Municipal Code (CD2018-024) (Committee of the Whole – Community Development Report #2018-03-04)
- 33-2022 By-law to confirm the Proceedings of the Council of The Corporation of the City of Brantford with respect to the Meeting held on February 22, 2022.

Recorded Vote on 1st and 2nd Reading of All By-Laws not Separated

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

CARRIED (10 to 0)

Recorded Vote on 1st and 2nd Reading of By-law 26-2022

YES: (8): Mayor Davis, Councillor Sicoli, Councillor Utle, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Antoski, and Councillor Wall

NO: (2): Councillor Carpenter, and Councillor Van Tilborg

CARRIED (8 to 2)

Recorded Vote on 1st and 2nd Reading of By-law 30-2022

As Mayor Davis declared a conflict of interest on the item associated with this by-law, Councillor Antoski assumed the Chair.

YES: (7): Councillor Sicoli, Councillor Utle, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Antoski, and Councillor Van Tilborg

NO: (1): Councillor Carpenter

CARRIED (7 to 1)

Mayor Davis and Councillor Wall declared a conflict of interest on the item associated with this by-law, they did not vote on the by-law and refrained from all discussion.

3rd Reading

Mayor Davis resumed the Chair.

Moved by Councillor Sless

Seconded by Councillor Utle

THAT By-law 17-2022 through to and including By-law 33-2022 BE TAKEN as read a third time, and be finally passed and signed by the Mayor and Clerk.

Recorded Vote on 3rd Reading of All By-Laws not Separated

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

CARRIED (10 to 0)

Recorded Vote on 3rd Reading of By-law 26-2022

YES: (8): Mayor Davis, Councillor Sicoli, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Antoski, and Councillor Wall

NO: (2): Councillor Carpenter, and Councillor Van Tilborg

CARRIED (8 to 2)

Recorded Vote on 3rd Reading of By-law 30-2022

As Mayor Davis declared a conflict of interest on the item associated with this by-law, Councillor Antoski assumed the Chair.

YES: (7): Councillor Sicoli, Councillor Utley, Councillor Sless, Councillor McCreary, Councillor Martin, Councillor Antoski, and Councillor Van Tilborg

NO: (1): Councillor Carpenter

CARRIED (7 to 1)

Mayor Davis and Councillor Wall declared a conflict of interest on the item associated with this by-law, they did not vote on the by-law and refrained from all discussion.

17. ADJOURNMENT

The meeting adjourned at 8:25 PM.

K. Davis, Mayor

Tanya Daniels, City Clerk