



CITY COUNCIL

MINUTES

November 24, 2020

6:00 p.m.

Video Conference – Council Chambers

Brantford City Hall, 100 Wellington

1. NATIONAL ANTHEM

The National Anthem was played.

2. INVOCATION

Mayor Davis read the invocation.

3. ROLL CALL

Present:

- Mayor Davis
- Councillor Weaver
- Councillor Vanderstelt
- Councillor Utley
- Councillor Sless
- Councillor McCreary
- Councillor Martin
- Councillor Carpenter
- Councillor Antoski
- Councillor Van Tilborg
- Councillor Wall

After the procedures were reviewed, Mayor Davis provided comments on the current COVID-19 pandemic.

4. DECLARATIONS OF CONFLICTS OF INTEREST

4.1 Councillor Vanderstelt - Zoning By-law Amendment PZ-12-20 and Extension to a Draft Approved Plan of Subdivision 29T-16502 – 501 Shellard Lane (Losani Homes) [Financial Impact – None], 2020-407

The applicant is a customer of Councillor Vanderstelt's business.

Councillor Vanderstelt did not participate in debate or voting on the associated item.

4.2 Councillor Sless - Appointment of Citizen Members to various Committees, Boards, Advisory Committees and Task Forces

A citizen appointment to a committee is Councillor Sless's daughter in-law.

Councillor Sless did not participate in debate or voting on the associated item.

5. SEPARATION OF ITEMS IN COMMITTEE REPORTS FOR DISCUSSION PURPOSES

Moved by Councillor Van Tilborg

Seconded by Councillor Wall

THAT all Items in the Committee Reports (Items 10.1 to 10.6) not separated for discussion purposes BE APPROVED.

Recorded Vote on all Items Not Separated:

YES: (11): Mayor Davis, Councillor Weaver, 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 subject to the vote were approved unanimously on a recorded vote:

10.1 Appointments Committee Report #2020-11-03

10.1.3 Appointment of Liaison Representatives to Various Committees, Boards, Advisory Committees and Task Forces

THAT the following Liaison Member appointments BE APPROVED:

Brantford Accessibility Advisory Committee

Sandy Gdyczynski (Landsdowne Children's Centre) and Chris Ayres (Adult Recreation Therapy Centre) for a term to expire on November 24, 2024.

Impaired and Distracted Driving Committee

Sherri-Lyn Hill Pierce (Elected Council of Six Nations of the Grand River) for a term to expire November 14, 2024.

Economic Development Advisory Committee

Keri Korfmann (Business Improvement Area BIA) for a term to expire on November 14, 2024.

10.2 Committee of the Whole - Operations and Administration Report #2020-11-03

10.2.1 Corporate Climate Change Action Plan and Climate Lens Assessment [Financial Impact – 2020 \$0], 2020-472

- A. THAT Report 2020-472 BE RECEIVED; and
- B. THAT the Corporate Climate Change Action Plan, including the emissions reductions targets outlined in Appendix A BE APPROVED; and
- C. THAT Staff BE DIRECTED to update the 10 year capital plan to include the proposed Climate Change Action Plan 5 year actions described herein;
- D. THAT Staff BE DIRECTED to:
 - i. Bring forward annual updates on the progress of the Climate Change Action Plan
 - ii. Update the Climate Change Action Plan every 5 years; and
- E. THAT the Climate Lens Assessment strategy outlined in Appendix B BE APPROVED for continued development and implementation in November 2021.

10.2.2 Sport Tourism Strategy - Annual Status Report (2020) [Financial Impact: None], 2020-411

- A. THAT staff report 2020-411 regarding the 2020 annual status report of the City of Brantford Sport Tourism Strategy BE RECEIVED; and
- B. THAT staff REPORT BACK by Q4 annually on the status of the implementation of the Sport Tourism Strategy.

10.2.3 Status of 399 Wayne Gretzky Parkway [Financial Impact: None], 2020-498

- A. THAT Staff Report 2020-498 - Status of 399 Wayne Gretzky Parkway BE RECEIVED; and
- B. THAT Staff BE DIRECTED to proceed with the plan for temporary use and explore alternative future uses of 399 Wayne Gretzky Parkway as outlined in this report; and
- C. THAT staff BE DIRECTED to put a 3 year hold on plans to list the property and REPORT BACK with further recommendations on potential future uses.

10.2.4 Municipal Street Naming and Addressing [Financial Impact – None], 2020-424

- A. THAT Report No 2020-424 titled Municipal Street Naming and Addressing BE RECEIVED; and
- B. THAT the Municipal Street Naming Policy (Corporate-048) attached as Appendix A to Report 2020-424 BE APPROVED; and
- C. THAT the 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 adopting Corporate-048 Municipal Street Naming Policy BE PRESENTED to City Council for adoption; and
- D. THAT the draft Municipal Address Number By-law attached as Appendix B to Report 2020-424 BE PRESENTED to City Council for adoption; and
- E. THAT the Municipal Street Naming and Addressing Guide attached as Appendix C to Report 2020-424 BE ENDORSED by City Council; and
- F. THAT the General Manager of Public Works and the General Manager of Community Development BE AUTHORIZED to approve revisions to the Municipal Street Naming and Addressing Guide to reflect changes to the Municipal Street Naming Policy as approved by City Council and changes related to the general administration of street naming and addressing; and

- G. THAT the list of Current Street Names (November 2020) attached as Appendix E to Report 2020-424 BE RECEIVED; and
- H. THAT Planning Staff BE DIRECTED to update Council annually regarding the current street name listing and the issuance of new street names.

10.2.5 Woodman Park Community Centre and Pool [Financial Impact - None], 2020-426

- A. THAT report 2020-426 Woodman Park Community Centre and Pool BE RECEIVED; and
- B. THAT staff BE DIRECTED to include additional funding for the design and reconstruction of Woodman Pool and renovations to the Woodman Park Community Centre within the 2021 Capital Program; and
- C. THAT staff ESTABLISHES a funding source for the additional \$1.9 million required to be added to the previously approved project funding PK2018 for the Woodman Park Community and Pool.

10.2.7 Road Closing and Land Exchange – Wayne Gretzky Parkway and Lynden Park Mall Entrance [Financial Impact – None], 2020-479

- A. THAT Report No. 2020-479, entitled Road Closing and Land Exchange – Wayne Gretzky Parkway and Lynden Park Mall, BE RECEIVED; and
- B. THAT Staff BE DIRECTED to initiate the process to close a portion of Wayne Gretzky Parkway; and
- C. THAT City Council APPROVE the land exchange between the City and North American Development Group Limited, I.G. Investment Management Ltd., conditional on the required road closing; and
- D. THAT the required Sales By-Law BE PRESENTED to City Council for adoption; and
- E. THAT the necessary Road Closure By-law BE PRESENTED to City Council for adoption.

10.2.8 Public Access Defibrillator Policy replace with Automatic External Defibrillator (AED) Standard [Financial Impact: None],2020-14

- A. THAT report 2020-14 'Public Access Defibrillator Policy BE RECEIVED; and
- B. THAT Council REPEAL Corporate Policy-027 Public Access Defibrillator Program; and
- C. THAT the necessary By-Law BE PRESENTED to Council for adoption.

10.2.9 Approval of Proclamation, Councillor Attendance and Flag Flying Policies [Financial Impact – None], 2020-448

- A. THAT Report 2020-448 BE RECEIVED; and
- B. THAT Council-003 Annual Council/ Committee Attendance Report for Members of Council Policy BE APPROVED; and
 - i. THAT the attendance policy BE AMENDED to add regrets reported by Members of Council due to other Formal Municipal Business (such as municipal conferences, conflicting municipal meetings).
- C. THAT Corporate-049 Proclamation Request Policy BE APPROVED; and
 - i. THAT the Proclamation Request Policy BE AMENDED to include that Proclamations must be submitted by a local resident or organization to be considered.
- D. THAT Corporate-004 Flag Flying at Municipal Buildings Policy BE AMENDED; and
 - i. THAT the Half-Masting portion of the Flag Flying Policy BE AMENDED to include the additional guideline of tragic events of national, provincial or local significance and that upon initiating the Half-Masting of the Flag, Members of Council and the public shall be notified by the Communications Department.
- E. THAT the necessary By-law(s) to amend By-law 70-2010 to adopt Council-003 Annual Council/ Committee Attendance Report for Members of Council Policy and Corporate-049 Proclamation Request Policy and to repeal and replace

Corporate-004 Flag Flying at Municipal Buildings Policy BE PRESENTED to City Council for adoption.

10.2.10 Rededication of the Art Stanbridge Walkway [Financial Impact – None], 2020-510

- A. THAT Staff Report No. 2020-510 entitled, “Rededication of the Art Stanbridge Walkway BE RECEIVED; and
- B. THAT the Manager of Real Estate BE DELEGATED authority to execute a licence agreement between Wilfrid Laurier University and YMCA of Hamilton/Burlington/Brantford and The Corporation of the City of Brantford for the purposes of securing signage above the Art Stanbridge Walkway.

10.2.11 Vision Zero Road Safety Committee Report regarding RedLight Cameras

- A. THAT Staff BE DIRECTED to obtain a consultant to complete an analysis business case for red light cameras in the City of Brantford, and, if funding permits, introductory-level information the requirements of implementing automated speed enforcement to an upset limit of \$60,000 to be funded from the Capital Funding Envelope Reserve (RF0556); and
- B. THAT the Consultant REPORT BACK to the Vision Zero Road Safety Committee.

10.2.12 Launch of the Brantford Immigration Partnership [Financial Impact: None], 2020-416

THAT Report 2020-416 Launch of the Brantford Immigration Partnership BE RECEIVED.

10.2.13 Community Physician Recruitment 2020 Program and 2021 Action Plan [Financial Impact: None], 2020-421

THAT Report 2020-421 Community Physician Recruitment 2020 Program and 2021 Action Plan BE RECEIVED.

10.2.14 Motion Regarding Unsafe Disposal of Needles within the City of Brantford

WHEREAS the Government of Ontario introduced Needle Exchange Programs or Harm Reduction Supply Programs in the late 1980's; and

WHEREAS the Brant County Health Unit, in partnership with other local service providers, participates in the Needle Exchange Program, supplying sterile injection equipment (needles) within the City of Brantford; and

WHEREAS the Brant County Health Unit is governed by an independent Board of Health and is not operated by The Corporation of the City of Brantford; and

WHEREAS the unsafe disposal of needles/syringes within municipalities throughout Ontario, including the City of Brantford, is a significant health and safety concern; and

WHEREAS one unsafe discarded needle is too many; and

WHEREAS the distribution of needles by the Brant County Health Unit and partner agencies contributes to and compounds the problem of the unsafe disposal of needles on both public and private property within the City of Brantford, including parks, school yards, trails, and other locations where children may be exposed to this type of bio-hazardous waste; and

WHEREAS The Corporation of the City of Brantford installed two large-scale needle disposal containers at strategic locations within the City, which have not lessened the issue of unsafe needle disposal throughout the City;

NOW THEREFORE, the Municipal Council of The Corporation of the City of Brantford hereby resolves as follows:

- A. THAT the Brant County Health Unit and its partner agencies to BE REQUESTED to suspend the Needle Exchange Program or Harm Reduction Supply Program, as the case may be, if within 45 days the Brant County Health Unit has not provided the Corporation of the City of Brantford with a plan, satisfactory to the municipality, to eliminate the harm of the unsafe disposal of needles and syringes within the City of Brantford; and

- B. THAT the unsafe disposal of bio-hazardous waste, such as needles and syringes, BE DECLARED to be a nuisance and that staff BE DIRECTED to bring forward a by-law to amend Chapter 556 of the City of Brantford Municipal Code (Public Nuisance By-law) to make the unsafe disposal of bio-hazardous waste, such as needles and syringes, an offence pursuant to Chapter 556; and
- C. THAT the Corporation of the City of Brantford file a request with the Province of Ontario to review and reevaluate the Harm Reduction Supply Program taking into account its impact on communities and neighbourhoods and;
- D. THAT the Corporation of the City of Brantford to send a written request to our MPP Will Bouma requesting that he seek support and resources from the Province of Ontario to empower the health unit to seek innovative and creative solutions regarding needle distribution and collection; and
- E. THAT the Clerk BE DIRECTED to forward a copy of this resolution to the Brant County Health Unit, the Board of Health for the Brant County Health Unit, the Member of Provincial Parliament for Brantford/Brant – Mr. Will Bouma and the Association of Municipalities of Ontario.

10.2.15 Brantwood Park Road and Sympatica Crescent at Lynden Hills Park – Traffic Control - Councillor Antoski

WHEREAS there is no pedestrian crosswalk painted across Brantwood Park Road at the Brantwood Park Road and Sympatica Crescent intersection; and

WHEREAS pedestrians regularly cross Brantwood Park Road to access Lynden Hills Park; and

WHEREAS Brantwood Park Road sees consistent traffic with report of speeding making crossing Brantwood Park Road difficult to cross without traffic control; and

WHEREAS vehicles on Brantwood Park Road are not required to stop at the Brantwood Park Road and Sympatica Crescent intersection; and

WHEREAS it is important to ensure safe access to public spaces;

NOW THEREFORE BE IT RESOLVED:

- A. THAT staff BE DIRECTED to undertake a traffic control review to determine if all-way stop control or pedestrian crossover is warranted at the intersection of Brantwood Park Road and Sympatica Crescent in front of Lynden Hills Park; and
- B. THAT staff BE DIRECTED to report back to Council on study results in Q1 2021.

10.2.16 Burwell Street at Lancaster Avenue – All-way Stop Control

WHEREAS a letter dated September 10, 2020 was circulated to the affected neighbourhood seeking feedback with respect to consideration for all-way stop control at the intersection of Burwell Street and Devonshire Avenue; and

WHEREAS staff received very little support for the installation of all-way stop control at the intersection of Burwell Street and Devonshire Avenue; and

WHEREAS staff received significant feedback and support for the installation of all-way stop control at the intersection of Burwell Street and Lancaster Avenue; and

WHEREAS the intersection is stop controlled on Burwell Street only; and

WHEREAS vehicles on Lancaster Avenue are not required to stop at the intersection; and

WHEREAS Lancaster Avenue curves on both approaches to the intersection, making it difficult for motorists on Burwell Street to see approaching vehicles on Lancaster Avenue, and

WHEREAS pedestrians regularly cross Lancaster Avenue and Burwell Street at the intersection to access nearby parks and trails; and

WHEREAS new homes will soon be built on Parkside Drive, west of the intersection, that will increase vehicular and pedestrians volumes at the intersection;

NOW THEREFORE BE IT RESOLVED:

- A. THAT staff BE DIRECTED to change the intersection control to All-way Stop Control; and

- B. THAT the implementation cost for all-way stop control signage and pavement marking, not to exceed \$1,500, BE FUNDED from Operational Services Operating Budget;
- C. THAT any necessary by-laws BE PRESENTED to City Council for adoption.

10.2.17 Walter Street – Traffic Calming Measures

WHEREAS Residents of Walter Street are reporting speeding traffic, distracted driving, and other dangerous driving activities; and

WHEREAS Walter Street is located in a residential neighbourhood that has posted speed limits that are being ignored; and

WHEREAS it is important to deter speeding and unsafe driving in our community;

NOW THEREFORE BE IT RESOLVED:

- A. THAT staff BE DIRECTED to undertake a traffic study investigating the implementation of traffic calming measures on Walter Street; and
- B. THAT staff BE DIRECTED to report back to Council on study finding in Q1 2021.

10.2.18 Accessible Parking Space – North Park Street - Councillor McCreary

WHEREAS a request for an accessible parking space in front of 94 St. George Street was approved at the August 25, 2020 City Council meeting; and

WHEREAS the location of the Accessible Parking Space is better suited on North Park Street beside 71 St. George Street;

NOW THEREFORE The Municipal Council of The Corporation of the City of Brantford HEREBY RESOLVES as follows:

- A. THAT the on-street parking space in front of 94 St. George Street designated as an accessible parking space BE REPEALED; and
- B. THAT an Accessible Parking Space BE BY-LAWED on North Park Street beside 71 St. George Street; and

- C. THAT staff BE DIRECTED to bring forth any necessary by-law amendments pertaining to this resolution for adoption.

10.3 Social Services Committee Report #2020-11-04

10.3.2 Housing Services' Units - Rental Arrears Update [Financial Impact –Unknown], 2020-437

THAT Report 2020-437, Housing Services' Units - Rental Arrears Update BE RECEIVED.

10.3.3 Implications of Bill 204: Helping Tenants and Small Businesses Act, 2020 [Finance Implications: \$101,445 for 2021], 2020-470

THAT Report 2020-470 Implications of Bill 204 for Affordable Housing BE RECEIVED.

10.3.4 Ontario Works Service Delivery Update [Financial Impact: \$1,001,804 Provincial Revenue Loss], 2020-444

THAT Report 2020-444 Ontario Works Employment Services Transition Update [Financial Impact: \$1,001,804 Provincial Revenue Loss] BE RECEIVED.

10.3.5 COVID-19 Human Services Response Funding Update [Financial Impact: None], 2020-524

THAT report 2020-524 COVID-19 Human Services Response Funding Update [Financial Impact: None] be RECEIVED.

10.4 Committee of the Whole - Community Development Report #2020-11-10

10.4.2 Zoning By-law Amendment PZ-02-20 – 120-138 Market Street and 31 and 35 Chatham Street [Financial Impact - None], 2020-221

- A. THAT Zoning By-law Amendment Application PZ-02-20 submitted by Market Street Developments Inc., to change the Zoning of the lands located at 120-138 Market Street and 31 and 35 Chatham Street to "General Commercial Zone (C8-102)" to permit the development of a 10-storey mixed use building, BE APPROVED, subject to the application of a 'Holding' provision and in accordance with the applicable provisions as noted in Section 8.2 of Report 2020-221; and

- B. THAT the By-law to remove the “Holding (H)” provision from the subject lands not be presented to Council for approval until the following conditions have been satisfied:
- i. THAT the applicant has provided a signed Site Plan Agreement to The Corporation of the City of Brantford, along with all necessary securities; and
 - ii. THAT the applicant submit a Stage 2 Archaeological Assessment and any subsequent assessments as required by the Ministry of Heritage, Sport, Tourism, and Culture Industries’ Standard and Guidelines for Consultant Archaeologists, as amended from time to time, as well as copies of all letters from the Ministry of Heritage, Sport, Tourism and Culture Industries verifying that archaeological assessments have been entered into the Ontario Public Register of Archaeological Reports, to the satisfaction of the General Manager of Community Development; and
 - iii. THAT the applicant submits a further addendum to the Heritage Impact Study, prepared by Allan Avis Architect Inc. and Heritage downtowns Inc. dated July 16, 2019, addressing the relevant matters outlined in Staff Report 2020-221, to the satisfaction of The Corporation of the City of Brantford; and
 - iv. THAT approval under Section 34 of the *Ontario Heritage Act* to remove the Crystal Cottage from 35 Chatham Street is received, and that the Crystal Cottage is successfully relocated to a new property, to the satisfaction of The Corporation of the City of Brantford; and
 - v. THAT all servicing issues, financial and otherwise, have been addressed to the satisfaction of The Corporation of the City of Brantford; and
- C. THAT Pursuant to 34(18) of the Planning Act, R.S.O. 1990, c.P.13. the following statement SHALL BE INCLUDED in the Notices 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 7.2 and 8.3.1 of Report 2020-221.”

10.4.4 Mohawk Lake District Plan – Final Plan [Financial Impact – None], 2020-345

- A. THAT Staff Report 2020-345 regarding the Mohawk Lake District Plan – Final Plan BE RECEIVED; and
- B. THAT the final Mohawk Lake District Plan, attached as Appendix B to Report 2020-345, BE APPROVED; and
- C. THAT Planning Staff BE DIRECTED to proceed with an Application to Amend the Official Plan to establish the overall land use policy framework to implement the Mohawk Lake District Plan pursuant to Section 22 (2.2) of *The Planning Act, R.S.O. 1990* and in accordance with Section 8.4 of Report 2020-345; and
- D. THAT Planning Staff BE DIRECTED to proceed with an Application to Amend Zoning By-law 160-90 to permit museum uses and an associated outdoor education and interpretive centre in accordance with Section 8.4 of Report 2020-345; and
- E. THAT a Staff led Mohawk Lake District Implementation Team BE ESTABLISHED with the mandate to lead and coordinate the implementation of the Mohawk Lake District Plan; and
- F. THAT the Mohawk Lake District Implementation Team REPORT BACK to Council with a work plan and to provide an update on implementation activities as necessary by the second quarter in 2021.

10.4.5 Application for Zoning By-law Amendment (Removal of a Holding Provision) PZ-17-20 – 140 Oak Park Road, 2020-439

- A. THAT Zoning By-law Amendment application PZ-17-20, submitted by MHBC Planning on behalf of Vicano Developments Limited, affecting the lands located at 140 Oak Park Road, to remove the Holding “H” provision BE APPROVED, for the reasons set out in Report 2020-439; and
- B. THAT Planning Staff BE DIRECTED to proceed with the preparation of a technical amendment to Zoning By-law 160-90 to consider the removal of uses from the General Industrial M2 Zone that are considered to be incompatible with future residential uses to the south, in accordance with Section 8.2 of Report 2020-439.

10.4.6 Applications for Zoning By-law Amendment (Removal of Holding Provisions) PZ-18-20 and PZ-19-20 – 375 Hardy Road (formerly 395 Hardy Road), 2020-441

- A. THAT Zoning By-law Amendment Application PZ-18-20, submitted by MHBC Planning on behalf of Telephone City Aggregates (TCA), affecting lands located at 375 Hardy Road, to remove the Holding “H” provision BE APPROVED for the reasons set out in Report 2020-441; and
- B. THAT Zoning By-law Amendment Application PZ-19-20, submitted by MHBC Planning on behalf of Telephone City Aggregates (TCA), affecting lands legally described as Part of Lots 18-21, and Part of the Road Allowance between Lots 18-19, Concession 3, in the Geographic Township of Brantford (formerly 395 Hardy Road), to remove the Holding “H” provision BE APPROVED, for the reasons set out in Report 2020-441; and
- C. THAT the By-laws to remove the Holding “H” provisions from the lands subject to applications PZ-18-20 and PZ-19-20 not be presented to Council for approval until the Subdivision Agreements have been entered into between the applicant and the City.

10.4.7 CAO Covid-19 Emergency Update 11.10.20, 2020-520

THAT Report 2020-520 CAO COVID-19 Emergency Update 11.10.20 BE RECEIVED.

10.5 Finance Committee Report #2020-11-12

10.5.1 Paramedic Services Approved 2021 Budget [Financial Impact – 3.5% or \$164,837 increase to the City’s share of costs], 2020-514

- A. THAT report 2020-514 regarding the approved 2021 Paramedic Services Budget BE RECEIVED; and
- B. THAT the City Clerk BE DIRECTED to provide written notice to the County of Brant that City Council elects to refer the 2021 Paramedic Budget for dispute resolution.

10.5.2 Quarterly Status Report of Contracts Awarded [Financial Impact – None], 2020-495

THAT Report 2020-495 titled “Quarterly Status Report of Contracts Awarded” for the period of July 1, 2020 – September 30, 2020 BE RECEIVED.

10.6 Special Committee of the Whole - Community Development Report #2020-11-19

10.6.1 Envisioning Our City: 2051 – The New Official Plan for the City of Brantford [Financial Impact – None], 2020-139

THAT Item 4.1, Envisioning Our City: 2051 - The New Official Plan for the City of Brantford [Financial Impact - none], 2020-139 inclusive of pending amendments BE DEFERRED to a special meeting of Committee of the Whole - Community Development held on January 19, 2021, as a continuation of the Statutory Public Hearing.

6. PROCLAMATIONS

None.

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

7.1 Troy MacDonald, Partner, Grant Thornton LLP

Re: Item 11.1 Resolution from Special In-Camera City Council Meeting held on November 24, 2020 regarding Brantford Energy Task Force Report #2020-11-12

Mr. MacDonald attended Council to provide information on the Brantford Energy potential merger. Mr. MacDonald’s comments included highlights of the business case for merger options including, but not limited to, potential ten year rate stability, significant cost savings and synergies, and Brantford’s material shareholding of combined energy as well as single energy option for all Brantford.

Mr. MacDonald answered questions from various members of Council.

Councillor Carpenter assumed the Chair.

7.2 Chief Davis, Brantford Police Service

Re: Item 11.4 Release of Prolific Offenders – Concern for Community Safety- Councillor Martin

As Item 11.4, Release of Prolific Offenders – Concern for Community Safety, requires a Motion to Waive the Rules prior to the Item being considered, Council considered this motion first.

Motion to Waive Rules:

Moved by Councillor Martin

Seconded by Mayor Davis

THAT Sections 15.11.5 and 15.3.11 of Chapter 15 of the City of Brantford Municipal Code BE WAIVED in order to introduce a Resolution without prior Notice of Motion and without first being considered by a Committee of the Whole or Standing Committee:

WHEREAS, at its meeting held on November 10, 2020, the Brantford Police Services Board received a presentation from staff as to what may be contributing to the public complaints of a spike in property thefts; and

WHEREAS late in 2019 the Government of Canada implemented Bill 75, which amended the Criminal Code (Canada) by liberalizing the rules for granting bail and in particular giving the courts more latitude in respect to releasing individuals charged with administration of justice offences, such as failing to appear in court or failing to comply with bail conditions; and

WHEREAS the judicial system and correctional system are currently operating under COVID-19 pandemic restrictions that allow for accused to be issued a Form of Release (Form 9, 10 or 11) when an individual is charged with an offence without having to serve time in custody, which permits the immediate release of the accused due to concerns with reducing the spread of COVID-19 in the correctional system; and

WHEREAS, due to the handling of accused in this manner, many of those accused have become repeat or prolific offenders in the City of Brantford as confirmed by the attached “Prolific Offenders on Multiple Forms of Release” report, causing concern to members of the Brantford Police Services Board, members of the Brantford

Police Service, Brantford City Council and the community at large as the attached Brantford Police Services Monthly Statistical Report shows crimes such as Break and Enter Business, Theft from Motor Vehicle and Mischief have increased by as much as 70% in the six months of 2020 compared to the first six months of 2019; and

WHEREAS implementing appropriate measures during a pandemic to ensure the safety of accused and convicted persons within the correctional system is important and should be addressed by the Ministry of the Solicitor General; and

WHEREAS the correctional system in Ontario has not had any publicly reported major outbreaks of COVID-19, which was of concern when the pandemic started in March 2020 and led to the current practice of generally releasing accused persons prior to a hearing; and

WHEREAS the incident of repeat offences is increasing in our community and the need for a resolution to these concerns is imperative to ensuring the safety of our citizens;

NOW THEREFORE BE IT RESOLVED THAT the Council for The Corporation of the City of Brantford RESPECTFULLY REQUESTS:

- A. THAT the Solicitor General UNDERTAKE A REVIEW of any policy, directive, guideline or operational change regarding the current practice of releasing accused without holding during the COVID-19 pandemic, with a view to ensuring not only the safety of the correctional system, but also the safety of communities in Ontario who are impacted by repeat offenders who are released pending a hearing;
- B. THAT the Attorney General for Ontario UNDERTAKE A REVIEW of any policy, directive, guideline or practice by which the judiciary, including justices of the peace, release accused without holding pending a hearing, despite the accused being charged with multiple offences or repeat offences, with a view to ensuring the safety of communities in Ontario who are impacted by repeat offenders; and
- C. THAT the Minister of Justice and Attorney General of Canada UNDERTAKE A REVIEW of the amendments to the Criminal Code (Canada), among other Acts, implemented by Bill 75, which modernized and streamlined the bail regime, to determine whether those amendments do in fact ensure public safety and

confidence in the criminal justice system, as promised, or whether additional amendments may be required in order to create a more robust process for those persons accused of multiple or repeat offences; and

- D. THAT the City Clerk BE DIRECTED to provide a copy of this resolution to the Solicitor General for Ontario, the Honourable Sylvia Jones; the Attorney General for Ontario, the Honourable Doug Downey; the Minister of Justice and Attorney General for Canada, the Honourable David Lametti; the Member of Provincial Parliament for Brantford/Brant, Mr. Will Bouma; as well as the Large Urban Mayor's Caucus of Ontario and the Association of Municipalities of Ontario with an invitation for other municipalities across Ontario to join the City of Brantford in this appeal to the Solicitor General and the Attorney General for safer communities during the COVID-19 pandemic.

Recorded vote on Motion to Waive Rules:

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

CARRIED (11 to 0)
Received required 2/3rd

As the motion to waive the rules carried, Council received Chief Davis delegation.

Chief Davis attended before Council and provided opening statements on the Release of Prolific Offenders. Hillary Miles appeared before Council and provided a presentation on Release of Prolific Offenders process. Ms. Miles presentation included the following:

- Overview of data collection principles for within presentation
- Forms of Release
- Criminal Profile for Prolific Offenders for 10 offenders

The delegates answered questions of Council.

Mayor Davis resumed the Chair.

7.3 David Falletta, Bousefields Inc., Courtney Heron-Monk, Bousefields Inc. and Frank Palombi, Shellbrant Developments Limited.

David Falletta and Frank Palombi attended before Council.

Mr. Falletta provided comments related to the two lot types within the draft plan as relates to parking concerns within the subdivision. Once reviewing the draft by-law, Mr. Falletta requested that Council consider an amendment to the by-law for a side-yard setback pairing option that is connected to the plans for the pairing of driveway's and the number of on-street parking committed to within the plans.

Mr. Falletta answered questions of members of Council.

8. CLERK'S REPORT ON COMMUNICATIONS, 2020-555

Moved by Councillor Sless

Seconded by Councillor Vanderstelt

THAT the Clerk's Report on Communication for November 2020 BE RECEIVED.

Recorded Vote on Item 8:

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

CARRIED (11 to 0)

9. MINUTES

Moved by Councillor Carpenter

Seconded by Councillor Antoski

THAT the following Minutes BE ADOPTED:

- 9.1. City Council - October 27, 2020**
- 9.2. Special City Council - October 15, 2020**
- 9.3. Special City Council - October 27, 2020**
- 9.4. Special City Council - October 28, 2020**
- 9.5. Special City Council - November 10, 2020**

THAT the following Minutes BE RECEIVED:

9.6. John Noble Home Committee of Management - November 11, 2020

9.7. John Noble Home Committee of Management - Private and Confidential - November 11, 2020

Recorded Vote on all minutes:

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

CARRIED (11 to 0)

10. COMMITTEE REPORTS

Prior to commencing the remainder of the meeting items and in keeping with Council's desire to address items to which a delegation has attended at the beginning of the meeting, Council then moved to item 11.1.

11.1 Resolution from Special In-Camera City Council Meeting held on November 24, 2020 regarding Brantford Energy Task Force Report #2020-11-12

Moved by Councillor Utley

Seconded by Councillor Martin

Recommendation:

- A. THAT the Project Phoenix Memorandum of Understanding BE APPROVED; and
- B. THAT the Project Phoenix Confidentiality Agreement BE APPROVED; and
- C. THAT the City Clerk BE DIRECTED to place the Project Phoenix Memorandum of Understanding and the Project Phoenix Confidentiality Agreement on the Council Signing By-law for execution by the Mayor and Clerk.

Recorded Vote on Item 11.1:

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

NO: (1): Councillor Carpenter

CARRIED (9 to 1)

Councillor Vanderstelt was not present at time of the vote.

Council then proceeded to item 11.4.

Councillor Carpenter assumed the Chair (7:50 pm).

11.4 Release of Prolific Offenders – Concern for Community Safety - Councillor Martin

Moved by Councillor Martin

Seconded by Mayor Davis

WHEREAS, at its meeting held on November 10, 2020, the Brantford Police Services Board received a presentation from staff as to what may be contributing to the public complaints of a spike in property thefts; and

WHEREAS late in 2019 the Government of Canada implemented Bill 75, which amended the Criminal Code (Canada) by liberalizing the rules for granting bail and in particular giving the courts more latitude in respect to releasing individuals charged with administration of justice offences, such as failing to appear in court or failing to comply with bail conditions; and

WHEREAS the judicial system and correctional system are currently operating under COVID-19 pandemic restrictions that allow for accused to be issued a Form of Release (Form 9, 10 or 11) when an individual is charged with an offence without having to serve time in custody, which permits the immediate release of the accused due to concerns with reducing the spread of COVID-19 in the correctional system; and

WHEREAS, due to the handling of accused in this manner, many of those accused have become repeat or prolific offenders in the City of Brantford as confirmed by the attached “Prolific Offenders on Multiple Forms of Release” report, causing concern to members of the Brantford Police Services Board, members of the Brantford Police Service, Brantford City Council and the community at large as the attached Brantford Police

Services Monthly Statistical Report shows crimes such as Break and Enter Business, Theft from Motor Vehicle and Mischief have increased by as much as 70% in the six months of 2020 compared to the first six months of 2019; and

WHEREAS implementing appropriate measures during a pandemic to ensure the safety of accused and convicted persons within the correctional system is important and should be addressed by the Ministry of the Solicitor General; and

WHEREAS the correctional system in Ontario has not had any publicly reported major outbreaks of COVID-19, which was of concern when the pandemic started in March 2020 and led to the current practice of generally releasing accused persons prior to a hearing; and

WHEREAS the incident of repeat offences is increasing in our community and the need for a resolution to these concerns is imperative to ensuring the safety of our citizens;

NOW THEREFORE BE IT RESOLVED THAT the Council for The Corporation of the City of Brantford RESPECTFULLY REQUESTS:

- A. THAT the Solicitor General UNDERTAKE A REVIEW of any policy, directive, guideline or operational change regarding the current practice of releasing accused without holding during the COVID-19 pandemic, with a view to ensuring not only the safety of the correctional system, but also the safety of communities in Ontario who are impacted by repeat offenders who are released pending a hearing;
- B. THAT the Attorney General for Ontario UNDERTAKE A REVIEW of any policy, directive, guideline or practice by which the judiciary, including justices of the peace, release accused without holding pending a hearing, despite the accused being charged with multiple offences or repeat offences, with a view to ensuring the safety of communities in Ontario who are impacted by repeat offenders; and
- C. THAT the Minister of Justice and Attorney General of Canada UNDERTAKE A REVIEW of the amendments to the Criminal Code (Canada), among other Acts, implemented by Bill 75, which modernized and streamlined the bail regime, to determine whether those amendments do in fact ensure public safety and confidence in the criminal justice system, as promised, or whether additional amendments may be required in order to create a more robust process for those persons accused of multiple or repeat offences; and

D. THAT the City Clerk BE DIRECTED to provide a copy of this resolution to the Solicitor General for Ontario, the Honourable Sylvia Jones; the Attorney General for Ontario, the Honourable Doug Downey; the Minister of Justice and Attorney General for Canada, the Honourable David Lametti; the Member of Provincial Parliament for Brantford/Brant, Mr. Will Bouma; as well as the Large Urban Mayor's Caucus of Ontario and the Association of Municipalities of Ontario with an invitation for other municipalities across Ontario to join the City of Brantford in this appeal to the Solicitor General and the Attorney General for safer communities during and after the COVID-19 pandemic.

Recorded Vote on Item 11.4:

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

CARRIED (11 to 0)

Mayor Davis resumed Chair (8:31pm)

Council then considered all items separated for discussion purposes.

Moved by Councillor Wall

Seconded by Councillor Van Tilborg

THAT all Items in the Committee Reports (Items 10.1 to 10.6) separated for discussion purposes BE APPROVED.

Council then considered and voted on each separated item beginning with item 10.4.3 as a delegation was present.

10.4 Committee of the Whole - Community Development Report #2020-11-10

10.4.3 Applications for Neighbourhood Plan NP-01-19; Zoning By-law Amendment PZ-07-19, and Draft Plan of Subdivision 29T-19502 – 346 Shellard Lane [Financial Impact – Unknown], 2020-272

Recommendation:

- A. THAT Neighbourhood Plan Application NP-01-19, submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands located on the north side of Shellard Lane, west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford, City of Brantford, municipally addressed as 346 Shellard Lane, BE APPROVED; and
- B. THAT Zoning By-law Amendment Application PZ-07-19 submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands located on the north side of Shellard Lane, west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford, City of Brantford, municipally addressed as 346 Shellard Lane to change the zoning to “Open Space Type 1 Zone (OS1)”, “Open Space Restricted Zone (OS3)”, “Residential Type 1B (15 Metre) – Exception 35 Zone (R1B-35)”, “Residential Type 1C (12 Metre) – Exception 24 Zone (R1C-24)”, “Residential Type 1D (11 Metre) – Exception 12 Zone (R1D-12)”, “Residential Medium Density Type A – Exception 75 Zone (R4A-75)”, “Residential Medium Density Type A – Exception 76 Zone (R4A-76)”, and the “Residential Medium Density Type A – Exception 77 Zone (R4A-77)”, “Residential Medium Density Type A – Exception 78 Zone (R4A-78) and “Community Centre Commercial Zone (C10)”, BE APPROVED in accordance with the applicable provisions as outlined in Section 8.2 of Report 2020-272; and
- C. THAT Draft Plan of Subdivision Application 29T-19502, submitted by Bousfields Inc. on behalf of Shellbrant Developments Limited, affecting the lands located on the north side of Shellard Lane, west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford, City of Brantford, municipally addressed as 346 Shellard Lane submitted by Bousfields Inc. on behalf of Shellbrant

Developments Limited, affecting the lands municipally addressed as 346 Shellard Lane, BE APPROVED subject to the conditions included in Section 9.0 “Conditions of Draft Plan of Subdivision Approval” of Report 2020-272; and

- D. THAT the By-law to remove the “Holding (H)” provision from the subject lands not be presented to Council for approval until a Subdivision Agreement has been entered into between the applicant and the City; and
- E. THAT Pursuant to Sections 34(18) and 51(38) 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 7.2 and 8.3.1 of Report 2020-272”.

Amendment

Moved by Councillor Weaver

Seconded by Councillor Vanderstelt

THAT the Zoning By-law application BE AMENDED to remove the requirement whereby a 0.6 m sideyard must be adjacent to a 1.2m sideyard.

Recorded Vote on amendment to item 10.4.3:

YES: (11): Mayor Davis, Councillor Weaver, 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 10.4.3, AS AMENDED:

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

CARRIED (11 to 0)

10.1 Appointments Committee Report #2020-11-03

10.1.1 Appointment of Members of Council to Various Committees, Boards, Advisory Committees and Task Forces - 2020-2021 Term

Recommendation:

- A. THAT the appointment of Members of Council to various Committees, Boards and Task Forces for the 2020-2021 term of Council as outlined in Appendix "A" attached hereto BE APPROVED; and
- B. THAT the necessary by-law BE PRESENTED to City Council for adoption; and
- C. THAT the Code of Conduct Review Task Force BE DISBANDED; and
- D. THAT the Northridge Clubhouse and Parking Lot Project Steering Committee BE DISBANDED.

Amendment:

Moved by Councillor Vanderstelt
Seconded by Councillor Antoski

THAT Appointments Report #2020-11-03 BE AMENDED to REMOVE Councillor Vanderstelt from the Brant Waterways Foundation Appointments.

Recorded Vote on amendment to item 10.1.1:

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

CARRIED (11 to 0)

Amendment:

Moved by Councillor McCreary
Seconded by Councillor Martin

THAT Appointments Report #2020-11-03 BE AMENDED to APPOINT Mayor Davis and Councillor Martin to the Brantford Police Service's Board for a term to expire November 14, 2022.

Recorded Vote on amendment to item 10.1.1:

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

CARRIED (10 to 0)

Recorded Vote on 10.1.1, AS AMENDED:

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

CARRIED (11 to 0)

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

Councillor Sless declared a conflict on this item. Daughter in-law is being recommended for appointment. Councillor Sless did not vote on the appointment for the Environmental and Sustainability Policy Advisory Committee as a result.

Recommendation:

A. THAT the following Citizen Appointments BE APPROVED;

Committee of Adjustment

Michael Bodnar for a term to expire November 24, 2022.

Brantford Airport Board

Robert Nelles for a term to expire November 24, 2022.

Thomas Borutski, Mark Littell and Bob Wyatt for a term to expire November 24, 2024.

Brownfields Community Advisory Committee

Rose Sicoli, Nicole Di Fillipo and Christine Clark for a term to expire November 24, 2024.

Control of Vicious Dogs Committee

Mary Armstrong for a term to expire November 24, 2022.

Ashley Sage and Huy Tang for a term to expire November 24, 2024.

Economic Development Advisory Committee

Velma Morrison and Rick Vienneau for a term to expire November 24, 2022.

Ed Doucet, Mohamed Ikbal Mebrouk, Dennis Dallaway, Barb Smith, Mark Simpson and Christine Clark for a term to expire November 24, 2024.

Tourism Advisory Committee

Witkor Kulinski for a term to expire November 24, 2022.

Barb Smith, Dennis Dallaway and Huy Tang for a term to expire November 24, 2024.

Property Standards Committee

Tamara Cupoli and Brenda Hertog for a term to expire November 24, 2024.

Brantford Accessibility Advisory Committee

Mary Armstrong and Madison Moyer for a term to expire November 24, 2024.

Brantford Cultural Advisory Committee

Vern Payne, Neha Gutkar and Muskan Grover for a term to expire November 24, 2024.

Brantford Heritage Committee

Tamara Cupoli and Christopher Johnson for a term to expire November 24, 2024.

Environmental and Sustainability Policy Advisory Committee

David Kielstra and Alysha Sless for a term to expire November 24, 2024; and

- B. THAT the necessary By-law BE PRESENTED to City Council for adoption.

Recorded vote on the appointments for the Environmental and Sustainability Policy Advisory Committee:

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

CARRIED (10 to 0)

Councillor Sless did declared a conflict to this portion of item 10.1.2. and did not vote.

Recorded Vote on the remainder of the items within 10.1.2:

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

CARRIED (11 to 0)

10.2 Committee of the Whole - Operations and Administration Report #2020-11-03

10.2.6 Canadian Industrial Heritage Centre Lease Agreement –66 Mohawk Street [Financial Impact - \$100 over 10 year term], 2020-501

- A. THAT Staff Report No. 2020-501, entitled “Canadian Industrial Heritage Centre Lease – 66 Mohawk Street” BE RECEIVED; and
- B. THAT the Clerk BE DIRECTED to place the lease between the Canadian Industrial Heritage Centre and The Corporation of the

City of Brantford on the Council Signing By-law for the City Council meeting on November 24, 2020, which lease shall contain (among other terms) a ten (10) year term, and shall pertain to approximately two (2) acres of land located at the property municipally known as 66 Mohawk Street; and

- C. THAT the Manager of Real Estate BE DELEGATED authority to execute all documents related to the development of the Leased Premises or otherwise necessary to facilitate the City's obligations under the above-noted leased, including Zoning By-law amendments, Building Permits, and Heritage Permits, on behalf of The Corporation of the City of Brantford as owner of 66 Mohawk Street.

Recorded Vote on Item 10.2.6:

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

CARRIED (10 to 0)

Councillor Utley was not present at time of vote.

10.3 Social Services Committee Report #2020-11-04

10.3.1 Homeless Individuals and Families Information System (HIFIS) Implementation Update [Financial Impact: None], 2020-497

Recommendation:

- A. THAT Report 2020-497 Homeless Individuals and Families Information System (HIFIS) Implementation Update [Financial Impact: None] BE RECEIVED, and
- B. THAT staff BE DIRECTED to provide quarterly updates and an annual report to Social Services Committee in May of each year summarizing:
 - i. number of households accessing a program through the Community Homelessness Prevention Initiative (CHPI) including demographics (age, ethnicity, marital status, housing history/community of origin);

- ii. number of individuals and households using an emergency shelter program including demographics (age, ethnicity, marital status, housing history/community of origin)
- iii. number of chronically homeless individuals
- iv. the average number of individuals each day receiving outreach services
- v. number of individuals receiving Housing First individual case management
- vi. number of individuals permanently housed
- vii. housing retention rate

Recorded Vote on Item 10.3.1:

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

CARRIED (11 to 0)

10.4 Committee of the Whole - Community Development Report #2020-11-10

10.4.1 Zoning By-law Amendment PZ-12-20 and Extension to a Draft Approved Plan of Subdivision 29T-16502 – 501 Shellard Lane (Losani Homes) [Financial Impact – None], 2020-407

Councillor Vanderstelt declared a conflict on this item and did not participate in the debate or voting.

Recommendation:

- A. THAT Zoning By-law Amendment Application PZ-12-20, submitted by MHBC Planning on behalf of Losani Homes, affecting lands at 501 Shellard Lane, City of Brantford, to amend the Holding – Residential Type 1D Zone (H-R1D-10) to modify the interior side yard BE APPROVED, in accordance with the applicable provisions as noted in Section 8.3.1 of Report 2020-407; and
- B. THAT the request to amend a condition of Draft Plan of Subdivision, specifically to extend the expiry date for Draft Plan

Approval (File No. 29T-16502), submitted by MHBC Planning on behalf of Losani Homes, affecting the lands municipally addressed as 501 Shellard Lane, BE APPROVED, in accordance with Section 8.0 of Report 2020-407; and

- C. THAT Pursuant to Section 51(47) of the *Planning Act*, S.O. 1990, c.P.13., written notice under Subsection 51(45) shall not be required as the change to the conditions is considered minor. No further notice to the public is required upon Council's approval; and
- D. THAT Pursuant to Section 34(18) of the *Planning Act*, 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 7.2 of Report 2020-407."

Recorded Vote on Item 10.4.1

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

CARRIED (10 to 0)

Councillor Vanderstelt declared a conflict and did not participate in the vote.

11. RESOLUTIONS

Items 11.1 and 11.4 were considered and disposed of earlier in the meeting.

Councillor Vanderstelt left the meeting.

11.2 Comments on Environmental Registry Posting Regarding Draft Legislation to Transition Municipal Blue Box Programs to Full Extended Producer Responsibility [Financial Impact], 2020-534

Moved by Councillor Weaver

Seconded by Councillor Carpenter

Recommendation:

- A. THAT Report No. 2020 – 534, “Comments on Environmental Registry Posting Regarding Draft Legislation to Transition Municipal Blue Box Programs to Full Extended Producer Responsibility”, BE RECEIVED; and
- B. THAT the comments under Section 8.2 and Appendix “C” of this report BE SUBMITTED in response to the draft legislation as posted by the Ministry of Environment, Conservation and Parks (MECP) on the Environmental Registry posting #019-2579; and
- C. THAT the City explore the option of providing blue box collection services post transition on behalf of and under contract to producers, subject to negotiation of mutually agreeable terms; and
- D. THAT the General Manager of Public Works or designate BE PROVIDED with delegated authority if entering into negotiations regarding the options of the City operating blue box collection services on behalf of producers; and
- E. THAT a copy of this resolution BE FORWARDED to the Ministry of Environment, Conservation and Parks (MECP), Association of Municipalities Ontario (AMO) and the Municipal Waste Association (MWA); and
- F. THAT Report No. 2020-534 BE PROVIDED to the Environmental and Sustainability Policy Advisory Committee (ESPAC).

Amendment:

Moved by Councillor Antoski

Seconded by Councillor Carpenter

THAT item 11.2 BE AMENDED by adding the following as Clause E and moving the original Clause E to Clause F:

THAT the Mayor of the City of Brantford BE DIRECTED to request that our MPP Will Bouma support and act on Council’s behalf, our desire and request to move up the transition year for the City’s Blue Box Program currently posted in the Proposed Blue Box Regulation from the year 2025 to 2024.

Recorded Vote on amendment to item 11.2:

YES: (10): Mayor Davis, Councillor Weaver, 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 11.2, AS AMENDED:

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

CARRIED (10 to 0)

11.3 Environmental Registry Posting Regarding Amendments to the Food and Organic Waste Policy Statement and Update Regarding Proposed City Residential Organics Diversion Program [Financial Impact - none], 2020-533

Moved by Councillor Antoski

Seconded by Councillor Carpenter

Recommendation:

- A. THAT Report No. 2020 – 553, “Environmental Registry Posting Regarding Amendments to the Food and Organic Waste Policy Statement and Update Regarding Proposed City Residential Organics Diversion Program”, BE RECEIVED; and
- B. THAT the Province BE ADVISED The City of Brantford is supportive of the overall goals and objectives of Food and Organic Waste Policy Statement (Environmental Registry posting - # 019-2498) as they should improve and/or enhance the diversion of organic materials within the province; and
- C. THAT the comments listed under Section 8.1 of this report BE SUBMITTED in response to the Environmental Registry posting #019-2498; and
- D. THAT a copy of this resolution BE FORWARDED to the Minister of the Environment, Conservation and Parks (MECP), MPP – Brant, Association of Municipalities Ontario (AMO) and the Municipal Waste Association (MWA);

- E. THAT Report No. 2020-553 BE PROVIDED to the Environmental and Sustainability Policy Advisory Committee (ESPAC).

Recorded vote on item 11.3:

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

CARRIED (10 to 0)

11.5 CAO COVID-19 Emergency Update 11.24.20, 2020-546

Moved by Councillor McCreary

Seconded by Councillor Martin

Recommendation:

- A. THAT Report 2020-546 CAO COVID-19 Emergency Update 11.24.20 BE RECEIVED; and
- B. THAT item 10.2 of the City Council meeting held on April 28, 2020, entitled "Temporary Use By-law to Permit the Use of Recreational Vehicles in the City of Brantford" BE AMENDED by:
 - i. Amending Clause A by striking the words "until the Declaration of Emergency of the Head of Council for The Corporation of the City of Brantford expires or is otherwise terminated" and inserting the words "for a period of time to be recommended by Planning staff"; and
 - ii. Amending Clause B by deleting B.ii; and
- C. THAT item 7.1 of the Special City Council meeting held on June 16, 2020, entitled Report – Patio Brantford – Temporary Policies for Private and Public Outdoor Patios during the COVID-19 Pandemic (2020-286) BE AMENDED by:
 - i. Changing the expiration date set out in Clause B from January 1, 2021 to January 1, 2022;
 - ii. Amending Clause C by deleting the words "until the Declaration of Emergency by the Head of Council for The Corporation of the City of Brantford expires or is otherwise terminated" and inserting the words "for a period of time to be recommended by Planning staff";

- iii. Changing the expiration date set out in Clause D.ii. from January 1, 2021 to January 1, 2022;
 - iv. Amending Clause H to include the words “and 2021” after the word “2020”; and
 - v. Changing the last phrase set out in Clause I.iii. to read “or until the expiry date of January 1, 2022 signifying the end of the 2021 patio season”; and
- D. THAT Planning Policy- 004 Patio Brantford – On-Street Patio Emergency Pandemic Recovery Policy BE AMENDED to extend the patio season from January 1, 2021 to January 1, 2022 or until such time as a Temporary Use By-law addressing Section 6.18 of Zoning By-law 160-90 respecting the parking requirements associated with the establishment or expansion of private outdoor patios has been considered by Council; and
- E. THAT the Clerk BE DIRECTED to place a By-law to repeal By-law 106-2020, being a by-law to require the wearing of face coverings in prescribed, enclosed public places in response to the COVID-19 pandemic, before City Council for consideration.

Amendment:

Moved by Councillor Antoski

Seconded by Councillor Carpenter

That Clause i in Recommendation B of Report 2020-546 be deleted and replaced with the following:

- i. Amending Clause A by striking the words “until the Declaration of Emergency of the Head of Council for The Corporation of the City of Brantford expires or is otherwise terminated” and inserting the words “for a period of time, potentially extending beyond the Declaration of Emergency, as recommended by Planning Staff but not before the Declaration of Emergency expires or has been terminated.

Recorded Vote on the amendment to item 11.5:

YES: (10): Mayor Davis, Councillor Weaver, 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 11.5, AS AMENDED:

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

CARRIED (10 to 0)

12. NOTICES OF MOTION

12.1 Brant Family and Children's Services - Councillor Carpenter

WHEREAS Brant Family and Children's Services support the health and well-being of families and children in Brantford and the County of Brant; and

WHEREAS the Brant Family and Children's Services and the City of Brantford have enjoyed a long-standing partnership in support of local families, including previous City representation on the Brant Family and Children's Services Board of Directors; and

WHEREAS Brant Family and Children's does not currently have a Board of Directors, which has limited the capacity of this agency to customize solutions that respond to the unique social and economic needs within Brantford and the County of Brant; and

WHEREAS planning is underway to merge the Brantford Family and Children's Services with the Children's Aid Society of Haldimand & Norfolk; and

WHEREAS this proposed merger may negatively impact local service levels, responsivity and community partnerships; and

WHEREAS any degradation of the services currently provided by the Brant Family and Children's Services will negatively affect the outcomes for local families and children.

NOW THEREFORE BE IT RESOLVED that staff BE DIRECTED to issue a letter to The Ministry of Children Community and Social Services (MCCSS); Brant Family and Children's Services and Member of Provincial Parliament for Brantford-Brant that includes the following:

A request that Brant Family and Children's Services postpone the proposed merger until it has completed a comprehensive community and stakeholder consultation to determine potential impacts on local children and families in Brantford and the County of Brant.

12.2 Speeding Drivers - Slow Down Signs - Councillor Utley

WHEREAS speeding drivers are disobeying posted speed limits throughout our city; and

WHEREAS citizens are becoming increasingly concerned about the safety of their children and seniors who sometimes require more time to cross the road; and

WHEREAS resources are limited to Police traffic violations; and

WHEREAS speed radar units that display vehicle speed sometimes have the opposite effect as some drivers try to beat their previous speed; and

WHEREAS solutions to reduce speeding are often expensive and limited in their effectiveness; and

WHEREAS other communities and individuals are using low cost initiatives to provide neighbourhoods with lawn signs asking drivers to slow down; and

WHEREAS Slow Down lawn signs must be installed on private property and be in compliance with the City's Outdoor Sign By-law, Chapter 478 of the City of Brantford Municipal Code;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Staff BE DIRECTED to research "Slow Down" sign designs, wording, manufacturing, delivery turnaround, and costs for 500 lawn signs that can be distributed to citizens in their neighbourhoods through Neighbourhood Associations; and
- B. THAT Staff BE DIRECTED to report back to Council on "Slow Down" signs and funding source in Q1 2021.

12.3 Power of Attorney Resources and Information for Seniors - Councillor Carpenter

WHEREAS seniors are the fastest growing age group in Ontario; and by 2041, it is projected that in the City of Brantford and County of Brant, 25 – 30% of residents will be age 65 and older; and

WHEREAS older adults can be more vulnerable to the misuse of power, fraud, and financial abuse, particularly if the individual is experiencing symptoms of Alzheimer's, dementia or other cognitive challenges; and

WHEREAS Elder Abuse Awareness and Prevention was identified as a 2021-2022 Council Priority; and

WHEREAS the Elder Abuse Awareness and Prevention Strategy is a key component of the City of Brantford Healthy Aging Plan; and

WHEREAS a Power of Attorney is a legal document in which an individual gives care and control of their personal and financial affairs to a trusted person; and

WHEREAS a Power of Attorney can be an important tool in preventing elder abuse, provided it is used ethically and in the best interest of the person needing support; and

WHEREAS the uses, rights and responsibilities of a Power of Attorney may not be well understood by the general public; and

WHEREAS greater public understanding of Power of Attorney may serve to better protect older adults in Brantford from elder abuse;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Staff consult with community partners including the Grand River Council on Aging, the Elder Abuse Awareness Committee, Elder Abuse Ontario, the Community Legal Clinic, and the Seniors' Resource Centre, and provide a report to Council by March 31 2021 detailing the following:
 - i. A project plan to deliver workshops, webinars or other methods to provide information to the public regarding the use of Power of Attorney, with all required costs and resources;
 - ii. A communications plan to support public awareness of these information sessions, with all required costs and resources;
 - iii. The feasibility of a locally developed Power of Attorney database, including consideration of privacy, legality, and required resources;
 - iv. Opportunities for Brantford City Council to advocate to other levels of government for stronger protections for older adults who may be vulnerable to all forms of elder abuse.

13. BY-LAWS

Councillor Weaver left the meeting.

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:

- 188-2020 By-law to authorize the execution of AGREEMENTS individually dated and listed on Schedule 'A' attached hereto:
1. Lease Agreement between the Canadian Industrial Heritage Centre and The Corporation of the City of Brantford (2020-501) (Committee of the Whole – Operations and Administration Report #2020-11-03)
 2. Project Phoenix Memorandum of Understanding and Project Phoenix Confidentiality Agreement between The Corporation of the City of Brantford, The Corporation of the City of Cambridge, The Corporation of the City of North Dumfries, Cambridge and North Dumfries Energy Plus Inc. and Brantford Energy Corporation (Special City Council – November 24, 2020)
- 189-2020 By-law to Appoint Citizen Members and Liaison Members to various Boards and Advisory Committees (Appointments Committee Report #2020-11-03)
- 190-2020 By-law to Appoint Members of Council to various Committees, Boards, Advisory Committees and Task Forces (Appointments Committee Report #2020-11-03)
- 191-2020 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 adding Corporate Policy – 048 (Municipal Street Naming Policy) to Appendix “A” (2020-424) (Committee of the Whole – Operations and Administration Report #2020-11-03)
- 192-2020 Being a by-law of the Corporation of the City of Brantford, to provide for the assigning of municipal addresses to buildings along highways and for affixing numbers to the buildings in the City (2020-424) (Committee of the Whole – Operations and Administration Report #2020-11-03)
- 193-2020 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 Corporate-027, Public Access Defibrillator Program (2020-14) (Committee of the Whole – Operations and Administration Report #2020-11-03)

- 194-2020 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 adopting Council-003 Annual Council/Committee Attendance Report for Members of Council, adopting Corporate-049 Proclamation Request Policy and repealing and replacing Corporate-004 Flag Flying at Municipal Buildings) (2020-448) (Committee of the Whole – Operations and Administration Report #2020-11-03)
- 195-2020 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 (to amend the Holding – Residential Type 1D Zone (H-R1D-10) to modify the interior side yard regulation) (PZ-12-20) (2020-407) (Committee of the Whole – Community Development Report #2020-11-09)
- 196-2020 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 (to permit the development of a ten storey, mixed use building affecting lands at 120-138 Market Street and 31 and 35 Chatham Street) (2020-221) (Committee of the Whole – Community Development Report #2020-11-10)
- 197-2020 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 (to permit the development of 385 dwelling units, as well as blocks for a park, walkways, stormwater management ponds and commercial uses affecting land in the west part of the City, north of Shellard Lane and west of Conklin Road, Part of Blocks 4 and 5, Kerr Tract, Geographic Township of Brantford) (PZ-07-19) (2020-272) (Committee of the Whole – Community Development Report #2020-11-10)
- 198-2020 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 (Removal of Holding “H” Provision) (140 Oak Park Road) (PZ-17-20) (2020-439) (Committee of the Whole – Community Development Report #2020-11-10)
- 199-2020 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Eagle Avenue – Schedule 26 – Accessible Zone) (Public Works Policy – 021 Amending On-Street Parking Regulations)

- 200-2020 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Spring Lane – Schedule 7 – Parking Prohibited at Any Time) (Public Works Policy – 021 Amending On-Street Parking Regulations)
- 201-2020 By-law to amend By-law 144-88, being a By-law to regulate Parking in the City of Brantford (North Park Street – Schedule 7 – Parking Prohibited at Any Time, Schedule 10 - Parking – Restricted Time Limit, Schedule 26 – Accessible Zone) (Committee of the Whole – Operations and Administration Report #2020-11-03)
- 202-2020 By-law to amend By-law 37-83, being a By-law to regulate Traffic in the City of Brantford (Burwell Street at Lancaster Avenue – Schedule 1 – Through Highways) (Committee of the Whole – Operations and Administration Report #2020-11-03)
- 203-2020 Being a By-law to amend Chapter 15 of the City of Brantford Municipal Code (Procedure) (City Council - October 27, 2020)
- 204-2020 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 lands located on the north side of the Grey Street Extension and changing the zoning to "Residential Medium Density Type A – Exception 68 Zone) (H-R4A-68) (PZ-09-17) (CD2018-007) (Committee of the Whole – Community Development Report #2020-11-10)
- 205-2020 Being a by-law to repeal By-law 106-2020, being a by-law to require the wearing of face coverings in prescribed, enclosed public places in response to the COVID-19 pandemic. (2020-546) (City Council – November 24, 2020)
- 206-2020 Being a by-law to amend Planning Policy - 004 - Patio Brantford - On-Street Patio Emergency Pandemic Recovery Policy, as set out in Appendix "A" of By-law 70-2010, being a By-law to adopt various policies of the City of Brantford and to create a Corporate Policy Manual (2020-546) (City Council – November 24, 2020)
- 207-2020 By-law to Confirm the Proceedings of the Council of The Corporation of the City of Brantford with respect to the Meeting held on November 24, 2020

Recorded Vote on the 1st and 2nd Reading: By-Law 189-2020

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

CARRIED (8 to 0)

Councillor Sless declared a conflict on the related matter and did not participate in the vote.

Recorded Vote on the 1st and 2nd Reading: By-Law 195-2020

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

CARRIED (8 to 0)

Recorded Vote on the 1st and 2nd reading of all By-laws not separated for discussion purposes:

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

CARRIED (9 to 0)

3rd Reading

Moved by Councillor Antoski

Seconded by Councillor Carpenter

THAT By-law 188-2020 through to and including By-law 207-2020 BE TAKEN as read a third time, be finally passed and signed by the Mayor and Clerk.

Recorded Vote on the 3rd Reading: By-Law 189-2020:

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

CARRIED (8 to 0)

Councillor Sless declared a conflict on the related matter and did not participate in the vote.

Recorded Vote on the 191-2020:

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

CARRIED (9 to 0)

Recorded Vote on the 3rd reading of all By-laws not separated for discussion purposes:

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

CARRIED (9 to 0)

14. ADJOURNMENT

The meeting adjourned at 9:33 p.m.

K. Davis, Mayor

Tanya Daniels, City Clerk