



CITY COUNCIL

MINUTES

December 19, 2023

6:00 p.m.

Council Chambers, Brantford City Hall
58 Dalhousie Street, Brantford

Present:

- Mayor Davis
- Councillor Sicoli
- Councillor Sullivan
- Councillor Caputo
- Councillor Sless
- Councillor Martin
- Councillor McCreary
- Councillor Hunt
- Councillor Carpenter
- Councillor Samwell
- Councillor Van Tilborg

1. NATIONAL ANTHEM

Councillor Martin in the Chair.

The National Anthem was played.

2. INVOCATION

Councillor Martin read the invocation.

3. ROLL CALL

Roll call was confirmed.

4. DECLARATIONS OF CONFLICTS OF INTEREST

4.1 Councillor Hunt - Clarence Street Rail Line Update [Financial Impact – None], 2023-682

Councillor Hunt declared a conflict of interest on item 12.1.1 Clarence Street Rail Line Update [Financial Impact – None], 2023-682, as she has an immediate family member employed at Ingenia.

5. SEPARATION OF ITEMS IN COMMITTEE REPORTS FOR DISCUSSION PURPOSES

Moved by Councillor Sullivan
Seconded by Councillor McCreary

THAT all Items contained within the Committee Reports (Items 12.1 to 12.6) not separated for discussion purposes BE APPROVED.

Recorded vote on all items not separated for discussion purposes:

Yes: (10): Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (10 to 0)

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

12. COMMITTEE REPORTS

12.1 Committee of the Whole - Operations Report #2023-12-05

12.1.2 2023 Climate Change Action Plan and Emissions Inventory Annual Update [Financial Impact: None], 2023-688

THAT Report 2023-688 “2023 Climate Change Action Plan and Emissions Inventory Annual Update” BE RECEIVED.

12.1.3 GRCA Category 2 Programs and Services Memorandum of Understanding [Financial Impact: \$75,623 (Rate Supported)], 2023-651

- A. THAT Report No. 2023-651 GRCA Category 2 Programs and Services Memorandum of Understanding BE RECEIVED; and
- B. THAT the City Clerk BE DIRECTED to place the Agreement between the Corporation of the City of Brantford and the Grand River Conservation Authority for Category 2

Programs and Services in 2024 on the Signing By-law for execution by the Mayor and City Clerk; and

- C. THAT staff BE DIRECTED to work with the Grand River Conservation Authority and the County of Brant to investigate options for continuing programming at Apps' Mill.

12.1.6 Water Meter Upgrade Project – Notice of Project Commencement [No Financial Impact], 2023-694

THAT Report No. 2023-694 titled “Water Meter Upgrade Project – Notice of Project Commencement [No Financial Impact]” BE RECEIVED.

12.2 Social Services Committee Report #2023-12-06

12.2.1 2023 Annual Update on Housing Development [Financial Impact: None], 2023-706

- A. THAT Report 2023-706, 2023 Annual Update on Housing Development BE RECEIVED; and
- B. THAT staff BE DIRECTED to create a pilot program for funding affordable housing development by non-profit organizations; and
- C. THAT the pilot program BE FUNDED from the future taxes at 282 Stanley Street and savings from mortgage subsidies as outlined in Table 5 of this report; and
- D. THAT the Chief Administrative Officer or Delegate BE AUTHORIZED AND DIRECTED to execute a Letter of Intent between the City of Brantford and Jaycees Non-Profit Housing Corporation; and
- E. THAT the Chief Administrative Officer or Delegate BE AUTHORIZED AND DIRECTED to enter into a 10-year funding agreement totaling \$1,500,000 between the City of Brantford and Jaycees Non-Profit Housing Corporation upon the completion of the affordable housing development at 32 Bridge Street, Brantford; and
- F. THAT the Housing Financing Plan as detailed in this report BE APPROVED subject to both Municipalities budget processes; and

- G. THAT the Chief Administrative Officer BE DIRECTED to implement the Housing Financing Plan as detailed in this report; and
- H. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.
- I. THAT the City Clerk BE DIRECTED to forward a copy of the staff report to the Member of Provincial Parliament Will Bouma and Member of Parliament Larry Brock and invite them to the next Social Services Committee meeting to speak to it.

12.2.2 2023 Brantford-Brant Point-in-Time Count Report [Financial Impact: None], 2023-550

- A. THAT Report No. 2023-550 2023 Brantford-Brant Point-in-Time Count Report BE RECEIVED; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.

12.2.4 Community and Affordable Housing Overview [Financial Impact: None], 2023-687

- A. THAT Report 2023-687 Community and Affordable Housing Overview 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 #2023-12-12

12.3.1 Amendment No. 1 to the Downtown Community Improvement Plan – Downtown Façade & Safety Improvement Grant Program [Financial Impact – None], 2023-689

- A. THAT Report 2023-689, titled “Amendment No. 1 to the Downtown Community Improvement Plan – Downtown Façade & Safety Improvement Grant Program”, BE RECEIVED; and
- B. THAT Amendment No. 1 to the Downtown Community Improvement Plan BE ADOPTED, and the implementing By-

law, attached as Appendix A to Report 2023-689, BE APPROVED; and

- C. THAT Pursuant to Section 17(23.1) of the Planning Act, R.S.O. 1990, c.P.13., the following statement SHALL BE INCLUDED in the Notice of Adoption: “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”; and
- D. THAT Staff REPORT BACK to Council through the 2025 Estimates process to present a budget as would be necessary to continue the Program into the future beyond the current \$50,000 funding allocation.

12.3.2 City of Brantford’s Emergency Management Program and Emergency Response Plan By-Law Update [No Financial Impact], 2023-717

- A. THAT report 2023-717 titled City of Brantford’s Emergency Management Program and Emergency Response Plan By-Law Update BE RECEIVED; and
- B. THAT a by-law to repeal by-law 181-2021 and enact the City’s Emergency Management Program and Emergency Response Plan as contained in Appendix 1 BE PRESENTED to Council for adoption.

12.3.3 Master Fire Plan Update [Financial Impact: None], 2023-635

THAT report 2023-635 titled Master Fire Plan Update BE RECEIVED.

12.3.5 Enhancements to the City of Brantford’s Heritage Grant Program and Consideration of Adaptive Re-Use Incentives [Financial Impact – None], 2023-571

- A. THAT Report 2023-571, titled “Enhancements to the City of Brantford Heritage Grant Program and Consideration of Adaptive Re-Use Incentives”, BE RECEIVED; and
- B. THAT the necessary by-law to implement the recommended amendments to the City of Brantford Heritage Grant Program contained in Report 2023-571 BE PRESENTED to Council; and

- C. THAT Staff BE DIRECTED to draft potential program amendments to the Downtown Community Improvement Plan and Greyfields Community Improvement Plan to introduce financial incentives to encourage adaptive re-use of designated heritage properties as outlined in Report 2023-571 and REPORT BACK to Council in Q2 of 2024.

**12.3.6 Economic Development, Tourism and Cultural Initiatives
Advisory Committee Report #2023-11-22**

- A. THAT Report 2023-435 titled, “Recommendations for Parkette to Honour Lawren Harris” BE RECEIVED; and
- B. THAT the request for infrastructure, décor and programming BE REFERRED to Estimates with a funding request to a maximum limit of \$55,000 from the following funding sources: and
 - i. \$6,000 from the 2024 Parks Services operating budget for décor/landscaping;
 - ii. \$34,000 from the 2024 Parks Services capital budget for stage infrastructure and permanent amenities;
 - iii. \$5,000 from the 2024 Tourism Division operating budget for a schedule of events and associated marketing; and
 - iv. \$10,000 from the Public Art Reserve (RF0507) for the mural; and
- C. THAT the stage BE NAMED in accordance with Corporate Policy 23: MUNICIPAL NAMING POLICY, and
- D. THAT Staff REPORT BACK to the Economic Development, Tourism & Cultural Initiatives Advisory Committee with an update by Q4 2024.

12.3.7 Brantford Heritage Committee Report #2023-11-27

- A. THAT Report 2023-718, titled “Nomination of Constable John Hickey for Inclusion on Prominence Point” BE RECEIVED; and
- B. THAT Constable John Hickey BE INCLUDED on Prominence Point in 2024, recognizing his Civic and Community Leadership

12.3.8 Annual Update on Street Naming – 2023 [Financial Impact – None], 2023-611

THAT Report 2023-611, “Annual Update on Street Naming – 2023”, BE RECEIVED.

12.3.9 Brantford Sports Council – Tournament Capital of Ontario 25th Anniversary Celebration Final Report [Financial Impact: None],2023-653

THAT Report No. 2023-653 Brantford Sports Council – Tournament Capital of Ontario 25th Anniversary Celebration Final Report BE RECEIVED.

12.4 Finance Committee Report #2023-12-13

12.4.1 2023 Variance Update to Include the Brantford Police Service [Financial Impact – \$1.74 million deficit], 2023-674

- A. THAT report 2023-674 titled 2023 Variance Update to Include the Brantford Police Service BE RECEIVED; and
- B. THAT staff BE DIRECTED to earmark an additional \$1.74 million from the Corporate Contingency Reserve (RF0554) in the event it is needed to address the forecasted deficit being projected by the Brantford Police Service for 2023.

12.4.2 2024 Property Tax Policy [Financial Impact - None], 2023-691

- A. THAT Report 2023-691 2024 Property Tax Policy BE RECEIVED, and;
- B. THAT no commercial or industrial optional property classes BE ADOPTED; and
- C. THAT no graduated tax rates BE ADOPTED for the commercial or industrial property classes; and
- D. THAT no phase-in of property taxes BE ADOPTED; and
- E. THAT no relief from hardship be adopted for the residential, farmland or managed forest property classes; and
- F. THAT no tax rate reduction for vacant and excess land in the commercial and industrial property classes BE ADOPTED; and

- G. THAT the tax rate reduction for farmland awaiting development phase 1 REMAIN at 25% of the residential tax rate and that the tax rate reduction for farmland awaiting development phase 2 REMAIN at 0% for commercial, industrial and multi-residential class property; and
- H. THAT all related by-laws, being by-laws to; provide for an interim tax levy for 2024, set tax rate reductions for prescribed property subclasses for general purposes for 2024, set tax ratios for general purposes for 2024, set tax rates for general purposes for 2024 and provide for the collection of taxes for 2024 BE PRESENTED to Council for adoption within the legislated time frames.

12.4.3 External Auditor Annual Independence Letter, Engagement Letter, and Audit Plan [Financial Impact – None], 2023-681

THAT Report 2023-681 regarding the Independence of the City's external auditor, the Engagement Letter and the Audit Plan, BE RECEIVED.

12.4.4 Quarterly Reserve and Reserve Fund Update [Financial Impact– None], 2023-712

- A. THAT Report No. 2023-712 Quarterly Reserve and Reserve Fund Update, BE RECEIVED; and
- B. THAT the necessary by-law to establish a Building Fleet Reserve Fund (RF0582) BE PRESENTED to City Council for adoption; and
- C. THAT the following reserves/reserve funds actions BE APPROVED:
 - i. Establishment of RF0580 CMHC Grant Reserve
 - ii. Establishment of RF0581 Development Engineering Fleet Reserve
 - iii. Establishment of RF0582 Building Fleet Reserve Fund
 - iv. Closure of John Noble Apartments Capital Reserve (RF0572) with the remaining balance and future contributions transferred to the Social Housing Capital Reserve (RF0473).

**12.4.5 Multi-Year City Budget – 2024 Public Engagement Campaign
[Financial Implications - \$10,000], 2023-724**

- A. THAT the staff recommendations outlined in Report No. 2023-724 “Multi-Year City Budget – 2024 Public Engagement Campaign” BE APPROVED and funded from the Council Priorities Reserve (RF0558) with the purpose of engaging the community in the City’s first multi-year Budget Estimates Process as follows:
- i. Analyzing data from a updated online Budget Priorities survey and recent telephone questionnaires (1,000 residents) in collaboration with Laurier Brantford's Faculty of Human and Social Sciences to identify trends to help inform the 2024 Multi-Year City Budget Process.
 - ii. Distribution of Media Releases, advisories and coordinated interviews to promote each stage of the City’s Multi-Year Budget process, with emphasis on promoting the opportunity for the public to delegate at the January 8th, Estimates Committee meeting.
 - iii. A paid media campaign including print and digital media platforms to promote all opportunities to engage on the Multi-Year City Budget Process.

**12.4.7 Temporary Borrowing for the Municipality [Financial Impact-
NONE], 2023-481**

- A. THAT report 2023-481 regarding temporary borrowings for the Municipality BE RECEIVED; and
- B. THAT a By-law to authorize the temporary borrowing of monies to meet, until the Taxes are collected, the current expenditures of the Corporation for the year 2024 BE PRESENTED to City Council for adoption.

6. STATUTORY PUBLIC MEETINGS

There were no statutory public meetings.

7. RECOGNITION OF ACHIEVEMENTS

There were no recognitions of achievement.

8. PROCLAMATIONS

Moved by Councillor Carpenter
 Seconded by Councillor Hunt

THAT the following proclamations BE APPROVED:

8.1 – Superior Mesenteric Artery Syndrome Awareness Day - January 28, 2024

8.2 – Bell Let’s Talk Day – January 24, 2024

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

8.1 Superior Mesenteric Artery Syndrome Awareness Day - January 28, 2024

Councillor Carpenter read the following proclamation:

WHEREAS Superior Mesenteric Artery Syndrome (SMAS) is a rare illness that affects 0.013%-0.03% of the population; and

WHEREAS SMAS is a digestive condition that occurs when the duodenum - the first part of the small intestine is compressed between two arteries (the aorta and the superior mesenteric artery) and causes partial or complete blockage of the duodenum; and

WHEREAS SMAS symptoms vary based on severity, but can be severely debilitating. Symptoms include but are not limited to abdominal pain, fullness, nausea, vomiting and/or weight loss and is typically due to the loss of the mesenteric fat-pad (fatty tissue that surrounds the Superior Mesenteric Artery); and

WHEREAS because it is a rare condition, one of the greatest tools in the fight to end SMAS is raising awareness;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Brantford hereby proclaims January 28, 2024 as “Superior Mesenteric Artery Syndrome Awareness Day” in the City of Brantford.

8.2 Bell Let’s Talk Day - January 24, 2024

Councillor Sicoli read the following proclamation:

WHEREAS January 24 2024 marks the 14th annual Bell Let's Talk Day, a day of conversation, support and positive change for mental health; and

WHEREAS the City of Brantford supports positive mental health for all citizens and members of our Community and seeks to improve the lives of the one in five Canadians who will experience a mental illness or mental health issue in their lifetime; and

WHEREAS raising the Bell Let's Talk flag is a visible reminder to the members of the community that mental health matters, that help is available, and that we are committed to creating change; and

WHEREAS "Bell Let's Talk Day" promotes mental health awareness, acceptance and action build on four key pillars: fighting stigma, improving access to care, supporting world-class research and leading by example in workplace mental health;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Brantford hereby PROCLAIMS Wednesday, January 24, 2024 as "Bell Let's Talk Day" in the City of Brantford.

9. PRESENTATIONS/DELEGATIONS

Mayor Davis in the Chair

9.1 Presentations

There were no presentations.

9.2 Delegations

9.2.1 Yves Djimi, Ken Peel, and Anwar Hussain

Yves Djimi, Ken Peel, and Anwar Hussain appeared before Council to speak to the resolution and respond to questions of Council.

10. CLERK'S REPORT ON COMMUNICATIONS

10.1 Clerk's Report on Communication for December 2023

Moved by Councillor Hunt

Seconded by Councillor Carpenter

THAT the Clerk's Report on Communication for December 2023 BE RECEIVED.

Recorded vote on the Clerks Report on Communication:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

11. MINUTES

Moved by Councillor McCreary

Seconded by Councillor Martin

THAT the following Minutes BE ADOPTED:

11.1 City Council – November 28, 2023

11.2 Special City Council – November 14, 2023

11.3 Special City Council - Private and Confidential - November 14, 2023

11.4 Special City Council – December 5, 2023

11.5 Special City Council - Private and Confidential – December 5, 2023

11.6 John Noble Home Committee of Management - December 13, 2023

11.7 John Noble Home Committee of Management - Private and Confidential - December 13, 2023

Recorded vote on all Minutes except Item 4.5 of Item 11.2 Special City Council - November 14, 2023:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Recorded Vote on Item 4.5 of Item 11.2 Special City Council – November 14, 2023

Yes: (8): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, and Councillor Carpenter

No: (3): Councillor Hunt, Councillor Samwell, and Councillor Van Tilborg

Carried (8 to 3)

11.1 City Council - November 28, 2023

11.2 Special City Council - November 14, 2023

11.3 Special City Council - Private and Confidential - November 14, 2023

11.4 Special City Council - December 5, 2023

11.5 Special City Council - Private and Confidential - December 5, 2023

11.6 John Noble Home Committee of Management - December 13, 2023

11.7 John Noble Home Committee of Management - Private and Confidential - December 13, 2023

Moved by Councillor Sullivan
Seconded by Councillor Sicoli

THAT all Items in the Committee Reports (Items 12.1 to 12.6) separated for discussion purposes BE APPROVED.

The following items were voted on individually:

12. COMMITTEE REPORTS

12.1 Committee of the Whole - Operations Report #2023-12-05

12.1.1 Clarence Street Rail Line Update [Financial Impact – None], 2023-682

Councillor Hunt declared a conflict on this item. (Councillor Hunt declared a conflict of interest on item 12.1.1 Clarence Street Rail Line Update [Financial Impact – None], 2023-682, as she has an immediate family member employed at Ingenia.)

A. THAT Report No. 2023-682 Clarence Street Rail Line Update BE RECIEVED; and

- B. THAT Staff BE DIRECTED to proceed with negotiations with Ingenia to agree to a reasonable cost sharing agreement for the construction of Option 1 as detailed.

Yes: (10): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Conflict (1): Councillor Hunt

Carried (10 to 0)

12.1.4 Year 2024 Capital Projects Funding Pre-Approvals [Financial Impact - \$2,200,000], 2023-663

- A. THAT Report No. 2023-663 titled “Year 2024 Capital Projects Funding Pre-Approvals” BE RECEIVED; and
- B. THAT notwithstanding the annual Estimates Committee process, \$2,200,000 funding to support the budget pre-approval request list in Appendix “A” BE TRANSFERRED to the appropriate capital projects on January 1, 2024; and
- C. THAT the Commissioner, Public Works Commission and the Purchasing Officer BE AUTHORIZED to award six (6) 2024 projects for the Public Works Commission as shown in Appendix “A” attached to Report No. 2023-663, in accordance with the City of Brantford’s Purchasing Policy.

Amendment

Moved by Councillor McCreary

Seconded by Councillor Martin

THAT item 12.1.4 BE AMENDED to include the following as Clause D:

THAT an additional \$70,000 be added to the Cemetery Master Plan project (CM2202) and that this amount BE FUNDED from the Cemetery Land Development Reserve (RF0495); and

Recorded vote on amendment to item 12.1.4:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Recorded vote on item 12.1.4, as amended:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

12.1.5 Vision Zero Road Safety Committee Report #2023-11-23

- A. THAT Report No. 2023-618 regarding 2023 Vision Zero Program Update BE RECEIVED; and
- B. THAT a capital project to retain a consultant to undertake an evaluation on Automated Speed Enforcement and Administrative Penalty System operations in order to provide recommendations to implement the program in the City of Brantford, BE CONSIDERED *as a priority capital project in the 2024 capital budget*; and
- C. THAT “Lane Designation” BE APPROVED on Icomm Drive at Clarence Street South as outlined in Appendix “A” of this report; and
- D. THAT the necessary by-law BE PRESENTED to City Council for adoption.
- E. THAT City Councillors Martin and Samwell, in their capacity as the Council appointed Brantford Police Service Board members, be directed to exercise their ability under section 31(1)(b) of the Police Services Act to advocate for the establishment of traffic enforcement as a high priority policing objective;
- F. THAT the City of Brantford supports the request of Parry Sound and the City of Cambridge that the Ontario

Government amend s. 205.1 of the Highway Traffic Act to permit municipalities to locate an Automated Speed Enforcement System permanently or temporarily on any roadway under the jurisdiction of municipalities as determined by municipalities and not be restricted to only community safety zones and school safety zones; and

- G. THAT a copy of section F above be forwarded to the Ontario Minister of Transportation, the Ontario Municipal Affairs and Housing, MPP Will Bouma and the Association of Municipalities of Ontario.

Recorded vote on item 12.1.5:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

12. COMMITTEE REPORTS

12.2 Social Services Committee Report #2023-12-06

12.2.3 Housing Stability Services Update [Financial Impact: None], 2023-336

- A. THAT Report 2023-336 Housing Stability Services Update BE RECEIVED; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of the final resolution and staff report to the County of Brant.

Recorded vote on item 12.2.3:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

12.2.5 Housing Development Mapping [Financial Impact: None], 2023-719

- A. THAT Report 2023-719, Housing Development Mapping 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.

Recorded vote on item 12.2.5:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Amendment

Moved by Councillor Samwell
Seconded by Councillor Van Tilborg

THAT for Community Housing in the City of Brantford, STAFF BE DIRECTED to develop future (after units completed or identified in table 3 of 2023-719) Community Housing developed in the ten year Affordable Housing Action Plan in a manner that will progress to a balanced amount of Community Housing across City Wards at the conclusion of the Affordable Housing Action Plan (2030).

Recorded vote on amendment to item 12.2.5:

Yes: (4): Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

No: (7): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, and Councillor McCreary

Lost (4 to 7)

12. COMMITTEE REPORTS

12.3 Committee of the Whole - Planning and Administration Report #2023-12-12

12.3.4 Clerk’s Department Policy Amendments [Financial Impact – None], 2023-591

- A. THAT Report 2023-591 ‘Clerk’s Policy Amendments’ BE RECEIVED; and
- B. THAT Corporate Policy – 007 – Citizen Recognition Awards BE REPEALED AND REPLACED attached as Appendix “A”; and
- C. THAT Corporate Policy – 054 – “Petition Policy” attached as Appendix “B” BE APPROVED and ADDED to the Corporate Policy Manual; and
- D. THAT Chapter 15 of the Municipal Code BE AMENDED attached as Appendix “C” to reflect changes for Electronic meeting participation; and
- E. THAT Corporate Policy -050 – Electronic/Virtual Meeting Operation Procedures BE REPEALED; and
- F. THAT the necessary By-law(s) to amend by-law 70-2010, being a by-law to adopt various City of Brantford policies and to create a corporate policy manual BE PRESENTED to City Council for adoption; and
- G. THAT the necessary By-law to AMEND Chapter 15 of the City of Brantford Municipal Code to include Virtual Meeting and Recognition of Achievement amendments BE PRESENTED to Council for adoption.

Amendment

Moved by Councillor Carpenter

Seconded by Councillor McCreary

THAT item 12.3.4 BE AMENDED to amend Chapter 15 to add that the Brantford Airport Board conduct recorded hybrid meetings effective once technically feasible.

Recorded vote on amendment to Item 12.3.4:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Amendment

Moved by Councillor Carpenter

Seconded by Councillor McCreary

THAT item 12.3.4 BE AMENDED to reflect that members be recognized in the order they indicate to speak regardless of location, by amending the following;

- A. Striking section 15.18.7 of Chapter 15 which reads:
“Members physically present shall be recognized by the Chair first for speaking opportunities followed by virtual participants”; and
- B. Reinstating section 15.7.6 which reads: *“When two (2) or more members indicate a wish to speak, the Chair shall name the member who first gave such indication.”*

Recorded vote on amendment to Item 12.3.4:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Recorded vote on Item 12.3.4, as amended:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

12. COMMITTEE REPORTS

12.4 Finance Committee Report #2023-12-13

12.4.6 Quarterly Status Report of Contracts Awarded [Financial Impact– None], 2023-708

THAT Report 2023-708 titled “Quarterly Status Report of Contracts Awarded” for the period of July 1, 2023 – September 30, 2023 BE RECEIVED.

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

12.5 Planning Committee Report #2023-12-14

12.5.1 Zoning By-law Amendment PZ-14-23 – 264 Erie Avenue [Financial Impact – None], 2023-623

- A. THAT Zoning By-law Amendment Application PZ-14-23, submitted by MHBC Planning on behalf of Ideal Capital, affecting the lands municipally known as 264 Erie Avenue, to change the zoning to “Residential Medium Density Type B – Exception 32 Zone” (R4B-32) to permit a 47-unit Apartment building BE APPROVED, subject to the application of a ‘Holding’ provision and in accordance with the applicable provisions outlined in Section 9.2 of Report 2023-623; 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 applicant has submitted a Stage 1 Archaeological Assessment and any subsequent assessments as required by the Ministry of Citizenship and Multiculturalism’s Standard and Guidelines for Consultant Archaeologists, as amended from time to time, as well as copies of all letters from the Ministry of Citizenship and Multiculturalism verifying that archaeological assessments have been entered into the Ontario Public Register of Archaeological Reports, to the satisfaction of the Chief Planner; and
- C. THAT pursuant to 34(18.2) 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 this planning matter, as discussed in Section 9.4 of Report 2023-623.”*;

- D. THAT the Brantford Heritage Committee BE CONSULTED regarding the inclusion of 264 Erie Avenue on the Heritage Register; and
- E. THAT, following consultation with the Brantford Heritage Committee, 264 Erie Avenue BE INCLUDED on the Heritage Register because it has design value as representative example of the Queen Anne Revival style of architecture; and
- F. THAT the By-law to remove the “Holding (H)” provision from the subject lands not be presented to Council for approval until the applicant has submitted a Heritage Impact Assessment for the subject property.

Recorded vote on Item 12.5.1 - Motion to Approve:

Yes: (4): Mayor Davis, Councillor Sicoli, Councillor Sless, and Councillor Martin

No: (6): Councillor Sullivan, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Lost (4 to 6)

Moved by Councillor Van Tilborg

Seconded by Councillor Samwell

- A. THAT Zoning By-law Amendment Application PZ-14-23, submitted by MHBC Planning on behalf of Ideal Capital, affecting the lands municipally known as 264 Erie Avenue, to change the zoning to “Residential Medium Density Type B – Exception 32 Zone” (R4B-32) to permit a 47-unit Apartment building BE REFUSED; and,
- B. THAT the reasons for the refusal are as follows;
 - i. the proposed development offends the character of the neighbourhood;
 - ii. the proposed level of intensification is not appropriate
 - iii. the proposed development will duly increase the burden on burden on City infrastructure

C. THAT pursuant to 34(18.2) of the Planning Act, R.S.O.

Recorded vote on Item 12.5.1 - Motion to Refuse:

Yes: (7): Mayor Davis, Councillor Sullivan, Councillor Sless, Councillor McCreary, Councillor Hunt, Councillor Samwell, and Councillor Van Tilborg

No: (4): Councillor Sicoli, Councillor Caputo, Councillor Martin, and Councillor Carpenter

Carried (7 to 4)

Amendment

Moved by Councillor Hunt

Seconded by Councillor Carpenter

THAT the motion to refuse BE AMENDED to include the following as a reason for refusal;

- i. The existing structure contains unique heritage features

Recorded vote on amendment to Item 12.5.1 - Motion to Refuse:

Yes: (4): Mayor Davis, Councillor Sicoli, Councillor Caputo, and Councillor Martin

No: (7): Councillor Sullivan, Councillor Sless, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Lost (4 to 7)

13. URGENT REPORTS

There were no urgent reports

14. RESOLUTIONS

There were no resolutions

15. NOTICES OF MOTION

15.1 Reliable and Accessible Public Rail Transit - CN Rail

Councillor Van Tilborg read the title of his Notice of Motion:

WHEREAS Canadians deserve access to reliable and efficient passenger rail service; and

WHEREAS in 2021 the Canadian Minister of Transportation announced that the federal government would be pursuing opportunities to enhance passenger rail services in southwestern Ontario; and

WHEREAS passengers continue to experience long delays and disruptions to service, related to interruptions caused by CN Rail's freight systems and refusal to give priority to passenger rail service; and

WHEREAS Metrolinx and VIA, in extending or improving commuter train service from Aldershot through to Brantford, Woodstock, Ingersoll and London, is reliant on access to CN rail lines; and

WHEREAS CN Rail views increased passenger rail service on its lines as being incompatible with its primary business of moving freight and is unlikely to cooperate in extending commuter rail service on its lines in southwestern Ontario without direction from the federal government; and

WHEREAS CN Rail has shown a disregard for Municipal property maintenance standards in respect to the maintenance of their rail lines and blocks municipalities attempts to enforce municipal property standards upon their rail lines; and

WHEREAS CN Rail's consistent failure to provide a timely response to development applications adjacent to rail right of ways imposes inordinate delays and expense for builders and municipalities, further jeopardizing the ability of municipalities to address the housing crisis; and

WHEREAS there is a complete lack of federal regulations providing VIA and Metrolinx with any degree of priority or guaranteed access to rail rights of way or directing CN Rail to work cooperatively with municipalities;

AND WHEREAS The City of Brantford CALLS UPON the Federal Government to assist other levels of government as they take steps address the need for reliable and accessible public rail transit, timely processing of housing developments and the prompt and equitable enforcement of municipal property standards;

NOW THEREFORE THE COUNCIL OF THE CITY OF BRANTFORD requests

- A. THAT the Federal Government enact the necessary legislative and regulatory provisions:
- i. providing VIA and Metrolinx with priority right of way over freight rail lines, and further;
 - ii. directing CN Rail to work positively and cooperatively with municipal and provincial governments in the processing of land development applications, and the prompt and timely enforcement of municipal property standards;
- B. THAT a copy of this resolution be forwarded to all Ontario Municipalities; and to the Member of Provincial Parliament Will Bouma, Member of Parliament Larry Brock, Federal Minister of Transport Pablo Rodriguez, Provincial Minister of Transportation Prabmeet Singh Sarkaria, President and CEO at Metrolinx, President and Chief Executive Officer of VIA Rail Canada Inc and President and Chief Executive Officer of CN.

16. BY-LAWS

Moved by Councillor Caputo

Seconded by Councillor Sless

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

BY-LAW PREAMBLE

196-2023 By-law to amend Parking By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Banbury Road - Schedule 16 – Pick Up Zones) (Public Works Policy – 021 Amending On-Street Parking Regulations)

197-2023 By-law to amend Parking By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Colonial Crescent - Schedule 7 – Parking Prohibited at Anytime) (Public Works Policy – 021 Amending On-Street Parking Regulations)

198-2023 By-law to amend Parking By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Drummond Street - Schedule 12 – Alternate Side of Street Parking) (Public Works Policy – 021 Amending On-Street Parking Regulations)

199-2023 By-law to amend Parking By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Franklin Street - Schedule 7 – Parking Prohibited at Anytime) (Public Works Policy – 021 Amending On-Street Parking Regulations)

200-2023 By-law to amend Parking By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Morton Avenue - Schedule 7 – Parking Prohibited at Anytime) (Public Works Policy – 021 Amending On-Street Parking Regulations)

201-2023 By-law to amend Traffic By-law 37-83, being a by-law to regulate Traffic in the City of Brantford (Brant County Road 18 – Schedule 8 – Speed Regulations) (Public Works Policy – 017 Guidelines for Establishing Posted Speed Limits)

202-2023 By-law to amend Parking By-law 144-88, being a By-law to regulate Parking in the City of Brantford (Lincoln Avenue - Schedule 26 – Accessible Zone) (Public Works Policy – 021 Amending On-Street Parking Regulations)

203-2023 By-law to amend Traffic By-law 37-83, being a by-law to regulate Traffic in the City of Brantford (Vision Zero Road Safety Committee Report #2023-11-23) (Committee of the Whole – Operations Report #2023-12-05)

204-2023 Being a By-law to amend By-law 70-2010 by Amending Corporate Policy – 007 (Citizen Recognition Awards) and Adding Corporate Policy – 054 (Petition Policy) (2023-591) (Committee of the Whole – Planning and Administration Report #2023-12-12)

205-2023 Being a By-law to amend Chapter 15 of the Municipal Code (Procedure) (2023-591) (Committee of the Whole – Planning and Administration Report #2023-12-12)

206-2023 Being a by-law to Adopt Amendment No. 1 to the City of Brantford Downtown Community Improvement Plan (2023-689) (Committee of the Whole – Planning and Administration Report #2023-12-12)

207-2023 Being a by-law to adopt the Emergency Management Program, to adopt the Emergency Response Plan and to repeal By-law 181-2021 (2023-717) (Committee of the Whole – Planning and Administration Report #2023-12-12)

208-2023 By-law to update the Heritage Grant Program (By repealing and replacing By-law 256-2021, Being a By-law to update a Heritage Grant Program) (2023-571) (Committee of the Whole – Planning and Administration Report #2023-12-12)

209-2023 By-law to amend By-law 70-2010, being a By-law to adopt various City of Brantford Policies, by amendment Corporate Policy – 010 (Delegation of Authority Policy) (2023-571) (Committee of the Whole – Planning and Administration Report #2023-12-12)

210-2023 A By-law to provide for an interim tax levy and to provide for the payment of taxes for the year 2024 (2023-691) (Finance Committee Report #2023-12-13)

211-2023 By-law to authorize the temporary borrowing of monies to meet, until the Taxes are collected, the current expenditures of the Corporation for the year 2024 (2023-481) (Finance Committee Report #2023-12-13)

212-2023 By-law to amend By-law No. 160-90, being a By-law to regulate the use of lands and the location and use of buildings and structures in the City of Brantford (PZ-14-23) (Planning Committee Report #2023-12-14)

213-2023 A By-law to establish a Municipal Accommodation Tax (Municipal Accommodation Revenue Tool Task Force Report 11.23.23) (City Council – November 28, 2023)

214-2023 By-law to authorize the execution of AGREEMENTS individually dated and listed on Schedule 'A' attached hereto:

1. Agreement between the Corporation of the City of Brantford and the Grand River Conservation Authority for Category 2 Programs and Services in 2024 (2023-651) (Committee of the Whole – Operations Report #2023-12-05)

215-2023 By-law to confirm the Proceedings of the Council of The Corporation of the City of Brantford with respect to the Meeting held on December 19, 2023.

216-2023 Being a By-law to Establish a Building Fleet Reserve Fund (2023-712) (Finance Committee Report #2023-12-13)

Recorded vote on 1st and 2nd reading of all by-laws not separated for discussion purposes:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Recorded vote on 1st and 2nd Reading of By-law 213-2023:

Yes: (7): Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, and Councillor Hunt

No: (4): Mayor Davis, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (7 to 4)

Moved by Councillor Sicoli

Seconded by Councillor Sullivan

THAT all by-laws having received a first and second reading 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 for discussion purposes:

Yes: (11): Mayor Davis, Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, Councillor Hunt, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (11 to 0)

Recorded vote on 3rd Reading of By-law 213-2023:

Yes: (7): Councillor Sicoli, Councillor Sullivan, Councillor Caputo, Councillor Sless, Councillor Martin, Councillor McCreary, and Councillor Hunt

No: (4): Mayor Davis, Councillor Carpenter, Councillor Samwell, and Councillor Van Tilborg

Carried (7 to 4)

17. ADJOURNMENT

The meeting adjourned at 7:51 p.m.

K. Davis, Mayor

Chris Gauthier, City Clerk