

CORPORATION OF THE MUNICIPALITY OF BRIGHTON
COUNCIL MEETING
January 18, 2010 at 6:30 p.m.

The Council of the Corporation of the Municipality of Brighton met on the above date at 6:30 p.m. in the Council Chambers, Brighton, Ontario.

Members Present: Mayor Chris Herrington, Councillors Dave Cutler, Craig Kerr, Brian Ostrander, Emily Rowley, Mike Vandertoorn and Chuck Ward

Staff Members: Gayle Frost, CAO; Ken Hurford, Director of Planning & Development; Jim Phillips, Director of Public Works & Environmental Services and Vicki Kimmett, Deputy Clerk

1. CALL TO ORDER

2. APPROVAL OF AGENDA

Resolution No. 2010-001

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That Council approves the Agenda for the January 18, 2010 Council Meeting as amended with the addition of the *Youth Initiatives Report* from the CAO which will be number 8.4(a); and the addition of *Helping Haiti: Challenge to all Ontario Municipal Governments* from the Mayor which will be numbered 14.3.

Carried

3. DECLARATIONS OF PECUNIARY INTERESTS & THE GENERAL NATURE THEREOF

Councillor Craig Kerr declared a conflict with a subject in the Closed Session: *4. A matter regarding potential litigation pursuant to Section 239(2)(e) of the Municipal Act, 2001, as amended.*

At this point in the meeting, Dorothy Fletcher was sworn in as the Municipal representative on the Police Services Board.

4. STATUTORY PUBLIC MEETING PURSUANT TO THE PLANNING ACT

Resolution No. 2010-002

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That Council now moves into the statutory public portion of this meeting pursuant to the Planning Act.

Carried

1. Rezoning Z09-2009 – Mike & Liza Finlan

The purpose of the statutory public meeting is to request comments on a proposed Zoning By-Law Amendment for the following application:

File Number: Z09-2009

Owners: Mike & Liza Finlan

Location: Plan 28, south part of Lot 29, 113/115 Prince Edward Street

There were no comments from the public.

2. Rezoning Z08-2009 – Roderick & Laura McLean

The purpose of the statutory public meeting is to request comments on a proposed Zoning By-Law Amendment for the following application:

File Number: Z08-2009

Owners: Roderick & Laura McLean

Location: Part Lot 29, Concession 2, Plan 38R 3380, Part 1, Long Reach Road, Brighton

There were no comments from the public.

Resolution No. 2010-003

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council now closes the statutory public portion of this meeting pursuant to the Planning Act and moves into regular business.

Carried

5. **ADOPTION OF COUNCIL MINUTES**

1. Council Minutes – December 21, 2009

Resolution No. 2010-004

Moved by: Councillor

Seconded by: Councillor

That Council approves the minutes of the Council Meeting of December 21st, 2009 as presented.

Carried

6. **PLANNING ISSUES**

1. Consent Application B17/2009 & B18/2009, Applicant Price's Construction Co. Ltd.

Resolution No. 2010-005

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

Based on the review of the consent applications, the applicable Official Plan policies, the zoning and the agency comments, it is recommended that Consent applications **B17-2009 and B18-2009 be granted**, each subject to the following conditions:

1. That the severed and retained parcels be rezoned to the Urban Residential Two (R2) Zone;
2. That cash-in-lieu of parkland in the amount of \$500 be paid to the Municipality;
3. That all taxes on the severed and retained lots be in compliance with Municipal requirements prior to the deed being stamped; and
4. That three paper copies and a digital copy of a registerable survey and the appropriate deeds be prepared and deposited with the Municipal Clerk within one year of the granting of consent.

Carried

2. Rezoning ZZ09-2009 – Mike & Liza Finlan

Resolution No. 2010-006

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

Based on the review of the rezoning application, the applicable Official Plan policies, the Comprehensive Zoning By-law and the consent application, it is recommended that Council pass a by-law to rezone the lands owned by Mike and Liza Finlan, in the South Part of Lot 29, Plan 28, with a municipal address of 113/115 Prince Edward Street from the Urban Residential Two (R2) Zone to the Urban Residential Two Exception No. 19 (R2-19) Zone.

Carried

By-Law No. 002-2010 of the Municipality of Brighton:

Resolution No. 2010-007

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a By-Law under the provisions of Section 34 of the Planning Act, R.S.O., 1990, to amend By-Law No. 140-2002, as otherwise amended, of the Corporation of the Municipality of Brighton as it applies to certain lands located in the south part of Lot 29, Plan 28, with a municipal address of 113/115 Prince Edward Street, in the Municipality of Brighton, to change the zoning from the Urban Residential Two (R2) Zone, to the Urban Residential Two Exception No. 19 (R2-19) Zone.

Carried

3. Rezoning Z08-2009 – Roderick & Laura McLean

Resolution No. 2010-008

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

Based on the review of the consent applications (B10-2009, B11-2009 and B12-2009), the applicable Official Plan policies, the zoning and the agency comments, it is recommended that Council adopt a zoning by-law amendment to rezone the McLean property in Part of Lot 29, Concession 2, as follows:

- 1) The two rural residential parcels (Consents B10/2009 and B11/2009) to the Rural Residential (RR) Zone;
- 2) The larger rural parcel (Consent B12/2009) to the special exception Rural Exception No. 34 (RU-34) Zone to recognize the lot frontage of 63 metres (207 feet); and
- 3) Portions of the retained parcel from the Rural (RU) Zone with Flood Prone Overlay Zone to Environmental Protection (EP) Zone.

Carried

By-Law No. 003-2010 of the Municipality of Brighton:

Resolution No. 2010-009

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council gives a By-Law its first, second and third reading and finally passed this date:

Brighton being a By-Law under the provisions of Section 34 of the Planning Act, R.S.O., 1990, to amend By-Law No. 140-2002, as otherwise amended, of the Corporation of the Municipality of Brighton as it applies to certain lands located in Part of Lot 29, Concession 2, in the Municipality of Brighton, in the County of Northumberland, to change the zoning from the Rural (RU) Zone with the Floodprone Area Overlay Zone to the Rural Residential (RR) Zone, Rural Exception No. 34 (RU-34) Zone and the Environmental Protection (EP) Zone.

Carried

7. **DELEGATIONS**

1. YMCA Task Force: Michael Calderwood & Cathy Hewton

Resolution No. 2010-010

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That Council receives the information from Michael Calderwood and Cathy Hewton of the Brighton YMCA Task Force.

Carried

2. Alzheimer Society of Belleville-Hastings-Quinte: Darlene Jackson, Public Education Coordinator for Centre Hastings & Brighton and Nancy Westacott, Brighton

Resolution No. 2010-011

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That Council suspends the Procedural By-Law to address the matter from the delegation from the Alzheimer Society.

Carried

Resolution No. 2010-012

Moved by: Councillor Dave Cutler

Seconded by: Councillor Brian Ostrander

That Council will write a letter to Southeast LIHN in support of the proposal from the Alzheimer Society of Belleville-Hastings-Quinte and the V.O.N.

Carried

Resolution No. 2010-013

Moved by: Councillor Emily Rowley

Seconded by: Councillor Mike Vandertoorn

That Council receives the information from Darlene Jackson and Nancy Westacott of the Alzheimer Society of Belleville-Hastings-Quinte.

Carried

8. STAFF UPDATES

1. Director of Parks & Recreation, Jim Millar & Community Development Officer, Vaughn Finch

a) Parks, Trails and Green Space Master Plan

Resolution No. 2010-014

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That Council receives the Parks, Trails, and Green Space Master Plan report as information and elects two members of Council to sit on the Parks, Trails, and Green Space Master Plan Steering Committee, the two appointed members being Councillor Craig Kerr and Councillor Dave Cutler.

Carried

2. Director of Public Works & Environmental Services – Jim Phillips

a) Kilbank Lodge Road

Resolution No. 2010-015

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That Council approves the passing of a by-law to change the name of Kilbank Lodge Road to Newton Lane.

Carried

b) Speed Limit and Traffic Control By-Laws

Resolution No. 2010-016

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That Council approves the passing of by-laws to enact the following:

1. To prescribe a rate of speed of 50 km/hr on Elizabeth Street, from the intersection of Pinnacle Street South and Terry Fox Drive to 0.85 km easterly (John Street).
2. To prescribe a rate of speed of 60 km/hr on Chatten Road, from County Road 30 to Florence Road.
3. To install stop signs on Richardson Street at the intersection of Meade Street to create an all-way stop.

Carried

3. Director of Planning & Development – Ken Hurford

a) Growth Management Strategy – Final Summary Report, October 15, 2009, County of Northumberland and its Member Municipalities

Resolution No. 2010-017

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That Council adopt a resolution to receive the Growth Management Strategy - Final Summary Report, dated October 15, 2009 and to refer the Final Summary Report to the Brighton Growth Management Committee.

Carried

4. CAO – Gayle Frost

1. Youth Initiative Request

Resolution No. 2010-018

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council approves the request to grant \$400 to Judith Murtha-Anderson

and Trent Michaud to assist with training for the 2010 Ontario Wintergames from the Youth Initiative Fund.

Carried

9. **MEMBER REPORTS** - None

10. **UNFINISHED BUSINESS** - None

11. **BY-LAWS**

1. By-Law No. 001-2010 of the Municipality of Brighton *being a By-Law to provide for an Interim Tax Levy for 2010 and to provide for the payment of taxes and to provide for penalty and interest*

Resolution No. 2010-019

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a by-law to provide for an Interim Tax Levy for 2010 and to provide for the payment of taxes and to provide for penalty and interest.

Carried

2. By-Law No. 004-2010 of the Municipality of Brighton *being a By-Law to prescribe the rate of speed on a highway (Chatten Road, from County Road 30 to Florence Road)*

Resolution No. 2010-020

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a by-law to prescribe the rate of speed on a highway (Chatten Road).

Carried

3. By-Law No. 005-2010 of the Municipality of Brighton *being a By-Law to prescribe the rate of speed on a highway (Elizabeth Street, from Pinnacle Street South and Terry Fox Drive to 0.85 km easterly (John Street)*

Resolution No. 2010-021

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a by-law to prescribe the rate of speed on a highway (Elizabeth Street).

Carried

4. By-Law No. 006-2010 of the Municipality of Brighton *being a By-Law to provide for the erection of stop signs at intersections – Richardson Street and Meade Street*

Resolution No. 2010-022

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a by-law to provide for the erection of stop signs at intersections – Richardson Street and Meade Street

Carried

5. By-Law No. 007-2010 of the Municipality of Brighton *being a By-Law to change the name of a highway in the Municipality of Brighton*

Resolution No. 2010-023

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a by-law to change the name of a highway in the Municipality of Brighton (Kilbank Lodge Road to Newton Lane).

Carried

12. REPORTS OF ADVISORY COMMITTEES OF COUNCIL

1. Committee of the Whole – Minutes, January 11, 2010

Resolution No. 2010-024

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

That Council approves the minutes of the Committee of the Whole of January 11, 2010.

Carried

13. REPORTS OF STATUTORY COMMITTEES, BOARDS & EXTERNAL AGENCIES

1. DBIA Board Meeting – Minutes, November 4, 2009
2. DBIA Board Meeting – Minutes, December 2, 2009
3. Northumberland County Council – Minutes, November 18, 2009

Resolution No. 2010-025

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That Council receives the reports of Statutory Committees, Boards and External Agencies:

1. DBIA Board Meeting – Minutes, November 4, 2009
2. DBIA Board Meeting – Minutes, December 2, 2009
3. Northumberland County Council – Minutes, November 18, 2009

Resolution No. 2010-25 was withdrawn to allow the following motion to be tabled:

Resolution No. 2010-026

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That Council sends a letter to the County of Northumberland advising them again that the Municipality of Brighton requests that no further action be taken by the County regarding a grade separation.

Defeated

Resolution No. 2010-25 was put back on the table:

Resolution No. 2010-025

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That Council receives the reports of Statutory Committees, Boards and External Agencies:

1. DBIA Board Meeting – Minutes, November 4, 2009
2. DBIA Board Meeting – Minutes, December 2, 2009
3. Northumberland County Council – Minutes, November 18, 2009

Carried

14. CORRESPONDENCE

1. Lower Trent Conservation regarding Revised Plan Review Fee Schedule – 2010

Resolution No. 2010-027

Moved by: Councillor Dave Cutler

Seconded by: Councillor Brian Ostrander

That Council supports the correspondence from Lower Trent Conservation regarding the *Revised Lower Trent Conservation Plan Review Fee Schedule – 2010*.

Carried

2. Municipal Engineers Association regarding MEA Book Presentation – “*Sharing with Pride*”

Resolution No. 2010-028

Moved by: Councillor Dave Cutler

Seconded by: Councillor Brian Ostrander

That Council supports the correspondence from the Municipal Engineers Association regarding MEA Book Presentation – “*Sharing with Pride*”

Carried

3. AMO President Peter Hume & Executive Director Pat Vanini regarding *Helping Haiti: Challenge to all Ontario Municipal Governments*

Resolution No. 2010-029

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council supports the correspondence from AMO regarding *Helping Haiti* and donate \$100 to the Canadian Red Cross for relief efforts in Haiti.

Before this motion was voted on the following amending motion was proposed:

Resolution No. 2010-030

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That Council amend the motion to contribute \$1100, being approximately 10 cents per resident, and place a challenge to all other Municipalities in Ontario.

Carried

Resolution No. 2010-29 was voted on, as amended:

Resolution No. 2010-029

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council supports the correspondence from AMO regarding *Helping Haiti* and donate \$1100, being approximately 10 cents per resident, to the Canadian Red Cross for relief efforts in Haiti and place a challenge to all other Municipalities in Ontario, as amended.

Carried

15. FYI CORRESPONDENCE

1. Ministry of Finance in reference to the release of the Ontario Municipal Partnership Fund (OMPF) allocations for 2010

Resolution No. 2010-031

Moved by: Councillor Chuck Ward

Seconded by: Councillor Brian Ostrander

That Council receives the correspondence from the Ministry of Finance regarding the Ontario Municipal Partnership Fund allocations for 2010.

Carried

16. QUESTION PERIOD – Residents & Press

- David Green informed Council that the Brighton Community Policing Committee is holding a dance for teens in Brighton January 29, 2010 with money from a grant from Correctional Services. He also informed Council that he and a group of other residents are going to Haiti to help with relief efforts and agreed to come back to Council and report on it when they return.
- Joyce Cassin informed Council that the work on Dufferin Street was a great improvement.
- John Martinello asked what recourse was available to Brighton if the County of Northumberland proceeded with the grade separation.
- Jack Evans requested separate press packages of Agendas.
- Bill Tremblay questioned which Minister was involved in the grade separation question.

17. IN CAMERA SESSION

Resolution No. 2010-032

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That Council now move into Closed Session to consider:

1. Quinte Health Care Advisory Applicants pursuant to Section 239(2)(b) of the Municipal Act, 2001, as amended.
2. A matter regarding potential litigation pursuant to Section 239(2)(e) of the Municipal Act, 2001, as amended.

Carried

The following resolutions were passed in the closed session:

Resolution No. 2010-033 being a motion to give direction to staff on a matter regarding potential litigation pursuant to Section 239(2)(e) of the Municipal Act, 2001, as amended.

Resolution No. 2010-34 being a motion to return to open session.

The following resolution comes from the closed session discussions.

1. Quinte Health Care Advisory Applicants pursuant to Section 239(2)(b) of the Municipal Act, 2001, as amended.

Resolution No. 2010-035

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That Council appoints George Chandler as a Brighton Representative to the Quinte Health Care Community Advisory Council.

Carried

18. CONFIRMATORY BY-LAW NO. 008-2010

Resolution No. 2010-036

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That Council gives a By-Law its first, second and third reading and finally passed this date:

Being a by-law to confirm the proceedings of the Council of the Municipality of Brighton meeting held on January 18, 2010.

Carried

19. ADJOURNMENT

Resolution No. 2010-037

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council meeting be adjourned at 8:55 p.m., Council to meet again on Monday, February 1, 2010 or at the call of the Mayor.

Carried

Christine Herrington, Mayor

Gayle J. Frost, CAO/Clerk