

CORPORATION OF THE MUNICIPALITY OF BRIGHTON
COUNCIL MEETING
May 19th, 2009

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

MEMBERS PRESENT: Mayor-Chris Herrington, Councillors Chuck Ward, Craig Kerr, Mike Vandertoorn, Emily Rowley and Dave Cutler

Staff Members: Gayle Frost, CAO; Jim Phillips, Director of Public Works; Ken Hurford, Director of Planning; Vaughn Finch, CDO and Helen Bryant, Administrative Assistant

1. CALL TO ORDER @ 6:30 p.m.

2 APPROVAL OF AGENDA -

RESOLUTION NO. 09-248

Moved by Craig Kerr, seconded by Emily Rowley-That the Municipality of Brighton Council approves the Agenda for the May 19th, 2009 Council Meeting subject to the deletion of Item 14.2

Carried

3 DECLARATIONS OF PECUNIARY INTERESTS & THE GENERAL NATURE THEREOF

Councillor Rowley declared a conflict with item 7.1 as she is a Board Member

Councillor Brian Ostrander advised Council he was present at the meetings for Item 10.1

ENSS Track & Field Project

Mayor Herrington declared a conflict with item 7.2 as recent County excavation undertaken on adjacent lands owned by immediate family members

RESOLUTION NO. 09-249

Moved by Craig Kerr, seconded by Emily Rowley -That the Municipality of Brighton Council now moves into the statutory public portion of this meeting pursuant to the Planning Act.

Carried

4 STATUTORY PUBLIC MEETING UNDER THE PLANNING ACT

1. Z204-2009 Zoning By-law No. 029-2009 – Stalwood Homes- Orchard Gate Subdivision
Lots 27, 28 & 29, Plan 39M-854

Stalwood Homes has submitted an application to the Municipality requesting an amendment to the Municipality's Comprehensive Zoning By-law. The lands subject to the proposed amendment are situated in the Orchard Gate Subdivision development between Empire Boulevard and Cortland Way and are formally described as Lots 27, 28 and 29 on Plan 39M-854. When the rezoning application was initially submitted, Stalwood Homes requested that special zoning be established to permit the possible development of a semi-detached dwelling on each lot for a total of six dwelling units. Stalwood Homes have subsequently revised their proposal to consist of semi-detached dwellings on the northern two lots (28 and 29) and a single detached dwelling on the southern lot. The requested amendment (as revised) would change the zoning on the subject lands from the Urban Residential Two (R2) Zone to the Urban Residential Two Exception No. 17 (R2-17) Zone and the Urban Residential Two Exception No. 18 (R2-18) Zone. The effect of the proposed by-law is to establish special development provisions for three lots between Empire Boulevard and Cortland Way.

It is recommended that:

1. Council adopt a resolution to state that Council has considered if there is a need for further public notification prior to adopting the by-law and has determined that further notice is not warranted.
2. Council passes By-law No. 029-2009 to rezone the subject lands from the Urban Residential Two (R2) Zone to the Urban Residential Two Exception No. 17 (R2-17) Zone and the Urban Residential Two Exception No. 18 (R2-18) Zone.

Mr. Numbers – 24 Empire Blvd. opposed the proposed amendment to allow semi-detached dwellings

Mr. Dave Barnes – 8 Empire Blvd – opposed the proposed amendment supports Mr. Numbers statement

Mr. Doug Wisken – 10 Royal Gala Dr – supports the proposed amendment

RESOLUTION NO. 09-250

Moved by Craig Kerr, seconded by Emily Rowley -That the Municipality of Brighton Council now closes the statutory public portion of this meeting pursuant to the Planning Act and move into regular business.

Carried

5. APPROVAL OF COUNCIL MINUTES

1. Council Minutes of May 4th, 2009

RESOLUTION NO. 09-251

Moved by Emily Rowley, seconded by Mike Vandertoorn -That the Municipality of Brighton Council approves the minutes of the Council Meeting of May 4th, 2009

Carried

6. PLANNING ISSUES

1. Resolution re: no further notice

RESOLUTION NO. 09-252

Moved by Emily Rowley, seconded by Craig Kerr -
Whereas Section 34(17) of the Planning R.S.O. 1990, as amended, permits the Council of a municipality to determine if a change in a proposed Rezoning By-Law warrants further notice;

And Whereas By-Law 029-2009 as revised as result of discussions with the applicant and a request from the applicant to reduce the scope of the requested amendment will result in fewer residential units (5 units) than originally proposed (6 units) as noted in the notice of public meeting;

THEREFORE BE IT RESOLVED –

THAT the Council of the Municipality of Brighton has determined that no further notice will be required prior to the consideration of By-Law No. 029-2009;

Carried

2. By-Law 029-2009 – Stalwood Homes

RESOLUTION NO. 09-253

Moved by Emily Rowley, seconded by Craig Kerr -That the Municipality of Brighton Council gives By-Law 029-2009 its first, second and third reading and finally passed this date:

BEING A BY-LAW TO AMEND BY-LAW 140-2002 AS IT APPLIES TO CERTAIN LANDS LOCATED IN PART OF LOT 3, CONCESSION 1, SOUTH OF MAIN STREET TO CHANGE THE ZONING FROM THE URBAN RESIDENTIAL TWO (R2) ZONE TO THE URBAN RESIDENTIAL TWO EXCEPTION NO. 17 (R2-17) ZONE AND THE URBAN RESIDENTIAL TWO EXCEPTION NO. 18 (R2-18) ZONE

Carried

Councillor Rowley declared a conflict of interest on the following matter and did not take part in the discussion or vote on the matter

7. DELEGATIONS

1. Michael Graham – Brighton Fare Share Food Bank

RESOLUTION NO. 09-254

Moved by Mike Vandertoorn, seconded by Craig Kerr-That the Municipality of Brighton Council receives the information presented from delegate: Michael Graham – Brighton Fare Share Food Bank and that this be brought forward to the next Committee of the Whole Meeting.

Carried

Mayor Herrington declared a conflict of interest on the following matter, Councillor Cutler assumed the chair for this portion of the meeting. Mayor Herrington did not take part in the discussion nor vote on the matter

2. Bill Pyatt, CAO Northumberland County, Angelos Bacopoulos & Adam McCue – Brighton Landfill Site Update

RESOLUTION NO. 09-255

Moved by Mike Vandertoorn, seconded by Craig Kerr -That the Municipality of Brighton Council receives the information presented from delegate: Bill Pyatt, CAO Northumberland County, Angelos Bacopoulos & Adam McCue – Brighton Landfill Site Update

Carried

Mayor Herrington reassumed chair

8. STAFF UPDATES

1. Jim Phillips – Director of Public Works
 - a) Road Closure – Brighton Street Dance

RESOLUTION NO. 09-256

Moved by Mike Vandertoorn, seconded by Craig Kerr -That the Municipality of Brighton Council receives the request from Daniel Thompson for permission to hold a street dance in Brighton on July 4, 2009 on Main Street from Division Street to Prince Edward Street, as well as Procter Street, and direct staff to invite Mr. Thompson to attend the June 1st Council meeting to discuss his application.

Carried

2. Vaughn Finch – CDO
 - a) Recreational Infrastructure Canada (RInC) Program Application

RESOLUTION NO. 09-257

Moved by Brian Ostrander, seconded by Dave Cutler-That the Municipality of Brighton Council applies to the RInC program for funding in the amount of \$141,361.20 to complete Phase 1 (Harbour Street Park and Price Street East Canoe & Kayak Launch) of the Brighton Waterfront Revitalization project. This funding would represent two-thirds of the project cost of \$212,100.00

Carried

9. MEMBER REPORTS

1. Mayor Herrington re: Brighton Public School
 - a) Quinte West Ad Hoc Healthcare Committee

RESOLUTION NO. 09-258

Moved by Chuck Ward, seconded by Brian Ostrander -That the Municipality of Brighton Council receives the report from Mayor Herrington re: Quinte West Ad Hoc Healthcare Committee

Carried

2. Councillor Dave Cutler
 - a) Rethinking Debate

RESOLUTION NO. 09-259

Moved by Dave Cutler, seconded by Brian Ostrander-That the Municipality of Brighton Council place on the agenda of the June 8th Committee of the Whole agenda, an item as follows: *Committee to review current practice at meetings and agree on improvements aimed at improving the effectiveness and efficiency of the decision making process.*

Carried

10. UNFINISHED BUSINESS

1. ENSS – Track & Field Project

RESOLUTION NO. 09-260

Moved by Brian Ostrander, seconded by Chuck Ward - That the Municipality of Brighton Council supports in principle the correspondence from ENSS Track & Field Project re: Joint Use Agreement and directs staff to provide a report on a joint-use agreement prepared by the board

And further defer funding requests to budget discussion

And further that Council direct staff to bring back a report on the Strategic Plan initiative for Recreation and Trail Master Plan

Carried

11. RESOLUTIONS & BY-LAWS

1. Approval of Accounts

RESOLUTION NO. 09-261

Moved by Chuck Ward, seconded by Brian Ostrander -That the Municipality of Brighton Council approves the payment of the accounts listed on the cheque listings dated May 13, 2009 for \$464,290.51 as paid.

Carried

12. REPORTS OF ADVISORY COMMITTEES OF COUNCIL

1. Brighton Economic Dev Committee – Apr 20/09

RESOLUTION NO. 09-262

Moved by Chuck Ward, seconded by Brian Ostrander-That the Municipality of Brighton Council approves the report from the Brighton Economic Development Committee Advisory Committee – Apr 20/09

Carried

2. Committee of the Whole – May 11/09

RESOLUTION NO. 09-263

Moved by Dave Cutler, seconded by Chuck Ward -That the Municipality of Brighton Council approves the report from the Committee of the Whole Committee – May 11/09

Carried

3. Community Events – May 12/09

RESOLUTION NO. 09-264

Moved by Dave Cutler, seconded by Chuck Ward -That the Municipality of Brighton Council approves the report from the Community Events Committee – May 12/09

Carried

4. Railway Committee – May 12/09

RESOLUTION NO. 09-265

Moved by Dave Cutler, seconded by Chuck Ward -That the Municipality of Brighton Council approves the report from the Railway Committee – May 12/09

Carried

13. REPORTS OF STATUTORY COMMITTEES, BOARDS & EXTERNAL AGENCIES

1. County Council – Mar 18/09
2. Mt. Hope Cemetery – Mar 20/09

RESOLUTION NO. 09-266

Moved by Brian Ostrander, seconded by Chuck Ward-That the Municipality of Brighton Council receives the reports of Statutory Committees, Boards and External Agencies: 1. County Council – Mar 18/09 2. Mt. Hope Cemetery – Mar 20/09

Carried

14. CORRESPONDENCE

1. Homegrown Ontario – Meat and Poultry

RESOLUTION NO. 09-267

Moved by Dave Cutler, seconded by Chuck Ward

Whereas the Municipality of Brighton supports practices that contribute to the creation of a sustainable environment:

And whereas Homegrown Ontario is a brand that allows Ontario consumers to support Ontario farmers by purchasing Ontario produced meat and poultry

And whereas Ontario farmers adhere to the highest quality standards set forth by the Canadian provincial and federal government regulatory boards;

Therefore be it resolved that the procurement practice of purchasing meat and poultry products produced by Ontario farmers be identified as the preferred local sustainable procurement practice

Be it further resolved that the purchase of all Ontario produced meat and poultry sourced locally requires the burning of less fossil fuel than food trucked or even flown in from hundreds, or even thousands of miles away

Carried

2. Quinte Access-A-Thon 09 - ~~deleted~~

3. Ron Matthews – Build a Park & Playground

RESOLUTION NO. 09-268

Moved by Brian Ostrander, seconded by Chuck Ward -That the Municipality of Brighton Council receives the correspondence from Ron Matthews re: Building a Park & Playground

Carried

15. FYI CORRESPONDENCE

1. Rose Ellery – re: East End proposed Development

RESOLUTION NO. 09-269

Moved by Mike Vandertoorn, seconded by Craig Kerr -That the Municipality of Brighton Council receives the FYI Correspondence 1) Rose Ellery re: East End Proposed Development

Carried

16. QUESTION PERIOD – Residents & Press

17. IN CAMERA SESSION - NONE

18. CONFIRMATORY BY-LAW NO. 030 – 2009

RESOLUTION NO. 09-270

Moved by Emily Rowley, seconded by Craig Kerr -That the Municipality of Brighton Council gives By-Law No. 030-2009 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 May 19th, 2009

Carried

19. ADJOURNMENT

RESOLUTION NO. 09-271

Moved by Craig Kerr, seconded by Emily Rowley - THAT the meeting be adjourned, Council to meet again on June 1st, 2009 or at the call of the Mayor.

Carried

Christine Herrington, Mayor

Gayle J. Frost, CAO/Clerk