

**CORPORATION OF THE MUNICIPALITY OF BRIGHTON  
COUNCIL MEETING  
October 19, 2009 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; Jim Phillips, Director of Public Works; Ken Hurford, Director of Planning and Vicki Kimmett, Deputy Clerk

**1 CALL TO ORDER**

The meeting was called to order at 6:30 p.m.

**2 APPROVAL OF AGENDA**

**Resolution No. 2009-502**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council approves the Agenda for the October 19th, 2009 Council Meeting.

*Carried*

**3 DECLARATIONS OF PECUNIARY INTERESTS & THE GENERAL NATURE THEREOF –**

None noted

**4. STATUTORY PUBLIC MEETING- None**

**5. ADOPTION OF COUNCIL MINUTES**

1. Council Minutes – October 5, 2009

**Resolution No. 2009-503**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council approves the minutes of the Council Meeting of October 5<sup>th</sup>, 2009 as presented.

*Carried*

2. Council Minutes – October 13, 2009

**Resolution No. 2009-504**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council approves the minutes of the Council Meeting of October 13<sup>th</sup>, 2009 as presented.

*Carried*

3. Council Minutes, Closed Session – October 13, 2009

**Resolution No. 2009-505**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council approves the minutes of the Council Meeting – Closed Session of October 13<sup>th</sup>, 2009 as presented.

*Carried*

6. **PLANNING ISSUES**

1. Consent Applications B10-2009, B11-2009 & B12-2009, Applicants Laura and Rod McLean

**Resolution No. 2009-506**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council, 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 **grant provisional consent** to applications **B10-2009, B11-2009 and B12-2009**, each subject to the specific conditions as follows:

**B10/2009 and B11/2009**

- 1) That the severed parcel be rezoned to the Rural Residential (RR) Zone;
- 2) That the Floodprone Area Zone adjacent to the watercourse on the retained parcel be rezoned to Environmental Protection (EP) as requested in the Lower Trent letter of October 14, 2009;
- 3) That the applicant dedicate a strip of land ensuring 33 feet from the centreline of Long Reach Road along the frontage of the severed and retained lots for road widening purposes;
- 4) That cash-in-lieu of parkland in the amount of \$500 be paid to the Municipality;
- 5) That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped;
- 6) 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.

**B12/2009**

- 1) That the severed parcel be rezoned to a special Rural exception zone to recognize the reduced lot frontage;
- 2) That the Floodprone Area Zone adjacent to the watercourse on the retained parcel be rezoned to Environmental Protection (EP) as requested in the Lower Trent letter of October 14, 2009;
- 3) That the applicant dedicate a strip of land ensuring 33 feet from the centreline of Long Reach Road along the frontage of the severed and retained lots for road widening purposes;
- 4) That cash-in-lieu of parkland in the amount of \$500 be paid to the Municipality;
- 5) That all taxes on the severed and retained parcels be in compliance with Municipal requirements prior to the deed being stamped;
- 6) 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. Harbourfront Subdivision – 952849 Ontario Limited

**Resolution No. 2009-507**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council agrees to a two year extension of draft plan approval for the Harbourpoint Subdivision, PRMPA File No.: PRSubdiv-2006/008; and adopt the following resolution:

1. That the Municipality of Brighton Council recommend to the Pine Ridge Municipal Planning Agency that the Harbourpoint Subdivision, PRMPA File No.: PRSubdiv-2006/008 be granted a two year extension of draft plan approval; and
2. That Staff be directed to forward correspondence, including this resolution to the PRMPA, stating Council's support for a two year extension of draft approval.

*Carried*

7. **DELEGATIONS** - None

8. **STAFF UPDATES**

1. Director of Public Works & Environmental Services – Jim Phillips
  - a) Water Pollution Control Plant – Action Plan Summary

**Resolution No. 2009-508**

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council receives the report prepared by the Director of Public Works and Environmental Services, summarizing the actions taken to alleviate the elevated ammonia levels at the Water Pollution Control Plant and accepts the recommendations in the Technical Memorandum prepared by CH2M Hill Canada.

*Carried*

2. Director of Planning & Development Services – Ken Hurford
  - a) Craft Development Corporation – Commercial Proposal

**Resolution No. 2009-509**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Dave Cutler

That pursuant to Section 8.5 (1) of the Procedural By-Law, that the Municipality of Brighton Council approve reconsideration of Resolution 2009-455.

*Carried*

**Resolution No. 2009-510**

Moved by: Councillor Brian Ostrander

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council, based on the October 6<sup>th</sup> letter from Ira Kagen and a review of the applications, Official Plan and Zoning By-law and discussions with the Municipality's Peer Review Consultants and Solicitor and pursuant to Section 8.5 (1) of the Procedural By-Law, adopts the following resolution: That Resolution No. 2009-455 is rescinded.

*Carried*

**Resolution No. 2009-511**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Dave Cutler

That the Council of the Municipality of Brighton supports District Commercial development on the property situated in Part of Lot 33, Concession 'B' having a lot area of approximately 18.4 acres (7.5 hectares) and a frontage of 260 metres (860 feet) along the south side of Elizabeth Street, subject to the following:

1. That the first phase of the development include an anchor tenant with a gross floor area of up to 4,350 square metres
2. That a maximum of two drive-through facilities, accessory to any permitted use in the zoning by-law shall be permitted on the subject lands. In addition, a free standing bank drive-through kiosk not connected to a building but only as an accessory use to a bank also located on the subject lands will also be permitted. A maximum of two drive-throughs may be developed in Phase 1 with the third in Phase 2 of the development. The developers will file with the Municipality an addendum to the Transportation report which shows that both internal and external (Elizabeth Street) traffic will remain acceptable with the addition of the bank kiosk drive-through. The transportation report addendum should also include recommendations as to acceptable locations on the site for the bank kiosk drive-through.
3. That all development will be subject to site plan control with particular

regard to the matters set out Section 3.3.4.3 c. of the Official Plan, in order to achieve high standards of urban design recognizing the “gateway location” of this site.

4. That additional time will be required to allow the Municipality to finalize its review of the details of the development and in particular the complete set of development controls including site specific Official Plan policies and zoning regulations needed for this site.

*Carried*

3. CAO – Gayle Frost
  - a) Police Services Board Membership

**Resolution No. 2009-512**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Dave Cutler

That Council direct the Chief Administrative Officer to advertise to fill the vacancy on the Brighton Police Services Board as a result of the resignation of Peter Corry effective December 31, 2009.

*Carried*

**9. MEMBER REPORTS**

1. Mayor Chris Herrington
  - a) Strategic Plan Review

**Resolution No. 2009-513**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That Council and the Senior Management Team schedule a meeting November 2009 to review our Strategic Plan to ensure alignment with current issues and to capture any evolving items that might require consideration in our 2010 budget.

*Carried*

**10. UNFINISHED BUSINESS**

- a) Covell Grove Cemetery Fence – Mill Pond Woods Subdivision (*deferred from Committee of the Whole Meeting, October 13, 2009*)

**Resolution No. 2009-514**

Moved by: Councillor Chuck Ward

Seconded by: Councillor Mike Vandertoorn

That the Municipality of Brighton Council accepts the alternative fence design for the Covell Grove Cemetery submitted in a letter from Gordon Tobey Developments, dated October 5<sup>th</sup>, 2009, subject to the following conditions:

1. There is unanimous consent from all parties and an amendment to the Subdivision Agreement is executed.
2. The fence is constructed of steel posts and heavy chain, painted black.
3. Signs are erected at the entrances from Hickory Court and White Spruce Court. The signs shall be designed to match similar historic landmark signs.
4. The developer is responsible for all costs
5. The work will be completed by October 30<sup>th</sup>, 2009.

*Carried*

**11. RESOLUTIONS & BY-LAWS**

**12. REPORTS OF ADVISORY COMMITTEES OF COUNCIL**

1. Civic Awards Committee – Minutes, September 30, 2009

**Resolution No. 2009-515**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That the Municipality of Brighton Council approves the report of the Advisory Committee of Council: Civic Awards Committee – September 30, 2009

*Carried*

2. Committee of the Whole – Minutes, October 13, 2009

**Resolution No. 2009-516**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That the Municipality of Brighton Council approves the report of the Advisory Committee of Council: Committee of the Whole – October 13, 2009

*Carried*

**13. REPORTS OF STATUTORY COMMITTEES, BOARDS & EXTERNAL AGENCIES**

1. Municipality of Brighton Police Services Board – Minutes, August 5, 2009
2. Drinking Water Source Protection Committee – Minutes, September 15, 2009
3. Lower Trent Conservation Authority Board of Directors Meeting – Minutes, October 8, 2009

**Resolution No. 2009-517**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

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

1. Municipality of Brighton Police Services Board – Minutes, August 5, 2009
2. Drinking Water Source Protection Committee – Minutes, September 15, 2009
3. Lower Trent Conservation Authority, Board of Directors Meeting – Minutes, October 8, 2009

*Carried*

**14. CORRESPONDENCE**

1. PARN – Your Community AIDS Resource Network: Tag Day November 27<sup>th</sup> & 28<sup>th</sup>, 2009

**Resolution No. 2009-518**

Moved by: Councillor Craig Kerr

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council supports the Correspondence from PARN – Your Community AIDS Resource Network requesting Tag Days be permitted November 27<sup>th</sup> & 28<sup>th</sup>, 2009.

*Carried*

2. Brighton Fare Share Food Bank: Holiday Train stop on November 30, 2009

**Resolution No. 2009-519**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Craig Kerr

That the Municipality of Brighton Council receives the Correspondence from Brighton Fare Share Food Bank: Holiday Train stop on November 30, 2009.

*Carried*

3. Peter A. Starbuck: Future uses of the Brighton Public School Building

**Resolution No. 2009-520**

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council receives the Correspondence from Peter A. Starbuck concerning future uses of the Brighton Public School Building.

*Carried*

**15. FYI CORRESPONDENCE**

1. MPAC (Municipal Property Assessment Corporation re: Toronto Bank Towers Decision – Divisional Court

**Resolution No. 2009-521**

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council receives the FYI Correspondence from the Municipal Property Assessment Corporation (MPAC) about the Toronto Bank Towers Decision – Divisional Court.

*Carried*

2. QHC (Quinte Health Care) re: Resolution of the Municipality of Brighton Council

**Resolution No. 2009-522**

Moved by: Councillor Dave Cutler

Seconded by: Councillor Chuck Ward

That the Municipality of Brighton Council receives the FYI Correspondence from QHC (Quinte Health Care) regarding a resolution of the Municipality of Brighton Council.

*Carried*

**16. QUESTION PERIOD – Residents & Press**

**17. IN CAMERA SESSION - None**

**18. CONFIRMATORY BY-LAW NO. 054-2009**

**Resolution No. 2009-523**

Moved by: Councillor Emily Rowley

Seconded by: Councillor Mike Vandertoorn

That the Municipality of Brighton 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 October 19, 2009.**

*Carried*

**19. ADJOURNMENT**

**Resolution No. 2009-524**

Moved by: Councillor Mike Vandertoorn

Seconded by: Councillor Emily Rowley

That the Municipality of Brighton Council meeting be adjourned at 8:17 p.m., Council to meet again on Monday, November 2, 2009 or at the call of the Mayor.

*Carried*

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Christine Herrington, Mayor

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Gayle J. Frost, CAO/Clerk