

THE CORPORATION OF THE CITY OF BELLEVILLE

AGENDA

APRIL 8, 2019
4:00 P.M.
COUNCIL CHAMBER

It is noted that there will be a City Council In Camera (closed session) Meeting at 2:30 p.m. At 2:30 p.m., City Council will be requested to consider approval of the following resolution. This will take place in a very brief Open session, immediately prior to entering into In Camera session.

“THAT City Council enter into In Camera session to consider the following items, pursuant to Section 239 of the Municipal Act.

- In Camera Report No. PP-2019-30 regarding advice that this subject to solicitor-client privilege (Pursuant to Section 239(2)(f) of the Municipal Act)
- In Camera Report No. ECDEV-2019-11 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- Review of the Regular In Camera Minutes of March 25, 2019.”

1. CALL TO ORDER

1.1. ATTENDANCE

His Worship Mayor Panciuk	
Councillor Carr	Councillor McCaw
Councillor Culhane	Councillor Sandison
Councillor Kelly	Councillor Thompson
Councillor Malette	Councillor Williams

2. MOMENT OF REFLECTION

2.1 Moment of Reflection

3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

4. **PUBLIC MEETINGS**

5. **READING AND CONFIRMATION OF MINUTES**

Minutes of the Special Council Meeting of March 18 & 19, 2019, Regular Council Meeting of March 25, 2019, and Regular In Camera Meeting Minutes of March 25, 2019

6. **DEPUTATIONS**

- 6.1 Rob Mallowney, Chief Operating Officer of the Belleville Senators will make a deputation to Council

RESOLUTION

“THAT the deputation by Rob Mallowney, COO of the Belleville Senators thanking the City for the City of Belleville Night and updating Council, be received.”

- 6.2 Debbie Shaw of the Quinte Symphony will make a deputation to Council

RESOLUTION

“THAT the deputation by Debbie Shaw of the Quinte Symphony, regarding the Mayor’s Concert for the Arts on May 22nd, 2019 and providing an update on upcoming Quinte Symphony events be received.”

7. CORRESPONDENCE**8. COMMITTEE OF THE WHOLE**

MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS WITH COUNCILLOR MALETTE IN THE CHAIR

8. a. REPORTS

The agenda shall include under Reports items that warrant individual attention from Council

8.a.1 CITY OF BELLEVILLE - TRANSPORTATION COMMITTEE

Deputy City Clerk's Report No. DCC-2019-02

8.a.-1

RESOLUTION

"THAT Council approve the recommendations of the Transportation Committee for those items outlined in the Deputy City Clerk's Report No. DCC-2019-02, City of Belleville Transportation Committee and that a by-law to amend By-law Number 2019-02 (Appointments By-law) be prepared for Council's consideration."

8.a.2 CONTRACT NO. TOS-2019-02 RE ROAD RESURFACING CONTRACT – VARIOUS LOCATIONS

Capital & Fleet Asset Manager's Report No. C&FAM-2019-02

8.a.-75

RESOLUTION

"THAT the tender submission from Greenwood Paving (Pembroke) Ltd. for Contract No. TOS-2019-02 re Road Resurfacing Contract – Various Locations be accepted in the amount of \$1,218,559.34 plus \$158,412.71 HST, for a total amount of \$1,376,972.05, this being the lowest cost tender received, and that the Mayor and Clerk be authorized to sign the Acceptance Agreement on behalf of The Corporation of the City of Belleville and that the Clerk be authorized to affix the Corporate Seal."

8.a.3 **CONTRACT NO. ENG2019-01, STRACHAN STREET AND HARVEY STREET, SEWER SEPARATION PROJECT**

Project Manager's Report No. ENG-2019-08

8.a.-79

RESOLUTION

"THAT the tender submission from R.W. Tomlinson Limited be accepted for Contract ENG-2019-01 Strachan Street and Harvey Street Sewer Separation Project in the corrected amount of \$1,438,862.40 plus \$187,052.11 HST, for a total amount of \$1,625,914.51, this being the lowest cost tender received, and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of The Corporation of the City of Belleville and that the Clerk be authorized to affix the Corporate Seal."

8.a.4 **CITY OF BELLEVILLE POLICIES – COUNCIL AND STAFF TRAVEL AND EXPENSES**

Director of Finance/Treasurer's Report No. DF-2019-11

8.a.-86

RESOLUTION

"THAT pursuant to the Director of Finance/Treasurer's Report No. DF-2019-11, Council approve the recommendations of the Audit Committee – City of Belleville Policies – Attendance by Members of Council at Conference/Conventions, Seminars/Workshops/Training Courses, and Other Events and a Policy for Business Travel, Seminars & Conferences – Staff."

8.a.5 **TERMS OF REFERENCE FOR THE ECONOMIC AND DESTINATION DEVELOPMENT COMMITTEE (EDDC)**

Manager, Economic & Strategic Initiatives' Report No. ECDEV-2019-10

8.a.-111

RESOLUTION

"THAT pursuant to the Manager of Economic and Strategic Initiatives' Report No. ECDEV-2019-10, the Terms of Reference for the Economic and Destination Development Committee (EDDC) be received and approved; and

THAT management be directed to advertise for the community members; and

THAT a by-law to amend By-law No. 2019-02 (Appointments By-law) be prepared for Council's consideration."

8. b. CONSENT ITEMS

Council may adopt Consent Items by one motion, but prior to consideration of such motion, Members may request that specific items be removed from consideration under such motion and Council shall consider such items individually.

"THAT the following Agenda items be approved with the exception of Item(s) _____."

- 8.b.1 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAWS NUMBERED 10245, 3014, AND 2076-80, AS AMENDED, REGARDING DEFINITIONS FOR CANNABIS USES, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1069
OWNER/APPLICANT: CITY OF BELLEVILLE**

Policy Planner's Report No. PP-2019-22

B-114

RESOLUTION

That the Planning Advisory Committee recommends the following to City Council:

1. "THAT Application B-77-1069 to amend Zoning By-laws Numbered 10245, 3014 and 2076-80, as amended – update to cannabis terminology, be APPROVED as follows:

That Zoning By-laws Numbered 10245, 3014 and 2076-80, as amended, be amended to add definitions for 'Cannabis Production Facility', 'Cannabis Processing Centre', and 'Cannabis Testing and Research Facility' in response to the legalization of cannabis production through federal and provincial legislation."

2. "THAT by-laws amending Zoning By-laws Numbered 10245, 3014 and 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration."

8.b.2 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – BELL BOULEVARD, LOTS 35 & 36, CONCESSION 2, FORMER TOWNSHIP OF SIDNEY, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1072
OWNER/APPLICANT: JOHN BELANGER (JENLAND PROPERTIES LIMITED)
AGENT: FOTENN CONSULTANTS INC. & AINLEY GROUP

Manager of Policy Planning's Report No. PP-2019-26

B-133

RESOLUTION

That the Planning Advisory Committee recommends the following to City Council:

1. "THAT Application B-77-1072 to amend Zoning By-law Number 2076-80, as amended, Bell Boulevard – Lots 35 and 36, Concession 2, former Township of Sidney, now City of Belleville, County of Hastings be APPROVED as follows:

THAT Zoning By-law Number 2076-80, as amended, be amended by rezoning the subject lands from CH-28 (Commercial Highway with Special Provisions) / MS (Special Industrial) – Holding Zone to a new CH (Commercial Highway with Special Provisions) / MS (Special Industrial) Zone to allow additional commercial uses and to allow special provisions including reduced front yard setback and exterior side yard setback as well as a parking ratio of 5.5 parking spaces per 100 square metres."

2. "THAT a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration."

- 8.b.3 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 2 DUNDAS STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1073
OWNER: MOHAMMAD SHAHID (INTEGRATED REAL ESTATE INVESTMENT PLATFORM INC.)
APPLICANT/AGENT: ALEXANDER WILSON ARCHITECT INC. (SANDY WILSON)
-

Manager of Policy Planning's Report No. PP-2019-29
Planning Advisory Agenda, Correspondence Item 5.1 refers

B-193

RESOLUTION

That the Planning Advisory Committee recommends the following to City Council:

1. "THAT Application B-77-1073 to amend Zoning By-law Number 10245, as amended, for land described as 2 Dundas Street West, City of Belleville, County of Hastings be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject lands from C7-2 (Motor Vehicle Commercial Zone with special provisions) to C2 (General Commercial Zone with special provisions) to permit a 6-storey mixed use building with reduced parking requirements and off-site parking on adjacent sites; and

THAT the City enter into an agreement to exempt the proposed 6-storey mixed use building at 2 Dundas Street West from providing the required parking of the C2-18 zone in exchange for the payment to the Municipality of a sum of money as identified through the City's cash-in-lieu policy representing 8 parking spaces to be used by the Municipality to develop public parking facilities; and

THAT the Applicant provides a legal agreement registered on the title of both 2 Dundas Street West and 180 Coleman Street to the satisfaction of the City assigning property at 180 Coleman Street for the purpose of providing parking for 2 Dundas Street West."

2. "THAT a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration."

- 8.b.4 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – PARTS OF LOTS 1 & 2, CONCESSION 3, SETTLERS RIDGE SUBDIVISION, PHASE 5, FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1074 / 12T-12503 / ER-89
OWNER/APPLICANT: COVINGTON CRESCENT J/V
AGENT: AINLEY GROUP
-

Manager of Policy Planning/Manager of Approvals' Report No. PP-2019-25
 Planning Advisory Agenda, Correspondence Item 5.2 refers

B-230

RESOLUTION

That the Planning Advisory Committee recommends the following to City Council:

"THAT Application B-77-1075 to amend Zoning By-law Number 3014, as amended, for land described as Parts of Lots 1 & 2, Concession 3, of Settlers Ridge Subdivision Phase 5, former Township of Thurlow, now City of Belleville, County of Hastings be DENIED due to the application being incompatible with other adjacent homes in the area, other phases of the subdivision have medium density housing within them, and there is not enough parking."

- 8.b.5 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 20-80 WIMS WAY, CANNIFF MILL ESTATES – NORTH (PHASES 8+), FORMER TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1075
OWNER/APPLICANT: STAIKOS HOMES (2014) LTD.
AGENT: VANMEER LIMITED
-

Manager of Policy Planning's Report No. PP-2019-24

B-278

RESOLUTION

That the Planning Advisory Committee recommends the following to City Council:

1. "THAT Application B-77-1075 to amend Zoning By-law Number 3014, as amended, for land described as 20-80 Wims Way, Canniff Mill Estates – North (Phases 8+), former Township of Thurlow, now City of Belleville, County of Hastings be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands south of Wims Way from the current High Density Residential (R4-4) to Low Density Residential Type 1 (R1-23) Zone with special provisions and rezone the subject lands north of Wims Way from Low Density Residential Type 1 (R1-23) Zone and High Density Residential (R4-4) with special provisions to High Density Residential (R4-2) with special provisions."

2. "THAT a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration."

8.b.6 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENTS TO ZONING BY-LAWS NUMBERED 10245, 3014, AND 2076-80 AS AMENDED – REGARDING PUBLIC USES, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1077
OWNER/APPLICANT: CITY OF BELLEVILLE**

Policy Planner's Report No. PP-2019-23

B-310

RESOLUTION

That the Planning Advisory Committee recommends the following to City Council:

1. "THAT Application B-77-1077 to amend Zoning By-laws Numbered 10245, 3014 and 2076-80, as amended – regarding Public Uses, be APPROVED as follows:

That Zoning By-laws Numbered 10245, 3014 and 2076-80, as amended, be amended to add a definition for 'public

use' to Zoning By-laws Numbered 10245, 3014 and 2076-80; add general provisions for public uses to Zoning By-laws Numbered 10245 and 3014; replace the general provisions for public use in Zoning By-law 3014; and list 'public use' in all zones in Zoning By-laws 10245 and 2076-89."

2. "THAT by-laws amending Zoning By-laws Numbered 10245, 3014 and 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings, be prepared for Council's consideration."

8.b.7 **CONTRACT NO. TOS-2019-03 RE SLURRY SEAL – VARIOUS LOCATIONS**

Capital & Fleet Asset Manager's Report No. C&FAM-2019-03

8.b.-1

RESOLUTION

"THAT the tender submission from Miller Paving Limited be accepted for Contract No. TOS-2019-03 re Slurry Seal – Various Locations in the amount of \$191,227.60 plus \$24,859.59 HST, for a total amount of \$216,087.19, this being the lowest cost tender received, and that the Mayor and City Clerk be authorized to sign the Acceptance Agreement on behalf of The Corporation of the City of Belleville and that the Clerk be authorized to affix the Corporate Seal."

8.b.8 **REQUEST FOR EXTENSION TO DRAFT PLAN OF CONDOMINIUM APPROVAL, BLACK BEAR RIDGE, PART OF LOT 11, CONCESSION 5; OWNER: BLACK BEAR RIDGE DEVELOPMENT GROUP INC.; AGENT: KIRSTEN MUSGROVE, O'FLYNN WEESE, LLP**

Manager of Approvals' Report No. APS-2019-12

8.b.-4

RESOLUTION

1. "THAT pursuant to Section 51(33) of the Planning Act, the Council of The Corporation of the City of Belleville hereby approves the extension of draft plan approval for Condominium 12CD-10501 until May 1, 2020."

2. "THAT the draft plan approval for Condominium 12CD-10501 be amended to add a condition approving the grant of a right of way and easement for utilities over the common element road in favour of the Black Bear golf course lands."

8.b.9 **CITY OF BELLEVILLE GRANT COMMITTEE**

Director of Finance/Treasurer's Report No. DF-2019-10

8.b.-9

RESOLUTION

"THAT Council approve the recommendations of the Grant Committee for those applications outlined in the Director of Finance/Treasurer's Report No. DF-2019-10, City of Belleville Grant Committee."

8. c. **COUNCIL INFORMATION MATTERS**

Council may adopt Consent Items by one motion, but prior to consideration of such motion, Members may request that specific items be removed from consideration under such motion and Council shall consider such items individually.

"THAT the following Agenda items be received save and except Item(s) _____."

8.c.1 **CITY COUNCIL PLANNING ADVISORY COMMITTEE
PUBLIC MEETING MINUTES**

Planning Advisory Committee Secretary's April 2, 2019 report in connection with the Public Meeting Minutes dated March 4, 2019

8.c.-1

8.c.2 **BUILDING SECTION MONTH-END REPORT**

Report Period: March 2019

8.c.-2

8.c.3 **ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF**

- City Council Planning Committee Minutes dated March 4, 2019
- Planning Advisory Committee Minutes dated March 4, 2019

8. d. **RISE AND REPORT**

9. **BY-LAWS**

Following the first and second reading of by-laws, Members may debate any by-law under consideration...

9. a. **FIRST READING OF BY-LAWS**

2019-55, a by-law to approve and authorize a Mobile Link Subscription and Support Agreement between The Corporation of the City of Belleville and Garival

9.a.-1

2019-56, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Cannabis Uses Definitions)

9.a.-16

2019-57, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Cannabis Uses Definitions)

9.a.-18

2019-58, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Cannabis Uses Definitions)

9.a.-20

2019-59, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Bell Blvd.)

9.a.-22

2019-60, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (2 Dundas Street West)

9.a.-25

2019-61, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (20-80 Wims Way)	<u>9.a.-27</u>
2019-62, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Public Uses)	<u>9.a.-29</u>
2019-63, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Public Uses)	<u>9.a.-32</u>
2019-64, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Public Uses)	<u>9.a.-35</u>
2019-65, a by-law to approve and authorize a Licence Agreement between The Corporation of the City of Belleville and Jeff Cox and Carl Cox Quality Cars Ltd. Operating As Carl Cox RV Sales & Service	<u>9.a.-38</u>
2019-66, a by-law to appoint members to Boards, Committees and Special Committees (Transportation Committee)	<u>9.a.-51</u>
2019-67, 2019-67, a by-law to amend By-law Number 2009-179, a by-law respecting the licencing, regulating and governing of adult entertainment establishments	<u>9.a.-52</u>

9. b. SECOND READING OF BY-LAWS AND DISCUSSION

2019-55	2019-61
2019-56	2019-62
2019-57	2019-63
2019-58	2019-64
2019-59	2019-65
2019-60	2019-66
	2019-67

9. c. THIRD READING OF BY-LAWS

2019-55, a by-law to approve and authorize a Mobile Link Subscription and Support Agreement between The Corporation of the City of Belleville and Garival

2019-56, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Cannabis Uses Definitions)

2019-57, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Cannabis Uses Definitions)

2019-58, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Cannabis Uses Definitions)

2019-59, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Bell Blvd.)

2019-60, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (2 Dundas Street West)

2019-61, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (20-80 Wims Way)

2019-62, a by-law amending Zoning By-law Number 10245 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Public Uses)

2019-63, a by-law amending Zoning By-law Number 3014 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Public Uses)

2019-64, a by-law amending Zoning By-law Number 2076-80 being a by-law to regulate the use of land and the height, bulk, location, size, floor area, spacing, character and use of buildings (Public Uses)

2019-65, a by-law to approve and authorize a Licence Agreement between The Corporation of the City of Belleville and Jeff Cox and Carl Cox Quality Cars Ltd. Operating As Carl Cox RV Sales & Service

2019-66, a by-law to appoint members to Boards, Committees and Special Committees (Transportation Committee)

2019-67, a by-law to amend By-law Number 2009-179, a by-law respecting the licencing, regulating and governing of adult entertainment establishments

10. NEW BUSINESS

11. MOTIONS

12. NOTICE OF MOTIONS

13. ANNOUNCEMENTS

14. CONFIRMATORY BY-LAW

“THAT By-law Number 2019-68, a by-law to confirm the proceedings of Council at its meeting held on April 8, 2019, be read a first, second and third time and finally passed this 8th day of April, 2019.”

14-1

15. ADJOURNMENT