

THE CORPORATION OF THE CITY OF BELLEVILLE

AGENDA

**JUNE 10, 2019
4:00 P.M.
COUNCIL CHAMBER**

It is noted that there will be a City Council In Camera (closed session) Meeting at 3:00 p.m. At 3:00 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. SPM-2019-03 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. MHR-2019-14 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- Review of the Regular In Camera Minutes of May 13, 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 Regular Council Meeting of May 27, 2019 and Regular In Camera Meeting of May 13, 2019

6. **DEPUTATIONS**

- 6.1 Barbara Vaughan of the Vaughan Group will make a deputation to Council
Reports Item 8.a.5 refers

RESOLUTION

“THAT the deputation by Barbara Vaughan of the Vaughan Group regarding the methods used and the results of the Glanmore National Historic Site’s Strategic Plan 2019-2023, be received and referred to Reports Item 8.a.5.”

- 6.2 Eric Lindenberg representing Belleville on Bikes will make a deputation to Council

RESOLUTION

“THAT the deputation by Eric Lindenberg representing Belleville on Bikes regarding an alternate bike route to service the western section of the City, be received.”

- 6.3 Logan Ramsay and Emilie Leneveau of the Belleville Youth Advisory Committee will make a deputation to Council

RESOLUTION

“THAT the deputation by Logan Ramsay and Emilie Leneveau of the Belleville Youth Advisory Committee regarding the Committee’s objectives and work going forward, be received.”

7. CORRESPONDENCE

- 7.1 May 29, 2019 Letter from Cunningham Swan

RESOLUTION

“THAT the May 29, 2019 letter from Cunningham Swan re: Opinion re: Potential Conflict of Interest – Municipal Conflict of Interest Act, be received.”

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 SANDISON IN THE CHAIR

8. a. REPORTS

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

8.a.1 PURCHASE ORDER AMENDMENT

Special Projects Manager’s Report No. SPM-2019-04

8.a.-1

RESOLUTION

“THAT pursuant to the Special Projects Manager’s Report No. SPM-2019-04 that Council approve an amendment to Purchase Order #127361 of an additional \$134,281.03 for a total dollar value of \$2,952,905.75 for payment certificate numbers 9 and 10.”

8.a.2 **PURCHASE ORDER AMENDMENT NO. POA-2019-08**

Capital & Fleet Assets Manager's Report No. CFAM-2019-06

8.a.-5**RESOLUTION**

"THAT the current Purchase Order (PO) #131770 be amended by \$84,120.76 for a total amendment of \$290,466.75 for additional repairs on the rehabilitation of two (2) transit buses and that the Mayor and City Clerk be authorized to sign the Purchase Order Amendment No. POA-2019-08 on behalf of the Corporation of the City of Belleville and that the City Clerk be authorized to affix the Corporate Seal."

8.a.3 **PANTER PARKING LOT CLOSURE AND COURTHOUSE WEST PARKING LOT MONTHLY PERMIT RATE**

Deputy City Clerk's Report No. DCC-2019-04

8.a.-8**RESOLUTION**

"THAT the monthly permit rate for the Courthouse B Parking Lot be amended to \$55.00 per month (plus HST); and

THAT a by-law to amend By-law Number 12967 (Schedule J-2 and J-3) be prepared for Council's consideration."

8.a.4 **CITY OF BELLEVILLE – TRANSPORTATION COMMITTEE**

Deputy City Clerk's Report No. DCC-2019-05

8.a.-12**RESOLUTION**

"THAT Council approve the recommendations of the Transportation Committee for those items outlined in the Deputy City Clerk Report No. DCC-2019-05, City of Belleville Transportation Committee."

8.a.5 **GLANMORE NATIONAL HISTORIC SITE OF CANADA
STRATEGIC PLAN 2019-2023**

Manager of Museum Services' Report No. RCCSC-2019-01
Deputation Item 6.1 refers

8.a.-52

Bound copies of the Attachment to RCCS-2019-01 have been provided to Members of Council. The Report can be viewed in its entirety on the City's website www.belleville.ca

RESOLUTION

"THAT Recreation, Culture & Community Services Department Manager of Museum Services' Report RCCSC-2019-01 be approved in principle."

8.a.6 **REVISED TERMS OF REFERENCE FOR THE BELLEVILLE
YOUTH ADVISORY COMMITTEE**

Recreation Program Supervisor's Report No. RPS-2019-02

8.a.-110

RESOLUTION

"THAT pursuant to the Recreation Program Supervisor's Report No. RPS-2019-02 Council amend the Terms of Reference for the Youth Advisory Committee as outlined in the subject report."

8.a.7 **CONTRACT NO. TOS-2019-10 RE ASPHALT
RESURFACING-VARIOUS ROADS**

Capital & Fleet Asset Manager's Report No. CFAM-2019-05

8.a.-113

RESOLUTION

"THAT the tender submission from Fitzgibbon Construction Ltd. be accepted for Contract No. TOS-2019-10 re Asphalt Resurfacing – Various Roads in the amount of \$1,179,055.16 plus \$153,277.17 HST, for a total of \$1,332,332.33, 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 City Clerk be authorized to affix the Corporate Seal."

8.a.8 **BELLEVILLE LAWN BOWLING CLUB RELOCATION
REQUEST FOR PROPOSAL**

Director, Recreation, Culture & Community Services' Report
No. DRCCS-2019-09

8.a.-117

RESOLUTION

“THAT the Request for Proposal Design Build submission from Wentworth Landscapes for the Belleville Lawn Bowling Club Relocation in the amount of \$428,391.16 plus \$55,690.85 HST for a total amount of \$435,930.85 this being the only qualifying Request for Proposal 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 City Clerk be authorized to affix the Corporate Seal and,

THAT pursuant to Director of Recreation, Culture & Community Services Report No. DRCCS-2019-09, Belleville Lawn Bowling Club Relocation Request for Proposal, the 2019 Capital Budget be amended to increase Item 1.072 Lawn Bowling Club Relocation by \$50,000 and,

THAT the increase be funded from the Capital Levy Reserve Fund.”

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 **MUNICIPAL CLOSED MEETING INVESTIGATOR**

Director, Corporate Services/Clerk's Report No. DCS-2019-23

8.b.-1

RESOLUTION

“THAT pursuant to the Director of Corporate Services/Clerk's Report No. DCS-2019-23, a by-law to approve and authorize

the execution of an Agreement, for the provision of Closed Meeting Investigator services, between The Corporation of the City of Belleville and Cunningham Swan Carty Little & Bonham LLP, be prepared for Council’s consideration.”

8.b.2 **DISPOSAL OF SURPLUS LAND – WALLBRIDGE LOYALIST ROAD**

Director, Corporate Services/Clerk’s Report No. DCS-2019-23

8.b.-3

RESOLUTION

“THAT Council declare as surplus to the City’s requirements, the property described as Part Lot 31, Concession 1, formerly Township of Sidney, now City of Belleville, County of Hastings, as in Part 1 of Plan 21R-19789.”

8.b.3 **COMMUNITY SAFETY AND WELL-BEING PLANNING**

Director, Corporate Services/Clerk’s Report No. DCS-2019-24

8.b.-6

RESOLUTION

“THAT the Director of Corporate Services/Clerk’s Report No. DCS-2019-24, Community Safety and Well-being Planning be received.”

8.b.4 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED, 4807 OLD HIGHWAY 2, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1080
APPLICANT/OWNER: RAY & JEAN O’NEILL**

Policy Planner’s Report No. PP-2019-40

B-132

RESOLUTION

1. “THAT the Planning Advisory Committee recommends the following to City Council:

THAT Application B-77-1080 to amend Zoning By-law Number 3014, as amended, for land described as 4807 Old

Highway 2, Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the severed parcel from Prime Agriculture (PA) Zone to Rural Residential (RR) Zone and the retained parcel from Prime Agriculture (PA) Zone to Rural (RU) Zone to fulfil a condition of consent for application B9/19.”

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.5 **RECOMMENDATION REPORT FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED, 288 PINE HILL CRESCENT, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1082
APPLICANT: TOM REID
AGENT: ELEANOR MCEVOY
OWNER: TOM REID & ELEANOR MCEVOY

Policy Planner’s Report No. PP-2019-41

B-155

RESOLUTION

1. “THAT the Planning Advisory Committee recommends the following to City Council:

THAT Application B-77-1082 to amend Zoning By-law Number 3014, as amended, for land described as 288 Pine Hill Crescent, Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the severed parcel from Prime Agriculture (PA) Zone to Rural Residential (RR) Zone and the retained parcel from Prime Agriculture (PA) Zone to Rural (RU) Zone to fulfil a condition of consent for application B3/19.”

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
AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS
AMENDED, RE: 125 SOUTH CHURCH STREET, CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1083
APPLICANT/OWNER: MEYERS CREEK DEVELOPMENT
GROUP
AGENT: JOE SHUNOCK**

Manager of Policy Planning's Report No. PP-2019-38

B-173

RESOLUTION

1. "THAT the Planning Advisory Committee recommends the following to City Council:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject lands described as 125 South Church Street from General Commercial (C2) and Non-Retail Commercial (C5) Zones to General Commercial (C2-49) Zone with special provisions to a methadone dispensary ; and

THAT a Development Agreement be required to address both lighting and garbage receptacles; and

THAT Staff be directed to update the City's three general zoning by-laws in a manner that is consistent with the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms regarding the regulation of methadone dispensaries."

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.7 **DEDICATION OF PART 3 ON PLAN 21R-25291, ELVINS GARDENS, DEVELOPMENT AGREEMENT/CONSENT APPROVAL, FILE: B 21/18**

Manager of Approvals' Report No. APS-2019-21

8.b.-10

RESOLUTION

“THAT a by-law to designate and dedicate Part 3 on Plan 21R-25291, City of Belleville, as part of a public highway and to name same Elvins Gardens, be prepared for Council's consideration.”

8.b.8 **REMOVAL OF HOLDING ZONE – HERITAGE PARK PHASE 6 (GEERTSMA)**

Policy Planner's Report No. PP-2019-44

8.b.-13

RESOLUTION

“THAT a by-law to authorize the removal of the 'h' – holding symbol for Phase 6, Heritage Park Subdivision, former Township of Thurlow, now City of Belleville, County of Hastings, be prepared for Council's consideration.”

8.b.9 **ENCROACHMENT AGREEMENT FOR 211 PINNACLE STREET FOR STONE PLANTERS**

Senior Project Manager's Report No. ENG-2019-13

8.b.-16

RESOLUTION

“THAT a by-law to approve and authorize an Encroachment Agreement (pertaining to 211 Pinnacle Street) between The Corporation of the City of Belleville and 2548667 Ontario Corporation pursuant to Parts II and III of The Municipal Act, 2001, be prepared for Council's consideration.”

8.b.10 **ENCROACHMENT AGREEMENT FOR 211 PINNACLE STREET FOR THE INSTALLATION OF SUBSURFACE TIEBACKS AND PILES**

Senior Project Manager's Report No. ENG-2019-14

8.b.-19

RESOLUTION

"THAT a by-law to approve and authorize an Encroachment Agreement (pertaining to 211 Pinnacle Street) between The Corporation of the City of Belleville and 2548667 Ontario Corporation pursuant to Parts II and III of The Municipal Act, 2001, be prepared for Council's consideration."

8.b.11 **PROPERTY STANDARDS BUILDING DEMOLITIONS**

Deputy Chief Building Official's Report No. DCBO-2019-01

8.b.-22

RESOLUTION

"THAT the Request for Quotation submission from Zucco Construction Limited in the amount of \$74,800.00 plus \$9,724.00 HST, for a total of \$84,524.00 be accepted for the demolition work of four houses, pursuant to Property Standards Orders of the City, this being the lowest qualified quotation 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 City Clerk be authorized to affix the Corporate Seal."

8.b.12 **ANNUAL DIRECTOR OF FINANCE/TREASURER'S REPORT PURSUANT TO SECTION 284 OF THE MUNICIPAL ACT R.S.O. 2001**

Director of Finance/Treasurer's Report No. DF-2019-17

8.b.-26

RESOLUTION

"THAT the Director of Finance/Treasurer's Report Number DF-2019-17, Annual Director of Finance/Treasurer's Report Pursuant to Section 284 of the Municipal Act R.S.O. 2001, be received."

8.b.13 **CITY OF BELLEVILLE GRANT COMMITTEE**

Director of Finance/Treasurer's Report No. DF-2019-19

8.b.-30**RESOLUTION**

"THAT Council approves the recommendations of the Grant Committee for those applications outlined in the Director of Finance/Treasurer's Report No. DF-2019-19, City of Belleville Grant Committee."

8.b.14 **TEMPORARY NOISE PERMIT APPLICATION UNDER BY-LAW 2011-180, MEYERS PIER PATIO & BBQ INC.**

Temporary Noise Permit Application from Meyer's Pier Patio & BBQ Inc.

8.b.-32**RESOLUTION**

"THAT the Meyer's Pier Patio & BBQ Inc. application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 to have live entertainment for their outdoor events on all Friday and Saturday evenings and three (3) Sunday evenings during the months of June, July, August and September, between 7:00 pm and 11:00 pm be approved."

8.b.15 **MUNICIPAL BY-LAW ENFORCEMENT OFFICER**

Request from 10 Acre Truck Stop, Belleville

RESOLUTION

"THAT a by-law to appoint a Municipal By-law Enforcement Officer for 10 Acre Truck Stop, 902 AB Wallbridge Loyalist Road, Belleville, be prepared for Council's consideration."

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 June 4, 2019 report in connection with the Public Meeting Minutes dated May 6, 2019

8.c.-1**8.c.2 ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF**

- City Council Planning Committee Minutes dated May 6, 2019
- Planning Advisory Committee Minutes dated May 6, 2019
- Quinte Waste Solutions’ Board Meeting Minutes of March 18, 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

2019-111, a by-law to approve and authorize the execution of an agreement for Integrity Commissioner/Closed Meeting Investigator Services between The Corporation of the City of Belleville and Cunningham Swan Carty Little & Bonham LLP

9.a.-1

**Starting
Page No.**

- 2019-112, 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 (4807 Old Hwy 2) **9.a.-13**
- 2019-113, 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 (288 Pine Hill Cres.) **9.a.-15**
- 2019-114, 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 (125 South Church Street) **9.a.-17**
- 2019-115, a by-law to designate and dedicate Part 3 on Plan 21R-25291, City of Belleville, as part of a public highway and to name same Elvins Gardens **9.a.-19**
- 2019-116, a by-law to authorize the removal of the 'h' – holding symbol for Phase 6, Heritage Park Subdivision, former Township of Thurlow, now City of Belleville, County of Hastings **9.a.-21**
- 2019-117, a by-law to approve and authorize an Encroachment Agreement (pertaining to 211 Pinnacle Street) between The Corporation of the City of Belleville and 2548667 Ontario Corporation pursuant to Parts II and III of The Municipal Act, 2001 (Stone Planters) **9.a.-23**
- 2019-118, a by-law to approve and authorize an Encroachment Agreement (pertaining to 211 Pinnacle Street) between The Corporation of the City of Belleville and 2548667 Ontario Corporation pursuant to Parts II and III of The Municipal Act, 2001 (Tie-backs & Piles) **9.a.-27**
- 2019-119, a by-law to appoint a Municipal By-law Enforcement Officer for the purpose of enforcing By-law No. 9457 and Part iii, Section 3 (Parking of Vehicles on Private Property) and Section 6 (Handicapped Parking Zones) of By-law Number 12967 as they affect the area of land and premises known as 10 Acre Truck Stop (902 Wallbridge Loyalist Road) **9.a.-34**
- 2019-120, a by-law to approve and authorize the execution of a Memorandum of Understanding between the Corporation of the City of Belleville and Bay of Quinte Regional Marketing Board (BQRMB) **9.a.-36**

2019-121, a by-law to approve and authorize the execution of a Release of Covenant Document dated the 10th day of June, 2019 by the Corporation of the City of Belleville in favour of Vision Transportation

9.a.-49

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

2019-111	2019-117
2019-112	2019-118
2019-113	2019-119
2019-114	2019-120
2019-115	2019-121
2019-116	

9. c. THIRD READING OF BY-LAWS

2019-111, a by-law to approve and authorize the execution of an agreement for Integrity Commissioner/Closed Meeting Investigator Services between The Corporation of the City of Belleville and Cunningham Swan Carty Little & Bonham LLP

2019-112, 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 (4807 Old Hwy 2)

2019-113, 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 (288 Pine Hill Cres.)

2019-114, 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 (125 South Church Street)

2019-115, a by-law to designate and dedicate Part 3 on Plan 21R-25291, City of Belleville, as part of a public highway and to name same Elvins Gardens

2019-116, a by-law to authorize the removal of the ‘h’ – holding symbol for Phase 6, Heritage Park Subdivision, former Township of Thurlow, now City of Belleville, County of Hastings

2019-117, a by-law to approve and authorize an Encroachment Agreement (pertaining to 211 Pinnacle Street) between The Corporation of the City of Belleville and 2548667 Ontario Corporation pursuant to Parts II and III of The Municipal Act, 2001 (Stone Planters)

2019-118, a by-law to approve and authorize an Encroachment Agreement (pertaining to 211 Pinnacle Street) between The Corporation of the City of Belleville and 2548667 Ontario Corporation pursuant to Parts II and III of The Municipal Act, 2001 (Tie-backs & Piles)

2019-119, a by-law to appoint a Municipal By-law Enforcement Officer for the purpose of enforcing By-law No. 9457 and Part iii, Section 3 (Parking of Vehicles on Private Property) and Section 6 (Handicapped Parking Zones) of By-law Number 12967 as they affect the area of land and premises known as 10 Acre Truck Stop (902 Wallbridge Loyalist Road)

2019-120, a by-law to approve and authorize the execution of a Memorandum of Understanding between the Corporation of the City of Belleville and Bay of Quinte Regional Marketing Board (BQRMB)

2019-121, a by-law to approve and authorize the execution of a Release of Covenant Document dated the 10th day of June, 2019 by the Corporation of the City of Belleville in favour of Vision Transportation

10. NEW BUSINESS

11. MOTIONS

11.1 Moved by Councillor Carr

“THAT By-law 2019-48, the Procedural By-law be amended to add under part 3: Council member attendance at Special events/Business meetings where there is concern for quorum, and business of the City may be materially advanced, shall be determined as follows:

- (i) Mayor
- (ii) Councillor, Acting Mayor of the Month
- (iii) Councillor, Chair of Committee that aligns to meeting purpose
- (iv) Councillor, Member of Committee that aligns to meeting purpose.”

11.2 Moved by Councillor Carr

“THAT Staff develop an Information Flow Protocol between the Executive Management Team and Members of Council.”

11.3 Moved by Councillor Williams

“WHEREAS we have had flooding for 2 years out of the past 3; and,

WHEREAS we have money already committed to capital for popups for year 2

THEREFORE it is requested that a report to Council be prepared that looks both at money and upgrades to Victoria Park to be more flood friendly; and,

THAT a report be prepared to ask for advice for both money spent on the capital 2020 spend, and to look at options including delaying that spend until 2021 and allocating money to flood upgrades and more simple popups that exist in 2019.”

12. NOTICE OF MOTIONS

13. ANNOUNCEMENTS**14. CONFIRMATORY BY-LAW**

“THAT By-law Number 2019-122, a by-law to confirm the proceedings of Council at its meeting held on June 10, 2019, be read a first, second and third time and finally passed this 10th day of June, 2019.”

14-1**15. ADJOURNMENT**