# THE CORPORATION OF THE CITY OF BELLEVILLE COUNCIL MINUTES

**JANUARY 11, 2016** 

## 1. CALL TO ORDER

### 1.1. ATTENDANCE

PRESENT His Worship Mayor Christopher

Councillor Boyce Councillor McCaw
Councillor Carr Councillor Miller
Councillor Denyes Councillor Panciuk
Councillor Graham Councillor Thompson

(Matt MacDonald, City Clerk)

### 2. MOMENT OF REFLECTION

- 2.1 Mr. Matt MacDonald, City Clerk, opened this session of Council with a moment of reflection.
- 2.2 "O Canada" was sung in recognition of the first Regular Council Meeting of 2016

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

There were no disclosures of pecuniary interest brought forward at this time.

# 4. **PUBLIC MEETINGS**

None.

# 5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Boyce Seconded by Councillor Denyes

THAT the Minutes of the Special Council Meeting of December 7, 2015 and Regular Council Meeting of December 14, 2015 be approved.

- CARRIED -

# 6. <u>DEPUTATIONS</u>

There were no items brought forward under this section on today's Agenda.

# 7. CORRESPONDENCE

## 7.1 Letter from International Women's Day Committee

Moved by Councillor Miller Seconded by Councillor Thompson

THAT the December 17, 2015 letter from the International Women's Day Committee regarding their 12<sup>th</sup> Annual Walk on March 8, 2016 at 4:30 p.m., be received and referred to staff and that Council approve the use of City streets for this event in consultation with staff.

# 7.2 Email from Susan Sampson regarding the naming of the park on Essex Drive

Moved by Councillor Denyes Seconded by Councillor Carr

THAT the email from Susan Sampson requesting that the park being built on Essex Drive be named Canniff Park be received; and

THAT the Planning Advisory Committee recommends to the Council of the Corporation of the City of Belleville that the park being built on Essex Drive, be named Canniff Park.

- CARRIED -

## 8. COMMITTEE OF THE WHOLE

MOTION TO GO INTO COMMITTEE OF THE WHOLE TO HEAR AND CONSIDER REPORTS, PASSING OF RECOMMENDATIONS AND RESOLUTIONS

Moved by Councillor Miller Seconded by Councillor Boyce

THAT Council rise and go into Committee of the Whole to hear and consider reports, passing of recommendations and resolutions with Councillor Carr in the Chair.

- CARRIED -

#### 8. a. REPORTS

#### 8.a.1 **FIRE MASTER PLAN**

Moved by Councillor Denyes Seconded by Councillor Boyce

REC. NO. 01/16

THAT pursuant to the Director of Fire & Emergency Services' Report No. FES-2016-01 re Fire Master Plan, that any further implementation of the current Fire Master Plan be suspended pending the outcome of the Operational Review authorized by Council on April 16, 2013.

### 8.a.2 **CITY OF BELLEVILLE HEALTH AND SAFETY POLICY**

Moved by His Worship Mayor Christopher Seconded by Councillor Graham

REC. NO. 02/16

THAT pursuant to the Safety, Wellness, Labour Relations Administrator's Report No. SWLR-2016-01, the City of Belleville's Health and Safety Policy dated January 11, 2016 be approved by Council.

- CARRIED -

### 8. b. CONSENT ITEMS

Moved by Councillor Panciuk Seconded by Councillor McCaw

03/16 THAT the following Agenda items be approved with the exception of Items 8.b.1, 8.b.3, 8.b.8, 8.b.13 and 8.b.14.

- CARRIED -

# 8.b.1 AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967, SCHEDULE "J-3" MUNICIPAL PARKING LOT RATES, RIVERSIDE NORTH PARKING LOT

Moved by Councillor Miller Seconded by Councillor Graham

O4/16 THAT a by-law to approve and authorize an amendment to By-law Number 12967 being a By-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville, Schedule 'J-3' Municipal Parking Lot Rates (Riverside North Parking Lot), as outlined in Report No. DCC-2016-01 be prepared for Council's consideration.

# 8.b.2 **DISPOSAL OF SURPLUS LAND – UNOPENED LANEWAY**(BETWEEN UNIVERSITY AVENUE AND GREENHILL LANE)

REC. NO. 05/16

THAT Council declare surplus an unopened laneway on Plan 168, City of Belleville, County of Hastings (unopened Lane between University Avenue and Greenhill Lane); and

THAT a by-law to stop up, close and convey to the abutting property owners, the laneway on Plan 168, City of Belleville, County of Hastings (unopened Lane between University Avenue and Greenhill Lane) be prepared for Council's consideration.

#### - CARRIED -

8.b.3 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBERS 10245, 3014 AND 2076-80 AS AMENDED - DEFINING MEDICAL MARIHUANA & CANNABIS-RELATED USES, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS FILE NUMBER: B-77-991

APPLICANT/OWNER: CITY OF BELLEVILLE

Councillor Miller assumed the Chair.

Moved by Councillor Graham Seconded by Councillor McCaw

O6/16 THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be APPROVED, as follows:

That Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be amended by incorporating the following definitions:

 "Medical Marihuana Production Facility" shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by Health Canada;  "Marihuana Dispensary" shall mean a business selling or dispensing marihuana or cannabis products as the primary activity of the business;

That Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be amended to clarify that any existing definitions of agriculture; farm; manufacturing; manufacturing, assembling, fabricating or processing plant; retail commercial establishment; and retail store shall not include uses otherwise defined in the By-Laws.

THAT by-laws amending Zoning By-law Numbers 3014, 2076-80 and 10245 being by-laws 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.

#### - CARRIED -

Councillor Carr returned to the Chair.

8.b.4 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – 486 AND 488 DUNDAS STREET WEST, FORMER TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS

FILE NUMBER: B-77-990

APPLICANT: THAMER YOUNES
OWNER: 1609416 ONTARIO INC.

AGENT: TASKFORCE ENGINEERING INC.

REC. NO. 07/16

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-law Number 2076-80, as amended, for 486 and 488 Dundas Street, Former Township of Sidney, Now in the 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-9 – Highway Commercial" to a modified CH zone by adding a medical clinic as a permitted use and permitting a rear yard depth

of 2.5 metres. In addition it is recommended that an "H" Holding symbol be attached to the zone requiring that stormwater management has been addressed as part of site plan review; and

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that no further notice is required pursuant to Subsection 34(17) of the Planning Act.

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.

#### - CARRIED -

8.b.5 EXTENSION OF PART LOT CONTROL EXEMPTION, HARBOUR LANDING SUBDIVISION – PHASE 2, BLOCKS 1 AND 6, REGISTERED PLAN 21M-243, OWNER: VICTORIA HILLS PROPERTIES INC.

REC. NO. 08/16

THAT a by-law to exempt Blocks 1 and 6, Registered Plan 21M-243, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act, be prepared for Council's consideration.

- CARRIED -

#### 8.b.6 **2016 BORROWING BY-LAW**

09/16 THAT a by-law to approve the borrowing of funds for the City be prepared for Council's consideration.

- CARRIED -

#### 8.b.7 **2016 INTERIM TAX LEVY**

10/16 THAT a by-law to provide for the implementation and collection of a 2016 Interim Tax Levy, be prepared for Council's consideration.

# 8.b.8 **2015 TAX ADJUSTMENTS – SECTIONS 357(1), 358(1), 359(1) OF THE MUNICIPAL ACT**

Moved by Councillor McCaw Seconded by Councillor Denyes

REC. NO. 11/16

THAT the adjustment of realty taxes under Sections 357(1), 358(1), 359(1) of the Municipal Act for the 2015 taxation year be authorized in accordance with the list supplied by the Manager of Revenue and Taxation on January 11, 2016, in the total amount of \$111,008.42 be approved.

- CARRIED -

### 8.b.9 **2016 ASSESSMENT ANALYSIS**

12/16 THAT the Manager of Revenue and Taxation's Report No. MRT-2016-03, 2016 Assessment Analysis, be received.

- CARRIED -

### 8.b.10 PURCHASE OF A REAR LOADING GARBAGE PACKER

THAT the request for proposal from Joe Johnson Equipment Inc. for supply and delivery of a 2016 Newway Diamond Back Rear Garbage Packer be accepted in the amount of \$110,521.80 plus \$14,367.83 HST, for a total of \$124,889.63, this being the lowest 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.

#### 8.b.11 **2016 EMPLOYEE BENEFITS RENEWAL**

REC. NO. 14/16

THAT pursuant to the Safety, Wellness, Labour Relations Administrator's Report No. SWLR-2016-02, the 2016 Employee Benefits Renewal, be received by Council.

- CARRIED -

# 8.b.12 CITIZENS AGAINST RACISM AND DISCRIMINATION COMMITTEE NAME CHANGE TO "BELLEVILLE INCLUSION COMMITTEE"

THAT pursuant to the Manager of Economic and Strategic Initiatives Report ECDEV 2016-01, the Terms of Reference for the Coalition Against Racism and Discrimination be revised to change the name of the Committee to "Belleville Inclusion Committee".

- CARRIED -

# 8.b.13 SMALL BUSINESS CENTRE SUMMER COMPANY FUNDING AGREEMENT

Moved by Councillor Thompson Seconded by His Worship Mayor Christopher

16/16 THAT a by-law to approve and authorize an agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure for a Summer Company Program Funding Agreement, be prepared for Council's consideration.

# 8.b.14 SMALL BUSINESS CENTRE STARTER COMPANY FUNDING AGREEMENT

Moved by Councillor Thompson Seconded by Councillor Boyce

REC. NO. 17/16

THAT a by-law to approve and authorize an amending agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure to extend the term and funding for the Starter Company Program, be prepared for Council's consideration.

- CARRIED -

#### 8. c. COUNCIL INFORMATION MATTERS

Moved by Councillor Miller Seconded by Councillor Panciuk

18/16 THAT the following Agenda items be received save and except Item 8.c.3 a.

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

Planning Advisory Committee Secretary's January 5, 2016 report in connection with the Public Meeting Minutes dated December 7, 2015

- 8.c.2 OGRA BOARD OF DIRECTORS

  Notice of Poll OGRA Board of Directors
- 8.c.3 REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS
  - a) Request that Municipalities Include Proposing a Basic Income Guarantee in their Respective Engagements with the Provincial and Federal Governments

December 15, 2015 resolution from the City of Kingston

# 8.c.4 ITEMS RECEIVED IN THE CORPORATE SERVICES DEPARTMENT THAT MAY BE OF INTEREST TO CITY COUNCIL/STAFF

- City Council Planning Committee Minutes dated December 7, 2015
- Planning Advisory Committee Minutes dated December 7, 2015

With respect to Council Information Matters 8.c.3a), the following resolution was approved:

Moved by Councillor Thompson Seconded by Councillor McCaw

REC. NO. 19/16

THAT Belleville City Council support the December 15, 2015 resolution from the City of Kingston (Request that Municipalities Include Proposing a Basic Income Guarantee in their Respective Engagements with the Provincial and Federal Governments).

- CARRIED -

#### 8. d. RISE AND REPORT

Moved by Councillor Denyes Seconded by Councillor Panciuk

THAT Council rise and report.

- CARRIED -

# 9. BY-LAWS

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

Moved by Councillor Miller Seconded by Councillor Denyes

20/16 THAT the following by-laws be read a first time:

2016-01, a by-law to amend By-law Number 2007-194, being a by-law to provide rules governing the calling, place and proceedings of meetings of the City of Belleville Council and the conduct of its members (internet streaming of meetings in Chambers)

2016-02, 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 (Marihuana)

2016-03, 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 (Marihuana)

2016-04, 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 (Marihuana)

2016-05, 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 (486-488 Dundas St. West)

2016-06, a by-law to exempt Blocks 1 and 6, Registered Plan 21M-243, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act

2016-07, a by-law to approve the borrowing of funds for the City

2016-08, a by-law to provide for the implementation and collection of a 2016 Interim Tax Levy

2016-09, a by-law to approve and authorize the purchase of land from 1860307 Ontario Inc. (Parts 2, 3 and 4 of 21R-24558; City of Belleville, County of Hastings, being part of the PIN 40610-0360)

2016-10, a by-law to approve and authorize the purchase of land from The First Pentacostal Church of Greater Belleville (Parts 5, 6, 7 and 9 of 21R-24558; City of Belleville, County of Hastings, being part of the PINs 40610-0651, 40610-0333; 40610-0031)

2016-11, a by-law to approve and authorize the purchase of land from Belleville East End Developments (Part 1 of 21R-24558; City of Belleville, County of Hastings, being part of the PIN 40610-0709)

2016-12, a by-law to rescind By-law Number 2013-132, a by-law to approve and authorize the execution of an Agreement dated the 11<sup>th</sup> day of July 2013 between the Quinte Ballet School of Canada and The Corporation of the City of Belleville and to rescind By-law Number 2013-133, a by-law to approve and authorize the execution of a Guarantee and Postponement of Claim and Acknowledgement dated the 11<sup>th</sup> day of July 2013 between the Royal Bank of Canada and The Corporation of the City of Belleville

2016-13, a by-law to approve and authorize the execution of an Amending Agreement No. 1 between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure and The Corporation of the City of Belleville (Small Business Centre Starter Company Funding)

2016-14, a by-law to approve and authorize the execution of an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure and The Corporation of the City of Belleville (Summer Company Funding)

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

Moved by Councillor Graham Seconded by Councillor Thompson

REC. NO. 21/16 THAT the following by-laws be read a second time:

| 2016-01 | 2016-08 |
|---------|---------|
| 2016-02 | 2016-09 |
| 2016-03 | 2016-10 |
| 2016-04 | 2016-11 |
| 2016-05 | 2016-12 |
| 2016-06 | 2016-13 |
| 2016-07 | 2016-14 |

- CARRIED -

#### 9. c. THIRD READING OF BY-LAWS

Moved by Councillor Denyes Seconded by Councillor Thompson

22/16 THAT the following by-laws be read a third time:

2016-01, a by-law to amend By-law Number 2007-194, being a by-law to provide rules governing the calling, place and proceedings of meetings of the City of Belleville Council and the conduct of its members (internet streaming of meetings in Chambers)

2016-02, 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 (Marihuana)

2016-03, 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 (Marihuana)

2016-04, 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 (Marihuana)

2016-05, 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 (486-488 Dundas St. West)

2016-06, a by-law to exempt Blocks 1 and 6, Registered Plan 21M-243, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act

2016-07, a by-law to approve the borrowing of funds for the City

2016-08, a by-law to provide for the implementation and collection of a 2016 Interim Tax Levy

2016-09, a by-law to approve and authorize the purchase of land from 1860307 Ontario Inc. (Parts 2, 3 and 4 of 21R-24558; City of Belleville, County of Hastings, being part of the PIN 40610-0360)

2016-10, a by-law to approve and authorize the purchase of land from The First Pentacostal Church of Greater Belleville (Parts 5, 6, 7 and 9 of 21R-24558; City of Belleville, County of Hastings, being part of the PINs 40610-0651, 40610-0333; 40610-0031)

2016-11, a by-law to approve and authorize the purchase of land from Belleville East End Developments (Part 1 of 21R-24558; City of Belleville, County of Hastings, being part of the PIN 40610-0709)

2016-12, a by-law to rescind By-law Number 2013-132, a by-law to approve and authorize the execution of an Agreement dated the 11<sup>th</sup> day of July 2013 between the Quinte Ballet School of Canada and The Corporation of the City of Belleville and to rescind By-law Number 2013-133, a by-law to approve and authorize the execution of a Guarantee and Postponement of

Claim and Acknowledgement dated the 11<sup>th</sup> day of July 2013 between the Royal Bank of Canada and The Corporation of the City of Belleville

2016-13, a by-law to approve and authorize the execution of an Amending Agreement No. 1 between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure and The Corporation of the City of Belleville (Small Business Centre Starter Company Funding)

2016-14, a by-law to approve and authorize the execution of an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure and The Corporation of the City of Belleville (Summer Company Funding)

- CARRIED -

## 10. NEW BUSINESS

Councillor Carr requested a full budget breakdown (budget detail) for the Quinte Economic Development Commission, the Bay of Quinte Living Council and the Bay of Quinte Tourist Council for upcoming Council budget deliberations. Councillor Carr had previously requested job creation figures from the Quinte Economic Development Commission and would like those to be provided as well.

Councillor Denyes mentioned her request from the October 26, 2015 Council meeting that the Belleville Police Services Board provides traffic statistics from summer 2015 regarding traffic by-law enforcement for Maitland Drive, Canniff Mills and the Village of Plainfield. His Worship Mayor Christopher responded that this will be addressed at the next Belleville Police Services Board meeting.

#### 11. **MOTIONS**

11.1 Moved by Councillor Panciuk Seconded by Councillor Carr

REC. NO. 23/16 WHEREAS, the Council Committee entitled the Mayor's Implementation Team oversees the implementation of Build Belleville including the City Centre Revitalization and Redevelopment project and provides guidance and makes recommendations to Council:

AND WHEREAS, the City Centre Revitalization and Redevelopment project has experienced actual and projected costs exceeding the original budget estimate of \$21.05 million;

THAT Council directs the Mayor's Implementation Team to investigate funding alternatives for the projected shortfall in the City Centre Revitalization and Redevelopment project and report back to Council. The report will include a range of options including a Local Area Improvement Charge as permitted by provincial statute.

These funding alternatives to general taxpayer support (debt or otherwise) to cover the portion of the actual cost overage of the original \$21.05 million budget shall be more than one in number.

This report should be presented to Council at the February 8, 2016 meeting as that is the only scheduled Council meeting of that month.

Members of Council spoke on this resolution and a Recorded Vote was requested.

YEAS: Councillor Carr Councillor McCaw Councillor Panciuk NAYS: Councillor Boyce **Councillor Denyes** Councillor Graham Councillor Miller

Councillor Thompson

His Worship Mayor Christopher

YEAS: In total number of (3) three NAYS: In total number of (6) six

The resolution - FAILED -

# 12. NOTICE OF MOTIONS

There were no items brought forward under this section on today's Agenda.

# 13. ANNOUNCEMENTS

Moved by Councillor Boyce Seconded by Councillor Denyes

REC. NO. 24/16

THAT His Worship Mayor Christopher proclaims the month of January as "Crime Stoppers Month" in the City of Belleville.

- CARRIED -

His Worship Mayor Christopher reported attending the following events since the last Council Meeting:

- North East Feedermain Ribbon Cutting
- Geerstma Homes Customer Appreciation luncheon
- New Year's Levee at Belleville City Hall
- Kiwanis Luncheon with Councillors Boyce and Thompson
- Swearing in Ceremony for Inspector Mike Callaghan
- Quinte West New Year's Levee with Councillor Denves
- Prince Edward County New Year's Levee with Councillor Denyes

Mayor Christopher also mentioned the announcement from the Ontario Lottery and Gaming Corporation naming Ontario Gaming East LP as the service provider for the East Gaming Bundle. Ontario gaming East LP now has the ability to build a facility in Belleville.

Councillor Thompson thanked the City, Council and His Worship Mayor Christopher for assistance with this year's Christmas Lighting Display. He also mentioned he had attended New Year's levees at the Bay of Quinte Yacht Club as well as the Army, Navy and Airforce Veterans Club. He also spoke about the "Sleep Out So Others Can Sleep In" annual event taking place on January 29, 2016 and is seeking donations.

Councillor Panciuk noted the dates scheduled for the Grant Committee meetings for 2016:

Monday, January 25, 2016 @ 3:00 p.m. Monday, April 25, 2016 @ 3:00 p.m. Monday, July 11, 2016 @ 3:00 p.m. Monday, November 14, 2016 @ 3:00 p.m.

The Director of Recreation, Culture & Community Services, Mark Fluhrer, has finalized the Arts & Culture Funding Application and Process and encourages applicants.

Councillor Panciuk congratulated Tim Farrell, the new President of the Belleville Chamber of Commerce.

Councillor Denyes noted the upcoming Wine, Women & Song event at the Belleville Club on January 20<sup>th</sup> at 7:00 p.m. featuring the choir Shout Sister.

# 14. CONFIRMATORY BY-LAW

Moved by Councillor Denyes Seconded by Councillor Graham

REC. NO. 25/16

THAT By-law Number 2016-15, a by-law to confirm the proceedings of Council at its meeting held on January 11, 2016, be read a first, second and third time and finally passed this 11th day of January, 2016.

- CARRIED -

## 15. ADJOURNMENT

Moved by Councillor Boyce Seconded by Councillor Miller

THAT this session of Council be adjourned.

| MAYOR | CLERK |
|-------|-------|