

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

JANUARY 26, 2015

The Regular Meeting of the Council of the Corporation of the City of Belleville was held on the above date in the City Hall Council Chamber at the hour of 4:00 p.m.

It is noted that there was a City Council In Camera (closed session) Meeting at 1:00 p.m. to 4:00 p.m. In view of this, City Council met very briefly in open session at 1:00 p.m. to consider approval of the following resolution.

Moved by Councillor Denyes
Seconded by Councillor Graham

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. MT&FS-2015-01 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. CAO-2015-01 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. DCS-2015-03 regarding potential acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. DRCCS-2015-02 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- Review of the Regular In Camera Minutes of January 12, 2015.

- CARRIED -

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 PRAYER/MEDITATION

2.1 Mr. Matt MacDonald, City Clerk, opened this session of Council with a moment of prayer

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

It is noted that Councillor Denyes declared a Pecuniary Interest with respect to In Camera Report MT&FS-2015-01 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act).

It is noted that Councillor Miller declared a Pecuniary Interest with respect to In Camera Report CAO-2015-01 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act).

4. PUBLIC MEETINGS

None.

5. READING AND CONFIRMATION OF MINUTES

Moved by Councillor Carr

Seconded by Councillor Thompson

THAT the Minutes of the Special Council Meeting of January 8, 2015, Regular Council Meeting of January 12, 2015, and the Regular In Camera Meeting of January 12, 2015 be approved.

- CARRIED -

6. DEPUTATIONS

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

7. CORRESPONDENCE

- 7.1 The following correspondence was received objecting to Zoning By-law Amendment Application B-77-975, 615 Sidney Street and 2 Maple Drive
- Letter from Derrick Palmateer
 - Email from Robert J. Stenner
- Consent Item 8.b.4 refers

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the letter received from Derrick Palmateer and the email received from Robert J. Stenner objecting to Zoning By-law Amendment Application B-77-975, 615 Sidney Street and 2 Maple Drive, be received and referred to Consent Item 8.b.4

- CARRIED -

- 7.2 January 5, 2015 letter from the International Women's Day Committee regarding their 11th Annual Walk on March 5, 2015

Moved by Councillor Boyce
Seconded by Councillor Denyes

THAT the January 5, 2015 letter from the International Women's Day Committee regarding their 11th Annual Walk on March 5, 2015 be received and referred to staff and that Council approve the use of City streets for this event in consultation with staff.

- CARRIED -

- 7.3 January 12, 2015 letter advising Council of "Violence Awareness & Random Acts of Kindness Week" events as well as requesting permission to decorate Market Square and Front, Bridge and Pinnacle Streets in the downtown core with blue bows

Moved by Councillor Panciuk
Seconded by Councillor Carr

THAT the January 12, 2015 letter from Chris Macdonald and Pam Smith, Co-Chairs of VARAK advising Council of "Violence Awareness & Random Acts of Kindness Week" events March 9 to 15, 2015 be received and that permission be granted for blue bows to be placed on Market Square and on Front, Bridge and Pinnacle Streets in the downtown core.

- 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 Graham
Seconded by Councillor Carr

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

- CARRIED -

8. a. REPORTS

8.a.1 AMENDMENT TO TRAFFIC BY-LAW NUMBER 12967 SCHEDULE "B" PARKING RESTRICTIONS, GAVEY STREET

Moved by Councillor Denyes
Seconded by Councillor Carr

- REC. NO. 89/15 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 "B" Parking Restrictions on Gavey Street, as outlined in Report No. DCC-2015-02 be prepared for Council's consideration."

- CARRIED -

8.a.2 **AMENDING AGREEMENT – SOURCE WATER
IMPLEMENTATION FUNDING**

Moved by Councillor Thompson
Seconded by Councillor Miller

REC. NO. 90/15 THAT a by-law to approve and authorize the execution of an amendment to the Source Water Protection Implementation Fund Agreement dated December 13, 2013 between the Corporation of the City of Belleville and Her Majesty The Queen in Right of Ontario, be prepared for Council's consideration.

- CARRIED -

8.a.3 **COMMUNITY ARCHIVES PROJECT AND AGREEMENT**

Moved by Councillor Thompson
Seconded by His Worship Mayor Christopher

91/15 THAT pursuant to Director of Recreation, Culture & Community Services' Report No. DRCCS-2015-01, a by-law to approve and authorize the execution of an Agreement between the City of Belleville, the County of Hastings and the Hastings County Historical Society, be prepared for Council's consideration.

- CARRIED -

8. b. **CONSENT ITEMS**

Moved by Councillor McCaw
Seconded by Councillor Carr

92/15 THAT the following Agenda items be approved with the exception of Items 8.b.1, 8.b.2, 8.b.8 and 8.b.9.

- CARRIED -

8.b.1 **INTERNET STREAMING OF COUNCIL MEETINGS**

Moved by Councillor Miller
Seconded by His Worship Mayor Christopher

REC. NO. 93/15 THAT the motion regarding Internet Streaming of Council Meetings be **TABLED** to the 2015 Capital Budget deliberations.

- CARRIED -

8.b.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 400-420 DUNDAS STREET EAST, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-973
APPLICANT/OWNER: CP REIT ON
AGENT: ZELINKA PRIAMO LTD. (ATTN: EDWARD TERRY)**

Moved by Councillor McCaw
Seconded by Councillor Denyes

94/15 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 10245, as amended for the property identified as 400-420 Dundas Street East, City of Belleville, County of Hastings, be **APPROVED** as follows:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject parcel from "C5-10 – Non-Retail Commercial" and "C3 – Highway Commercial" to a special C3 zone to accommodate a new retail building with approximately 566 sq. m. of floor area, and to retain the following permitted uses from the C5-10 zone: medical clinic and veterinary hospital.

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.

- CARRIED -

- 8.b.3 **PROPOSED AMENDMENTS TO THE OFFICIAL PLAN AND ZONING BY-LAW NUMBER 3014, AS AMENDED – PARTS 1 AND 2, PLAN 21R-24323, PART OF LOT 26, CONCESSION BROKEN FRONT AND PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 1 AND BROKEN FRONT, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-974
APPLICANT/AGENT: CITY OF BELLEVILLE
OWNER: RAY & JEAN O'NEILL AND CITY OF BELLEVILLE**
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REC. NO. 95/15 THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the Official Plan and Zoning By-law Number 3014, as amended, for the property identified as Parts 1 and 2, Plan 21R-24323, Part of Lot 26, Concession Broken Front and Part of the Road Allowance between Concessions 1 and Broken Front, Township of Thurlow, now in the City of Belleville, County of Hastings, be APPROVED as follows:

That Schedule "A" – Land Use Plan of the Official Plan be amended by redesignating the subject lands from "Rural Land Use" to "Community Facility"; and

That Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands from "PA – Prime Agriculture" to "CF – Community Facility" to permit the construction of a fire hall.

THAT a By-law to approve an amendment to the Official Plan of the City of Belleville in accordance with the provisions of Section 21 of the Planning Act, RSO, 1990, be prepared for Council's consideration.

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.4 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 615 SIDNEY STREET AND 2 MAPLE DRIVE, CITY OF BELLEVILLE, COUNTY OF HASTINGS -FILE NUMBER: B-77-975
APPLICANT/OWNER: BEAUTY WORKS DAY SPA, C/O RHONDA BARRIAGE
AGENT: IDC DESIGN, C/O MICHAEL EFFLER**

REC. NO. 96/15 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 10245, as amended, for 615 Sidney Street and 2 Maple Drive, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by modifying the provisions of the "C1-4 – Local Commercial" zone to permit an approximate 220 square metre expansion for 615 Sidney Street and to rezone 2 Maple Drive from "R2 – Residential Second Density" to a special R2 zone to allow the existing dwelling to be used as part of the beauty salon business."

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.

- CARRIED -

8.b.5 **CITY REPRESENTATION BEFORE THE ONTARIO MUNICIPAL BOARD, APPEAL OF COUNCIL'S REFUSAL TO AMEND ZONING BY-LAW NUMBER 10245, AS AMENDED - 250 BRIDGE STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS -FILE NUMBER: B-77-972
APPLICANT/OWNER: BELMONT LONG-TERM CARE FACILITY
AGENT: RFA PLANNING CONSULTANT INC.**

97/15 THAT the Council of The Corporation of the City of Belleville directs that the City solicitor represent the City's interests before the Ontario Municipal Board regarding Council's decision to refuse Zoning By-Law Amendment File Number B-77-972.

- CARRIED -

8.b.6 **ACCEPTANCE OF UNDERGROUND AND WATER SERVICES, ACADEMY PLACE SUBDIVISION, OWNER: GCL DEVELOPMENTS LTD.**

REC. NO. 98/15 THAT a by-law to approve and authorize the acceptance of certain underground and water City services in Academy Place Subdivision be prepared for Council's consideration.

- CARRIED -

8.b.7 **CONSTRUCTION ACTIVITY HIGHLIGHTS 2014**

99/15 THAT the Chief Building Official's report CBO-2015-01, Construction Activity Highlights 2014, be received.

- CARRIED -

8.b.8 **AMENDMENT OF SCHEDULE "C", SCHEDULE "D", AND SCHEDULE "E", TO BY-LAW NO. 2010-10 – FEES & CHARGES**

Councillor Boyce left the Chair to speak to the following motion. Councillor Miller assumed the Chair.

100/15 THAT a by-law to amend Schedule "C", Schedule "D", and Schedule "E", to By-law No. 2010-10 being a by-law to establish Fees & Charges, be prepared for Council's consideration.

- CARRIED -

Moved by Councillor Boyce
Seconded by His Worship Mayor Christopher

101/15 **THAT the Gym/Swim/Skate/Workout drop in rate remain at \$2.75 for 2015.**

- CARRIED -

8.b.9 **MAYOR'S IMPLEMENTATION TEAM – BUILD BELLEVILLE
STATUS REPORT BB-ENG-2015-01**

Moved by Councillor Carr
Seconded by Councillor Graham

REC. NO. 102/15 THAT the Mayor's Implementation Team – Build
Belleville Status Report BB-ENG-2015-01 be
received; and

THAT the Mayor's Implementation Team Terms
of Reference be approved; **and,**

**THAT status reports include financial
statements related to projects and identify
funding sources.**

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

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

8. d. RISE AND REPORT

Moved by Councillor Denyes
Seconded by Councillor McCaw

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Boyce
Seconded by Councillor Thompson

103/15 THAT the following by-laws be read a first time:

2015-15, a by-law to approve and authorize the execution of an Agreement dated the 26th day of January, 2015 between The Corporation of the City of Belleville and the Eastern Ontario Volunteer Firefighters Association, Local 920, CLAC

2015-16, a by-law to approve and authorize the purchase of land (Part of Lot 26, Broken Front Concession and part of the road allowance between Concession 1 and Broken Front Concession, being Parts 1 and 2 of 21R-24323, City of Belleville, County of Hastings)

2015-17, 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

2015-18, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Schedule "B" Parking Restrictions – Coleman Street)

2015-19, a by-law to amend By-law Number 2010-10, being a by-law to establish Fees and Charges for the City of Belleville **(as amended)**

2015-20, 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 (400-420 Dundas Street East)

2015-21, a By-law to approve an amendment to the Official Plan of the City of Belleville in accordance with the provisions of Section 21 of the Planning Act, RSO, 1990

2015-22, 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

2015-23, 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 (Sidney St. & Maple Dr.)

2015-24, a by-law to approve and authorize the acceptance of certain underground and water City services in Academy Place Subdivision

2015-25, a by-law to approve and authorize the execution of Amendment No. 1 to a Grant Funding Agreement under the 2013/14 Source Protection Municipal Implementation Fund between The Corporation of the City of Belleville and Her Majesty The Queen in Right of Ontario

2015-26, a by-law to approve and authorize the sale of property by The Corporation of the City of Belleville to 2411846 Ontario Inc.

2015-27, a by-law to approve and authorize the execution of an Option Agreement between 1203130 Ontario Inc. (Mill-Fab) and The Corporation of the City of Belleville

2015-28, a by-law to appoint the Chief Building Official, Deputy Chief Building Official and certain Inspectors of The Corporation of the City of Belleville as Inspectors and Municipal Law Enforcement Officers for the purpose of enforcing the Ontario Building Code and certain by-laws of the City of Belleville and appointment of Property Standards Officers

2015-29, a by-law to amend By-law No. 12967 being a by-law to control traffic within the corporate limits of the Corporation of the City of Belleville (Gavey Street Parking) **1st Reading Only**

- CARRIED -

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

Moved by Councillor Miller
Seconded by Councillor Denyes

REC. NO. 104/15 THAT the following by-laws be read a second time:

2014-191, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Schedule "B" Parking Restrictions – Station Street)

- | | |
|-----------------|---------|
| 2015-15 | 2015-22 |
| 2015-16 | 2015-23 |
| 2015-17 | 2015-24 |
| 2015-18 | 2015-25 |
| 2015-19* | 2015-26 |
| 2015-20 | 2015-27 |
| 2015-21 | 2015-28 |

(*as amended)

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Denyes
Seconded by Councillor Carr

105/15 THAT the following by-laws be read a third time:

2014-191, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Schedule "B" Parking Restrictions – Station Street)

2015-15, a by-law to approve and authorize the execution of an Agreement dated the 26th day of January, 2015 between The Corporation of the City of Belleville and the Eastern Ontario Volunteer Firefighters Association, Local 920, CLAC

2015-16, a by-law to approve and authorize the purchase of land (Part of Lot 26, Broken Front Concession and part of the road allowance between Concession 1 and Broken Front Concession, being Parts 1 and 2 of 21R-24323, City of Belleville, County of Hastings)

2015-17, 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

2015-18, a by-law to amend By-law Number 12967 being a by-law to regulate traffic within the corporate limits of The Corporation of the City of Belleville (Schedule "B" Parking Restrictions – Coleman Street)

2015-19, a by-law to amend By-law Number 2010-10, being a by-law to establish Fees and Charges for the City of Belleville **(as amended)**

2015-20, 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

2015-21, a By-law to approve an amendment to the Official Plan of the City of Belleville in accordance with the provisions of Section 21 of the Planning Act, RSO, 1990

2015-22, 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

2015-23, 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

2015-24, a by-law to approve and authorize the acceptance of certain underground and water City services in Academy Place Subdivision

2015-25, a by-law to approve and authorize the execution of an amendment to the Source Water Protection Implementation Fund Agreement dated December 13, 2013 between the Corporation of the City of Belleville and Her Majesty The Queen in Right of Ontario

2015-26, a by-law to approve and authorize the sale of property by The Corporation of the City of Belleville to 2411846 Ontario Inc.

2015-27, a by-law to approve and authorize the execution of an Option Agreement between 1203130 Ontario Inc. (Mill-Fab) and The Corporation of the City of Belleville

2015-28, a by-law to appoint the Chief Building Official, Deputy Chief Building Official and certain Inspectors of The Corporation of the City of Belleville as Inspectors and Municipal Law Enforcement Officers for the purpose of enforcing the Ontario Building Code and certain by-laws of the City of Belleville and appointment of Property Standards Officers

- CARRIED -

10. NEW BUSINESS

Moved by Councillor Paciuk
Seconded by Councillor Denyes

REC. NO. 106/15 THAT Mr. Peter Erglis be appointed to the Agricultural Advisory Committee; and,

THAT Mrs. Marilyn Mann be appointed to the Gerry Masterson Thurlow Community Centre Committee.

- CARRIED -

11. MOTIONS

Moved by Councillor Carr
Seconded by Councillor Panciuk

- REC. NO. 107/15 THAT staff provide a report to Council as part of the 2015 Budget process to outline pedestrian improvements in relation to the Highway 401 overpasses at Sidney Street, Highway 62 and Highway 37; and
- THAT the report outline budget considerations, consultations with the Province of Ontario; and any cost sharing options available; and
- THAT the improvement area include connectivity on city-owned property to the intersections adjoined to these overpasses.”

- CARRIED -

12. NOTICE OF MOTIONS

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

13. ANNOUNCEMENTS

Councillor Denyes announced a Lahr Friendship Flight is in the process of being scheduled/organized for September 2015. A Public Information Centre will be held in February with further details.

Councillor McCaw thanked the Belleville Agricultural Society for the invitation to their Annual General Meeting. She congratulated their award recipients and wished them all the best for 2015.

Councillor Panciuk spoke about the Traffic Advisory Committee and congratulated Councillor Boyce on his appointment of Chair. He reminded the public of the overnight parking restrictions as well as restrictions pertaining to snow removal. He read an excerpt from Traffic By-law Number 12967 regarding overnight parking and parking on curbed and uncurbed streets in the City.

Councillor Thompson reminded Council and the public about the Alzheimer Society "Walk for Memories" taking place on Sunday, February 1, 2015. He also noted The Canadian Mental Health Association event "Sleep Out, So Others Can Sleep In" being held in Market Square on Friday, January 30, 2015.

The Manager of Engineering, Ray Ford, advised there is a Public Information Centre scheduled for Wednesday, February 4th, from 6:30 p.m. to 8:00 p.m. at 116 Pinnacle Street regarding improvements to Sidney Street intersections of Bell Boulevard, Tracey Street and Tracey Park Drive.

His Worship Mayor Christopher announced that Tuesday, February 3rd is "Toque Tuesday" an event sponsored by Raising the Roof. This year, Three Oaks and Canadian Mental Health are partnering with Raising the Roof to bring awareness to the issue of homelessness locally and nationally.

Mayor Christopher also proclaimed the month of February as "Heart Month" in the City of Belleville.

14. CONFIRMATORY BY-LAW

Moved by Councillor Carr
Seconded by Councillor Denyes

REC. NO. 108/15 THAT By-law Number 2015-30, a by-law to confirm the proceedings of Council at its meeting held on January 26, 2015, be read a first, second and third time and finally passed this 26th day of January, 2015.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor McCaw
Seconded by Councillor Thompson

THAT this session of Council be adjourned.

MAYOR

CLERK