

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

JULY 8, 2013

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 2:30 p.m. to 4:00 p.m. In view of this, City Council met very briefly in open session at 2:30 p.m. to consider approval of the following resolution.

Moved by Councillor Christopher
Seconded by Councillor Lafferty

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. EOS-2013-18 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. DRCCS-2013-12 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 June 24, 2013.

- CARRIED -

1. **CALL TO ORDER**

1.1. **ATTENDANCE**

PRESENT Councillor Boyce, Acting Mayor

Councillor Christopher Councillor Jenkins
Councillor Culhane Councillor Lafferty
Councillor Denyes Councillor Miller

(Matt MacDonald, Acting City Clerk)

ABSENT His Worship Mayor Ellis, Councillor Thompson

2. MOMENT OF PRAYER/MEDITATION

Mr. Matt MacDonald, Acting Director of Corporate Services/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 EOS-2013-18 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 Miller
Seconded by Councillor Jenkins

THAT the Minutes of the Regular Council Meeting of June 24, 2013 and Regular In Camera Meeting of June 24, 2013 be approved.

- CARRIED -

6. DEPUTATIONS

6.1 Don Flanders was present to receive the 2013 Senior of the Year Award from Acting Mayor, Councillor Boyce

Moved by Councillor Christopher
Seconded by Councillor Denyes

THAT the presentation of the 2013 Senior of the Year Award for Belleville to Don Flanders by Acting Mayor, Councillor Boyce be received.

- CARRIED -

- 6.2 Belleville Police Chief McMullan was in attendance to present the 2013-2015 Belleville Police Service Strategic Business Plan

Moved by Councillor Miller
Seconded by Councillor Christopher

THAT the presentation of the 2013-2015 Belleville Police Service Strategic Business Plan by Chief McMullan, be received.

- CARRIED -

- 6.3 Julie London, Program Coordinator, Triple P – The Positive Parenting Program spoke to Council about Triple P Parenting education, a community collaboration between 19 social service agencies

Moved by Councillor Denyes
Seconded by Councillor Culhane

THAT the deputation by Julie London, Program Coordinator, Triple P – The Positive Parenting Program informing Council about Triple P Parenting education, a community collaboration between 19 social service agencies, be received.

- CARRIED -

- 6.4 Christina Taylor, Board Chair, Boyd Kalnay, Board Vice-Chair/Treasurer and Marilyn Lawrie, Executive Director of the Quinte Ballet School of Canada were in attendance to provide information to Council and request assistance
Reports Item 8.a.5 refers

Moved by Councillor Denyes
Seconded by Councillor Lafferty

THAT the deputation of Christina Taylor, Board Chair, Boyd Kalnay, Board Vice-Chair/Treasurer and Marilyn Lawrie, Executive Director of the Quinte Ballet School of Canada providing information to Council and requesting assistance be received and referred to Reports Item 8.a.5.

- CARRIED -

- 6.5 Eric Courtney of the Bay of Quinte Yacht Club of Belleville Inc. was present to speak to Council regarding a temporary noise permit application for their Eastern Ontario Shark Class Regatta, July 27 and 28, 2013

Moved by Councillor Miller
Seconded by Councillor Culhane

THAT the deputation of Eric Courtney of the Bay of Quinte Yacht Club of Belleville Inc. regarding a temporary noise permit application for their Eastern Ontario Shark Class Regatta, July 27 and 28, 2013 be received; and,

THAT the Bay of Quinte Yacht Club of Belleville Inc. application for the issuance of a Temporary Noise Permit under By-law Number 2011-180 to have live entertainment for their Eastern Ontario Shark Class Regatta, July 27 and 28, 2013, from 8:00 p.m. to no later than 12:00 a.m. be approved.

- CARRIED -

7. CORRESPONDENCE

- 7.1 June 27, 2013 letter from the Belleville Downtown Improvement Area regarding the Annual Street Dance
Consent Item 8.b.10 refers

Moved by Councillor Lafferty
Seconded by Councillor Denyes

THAT the June 27, 2013 letter from the Belleville Downtown Improvement Area regarding the Annual Street Dance be received and referred to Consent Item 8.b.10.

- CARRIED -

- 7.2 July 5, 2013 letter from the Belleville Downtown Improvement Area revising their request for street closures regarding the Annual Sidewalk Sale as approved by Council at the May 30th, 2013 meeting
Reports Item 8.a.6 refers

Moved by Councillor Culhane
Seconded by Councillor Miller

THAT the July 5, 2013 letter from the Belleville Downtown Improvement Area revising their request for street closures regarding the Annual Sidewalk Sale as approved by Council at the May 30th, 2013 meeting be received and referred to Reports Item 8.a.6.

- 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 Culhane
Seconded by Councillor Lafferty

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; SCHEDULE "J" PARKING METER ZONES; AND SCHEDULE "Z-1" COMPULSORY TURNS FOR JAMES STREET (DUNDAS STREET WEST TO BRIDGE STREET WEST)**

Moved by Councillor Jenkins
Seconded by Councillor Culhane

REC. NO. 389/13 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 James Street; Schedule "J" Parking Meter Zones for James Street; Schedule "Z-1" Compulsory Turns

for James Street (Dundas Street West to Bridge Street West) as outlined in Report Number ENG-2013-07, be prepared for Council's consideration.

- CARRIED -

8.a.2 **REQUEST FOR WAIVER OF DEVELOPMENT RELATED FEES,
THREE OAKS FOUNDATION**

Moved by Councillor Christopher
Seconded by Councillor Denyes

390/13 THAT the Director of Engineering & Development Services Report DEV-2013-07, be received; and

THAT the request from Three Oaks Foundation for the waiving of Development Charges and Building Permit Fees for their proposed development at North Front Street, be DENIED.

- CARRIED -

8.a.3 **2013 DEBENTURE ISSUE AND BY-LAWS**

Moved by Councillor Denyes
Seconded by Councillor Christopher

391/13 THAT a by-law to authorize the borrowing of \$39,400,000 upon Instalment Debentures towards the cost of certain Capital Works as referenced in the Director of Finance/Treasurer's Report No. DF-2013-19 be prepared for Council's consideration.

- CARRIED -

8.a.4 **RESERVE FUND CREATION & DELETION**

Moved by Councillor Lafferty
Seconded by Councillor Christopher

392/13 THAT the motion regarding reserve fund creation and deletion be **TABLED.**

- CARRIED -

8.a.5 **QUINTE BALLET SCHOOL REQUEST FOR SUPPORT**

Moved by Councillor Denyes
Seconded by Councillor Miller

REC. NO. 393/13 THAT Council support the request of the Quinte Ballet School of Canada by being a guarantor for a line of credit of \$150,000 with a term not to exceed December 31, 2013, and that the appropriate agreement be prepared for Council's consideration.

- CARRIED -

8.a.6 **BELLEVILLE DOWNTOWN IMPROVEMENT AREA ANNUAL SIDEWALK SALE**

Moved by Councillor Christopher
Seconded by Councillor Miller

394/13 THAT the requests from Belleville Downtown Improvement Area (BDIA) contained in their letter of July 5, 2013 concerning the Annual Sidewalk Sale, Thursday July 11 to and including Saturday, July 13, 2013, be approved; and

THAT Council approve requests and use of City sidewalks and parking spaces within the requested area for the Annual Sidewalk Sale; and

THAT the section of Front Street between Victoria Avenue and north of Campbell Street, be closed to traffic from Thursday July 11 to and including Saturday, July 13, 2013 for the Belleville Downtown Improvement Area Annual Sidewalk Sale; and

THAT Campbell Street remain open to traffic.

- CARRIED -

8. b. CONSENT ITEMS

Moved by Councillor Culhane
Seconded by Councillor Denyes

REC. NO. 395/13 THAT the following Agenda items be approved with the exception of Items 8.b.2 and 8.b.9.

- CARRIED -

**8.b.1 DISPOSAL OF SURPLUS LAND IN THE CITY OF BELLEVILLE
- LIMERICK LANE**

396/13 THAT the property described as Part 2 of 21R-10453 be declared surplus to the City's needs; and,

THAT pursuant to the Acting Director of Corporate Services/Clerk's Report No. DCS-2013-16 Council authorizes Management to initiate the Request for Proposal process.

- CARRIED -

8.b.2 WATERFRONT PROPERTY LEASE - EAST MARINA INVESTMENTS LTD.

Moved by Councillor Christopher
Seconded by Councillor Lafferty

397/13 THAT a by-law to approve and authorize the execution of a lease agreement dated the 1st day of July, 2013, between The Corporation of the City of Belleville and East Marina Investments Ltd. for the use of waterfront property for the property known as parts 2, 5 and 6 of 21R-21393, in the City of Belleville, be prepared for Council's consideration.

- CARRIED -

8.b.3 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – PART OF LOTS 6 AND 7, WEST OF NORTH PARK STREET, GOVERNMENT PLAN, TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**

FILE NO.: B-77-941

APPLICANT: MARK GEERTSMA C/O ROYAL LEPAGE PRO ALLIANCE REALTY

OWNER: S&A (BELLEVILLE) INVESTMENT LIMITED

REC. NO. 398/13 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 Part of Lots 6 and 7, West of North Park Street, Government Plan, Township of Thurlow, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject land from 'R2 – Residential Second Density' to an 'R6 – Residential Sixth Density' zone, with special provisions to permit a six (6) unit apartment building. The special provisions include recognizing 15.2 metres of lot frontage on North Park Street, interior side yard widths of 3.0 metres and a 1.5 metre southerly landscaped strip and a 1.0 metre northerly landscaped strip, respectively, adjacent to the parking area and/or the driveway.

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.4 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 301 DUNDAS STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-942
APPLICANT/OWNER: PAUL RENAUD/LUISA BARTON

REC. NO. 399/13 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 301 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 land from "R1 – Residential First Density" to a special "R1 – Residential First Density" zone to permit a 2nd (second) dwelling unit.

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 **REQUEST TO REVISE DRAFT PLAN CONDITION NO. 12, HANLEY PARK SUBDIVISION, PART OF LOT 14, CONCESSION 1, FORMERLY TOWNSHIP OF THURLOW**
OWNER: HANLEY PARK DEVELOPMENTS INC.
AGENT: MACAULAY SHIOMI HOWSON LTD.

400/13 THAT pursuant to Section 51(44) of the Planning Act, the Council of The Corporation of the City of Belleville approve the request to modify the draft approved Plan of Subdivision (File No.: 12T-02506) submitted by Macaulay Shiomi Howson Ltd. on behalf of Hanley Park Developments Inc., to re-word Condition No. 12 as follows:

12. That the Owner agrees in the subdivision agreement, in wording acceptable to the City of Belleville, that no vehicular access will be provided to Janlyn Crescent via Street "A" until such time as a building permit has been issued for the 80th dwelling unit. A temporary vehicular access connection from Bridge Street East to Street "B" may be provided through Street "F" and across Block 184 until such time as permanent access is fully constructed.

- CARRIED -

8.b.6 **ENCROACHMENT AGREEMENT FOR 195-199 COLEMAN STREET**

REC. NO. 401/13 THAT a by-law to approve and authorize an Encroachment Agreement (pertaining to 195-199 Coleman Street) between The Corporation of the City of Belleville and Norma Gwendolyn Hitchlock pursuant to Parts II and III of The Municipal Act, 2001, be prepared for Council's consideration.

- CARRIED -

8.b.7 **JENLAND PROPERTIES LIMITED – REMOVAL OF "H"**

402/13 THAT a by-law to authorize the removal of the "H" – holding symbol from the lands identified as Parts 1 - 7, Plan 21R-23997, former Township of Sidney, now in the City of Belleville, County of Hastings, be prepared for Council's consideration.

- CARRIED -

8.b.8 **REPAIRS AND ROOFING-STORAGE BUILDING RITZ ROAD YARD CONTRACT NO. EOS-13-06**

403/13 THAT the tender submission from 1809446 Ontario Inc. o/a Borchert's Moving & Construction be accepted for Repairs and Roofing-Storage Building Ritz Road Yard Contract No. EOS-13-06, in the amount of \$30,000.00 plus \$3,900.00 HST for a total amount of \$33,900.00 this being the lowest

acceptable 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.

- CARRIED -

8.b.9 **FIRE DEPARTMENT OVERTIME COSTS AND LEAVE USAGE**

Moved by Councillor Culhane
Seconded by Councillor Denyes

REC. NO. 404/13 THAT the Director of Fire and Emergency Services' Report No. FES-2013-05 re "Fire Department Overtime Costs and Leave Usage" be received.

- CARRIED -

8.b.10 **BELLEVILLE DOWNTOWN IMPROVEMENT AREA ANNUAL STREET DANCE**

405/13 THAT the requests from Belleville Downtown Improvement Area (BDIA) contained in their letter of June 27, 2013 concerning the Annual Street Dance, Friday, August 16, 2013, be approved; and

THAT Council approve the use of City sidewalks and parking spaces within the requested area for the Annual Street Dance; and

THAT the section of Front Street between Victoria Avenue and Bridge Street, be closed to traffic from 3:30 p.m. to 12:00 midnight on Friday, August 16th, 2013 for the Belleville Downtown Improvement Area Annual Street Dance.

- CARRIED -

8. c. COUNCIL INFORMATION MATTERS

Moved by Councillor Miller
Seconded by Councillor Culhane

REC. NO. 406/13 THAT the following Agenda item be received.

8.c.1 REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS

a) "Not a Willing Host Community" for Industrial Wind Turbine (IWT) Projects

June 26, 2013 resolution from the Township of Warwick

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Lafferty
Seconded by Councillor Denyes

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Lafferty
Seconded by Councillor Miller

407/13 THAT the following by-laws be read a first time:

2013-109, a by-law to amend By-law No. 2012-222, being a by-law to appoint Acting Mayors for the City of Belleville

2013-108, a by-law to authorize the borrowing of \$39,400,000 upon Instalment Debentures towards the cost of certain Capital Works

2013-110, a by-law to approve and authorize the execution of an Agreement between The Corporation of the City of Belleville and Quinte Conservation for the use of parkland (Northwest of Station Street)

2013-111, a by-law to approve and authorize the execution of an Agreement between The Corporation of the City of Belleville and Quinte Conservation for the use of parkland

2013-112, a by-law to approve and authorize the execution of an Encroachment Agreement between The Corporation of the City of Belleville and Norma Gwendolyn Hitchlock (195-199 Coleman Street)

2013-113, 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 (North Park Street)

2013-114, 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 (Dundas Street)

2013-115, 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.)

2013-116, a by-law amending Traffic By-law Number 12967 being a by-law to regulate traffic within the corporate limits of the Corporation of the City of Belleville (James Street)

- CARRIED -

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

Moved by Councillor Christopher
Seconded by Councillor Culhane

REC. NO. 408/13 THAT the following by-laws be read a second time:

- 2013-109
- 2013-108
- 2013-110
- 2013-111
- 2013-112
- 2013-113
- 2013-114
- 2013-115
- 2013-116

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Denyes
Seconded by Councillor Culhane

409/13 THAT the following by-laws be read a third time:

2013-109, a by-law to amend By-law No. 2012-222, being a by-law to appoint Acting Mayors for the City of Belleville

2013-108, a by-law to authorize the borrowing of \$39,400,000 upon Instalment Debentures towards the cost of certain Capital Works

2013-110, a by-law to approve and authorize the execution of an Agreement between The Corporation of the City of Belleville and Quinte Conservation for the use of parkland (Northwest of Station Street)

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2013-113, 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 (North Park Street)

2013-114, 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 (Dundas Street)

2013-115, 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.)

2013-116, a by-law amending Traffic By-law Number 12967 being a by-law to regulate traffic within the corporate limits of the Corporation of the City of Belleville (James Street)

- CARRIED -

10. **NEW BUSINESS**

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

11. **MOTIONS**

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

12. **NOTICE OF MOTIONS**

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

13. ANNOUNCEMENTS

Councillor Jenkins spoke about recent accomplishments of local athletes. He noted Belleville native Andrew Shaw of the Stanley Cup winning team, the Chicago Black Hawks. Also mentioned were members of the Apollo Barbell Club who won various medals at the Pan Am Games and local body builder, Jesse LeBlanc, who won the Middleweight Division at the Canadian Body Building Championship in Halifax.

Councillor Denyes high-lighted some of the activities planned for the Lahr Delegation during their four day visit over the Waterfront & Ethnic Festival Weekend. The delegation has a full itinerary including activities to promote the City such as the Waterfront & Ethnic Festival. The visitors will be touring local art and musical venues and will also tour Niagara Falls. A welcoming reception will be held on Thursday, July 11, 2013 at 11:00 a.m. in the Council Chamber.

Councillor Lafferty noted the Green Bins for the Organic Waste program are still being delivered with collection beginning on August 5, 2013. He also thanked the Canada Day Committee for another successful event held on July 1st, 2013.

The Director of Fire and Emergency Services, Mark MacDonald, spoke about the Ontario Fire Marshal's Provincial Awards for Long Service. Belleville has 15 fire fighters receiving this award. With each fire fighter having 25 years service, their combined total is 375 years of service. He also noted the recent accomplishments of Brian Jones and Ed Keuning at the Scott Fire Fit Challenge. Both fire fighters have qualified for the World Championships.

14. CONFIRMATORY BY-LAW

Moved by Councillor Denyes
Seconded by Councillor Jenkins

REC. NO. 410/13 THAT By-law Number 2013-131, a by-law to confirm the proceedings of Council at its meeting held on July 8th, 2013, be read a first, second and third time and finally passed this 8th day of July, 2013.

- CARRIED -

15. **ADJOURNMENT**

Moved by Councillor Lafferty
Seconded by Councillor Culhane

THAT this meeting of Council be adjourned.

- CARRIED -

MAYOR

CLERK