

THE CORPORATION OF THE CITY OF BELLEVILLE

COUNCIL MINUTES

JANUARY 9, 2012

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

Moved by Councillor Lafferty
Seconded by Councillor Miller

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

- In Camera Report regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. CAO-2012 regarding the pending acquisition or disposition of land (Pursuant to Section 239(2)(c) of the Municipal Act)
- In Camera Report No. MRS-2012-01 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- In Camera Report No. EOS-2012-01 regarding litigation or potential litigation (Pursuant to Section 239(2)(e) of the Municipal Act)
- In Camera Report No. DRCCS-2012 regarding personal matters about an identifiable individual (Pursuant to Section 239(2)(b) of the Municipal Act)
- Review of the In Camera Minutes of December 12, 2011.
- Additional item - Property matter

- CARRIED -

1. CALL TO ORDER

1.1. ATTENDANCE

PRESENT His Worship Mayor Ellis

Councillor Boyce Councillor Jenkins
Councillor Christopher Councillor Lafferty
Councillor Culhane Councillor Miller
Councillor Denyes Councillor Thompson

(Julie Oram, City Clerk)

2. MOMENT OF PRAYER/MEDITATION

2.1 "O Canada" was sung in recognition of the first Regular Council Meeting of 2012

2.2 Ms. Julie Oram, Director of Corporate Services/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 Miller declared a Pecuniary Interest with respect to In Camera Report No. EOS-2012-01 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 Miller
Seconded by Councillor Culhane

THAT the Minutes of the Special Council Budget Meeting of November 29 & 30, 2011, Regular Council Meeting of December 12, 2011, and the In Camera Meeting of December 12, 2011 be approved.

6. DEPUTATIONS

- 6.1 James F. O'Brien, Chair of the Belleville Downtown Improvement Area presented the proposed 2012 budget of the BDIA

Moved by Councillor Denyes
Seconded by Councillor Lafferty

THAT the deputation of James F. O'Brien, Chair of the Belleville Downtown Improvement Area presenting the proposed 2012 budget of the BDIA be received and referred to Budget.

- CARRIED -

- 6.2 Bev Shepherd and Dan Douglas of the Make-a-Splash Campaign Committee, and Gloria Anne MacDonald, Bonnie Delaney, Jack Miller and Jamie Lytle of Medigas were in attendance for cheque presentations on behalf of Medigas and the John M. & Bernice Parrott Foundation Inc.

Moved by Councillor Miller
Seconded by Councillor Jenkins

THAT the cheque presentations to the Make-a-Splash Campaign, represented by Bev Shepherd and Dan Douglas, committee members, on behalf of the John M. & Bernice Parrott Foundation Inc. and Medigas represented by Gloria Anne MacDonald, Bonnie Delaney, Jack Miller and Jamie Lytle, were received.

- CARRIED -

Referring to a previous request in 2011 from Bonnie Delaney regarding the Hospice Quinte Gala, His Worship Mayor Ellis requested the following motion be approved.

Moved by Councillor Denyes
Seconded by Councillor Lafferty

THAT Council refer Bonnie Delaney of Hospice Quinte to staff for further discussion regarding the use of the Quinte Sports and Wellness Centre for the Hospice Quinte Gala.

- CARRIED -

7. CORRESPONDENCE

- 7.1 December 2011 letter from 2nd Sidney Scouts regarding proposed War of 1812 Re-enactment on June 9, 2012

Moved by Councillor Jenkins
Seconded by Councillor Denyes

THAT the December 2011 letter from 2nd Sidney Scouts regarding proposed War of 1812 Re-enactment on June 9, 2012, be received **and referred to staff.**

- 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 Denyes
Seconded by Councillor Culhane

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

- CARRIED -

8. a. REPORTS

8. a. 1 **COURT SECURITY PRISONER TRANSPORTATION (CSPT) PROGRAM, HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES AGREEMENT**

Moved by Councillor Culhane
Seconded by Councillor Denyes

REC. NO. 01/12 THAT a by-law to approve and authorize an Agreement dated the 9th day of January, 2012 with Her Majesty the Queen in Right of Ontario

as represented by the Minister of Community Safety and Correctional Services for the Court Security Prisoner Transportation (CSPT) Program, be prepared for Council's consideration.

- CARRIED -

8. b. CONSENT ITEMS

Moved by Councillor Thompson
Seconded by Councillor Miller

REC. NO. 02/12 THAT the following Agenda items be approved.

- CARRIED -

8. b. 1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – PART OF 102 OLD MADOC ROAD, FORMERLY IN THE TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-907
APPLICANT: GLYNN & NANCY SAYEAU
OWNER: GORD & DIANNE SAYEAU
AGENT: RFA PLANNING CONSULTANT INC.

03/12 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 3014, as amended, for a portion of 102 Old Madoc Road, Formerly in the Township of Thurlow, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands from "RH – Residential Holding" to "RR – Rural Residential.

- CARRIED -

REC. NO. 04/12 THAT a by-law to amend Zoning By-law Number 3014 for 102 Old Madoc Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings be prepared for Council's consideration.

- CARRIED -

8. b. 2 **PART LOT CONTROL EXEMPTION, SETTLERS RIDGE SUBDIVISION – PHASE 1B, BLOCKS 53 AND 54, REGISTERED PLAN 21M-246, (23 TO 29 PRINCETON PLACE) OWNER: DUVANCO HOMES INC.**

05/12 THAT a by-law to exempt Blocks 53 and 54, Registered Plan 21M-246, 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. 3 **REQUEST FOR RELEASE OF AGREEMENT AND COVENANTS, 260 JAMIESON BONE ROAD OWNER: ALLIANCE CUSTOM FABRICATION INC.**

06/12 THAT a by-law to delete the agreement registered as Instrument No. QR289278 and the title qualifications registered as Instrument No. QR289279 as they both pertain to the property municipally known as 260 Jamieson Bone Road, be prepared for Council's consideration.

- CARRIED -

8. b. 4 **AREA-SPECIFIC DEVELOPMENT CHARGES FOR THE STANLEY PARK DEVELOPMENT AREA**

07/12 THAT the Director of Finance/Treasurer's Report No. DF-2012-01, Area-Specific Development Charges for the Stanley Park Development Area, be received.

- CARRIED -

8. b. 5 **2012 BORROWING BY-LAW**

REC. NO. 08/12 THAT a by-law to approve the borrowing of funds for the City be prepared for Council's consideration.

- CARRIED -

8. b. 6 **AMENDMENT OF SCHEDULE "B" AND SCHEDULE "D" TO BY-LAW NUMBER 2010-10 – FEES & CHARGES**

09/12 THAT a by-law to amend Schedule "B" and Schedule "D" to By-law Number 2010-10 being a by-law to establish Fees and Charges, be prepared for Council's consideration.

- CARRIED -

8. b. 7 **2012 INTERIM TAX LEVY**

10/12 THAT a by-law to provide for the implementation and collection of a 2012 Interim Tax Levy, be prepared for Council's consideration.

- CARRIED -

8. b. 8 **2012 EMPLOYEE BENEFITS RENEWAL**

11/12 THAT the Safety, Wellness, Labour Relations Administrator's Report SWLR-2012-01, re 2012 Employee Benefits Renewal, be received.

- CARRIED -

8. b. 9 **MUNICIPAL BY-LAW ENFORCEMENT OFFICER**

12/12 THAT a by-law to appoint a Municipal By-law Enforcement Officer for 158-168 Front Street, be prepared for Council's consideration.

- CARRIED -

8. b. 10 **AMENDED CERTIFICATE OF APPROVAL – WASTE TRANSFER STATION, 197 PUTMAN INDUSTRIAL ROAD**

REC. NO. 13/12 THAT the Acting Director of Engineering and Development Services' Report Number DEV-2012-01, regarding the proposed amended Certificate of Approval – Waste Transfer Station on 197 Putman Industrial Road, be received.

- CARRIED -

8. c. **COUNCIL INFORMATION MATTERS**

Moved by Councillor Miller
Seconded by Councillor Thompson

14/12 THAT the following Agenda items be received save and except Items 8.c.1, 8.c.3.a, 8.c.3.b and 8.c.3.d.

8. c. 1 **BUILDING SECTION - MONTH END REPORT**

Report Period: December 2011

8. c. 2 **MUNICIPAL INFORMATION REQUEST – LIQUOR LICENSE**

Request from The Beaver Dam Bar & Grill, 25 Dundas Street West

8. c. 3 **REQUEST SUPPORT OF THE FOLLOWING LETTERS/RESOLUTIONS**

a) **MPAC's Supplementary & Omitted Assessment Procedures**

December 5, 2011 resolution from the City of Waterloo

b) **Traffic Enforcement – Use of Photo Radar**

November 24, 2011 resolution from the Nottawasaga Police Services Board

c) **Request to Provincial Government for a Moratorium of Industrial Wind Turbines Pending Further Studies**

December 19, 2011 resolution from the Municipality of North Perth

d) **Green Energy Projects**

December 5, 2011 resolution from the Township of Stirling-Rawdon

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

- Planning Advisory Committee Meeting Minutes dated November 7, 2011
- Quinte Waste Solutions Board Meeting Minutes dated November 7, 2011

- CARRIED -

With respect to Council Information Matters Item 8.c.1, the following resolution was approved.

Moved by His Worship Mayor Ellis
Seconded by Councillor Denyes

REC. NO. 15/12 THAT Building Section - Month End Report / Report Period: December 2011, be received.

- CARRIED -

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

Moved by Councillor Thompson
Seconded by His Worship Mayor Ellis

16/12 THAT Belleville City Council supports the following resolution of The Corporation of the City of Waterloo:

WHEREAS the Municipal Property Assessment Corporation (MPAC) operating under the authority of the *Municipal Property Assessment Corporation Act* (the Act) is responsible for assessing all property in Ontario;

AND WHEREAS MPAC's main responsibility is to calculate assessed values and to classify properties according to their use for the over four million properties in Ontario;

AND WHEREAS these values are provided to municipalities on annual assessment rolls and municipalities and the Province use these values to calculate property taxes and education taxes;

AND WHEREAS MPAC supplementary or omitted assessments are issued by MPAC to increase the assessed value of a property or change its classification;

AND WHEREAS MPAC supplementary or omitted assessments can only be applied retroactively for the current and two prior calendar years;

AND WHEREAS delays in the issuance of supplementary or omitted assessments can result in loss of tax revenue to municipalities and hardship to the taxpayer.

THEREFORE BE IT RESOLVED THAT Waterloo City Council request that:

- 1) the Provincial Government immediately review the practices of the Municipal Property Assessment Corporation to ensure assessments are completed in a timely manner;
- 2) sufficient resources be committed to ensure that MPAC's stated service standard for supplementary and omitted assessments be issued within six months of a final occupancy permit for a residential property;
- 3) MPAC commit resources to ensure the same service standard for supplementary and omitted assessments for all commercial, industrial and multi-residential properties and that assessments be issued

within six months of a final occupancy permit;

- 4) that MPAC commit to tracking and reporting on an annual basis to local municipalities all supplementary or omitted assessments that could not be applied retroactively for the current and two prior calendar years; and
- 5) that as it strives to meet its service standards, MPAC adopt the guiding principle and best practice that local knowledge be retained in its local offices.

AND FURTHER BE IT RESOLVED THAT Waterloo City Council direct that this resolution, and a summary of the impact of delayed assessments on the City of Waterloo, be forwarded to:

- the Premier of Ontario, Minister of Finance, and Minister of Municipal Affairs and Housing
- the Municipal Property Assessment Corporation
- the Ontario Ombudsman
- all local Members of Provincial Parliament
- the Association of Municipalities of Ontario (AMO)
- the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)
- all local municipalities including the Region of Waterloo
- all municipalities in Ontario with a request that those municipalities endorse the City of Waterloo's resolution and forward their endorsement to the Premier of Ontario, Minister of Finance, Minister of Municipal Affairs and Housing and the Municipal Property Assessment Corporation.

- CARRIED -

With respect to Council Information Matters Item 8.c.3.b), the following resolution was before Council.

Moved by Councillor Culhane
Seconded by Councillor Thompson

REC. NO. 17/12 THAT Council support the November 24, 2011 resolution from the Nottawasaga Police Services Board regarding "Traffic Enforcement – Use of Photo Radar".

- LOST -

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

Moved by Councillor Denyes
Seconded by Councillor Miller

18/12 THAT Belleville City Council supports the following resolution of the Township of Stirling-Rawdon:

WHEREAS the Township of Tyendinaga, Municipality of Tweed, Town of Deseronto, Township of Madoc and Township of Stirling-Rawdon have a joint agreement to provide Building Inspection Services;

AND WHEREAS the Township of Stirling-Rawdon oversees the administration of the Joint Building Inspection Services;

AND WHEREAS it is the understanding that municipalities have no jurisdiction over green energy projects such as solar panels and wind turbines;

AND WHEREAS such green energy projects are exempt from all local zoning provisions as related to zoning type, setbacks and accessory use;

AND WHEREAS safety concerns are apparent pertaining to structural firefighting as it may be unknown where disconnects are located for these sources during a fire;

NOW THEREFORE be it resolved that the Township of Stirling-Rawdon, on behalf of the Joint Building Inspection Services, petition the Province of Ontario to allow municipalities jurisdiction over such projects through applicable zoning provisions and that the Province take into consideration any potential safety hazards as may exist with green energy projects in order to ensure the safety of municipal workers and the residents of the Province of Ontario.

AND FURTHER THAT THE RESOLUTION be circulated to the Association of Municipalities of Ontario for circulation to all Ontario Municipalities as well as Daryl Kramp, MP Prince Edward — Hastings and Todd Smith, MPP Prince Edward — Hastings.

- CARRIED -

8. d. RISE AND REPORT

Moved by Councillor Jenkins
Seconded by Councillor Christopher

THAT Council rise and report.

- CARRIED -

9. BY-LAWS

9. a. FIRST READING OF BY-LAWS

Moved by Councillor Denyes
Seconded by Councillor Thompson

REC. NO. 19/12 THAT the following by-laws be read a first time:

2012-1, a by-law to amend Zoning By-law Number 3014 for 102 Old Madoc Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

2012-2, a by-law to provide for the implementation and collection of a 2012 Interim Tax Levy

2012-3, a by-law to appoint a Municipal By-law Enforcement Officer for the purpose of enforcing 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 158, 160-168 Front Street

2012-4, a by-law to amend By-law Number 2001-129, Exemptions to the Streets and Driveway Control

2012-5, a by-law to appoint an Officer for the City of Belleville for the purposes of the Freedom of Information and Privacy Protection Act

2012-6, a by-law to approve and authorize the execution of an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services

2012-7, a by-law to amend By-law Number 2010-10 being a by-law to provide for fees and charges and to consolidate certain by-laws related to fees and charges under the Municipal Act

2012-8, a by-law to approve the borrowing of funds for the City

2012-9, a by-law to exempt Blocks 53 and 54, Registered Plan 21M-246, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act

- CARRIED -

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

Moved by Councillor Boyce
Seconded by Councillor Miller

REC. NO. 20/12 THAT the following by-laws be read a second time:

2012-1	2012-6
2012-2	2012-7
2012-3	2012-8
2012-4	2012-9
2012-5	

- CARRIED -

9. c. THIRD READING OF BY-LAWS

Moved by Councillor Jenkins
Seconded by Councillor Christopher

21/12 THAT the following by-laws be read a third time:

2012-1, a by-law to amend Zoning By-law Number 3014 for 102 Old Madoc Road, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings

2012-2, a by-law to provide for the implementation and collection of a 2012 Interim Tax Levy

2012-3, a by-law to appoint a Municipal By-law Enforcement Officer for the purpose of enforcing 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 158, 160-168 Front Street

2012-4, a by-law to amend By-law Number 2001-129, Exemptions to the Streets and Driveway Control

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2012-6, a by-law to approve and authorize the execution of an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services

2012-7, a by-law to amend By-law Number 2010-10 being a by-law to provide for fees and charges and to consolidate certain by-laws related to fees and charges under the Municipal Act

2012-8, a by-law to approve the borrowing of funds for the City

2012-9, a by-law to exempt Blocks 53 and 54, Registered Plan 21M-246, City of Belleville, County of Hastings, from the provisions of Section 50(5) of the Planning Act

- 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 Miller noted that in 2011, there were 945,787 transit riders which represents a 9.5% increase in ridership.

The Acting Director of Engineering and Development Services, Rod Bovay, mentioned two upcoming Public Information Centres. On January 17th, 2012 from 6:30 – 8:00 p.m., information will be provided at the Parkdale Community Centre regarding the Thurlow Water Study. On January 18th, 2012 from 6:30 – 8:00 p.m., information will be provided at City Hall in the Sir Mackenzie Bowell Room regarding the Lingham Street sanitary sewer project.

14. CONFIRMATORY BY-LAW

Moved by Councillor Lafferty
Seconded by Councillor Thompson

REC. NO. 22/12 THAT By-law Number 2012-10, a by-law to confirm the proceedings of Council at its meeting held on January 9, 2012, be read a first, second and third time and finally passed this 9th day of January, 2012.

- CARRIED -

15. ADJOURNMENT

Moved by Councillor Lafferty
Seconded by Councillor Thompson

THAT this session of Council be adjourned.

- CARRIED -

MAYOR

CLERK