



## City of Brockville Meeting of Council

Tuesday, August 25, 2009  
City Hall, Council Chambers

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### Regular Meeting of Council at 7:00 pm

#### Roll Call

##### **Council Members:**

Mayor D. Henderson  
Councillor G. Beach  
Councillor J. Earle  
Councillor J. Fullarton  
Councillor M. Kalivas  
Councillor H. Noble  
Councillor L. Severson  
Councillor S. Williams

##### **Absent:**

Councillor J. Baker  
Councillor L. Journal

##### **Staff:**

Ms. T. Brons, Administrative Assistant - Clerk's Department  
Mr. B. Casselman, City Manager  
Mr. C. Cosgrove, Director of Operations  
Ms. D. Cyr, Director of Finance  
Ms. V. Harvey, Acting Director of Parks and Recreation  
Mr. C. Law, Municipal Intern  
Mr. A. MCGinnis, Planner II  
Mr. D. Paul, Director of Economic Development  
Ms. S. Seale, City Clerk (Recording Secretary)

##### **Others:**

Mr. Nick Gardiner, Recorder and Times

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### MOTION TO MOVE INTO CLOSED SESSION

Moved by: Councillor Fullarton  
Seconded by: Councillor Kalivas

THAT pursuant to *Municipal Act*, 2001, Sections 239(2)(c), Council resolve itself into the Committee of the Whole, In Camera, closed to the public to consider:

1. A proposed or pending acquisition or disposition of land by the municipality or

local board:

- o Canadian National Railways
- o Upper Canada Solar
- o Scott Environmental

CARRIED

**REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA**

Moved by: Councillor Beach  
Seconded by: Councillor Earle

THAT Council rise from Committee of the Whole, In Camera and the Chairman report that all recommendations adopted in Committee of the Whole, In Camera, be adopted.

CARRIED

**MAYOR'S REMARKS**

Mayor Henderson recapped the announcement made by the province regarding funding for St. Lawrence College that will assist with the closure of the Invista plant.

**DISCLOSURE OF INTEREST**

Nil

**ADOPTION OF COUNCIL MINUTES**

Moved by: Councillor Earle

THAT the minutes of the Council Meeting of July 28, 2009 be adopted and circulated as read.

CARRIED

**MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL**

Moved by: Councillor Earle  
Seconded by: Councillor Beach

THAT we adjourn and meet as Committee of the Whole Council, with the Mayor in the Chair.

CARRIED

**CORRESPONDENCE, COMMUNICATIONS AND PETITIONS**

- (i) Brockville and District Multicultural Council Inc.

Moved by: Councillor Williams

THAT in honour of Mexico Independence Day, that the Mexico flag be flown at Tunnel Bay from September 14th, 2009 to September 21st, 2009.

CARRIED

- (ii) Alzheimer Society of Leeds & Grenville

Moved by: Councillor Williams

THAT Council proclaim Thursday September 17th, 2009 as World Alzheimer Coffee Break Day.

CARRIED

- (iii) Boost Child Abuse Prevention & Intervention

Moved by: Councillor Williams

THAT Council proclaim the month of October 2009 as Child Abuse & Neglect Prevention Month.

CARRIED

**DELEGATIONS**

Mr. Paul Fournier addressed Council with respect to Garden World application for rezoning (Report no. 2009-126-08).

## **STAFF REPORTS**

- (i) DEEMING OF LOTS 6 AND 7, BLOCK 17, PLAN 67, CITY OF BROCKVILLE,  
COUNTY OF LEEDS  
190 BARTHOLOMEW STREET; OWNERS: CAROL ANN AND ABRAHAM  
DERUYTER

Moved by: Councillor Kalivas

THAT a by-law be enacted pursuant to Section 50(4) of the Planning Act R.S.O. 1990 to deem lands described as Lots 6 and 7, Block 17, Plan 67, City of Brockville, County of Leeds, not to be a plan of subdivision to permit the subject lands to be merged.

CARRIED

## **REPORTS BOARDS AND COMMITTEES**

### **ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE**

Councillor M. Kalivas, Chair  
Councillor G. Beach, Councillor J. Earle

Meeting held Wednesday, August 12, 2009

### **EDP - REGULAR AGENDA**

- (i) 2009-131-08  
SITE PLAN CONTROL APPROVAL;  
TALL SHIPS LANDING – PHASE I; 6 BROAD STREET

Moved by: Councillor Kalivas

1. THAT Site Plan Approval be granted for Phase 1 of the Tall Ships Landing project, excluding the southeast spit of land and Captain's Walk area, on lands with municipal address 6 Broad St., subject to:

- i) confirmation that agreement has been reached with Hydro One for infrastructure upgrades to ensure that sufficient electric power is available, and
- ii) satisfactory conclusions with respect to Broad St. design elements,

including the interface with the Brockville Harbour to be approved by Council.

Said development shall be in accordance with the following drawings:

- i) "EXISTING SITE PLAN (SURVEY) – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-101, dated May 2009, as revised;
- ii) "SITE PLAN – ZONING INFORMATION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-102, dated May 2009, as revised;
- iii) "LEVEL 1 – GROUND FLOOR GENERAL PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-201, dated May 2009, as revised;
- iv) "LEVEL 2 – 2<sup>ND</sup> FLOOR PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-202, dated May 2009, as revised;
- v) "LEVEL 3 – 3<sup>RD</sup> FLOOR PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-203, dated May 2009, as revised;
- vi) "LEVEL 4 – 4<sup>TH</sup> FLOOR HOTEL & LOCKERS PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-204, dated May 2009, as revised;
- vii) "LEVEL 5 – 5<sup>TH</sup> FLOOR HOTEL PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-205, dated May 2009, as revised;
- viii) "LEVEL 6-17 – TYPICAL FLOOR PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO", Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-206, dated May 2009, as revised;
- ix) "LEVEL 18-20<sup>TH</sup> FLOOR PLAN – EXECUTIVE FLOOR PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM,

BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-207, dated May 2009, as revised;

- x) “LEVEL 21 – 21<sup>ST</sup> FLOOR PENTHOUSE PLAN – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-208, dated May 2009, as revised;
- xi) “A – A SECTION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-301, dated May 2009, as revised;
- xii) “B – B SECTION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-302, dated May 2009, as revised;
- xiii) “SOUTH ELEVATION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-401, dated May 2009, as revised;
- xiv) “NORTH ELEVATION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-402, dated May 2009, as revised;
- xv) “WEST ELEVATION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-403, dated May 2009, as revised;
- xvi) “EAST ELEVATION – PHASE 1 – TALLSHIPS LANDING CONDOMINIUM, BROCKVILLE, ONTARIO”, Issued by EMA Architects Inc., Project No. 08-121, Drawing No. A-404, dated May 2009, as revised;
- xvii) “LOTS 27, 28, 29 AND 30, WATER LOTS IN FRONT OF LOTS 27, 28, 29, 44 AND 45, BLOCK 29, PART OF ST. ANDREW STREET (CLOSED BY BY-LAW 22-65), COMPILED PLAN NO. 67, PART OF THE BED OF THE ST. LAWRENCE RIVER IN FRONT OF ST. ANDREW STREET, BLOCK 29, COMPILED PLAN NO. 67, CITY OF BROCKVILLE, COUNTY OF LEEDS”, Issued by Collett Surveying Ltd., File No. 5859-SP8, dated 5 June 2006, as revised;

- xviii) "SERVICING AND GRADING – TALL SHIPS PROJECT", Issued by GENIVAR, Drawing No. C001, 2008-03-09, as revised;
- xix) "STREET LEVEL LANDSCAPING PLAN – TALL SHIPS LANDING PHASE 1, BROCKVILLE, ONTARIO", Issued by LAROCQUE LEVSTEK CONSULTING SERVICES, Project No. 832-2, Drawing No. L-1A, dated May 2008, as revised;
- xx) "THIRD FLOOR ROOFDECK –TALL SHIPS LANDING PHASE 1, BROCKVILLE, ONTARIO", Issued by LAROCQUE LEVSTEK CONSULTING SERVICES, Project No. 832-2, Drawing No. L-1B, dated May 2008, as revised.

2. THAT a period of 24 months from site plan approval be given for issuance of a building permit for construction, with requests by the developer for further extensions not to be unreasonably withheld by Council.

CARRIED

Councillor Noble requested a friendly amendment to ensure that Council has final approval of the Broad St. design elements. Councillor Kalivas agreed to the amendment.

- (ii) 2009-126-08  
Application for amendment to Zoning By-Law 194-94  
663 Stewart Blvd., City of Brockville  
County of Leeds  
Owner: 2159203 Ontario Limited  
Applicant: Paul J. Fournier  
File: D14-136

Moved by: Councillor Kalivas

THAT Council approve the request filed by Paul J. Fournier, acting on behalf of 2159203 Ontario Limited, for amendment to Zoning By-law 194-94 to amend the RU-X8-1 Site Specific Rural Zone on lands described as Part of Lot 15, Concession 2, City of Brockville, County of Leeds, with municipal address 663 Stewart Blvd., which would allow for the retail sales of landscaping goods and materials, and rental and sale of landscaping equipment, for provision of a pump chamber at the new building for discharge to the existing holding tank on site servicing the existing building; and

THAT the Site Plan Control Agreement for Garden World, 663 Stewart Blvd. be amended to permit servicing of the site (as noted above) but this approval does

not amend the deadline of for the installation of full municipal services to the site;  
and

THAT the required amendment to the Site Plan Control Agreement to reflect the approval of the discharge plan be referred to the Council meeting of September 8th, 2009 for approval.

CARRIED

- (iii) 2009-127-08  
Site Plan Control Approval  
Part of Lot L, Plan 332  
Being Part 2, RP 28R-12366  
(Waltham Road) City of Brockville  
Owner: 882604 Ontario Limited  
Applicant/Agent: David Poole  
Eastern Engineering; File: D11-390

Moved by: Councillor Earle

THAT Site Plan Approval be granted for the creation of a 1,393.55 m<sup>2</sup> (15,000.0 ft<sup>2</sup>) office building lands described as Part of Lot L, Plan 332, being Part 2, RP 28R-12366 on the north side of Waltham Road. Said development shall be in accordance with the following drawings:

- i) SITE PLAN - OFFICE BUILDING WALTHAM ROAD, BROCKVILLE, ONTARIO, GUY SAUMURE & SONS CONSTRUCTION LTD., Issued by Eastern Engineering Group Inc., Project No. 4240, Drawing No. 1, dated 1 June 2009, as revised;
- ii) LANDSCAPE PLAN - OFFICE BUILDING WALTHAM ROAD, BROCKVILLE, ONTARIO, GUY SAUMURE & SONS CONSTRUCTION LTD., Issued by Eastern Engineering Group Inc., Project No. 4240, Drawing No. 2, dated 18 June 2009, as revised;
- iii) ELEVATIONS - OFFICE BUILDING WALTHAM ROAD, BROCKVILLE, ONTARIO, GUY SAUMURE & SONS CONSTRUCTION LTD., Issued by Eastern Engineering Group Inc., Project No. 4240, Drawing No. A3, dated 8 June 2009, as revised.

CARRIED



- (iv) 2009-130-08  
SOLAR DEMONSTRATION PROJECT  
BROCKVILLE MEMORIAL CENTRE

Moved by: Councillor Beach

THAT Council approve in principal the installation of 1,232 solar panels on the rooftop of the Brockville Memorial Centre at a cost of approximately \$2,045,930 for the purpose of a solar demonstration project and the resulting positive return on investment opportunities to the City on the selling of renewable energy to the Ontario Power Authority; and

THAT such approval be conditional on securing confirmation on the execution of the approved Ontario Power Authority Renewal energy Fee-in Tariff Contract (Bill 150), association with the obligations of renewable energy suppliers providing electricity to the grid; and

THAT specific details associated with the financing of the proposed project, including a grant and low interest loan from the Federation of Canadian Municipalities (FCM) and the allocation of gas taxes will be confirmed prior to Council ratification; and

THAT staff be directed to investigate other provincial initiatives, municipal processes associated with tendering of such installations and visuals on existing North American operations.

CARRIED

- (v) 2009-107-07  
REQUEST FOR AMENDMENTS TO  
CITY OF BROCKVILLE SIGN BY-LAW 84-89

Moved by: Councillor Beach

THAT Council authorize the passing a by-law to amend City of Brockville Sign By-law 84-89 to permit an application for short wording.

Motion to Refer

Moved by: Councillor Kalivas

THAT the Sign By-law matter be referred to the September EDP meeting to permit reconsideration of amendments to the by-law.

REFERRED TO EDP SEPTEMBER

**OPERATIONS COMMITTEE**

Councillor S. Williams, Chair  
Councillor H. Noble, Councillor L. Severson

Meeting held Wednesday, August 12, 2009

**OPERATIONS - REGULAR AGENDA**

- (i) 2009-129-08  
LANDFILL LEACHATE TREATMENT FEASIBILITY ANALYSIS

Moved by: Councillor Williams

THAT Golder Associates Ltd. be retained to conduct a feasibility analysis of on-site natural treatment of leachate at the Brockville landfill site at a cost of \$53,000 plus GST; and

THAT this expenditure be charged to account C4060-LTTS

CARRIED

**MOTION TO RETURN TO COUNCIL**

Moved by: Councillor Earle  
Seconded by: Councillor Beach

THAT we revert from Committee of the Whole Council, to Council.

CARRIED

**ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL**

Moved by: Councillor Earle  
Seconded by: Councillor Beach

THAT the report of the Committee of the Whole Council be adopted and that the necessary actions or by-laws be enacted.

CARRIED

## **EMERGENCY BUSINESS**

### **BY-LAWS**

- 077-2009 A By-Law to impose Special Purpose Rates for the year 2009 and to authorize the levying thereof for the Downtown Board Improvement Association (DBIA)
- 078-2009 By-law to deem certain lands described as Lots 6 and 7, Block 17, Plan 67 City of Brockville, County of Leeds, not to be a plan of subdivision. (Deruyte 190 Bartholomew Street – Report 2009-136-08)
- 079-2009 By-law to authorize the transfer of property to Cass Dev. Ltd. Parts 1, 2 and on RP 28R-9155

### **BYLAWS FIRST AND SECOND READING**

Moved by: Councillor Kalivas  
Seconded by: Councillor Fullarton

THAT By-laws Numbered 077-2009 to 079-2009 be introduced and the same be now read a first and second time.

CARRIED

### **BYLAWS THIRD READING**

Moved by: Councillor Kalivas  
Seconded by: Councillor Fullarton

THAT By-laws Numbered 077-2009 to 079-2009 be now read a third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be recorded.

CARRIED

### **CONFIRMATORY BYLAW FIRST AND SECOND READING**

Moved by: Councillor Kalivas  
Seconded by: Councillor Fullarton

THAT By-law Number 080-2009 to confirm the Proceedings of Council at its meeting held on August 25, 2009 be read a first and second time.

CARRIED

**CONFIRMATORY BYLAW THIRD READING**

Moved by: Councillor Kalivas  
Seconded by: Councillor Fullarton

THAT By-law Number 080-2009 to confirm the Proceedings of Council at its meeting held on August 25, 2009 be now read a third time, signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be recorded.

CARRIED

**ADJOURNMENT**

Moved by: Councilor Kalivas  
Seconded by: Councillor Fullarton

THAT Council adjourn its proceedings until the next regular meeting scheduled for September 8, 2009.

The meeting adjourned at 9:07 p.m..

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Mayor

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Clerk