
Roll Call

Council Members:

Mayor D. Henderson
Councillor D. Beatty
Councillor L. Bursey
Councillor J. Fullarton
Councillor L. Journal
Councillor M. Kalivas
Councillor D. LeSueur
Councillor M. McFall

Absent:

Councillor J. Baker
Councillor J. Earle

Staff:

Mr. C. Cosgrove, Director of Operations
Ms. D. Cyr, Director of Finance
Ms. M. Pascoe Merkley, Director of Planning
Mr. P. Raabe, Director of Environmental Services
Ms. S. Seale, City Clerk (Recording Secretary)

Others:

Mr. Ron Zajac, Recorder and Times

MOTION TO MOVE INTO CLOSED SESSION 5:30 P.M.

Moved by: Councillor Beatty
Seconded by: Councillor Kalivas

THAT pursuant to Municipal Act, 2001, Section 239 Sub. 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.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

Moved by: Councillor LeSueur
Seconded by: Councillor Bursey

THAT Council rise from Committee of the Whole, In Camera and the Chairman without reporting.

CARRIED

MAYOR'S REMARKS

Mayor Henderson noted that he attended the UCL&G Joint Services Committee today and noted that the City contributes almost \$1M to community housing and \$700,000 to social assistance. He also asked for the public's patience with the snow plowing and removal as a result of the two recent storms. He reported that the two recent storms delivered more snow that we have had in the past number of years.

DISCLOSURE OF INTEREST

Nil

ADOPTION OF COUNCIL MINUTES

Moved by: Councillor Journal

THAT the minutes of the Council Meeting of January 25, 2011 be adopted and circulated as read.

CARRIED

MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

Moved by: Councillor Fullarton
Seconded by: Councillor McFall

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

CARRIED

CORRESPONDENCE, COMMUNICATIONS AND PETITIONS

1. Heart & Stroke Foundation of Ontario

Moved by: Councillor Beatty

THAT Council do hereby proclaim February 2011 as Heart & Stroke month; and

THAT the Heart & Stroke Foundation of Ontario flag be flown at Tunnel Bay from February 1, 2011 to February 28, 2011.

CARRIED

2. Ontario Public Service Employees Union
Children's Aid Society Sector

Moved by: Councillor Beatty

THAT Council do hereby proclaim February 23, 2011 as Pink Shirt Day.

CARRIED

DELEGATIONS

United Way of Leeds and Grenville
2-1-1 Information Referral Service Initiative

Ms. Judi Baril, Executive Director, United Way of Leeds and Grenville and Ms. Marie-Andree Carriere, Executive Director, Community Information Centre of Ottawa addressed Council regarding 211 Information Referral Service Initiative to be launched locally in March 2011.

REPORTS BOARDS AND COMMITTEES

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

Councillor M. Kalivas, Chair
Councillor J. Baker, Councillor D. Beatty, Councillor J. Earle,
Meeting held February 1, 2011.

EDP - CONSENT AGENDA

Moved by: Councillor Kalivas

THAT the following items, as listed on the Economic Development and Planning Committee agenda are recommended by the Economic Development and Planning Committee to be passed by Consent Agenda

CARRIED

1. 2011-012-02
Encroachment Agreement
29 Buell Street, Brockville

Moved by: Councillor Kalivas

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with DEGA Holdings (Ontario) Inc., 29 Buell Street, Brockville, for the encroachment a portion of the building eaves and concrete steps that encroach onto the Buell Street road allowance to a maximum of 0.61 metres (2.0 ft.).

CARRIED

2. 2011-013-02
Proposed Condominium Conversion Part Lots A & B,
Block 3, Plan 67, being parts 1 through 8 inclusive,
Plan 28R-6949 City of Brockville,
167 Pearl Street East, Brockville
Owner: 1264165 Ontario Limited

Moved by: Councillor Kalivas

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grants conditional approval to conversion of one (1) rental residential apartment unit within 167

Pearl Street East to Condominium status, said lands being described as Part of Lots A and B, Block 3, Plan 67, City of Brockville; and

2. THAT conditional approval be subject to the following conditions:

2.1 THAT written confirmation be provided, in writing, to the Planning Department that:

- the owners of at least 80% of the units, at the time of the sale have voted in favour of the sale; and
- at least 80% of persons having registered claims against the property being sold must consent, in writing, if their claims arose after registration of the declaration and description; and
- each of the owners of designated units having exclusive use of such common elements have consented to the sale of the unit.

2.2 THAT the tenant of the subject unit be given first right to purchase the unit at a price no higher than that price for which the unit is offered to the general public. Confirmation must be provided to the City of Brockville, in writing, that the tenant was given the first right to purchase his/her unit and that, if a purchase was not made, the tenant has declined the offer.

2.3 THAT the subject unit is to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the unit and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.

2.4 THAT all common elements of 167 Pearl Street are to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the building and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.

2.5 THAT all repairs and improvements identified under the engineer's report(s), as noted above, are to be made at the expense of the Owner prior to final approval with confirmation of completion by a professional engineer.

2.6 THAT a copy of the inspection report(s), pre and post conditions, are to be provided, free of charge, to prospective purchasers before they enter into a binding agreement of purchase and sale. Confirmation must be provided to the City of Brockville, in writing, that the purchaser was provided with a copy of the report(s).

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- 2.7 THAT the Owner shall provide, to the existing tenant(s) of the subject unit at the date of granting of Draft condominium conversion approval, active, physical assistance, for a period of three (3) years from the date of Conditional Approval, to each tenant who must relocate as a result of the conversion, in finding alternate comparable accommodation, mutually agreed upon between the applicant and each such tenant, and pay the moving costs of each such tenant to other accommodations within Brockville. Confirmation must be provided to the City of Brockville, in writing, that each tenant was notified of this condition.
- 2.8 THAT prior to the final approval of the Plan of Condominium by the City of Brockville the owners shall bring the lands and premises into conformity with the City of Brockville Zoning By-law 194-94, as amended, including but not limited to, lining and identification of not less than fifteen (15) on-site parking spaces, buffering between parking areas and adjacent residential use and zoned areas, refuse enclosures and landscaping.
- 2.9 THAT all conditions of the site and buildings which are in violation of City of Brockville Zoning By-law 194-94, as amended, applicable by-laws and legislation shall be resolved to the satisfaction of the City of Brockville including, but not limited to, such items as minor variances, consents.
- 2.10 THAT the municipal address for 167 Pearl Street East shall be prominently displayed on the exterior of the building and each interior residential unit shall be clearly identified in the main entrance vestibule and at each dwelling unit for emergency services access and identification.
- 2.11 THAT the customer owned secondary underground hydro which is a non standard conductor be upgraded to the specifications of Hydro One, at the Owners expense.
- 2.12 THAT final condominium drawings prepared by an Ontario Land Surveyor shall be provided for review and comment prior to consideration for final approval of the Plan of Condominium.
- 2.13 THAT the following shall be provided to the satisfaction of the City:
- a) an as-built plan identifying all services;
 - b) a structural plan; and
 - c) a plan identifying all private and communal elements of the condominium.

- 2.14 THAT should the conversion process not be completed within three (3) years of draft approval, the draft approval shall become null and void and a new application, including applicable fees, shall be required to be submitted.

CARRIED

3. 2011-014-02
Draft Subdivision Approval
Part of Blocks A & B, Registered Plan 375
Aspen Drive - East Side, City of Brockville
Owner: 653973 Ontario Ltd.

Moved by: Councillor Kalivas

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grant approval to the Draft Plan of Subdivision, as red-lined, on lands described as Part of Blocks A & B, Registered Plan 375, Aspen Drive, City of Brockville, County of Leeds, subject to the following conditions:
 - i. That these conditions shall apply to the Draft Plan, as red lined, prepared by Robert J. Jordan, O.L.S., dated 29 Sept 2010, showing Blocks 1 through 18, inclusive, said Blocks being delineated as to use on the aforementioned Draft Plan;
 - ii. That the proposed Street "A" shown on this Draft Plan, as red lined, shall be dedicated as a public highway to be named to the satisfaction of the City of Brockville;
 - iii. That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities;
 - iv. That prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:
 - All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting and the installation of services and drainage;
 - The requirements of Canada Post with respect to the installation of Community Mailboxes;

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- The requirements of Enbridge Consumers Gas, with respect to an overall distribution plan, installation strategy and installation standards;
 - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing;
 - The developer's responsibility for the reinstatement of the existing temporary turn-around located at the current north terminus of Aspen Drive and conveyance of lands to adjacent landowners;
 - The developer's responsibility to create a temporary turn-around to be located at the intersection of the north terminus of Aspen Drive and the north branch of Street "A";
 - The developer's responsibility to prepare a Tree Saving Plan, Tree Planting Schedule and a Re-vegetation Plan which demonstrates how the buffer area adjacent to the creek is to be maintained and enhanced and what measures will be included to provide a natural snow barrier. Said Plans to be provided for review and approval by the City of Brockville and the Cataraqui Region Conservation Authority; and
 - Notification to landowners that any development or site alteration must be setback a minimum of five (5) metres from the regulatory floodplain of Buell's Creek and that the first finished floor (including basements and all openings) must be at or above a minimum elevation of 101.9m GSC.
- v. That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan(s) with best management practices be prepared by the Owner for inclusion in the Subdivision Agreement, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority. The lot grading plan must include the location of the 100 year floodplain of Buell's Creek and show a cross-section of the area between the bank and the creek;
- vi. That prior to the final approval of the Plan, a Stormwater Management Plan shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;
- vii. That, if final approval of the Plan is not granted within three (3) years of the date of approval of the Draft Plan, as red lined, and no extensions

have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13; and

- viii. That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.

CARRIED

- 4. 2011-017-02
Proposed Plan of Subdivision Lot 3 and
Part of Lots 1, 2 and 4 and Part of
Glasford Place, Registered Plan 380, City of Brockville
(Liston Avenue - South Side)
Owner: 1178420 Ontario Ltd.

Moved by: Councillor Kalivas

- 1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grant approval to the Draft Plan of Subdivision as red-lined on lands described as Lot 3 and Part of Lots 1, 2 and 4 and Part of Glasford Place, Registered Plan 380, City of Brockville, County of Leeds subject to the following conditions:
 - i. That these conditions shall apply to the red-lined Draft Plan prepared by Brent Collett, O.L.S., dated October 29, 2010, showing Lots 1 through 6, inclusive, and Blocks 1 and 2, inclusive, said Blocks being delineated as to use on the afore-mentioned Draft Plan, as revised;
 - ii. That the proposed Street "A" shown on the red-lined Draft Plan, shall be dedicated as a public highway to be named to the satisfaction of the City of Brockville;
 - iii. That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities, including an easement in favour of the City over Lot 3 to provide access from the public highway to the existing storm sewer easement located on proposed Lots 3, 4, 5 and 6.
 - iv. That prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:

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- All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, sidewalks, street lighting and the installation of services and drainage;
 - All of the requirements, financial and otherwise, of the City of Brockville concerning ensuring unobstructed access to all municipal services and easements;
 - The dedication of lands within the subdivision for public purposes;
 - The elimination of the existing private equipped children's play area and easement therefore;
 - The requirements of Canada Post with respect to the installation of Community Mailboxes and the installation of a centralized mail facility for the apartment building;
 - The requirements of Enbridge Consumers Gas, with respect to an overall distribution plan, installation strategy and installation standards;
 - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing;
 - The requirements of Bell Canada with respect to the installation of Bell servicing;
 - The requirements of Cogeco Cable Canada Inc. with respect to the installation of Bell servicing;
 - The requirements of the Fire Department to ensure emergency services access and fire fighting capabilities and access;
 - The developer's responsibility to prepare a Tree Saving Plan and Tree Planting Schedule for review and approval by the City of Brockville.
- v. That prior to final approval of the red-lined Plan, lot grading, drainage, erosion and sediment control, and services plan(s) with best management practices be prepared by the Owner for inclusion in the Subdivision Agreement, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority;
- vi. That prior to the final approval of the Plan, a Stormwater Management Brief shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation

Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;

- vii. That, if final approval of the Plan is not granted within three (3) years of the date of approval of the red-lined Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13; and
- viii. That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.

CARRIED

EDP - REGULAR AGENDA

1. Heritage Brockville

Moved by: Councillor Kalivas

THAT the following matter be deferred to the Council meeting scheduled for March 8, 2011, pending the notification of the property owners by Heritage Brockville:

THAT in accordance with the Ontario Heritage Act a Municipal Register of cultural heritage properties be established and maintained by the City Clerk; and

THAT the following properties of cultural heritage value or interest. as recommended by Heritage Brockville, be added to said Register;

Brockville Court House 1 Court House Square
First Baptist Church Pine Street
St. Francis Xavier Church 66 Church Street
Victoria School Wall Street
Leeds County Registry Office Court House Building
Dunham Block 53-59 King Street West
St. Paul's Anglican Church Pine Street
St. Lawrence Anglican Church 80 Pine Street
Brockville Arts Centre 235 King Street West
Trinity Anglican Church 137 George Street
Brockville Armouries East Avenue
Thornton Cliffe, Hardy House 291 King Street East

St. John's United Church 70 King Street East
Sheridan Mews King Street West

CARRIED

MOTION TO RETURN TO COUNCIL

Moved by: Councillor Fullarton

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 Fullarton

Seconded by: Councillor McFall

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

CARRIED

BY-LAWS

008-2011	By-law to Establish the Brockville Cycling Advisory Committee
009-2011	By-law to Establish the Youth Advisory Committee
010-2011	A By-law to amend By-law 088-2010 Appointments to Boards and Committees (Brockville Cycling Advisory Committee)

BYLAWS FIRST AND SECOND READING

Moved by: Councillor Journal

Seconded by: Councillor Beatty

THAT By-laws Numbered 008-2011 to 010-2011 be introduced and the same be now read a first and second time.

CARRIED

BYLAWS THIRD READING

Moved by: Councillor Journal

Seconded by: Councillor Beatty

THAT By-laws Numbered 008-2011 to 010-2011 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 Journal
Seconded by: Councillor Beatty

THAT By-law Number 011-2011 to confirm the Proceedings of Council at its meeting held on February 8, 2011 be read a first and second time.

CARRIED

CONFIRMATORY BYLAW THIRD READING

Moved by: Councillor Journal
Seconded by: Councillor Beatty

THAT By-law Number 011-2011 to confirm the Proceedings of Council at its meeting held on February 8, 2011 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: Councillor Journal
Seconded by: Councillor Beatty

THAT Council adjourn its proceedings until the next regular meeting scheduled for February 22, 2011.

CARRIED

The meeting adjourned at 7:49 pm.

Mayor

City Clerk