



## City of Brockville Council Meeting

Tuesday, May 24, 2011, 7:00 pm  
City Hall, Council Chambers

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### **Roll Call**

#### **Council Members:**

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

#### **Staff:**

Mr. B. Casselman, City Manager  
Mr. C. Cosgrove, Director of Operations  
Ms. D. Cyr, Director of Finance  
Mr. H. Jones, Fire Chief  
Ms. D. Livingstone, Deputy City Clerk (Recording Secretary)  
Ms. M. Pascoe Merkley, Director of Planning  
Mr. D. Paul, Director of Economic Development  
Mr. P. Raabe, Director of Environmental Services

#### **Others:**

Nick Gardiner, Recorder and Times

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### **MOTION TO MOVE INTO CLOSED SESSION (6:00 PM)**

Moved by: Councillor Journal  
Seconded by: Councillor Beatty

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

1. personal matters about an identifiable individual, including municipal or local board employees;

2. 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 Earle

Seconded by: Councillor Journal

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 noted Councillor Bursey's participation in an accessibility exercise. Councillor Bursey is wearing various apparatus to simulate physical limitations during the meeting.

### **DISCLOSURE OF INTEREST**

Councillor Fullarton declared a conflict of interest with Item #1 of the Closed Session because a family member is named.

### **ADOPTION OF COUNCIL MINUTES**

Moved by: Councillor Beatty

Seconded by: Councillor Kalivas

THAT the minutes of the Council Meeting of May 10, 2011 be adopted and circulated as read.

CARRIED

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

Moved by: Councillor Journal

Seconded by: Councillor Kalivas

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

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CARRIED

### **CORRESPONDENCE, COMMUNICATIONS AND PETITIONS**

Brockville and District Multicultural Council Inc.

Moved by: Councillor Kalivas

1. THAT Council do hereby proclaim June 12th, 2011 as Philippines Independence Day.

THAT in honour of Philippines Independence Day, that the Philippines flag be flown at Tunnel Bay from June 6th - June 13, 2011.

2. THAT Council do hereby proclaim June 24th, 2011 as Franco-Ontarian Independence Day.

THAT in honour of Franco-Ontario Independence Day, that the Franco-Ontarian flag be flown at Tunnel Bay from June 20th - June 27th, 2011.

CARRIED

Brockville Municipal Accessibility Advisory Committee

Moved by: Councillor Kalivas

THAT Council do hereby proclaim May 29th to June 4th, 2011 National Access Week.

THAT in honour of National Access Week, the BMAAC flag be flown at Tunnel Bay from May 29th, 2011 to June 8th, 2011.

CARRIED

### **DELEGATIONS**

1. Ryan Billing, Career Services Inc.

Mr. Billing addressed Council regarding accessibility initiatives of the Brockville Municipal Accessibility Advisory Committee as well as the Accessibility Week programs and functions that are being held in Brockville during the week of May 30 to June 3, 2011.

2. Mr. Ron Hungerford, OFSAA Convenor

Mr. Hungerford presented a PowerPoint presentation on the 2012 OFSAA Track Meet to be hosted in Brockville. Mr. Hungerford outlined the success of various athletes and discussed the impact of the event on the local economy.

3. Mr. Rolf Baumann, RBG Group, and Mr. Kevin Harper, IBI Group

Mr. Baumann and Mr. Harper addressed Council regarding the progress of the Trinity Church development project located at 137 George Street, Brockville. Mr. Baumann expressed gratitude for the cooperation of Planning Staff and Council during the development application process.

4. Mr. Michael Veenstra, Spring Valley Homes

Mr. Veenstra, Spring Valley Homes, addressed Council on behalf of himself and area builders, regarding the possible application of Development Charges for the City of Brockville. Mr. Veenstra was asked by Council to return with information about the success of the past incentive program.

5. Mr. Colin J. Williams

Mr. Williams addressed Council regarding Development Charges, the hiring of a Closed Meeting Investigator. Mr. Williams agrees with the application of development charges but asked Council to use the services of the Ombudsman for Closed Meeting Investigation.

## **STAFF REPORTS**

1. 2011-034-04

Proposed Amendments to the Official Plan, Zoning By-law 194-94, and Downtown CIP, 137 George Street, Brockville

Moved by: Councillor Kalivas

THAT Official Plan Amendment No. 89 respecting lands described as Lots A and 23, Block 44, Plan 67, City of Brockville, County of Leeds, with municipal address 137 George Street, be adopted to redesignate the subject lands from

“Institutional” to “Commercial, Downtown”, and to add a new site specific policy to permit the lands to be developed for a new residential building up to eleven (11) stories in height and containing not more than ninety four (94) dwelling units, subject to bonus criteria being met, and for reuse of the former church building for limited commercial or institutional uses.

THAT Zoning By-law 194-94 be amended:

- a) to rezone lands described as Lot A and Part of Lot 23, Block 44, Plan 67, in the City of Brockville, County of Leeds, to R9-X1-1 Multiple Residential Site Specific Zone to permit the development of a residential condominium apartment building with maximum height of 37 m [11 storeys] containing a maximum of ninety-four (94) residential units, subject to bonus criteria, specifically, the provision of a minimum of six (6) affordable units, sustainable elements including LEED-certified building design features including car share program, and improvements to nearby Rotary Park, being met for development exceeding five (5) storeys, with site-specific zone provisions consistent with the revised development concept, and parking ratio to be established at 1.1 spaces per residential unit; and
- b) to rezone lands described as Part of Lot 23, Block 44, Plan 67, to C2D-X1-1 General Commercial Downtown Site-Specific Zone to permit the reuse of the existing building for a church, museum/art gallery, micro-brewery defined as “a craft brewing operation that may include a restaurant, tasting room, and public tours”, and uses permitted in the C2D Zone with the following exclusions: accessory apartments; automobile leasing agency; bank or trust company; convenience store; dwelling unit; grocery store; home occupation; hotel/motel; laundromat; medical laboratory; parking lot garage; supermarket; and tavern, with site-specific zone provisions recognizing existing as-built conditions and specifying that on-site parking would not be required.

THAT the City endorses, in principle, cash-in-lieu of parking for any parking spaces which cannot be provided on lands zoned R9-XI-1 Multiple Residential Site-Specific Zone, estimated to be nineteen (19) parking spaces, including the condition that the City will provide a credit to the developer for cash-in-lieu paid for parking spaces over the ratio of 1.0 spaces per unit if the car sharing program is successful in two years of continuous operation, said credit then to be donated by the developer towards further improvements to Rotary Park.

THAT the Priority Area 1 boundary for the Downtown CIP be expanded to include lands described as Lots A and Lot 23, Block 44, Compiled Plan 67, in the City of Brockville, County of Leeds.

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CARRIED

2. 2011-044-05  
2011-2012 CORPORATE INSURANCE

Moved by: Councillor Fullarton

THAT Council accept the May 13, 2011 proposal (Attachment 1 to Staff Report 2011-044-05, 2011-2012 Corporate Insurance) from BFL Canada (Lloyd Syndicate) for the City's insurance policy for the period of June 30, 2011 to December 31, 2012 as received in the amount of \$594,740.49 (including applicable H.S.T)

CARRIED

## **REPORTS BOARDS AND COMMITTEES**

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

Councillor M. Kalivas, Chair  
Councillor J. Baker, Councillor D. Beatty, Councillor J. Earle  
Meeting held May 11th, 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:

1. 2011-043-05  
Proposed Amendments to the Official Plan and  
Zoning By-Law 194-94  
Lot 49, Part Lot "A" and Part of Waterlot in Front of Lot 49 and  
Part Lot "A", Block 30, Plan 67, City of Brockville, County of Leeds  
(119 Water Street West)  
Owner: Brockville Landings Inc.  
Agent: Darek Ledan

THAT Amendment No. 90 to the Official Plan for the City of Brockville, to modify existing Policy 7.2.1.6 a) specific to lands described as Lot 49, Part of Lot A, and Part of the Water Lot in front of Lots 49 and A, Block 30, Plan 67, City of Brockville, County of Leeds, with municipal address 119 Water Street West to provide for the development of a 106 unit residential condominium building, be adopted; and

THAT lands described as Lot 49, Part of Lot A and Part of the Water Lot in front of Lots 49 and A, Block 30, Plan 67, City of Brockville, County of Leeds, with Municipal Residential Site Specific Zone to permit a 106 unit multi-storey residential condominium building with a parking requirement of 1.08 spaces per unit.

CARRIED

### **FINANCE, ADMINISTRATION AND OPERATIONS**

Councillor J. Fullarton, Chair

Councillor L. Bursey; Councillor L. Journal; Councillor D. LeSueur; Councillor M. McFall  
Meeting held on May 17, 2011.

### **FAO - CONSENT AGENDA**

Moved by: Councillor Journal

THAT the following items, as listed on the Finance, Administration and Operations Committee agenda are recommended by the Committee to be passed by Consent Agenda

1. 2011-045-05  
Roof Replacement  
Brockville Museum

THAT Council accepts the Tender received from Richard D. Steele construction of Brockville in the amount of \$23,699 plus HST for the removal and replacement of the asphalt shingle roof surface at the Brockville museum (north building addition ), and

THAT project costs be charged to account 9101005-9901012-3010.

CARRIED

2. 2011-049-05  
Tender for Contract 2011-05  
Cold Milling of Asphalt Pavement at  
Various Locations

THAT Council accepts the tender from R.W. Tomlinson Limited in the amount of Fifty-Five Thousand, Nine Hundred and Twenty-Seven Dollars and Forty-One Cents (\$55,927.41) excluding HST for Contract 2011-05 for the Cold Milling of Asphalt Pavements at various locations; and

THAT this work be charged to account 9301110 9905013 3010.

CARRIED

3. 2011-050-05  
2011 Capping and Threshold Options

THAT Council adopt the following measures for the 2011 tax year:

THAT the cost of mandatory capping for the multi-residential, commercial and industrial classes be revenue-neutral; self-financing within the property class; and

THAT the capping percentage for the multi-residential, commercial and industrial classes be set at 5% of the previous years annualized taxes; and

THAT the threshold change option be continued at \$150 for multi-residential, commercial and industrial classes; and

THAT when a property reaches full current value assessment it is removed from the capping/clawback system; and

THAT Council authorize the By-law to adopt the 2011 Capping Options for the Protected Property Classes (Attachment #1 to Report 2011-050-05).

CARRIED



4. 2011-051-05  
2011 Tax Ratio Options

THAT Council authorize the tax ratios for all classes as per the attached schedule for the 2011 tax year; and

THAT Council authorize the By-law to set the tax ratios for all classes for 2011.

CARRIED

5. 2011-052-05  
2011 Work Plan  
First Quarter Report

THAT report 2011-052-05 Work Plan Quarterly Report, be received for information purposes.

CARRIED

6. 2011-055-05  
Licensing of Refreshment Carts

THAT Council authorize the passing of a by-law to provide for the licensing of refreshment carts.

CARRIED

### **FAO - REGULAR AGENDA**

1. 2011-056-05  
Development Charges Background Study

THAT the City retain Hemson Consulting Ltd. to complete a development charges background study as well as to develop a proposed by-law based upon the results of the study; and

THAT this study be funded from the Growth Management Reserve Fund.

DEFFERED

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MOTION TO DEFER

Moved by: Councillor Kalivas

THAT the Development Charges Background Study be deferred to the Council Meeting of June 28<sup>th</sup>, 2011 in order that the local builders association can report back on the past incentive program.

CARRIED

2. 2011-047-05  
Crossing Guard Agreement

Moved By: Councillor Fullarton

THAT Council extends the service agreement with Intercity School X Guards for the direct supervision of crossing guards in the amount of Two Thousand and Thirty Four Dollars (\$2,034.00) per month for the term July 1, 2011 to June 30, 2014; and

THAT such payment shall be excluded for July and August in each calendar year of this agreement; and

THAT each September 1st beginning September 1, 2012 that the agreement amount shall be adjusted by the Ontario Consumer Price Index June/June; and

THAT the City reimburses Intercity School X Guards a flat fee of \$300 per month for business travel cost associated with the use of a personal vehicle.

CARRIED

3. 2011-054-05  
Closed Meeting Investigator

Moved By: Councillor McFall

THAT Council authorize the Mayor and City Clerk to execute an agreement with Fournier Consulting Services to appoint Fournier Consulting Services as the Closed Meeting Investigator for the City of Brockville and its local Boards and Committees for a period of two years commencing June 1, 2011 and that the necessary by-law be enacted.

CARRIED

**MOTION TO RETURN TO COUNCIL**

Moved by: Councillor Journal

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 Journal

Seconded by: Councillor Earle

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**

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|----------|---|
| 047-2011 | A By-law to Adopt Official Plan Amendment Number 90 to the Official Plan for the City of Brockville, (Lot 49, Part Lot "A" and Part of Waterlot in front of Lot 49 and Part Lot "A", Block 30, Plan 67, City of Brockville, County of Leeds -119 Water Street West) |
| 048-2011 | A By-law to Amend City of Brockville Zoning By-law 194-94 (Lot 49, Part Lot "A" and Part of Waterlot in front of Lot 49 and Part Lot "A", Block 30, Plan 67, City of Brockville, County of Leeds – 119 Water Street West)   |
| 049-2011 | By-law to Adopt Official Plan Amendment Number 89 to the Official Plan for the City of Brockville (Lots "A" and 23, Block 44, Plan 67, City of Brockville, County of Leeds – 137 George Street - File 266-89)   |
| 050-2011 | By-law to Amend City of Brockville Zoning By-law 194-94 (Lots "A" and 23, Block 44, Plan 67, City of Brockville, County of Leeds – 137 George Street - File D14-146[R])   |

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- 051-2011            By-law to amend the Community Improvement Plan for  
Downtown Brockville  
(Priority Area 1)  
(Lots "A" and 23, Block 44, Plan 67, City of Brockville, County of  
Leeds – 137 George Street)
- 052-2011            By-law to License and Regulate Refreshment Carts

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

Moved by: Councillor Beatty  
Seconded by: Councillor Earle

THAT By-laws Numbered 047-2011 to 052-2011 be introduced and the same be now read a first and second time.

CARRIED

### **BYLAWS THIRD READING**

Moved by: Councillor Beatty  
Seconded by: Councillor Earle

THAT By-laws Numbered 047-2011 to 052-2011 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 Beatty  
Seconded by: Councillor Earle

THAT By-law Number 053-2011 to confirm the Proceedings of Council at its meeting held on May 24, 2011 be read a first and second time.

CARRIED

**CONFIRMATORY BYLAW THIRD READING**

Moved by: Councillor Beatty  
Seconded by: Councillor Earle

THAT By-law Number 053-2011 to confirm the Proceedings of Council at its meeting held on May 24, 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 Beatty  
Seconded by: Councillor Earle

THAT Council adjourn its proceedings until the next regular meeting.

CARRIED

Meeting adjourned at 9:54 p.m.

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Mayor

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City Clerk