



MINUTES
Regular Council

February 27, 2018
6:00pm
Council Chambers, Town Hall

Council Present: Mayor Strathdee
Councillor Osborne
Councillor Van Galen
Councillor Winter
Councillor Pope
Councillor Hainer
Councillor Craigmile

Council Absent: Councillor Pope

Staff Present: Brent Kittmer, CAO / Clerk
Trisha McKibbin, Director of Corporate Services / Deputy Clerk
Richard Anderson, Director of Emergency Services / Fire Chief
Grant Brouwer, Director of Building and Development
Jim Brown, Director of Finance
Stephanie Ische, Director of Community Services
Jed Kelly, Director of Public Works
Lisa Lawrence, Human Resources Manager
Jenna McCartney, Corporate Administrative Coordinator
Mark Stone, Planner

1. CALL TO ORDER

Mayor Strathdee called the meeting to order at 6:00pm.

2. DECLARATIONS OF PECUNIARY INTEREST

Councillor Van Galen declared a pecuniary interest during the deliberation of item 6.2.2.

3. AMENDMENTS AND APPROVAL OF AGENDA

Resolution 2018-02-27-01

Moved By Councillor Van Galen

Seconded By Councillor Craigmile

THAT the February 27, 2018 regular Council meeting agenda be accepted as presented.

CARRIED

4. PUBLIC INPUT PERIOD

Mr. Frank Doyle of St. Marys Independent newspaper asked the percentage of the budget impacted by salaries and wages.

Jim Brown replied, that the total of the Town's payroll expense (wages plus all benefits) is \$7,104,530. As a portion of total expense of \$17,994,893 it is 39.5%.

Charles Sharun inquired about the procedure for raising questions related to the public meeting for 121 Ontario Street South.

Mayor Strathdee stated that the public will have the opportunity to address Council and the applicant during the portion of the agenda listing the public meeting.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

5.1 Public Meeting - 121 Ontario Street South

Resolution 2018-02-27-02

Moved By Councillor Hainer

Seconded By Councillor Osborne

THAT the February 27, 2018 regular Council meeting be adjourned at 6:05pm to hold a statutory public meeting as required under the *Planning Act*; and

THAT a Public Meeting to consider a planning application for 121 Ontario Street South be opened at 6:06pm.

CARRIED

Mayor Strathdee stated "This Public Meeting is being held in accordance with Section 34 of the Planning Act, RSO 1990.

The purpose of the Public Meeting is to solicit the public's comments with respect to a proposed Zoning By-law Amendment initiated by the owner of the subject property, 121 Ontario Street South.

The Zoning By-law Amendment Application is required to facilitate the development of the property for 23 apartment units in four buildings (5 units in the existing building and 6 units in each of 3 new buildings).

Tonight's meeting is the mandatory Public Meeting held under the Planning Act. Council will make a decision regarding this matter at a future meeting. If you wish to be notified of Council's decision, please leave your name and address with our CAO/Clerk Brent Kittmer.

I will now ask Mr. Kittmer to advise how notice was given and provide a summary of the comments received regarding this Application."

Mr. Kittmer stated "Notice was given by first class mail to all land owners within 120 metres (400 feet) of the subject property, to those agencies as prescribed by Regulation, and signs advertising tonight's meeting were posted on the property.

Comments received regarding this Application are as follows:

| | |
|---|---|
| Town's Director of Corporate Services/ Deputy Clerk | <ul style="list-style-type: none"> The proposed development would not appear to have any impact on the heritage attributes of the property to the north (89 Ontario Street South) designated under Part IV of the Ontario Heritage Act. |
| Mr. Herman Veenendaal, 146 Ontario Street South | <ul style="list-style-type: none"> Comments include: proposed density is not in keeping with neighbourhood character; concerned with building height; no consultation with neighbourhood including ideas for community space or library space; road widenings will impact mature trees; and traffic impacts. |
| Upper Thames River Conservation Authority | <ul style="list-style-type: none"> Property is affected by the Authority's Regulation Limit which includes an area of floodplain along Thomas Street. Written approval from UTRCA required prior to undertaking any development or site alteration in regulated area. Small area at southeast corner of property is within vulnerable area as identified by the Thames-Sydenham Source Protection Region. |
| St. Marys Heritage Committee | <ul style="list-style-type: none"> Applicant has done very well addressing heritage requirements of the Town. |

| | |
|---|--|
| Town Public Works Department | <ul style="list-style-type: none"> No comments. |
| Rob and Sharon Staffen, St. Marys Golf & Country Club Limited | <ul style="list-style-type: none"> Support the project Opportunity for our community to attract young families and to provide attainable/affordable housing Do not believe that the project falls within the mandate of the Conservation Authority" |

Mayor Strathdee stated "I will call upon Councillor Don Van Galen to advise Council of the Planning Advisory Committee's recommendation with respect to the Application."

Councillor Van Galen stated "The Planning Advisory Committee made the following recommendation to St. Marys Town Council at its February 5, 2018 meeting:

THAT based on the review of the Application and comments received thus far, Planning Advisory Committee endorses the Application, in principle, and Committee recommends to St. Marys Town Council that it proceed with the statutory public meeting to be scheduled for February 27, 2018."

Mayor Strathdee stated "I will call upon the Town's Planner to provide additional information regarding the proposed Application."

Mark Stone stated "According to the Town's Official Plan, the subject property is designated Residential, with a small area identified as Floodplain at the northeast corner. The property is currently zoned Institutional and Flood Plain, with a Regulated Area overlay.

The proposed Zoning By-law Amendment would rezone areas of the subject property currently zoned Institutional (I) to Residential Zone Five (R5), and will include special provisions to:

- revise the definition of 'apartment dwelling' as it applies to the subject property
- deem the Ontario Street South frontage as the front lot line, the Thomas Street frontage as the rear lot line and the Park Lane frontage as the exterior side lot line

- reduce the rear yard minimum requirement from 12.0 metres to 9.0 metres
- Section 12.2.15 of the Zoning By-law (no ingress or egress driveway shall be located closer than 1.5 metres to any side or rear lot line) shall not apply"

Mayor Strathdee called upon the applicant to explain the proposed Application related to the subject property.

Melanie and Rick Murphy, known as the Applicants, spoke to the proposal as it is before Council tonight. Ms. Murphy highlighted the general layout of the concept plan, the proposed landscape features, proposed units including specifics on barrier-free units.

Mayor Strathdee invited members of the public to provide input on the Application.

Charles Sharun, 62 Ontario Street South stated that he feels the proposed development offers positive outcomes for the community. Mr. Sharun is in agreement to the proposed development however, his concern is that the developer build a relationship with the neighbourhood. Mr. Sharun began asking direct questions to the Applicants related to the outcome of the development.

Mayor Strathdee stated that the public will provide their comments and questions first followed by the opportunity for the Applicant to reply.

Mr. Sharun continued by identifying his belief that this development is the Applicant's first project of this nature. Mr. Sharun cited his concerns that this is the Applicants first project. Further inquiries included:

- Do the Applicants plan to sell the development upon completion?
- To what extent will the neighbourhood be impacted by the construction over the coming years?
- Will construction vehicles be permitted on drive on Ontario Street which is constructed of concrete and vulnerable to damage from heavy vehicle traffic?
- Will neighbourhood be notified about proposed hours of operation by construction personnel?
- Will the Applicants provide a phone number to the neighbourhood so that inquiries can be directed to them immediately upon concern?

Mayor Strathdee invited Mrs. Murphy to respond.

Mrs. Murphy provided the background of the Applicant's company and stated that they live in town and own a heritage rental property in town of which they have worked towards preserving the heritage of the building. This current project is located in an ideal location as it is beneficial for landlords to be located within close proximity to their tenants.

Mrs. Murphy outlined the project timeline and identified that the main building is anticipated to be complete within Fall 2018. Construction will continue based on trades availability and housing needs. The initial timeline for the project is five years.

The hours related to construction operation will follow normal patterns and it is not anticipated that work would be completed throughout the evening or night on the exterior of the building. Some interior work may occur at night and on weekends.

The Applicant stated that it is their desire to create a respectful relationship with the neighbours. They would like to provide updates to the neighbourhood about the status of the project.

Mrs. Murphy reiterated that trades workers typically arrive early in the morning and do not work into the evening / night. Mrs. Murphy stated that she would be willing to provide her personal contact information with the neighbours while identifying that she would expect the communication to be respectful in nature.

Larry Henderson, 201 Thomas Street, stated he is unsure of the look of the proposed retaining wall. Mr. Henderson also stated his concern that when approaching the property from Park Street bridge, all a person will see is a three story building. Mr. Henderson concluded by stating that there will be lots of traffic on the site during construction.

Denise Fergusson, 181 Thomas Street, stated she is delighted that Westward school will be kept open through this proposed development. Ms. Fergusson was anticipating a quiet summer in the neighbourhood with less dust due to the improvements that the Town has imposed to reduce truck traffic along Thomas Street. Ms. Fergusson stated that green space is being decreased within the proposal in addition to citing a concern that the development is proposed within the floodplain.

Ms. Fergusson inquired if a traffic light should be erected at Thomas Street and Park Street as there currently exists difficulty with turning at different periods of time throughout the day.

Ms. Fergusson stated that she is very concerned about noise within the neighbourhood. Ms. Fergusson concluded by stating that she believes there are too many buildings on the site.

Sherry Warmuth, representing her daughter, Stacey Sisson of 130 Ontario Street South, stated that her daughter has not received official notice from the Town for the zoning by-law amendment application.

Ms. Warmuth made the following inquiries:

- What is the overall height of the proposed development?
- Will it be in direct site path of the river for the owner of 130 Ontario Street South?
- Is there going to be in-fill?
- How will the development affect water runoff on the property?
- What is the front for buildings 3 and 4?
- What is being proposed for buffering?
- How will lighting and garbage be addressed for the site?
- How will outdoor living space be addressed for the site?
- Will there be recreation amenities provided on-site?

Ms. Warmuth cited concerns related to the timeline for the project by citing that the site could be under continuous construction for five years producing constant noise.

Mrs. Murphy provided the following responses to questions:

- The development will not be under constant construction over a five year period. There will be many periods of inactivity on the exterior of structures. Development for each building may take six months for each building to be built.
- The location of garbage collection on the site was identified. The Applicant plans to use Bluewater Recycling wheelie bins therefore reducing additional noise.
- The lighting plan is in progress. The Applicant will be extending the existing parking lot by a few feet. The parking along Ontario Street South will remain untouched. There will be a parking lot off of Park Lane available for the tenants of the lower units. There will need to be lighting within the parking lots to ensure safety of the tenants and neighbours. There are many options for lighting that produce minimal impact of light pollution of which the Applicant will take into consideration when reviewing lighting needs.

- The fence around the previous playground area will be removed. The concrete path within the previous playground area will remain. There is lots of greenspace behind the main building. The Applicant wants to highlight the front of the original school house that fronts Thomas Street.
- Taking accessibility into consideration, the Applicant is considering the creation of a small greenspace area along Park Lane for tenants within the lower units.

Kathleen Royakkers of NA Engineering Associates Inc. provided the following responses to questions:

- The elevation from Ontario Street South is two stories. The elevation from Thomas Street is three stories.
- The lighting will be contained on the property.
- The height of the existing building is 8.5m. The height of the proposed buildings from Thomas Street is 11.7m.
- The stormwater management plan has been submitted to the Town as part of the site plan approval process and will be a dry pond design. Stormwater coming from the site will be equal to or less than existing.
- The Applicant is not proposing to build on floodplain. The buildings closest to the floodplain area at elevated 3m.

Mrs. Murphy stated that the proposed retaining walls will be 8 feet in height however they will be gradient.

Ms. Fergusson stated that the notification sign posted on the property by the Town could not be seen from Thomas Street.

Brent Kittmer stated that the Planning Act requires notification to residents within a 120m radius of an applicant's property.

Ms. Fergusson stated that she did not receive written notification about the application from the Town.

Ms. Sisson stated that she did not receive written notification about the application from the Town.

Ms. Warmuth asked about the plans for egress to Ontario Street South and asked the Applicant to consider single entry and single exit.

Mrs. Murphy stated the driveways onto Ontario Street South are considered wide enough to permit two way traffic. The Applicant does not anticipate based on past experience of rental units that all tenants will

require parking although there are two additional parking spaces within the proposal. The Applicant stated that the anticipated traffic volume to and from the property will not be as much as it were in the past.

Ms. Fergusson reiterated her concern about the noise expected to be produced from the construction and future tenants.

Mr. Sharun explained that there are a number of buses that pick up and drop off children in the immediate proximity to the property that should be taken into consideration for safety reasons, and asked that construction traffic use Thomas Street and not Ontario Street.

Mr. Sharun asked if there would be another public meeting related to this application.

Mayor Strathdee stated that this meeting is the sole statutory public meeting. As per the legislation, the public will be notified of the decision of Council related to this matter.

Nancy Habermehl, 89 Ontario Street, thanked the Applicant for their dedication to preserving the building.

Ms. Habermehl asked Council how it will address overflow parking needs of the development. Ms. Habermehl stated that a traffic study conducted of the area identified there are a lot of vehicles in the area. Ms. Habermehl stated that are a number of children in the area that are bused on a daily basis to their schools.

Mayor Strathdee asked Council if there were any comments.

Councillor Osborne inquired about the type of stormwater management plan for the property.

Ms. Rooyakkers stated that there will be a dry pond in the southeast corner of the property. In the event of excess stormwater, it will overflow to the streets for catchment in storm drains.

Councillor Craigmile cited a concern that had been raised at the Planning Advisory Committee meeting related to the distance between buildings and wanted to know if a resolution had been made.

Mrs. Murphy stated that the situation was in conflict of the *Building Code Act* and that it had been rectified.

Mayor Strathdee thanked those in attendance for their comments. Mayor Strathdee stated should Council proceed with the passage of the Zoning By-law Amendment, notice of passing will be provided as prescribed by the *Planning Act* and a 20-day appeal period to the Ontario Municipal Board applies.

Resolution 2018-02-27-03

Moved By Councillor Craigmile

Seconded By Councillor Van Galen

THAT this Public Meeting be adjourned at 7:25pm; and

THAT the February 27, 2018 regular Council meeting reconvene at 7:26pm.

CARRIED

5.2 Public Meeting for 2018 Budget Consideration

Council recessed at 7:26pm.

Mayor Strathdee called the meeting back to order at 7:35pm.

Resolution 2018-02-27-04

Moved By Councillor Winter

Seconded By Councillor Van Galen

THAT the February 27, 2018 regular Council meeting be adjourned at 7:35pm to hold a Public Meeting to discuss the proposed 2018 municipal budget; and

THAT a Public Meeting to consider the proposed 2018 municipal budget be open at 7:35pm.

CARRIED

Jim Brown spoke to the budget presentation.

Mayor Strathdee asked the public if there were any questions related to the budget.

Frank Doyle of St. Marys Independent newspaper asked for the balance of the PUC reserve fund at the end of 2018.

Jim Brown stated the balance will be \$3,533,000.

Mr. Doyle asked for the balance of all reserves and reserve funds at the end of 2018.

Mr. Brown stated the balance will be \$8,282,000.

Mr. Doyle asked if there will be any savings within policing services.

Councillor Van Galen stated that there will be realized savings in 2018 however there will be capital start-up costs.

Resolution 2018-02-27-05

Moved By Councillor Craigmile

Seconded By Councillor Van Galen

THAT this Public Meeting be adjourned at 8:00pm.; and

THAT the February 27, 2018 regular Council meeting reconvene at 8:00pm.

CARRIED

Upon the reconvening of Council, Council reviewed the status of the draft budget.

Council reviewed the various Community Improvement Plan granting programs. Council discussed the budget actuals of the programs over the last three years.

Resolution 2018-02-27-06

Moved By Councillor Van Galen

Seconded By Councillor Hainer

THAT the budget for the Heritage Property Tax Rebate program be adjusted from \$50,000 to \$25,000 for 2018.

CARRIED

Resolution 2018-02-27-07

Moved By Councillor Osborne

Seconded By Councillor Van Galen

THAT Staff be directed to prepare a budget by-law for consideration at the March 13, 2018 regular Council meeting.

CARRIED

6. ACCEPTANCE OF MINUTES

6.1 Regular Council - February 13, 2018

Brent Kittmer identified that the following edits have been made to the minutes.

- Within section 4, Mr. Doyle was inquiring about the 151 Water Street North proposal and plan rather than the recreation master plan.
- Within section 17, the adjournment time should be changed to 8:31pm.

Resolution 2018-02-27-08

Moved By Councillor Winter

Seconded By Councillor Craigmile

THAT the February 13, 2018 regular Council meeting minutes be approved as amended and signed and sealed by the Mayor and the Clerk.

CARRIED

6.2 Strategic Priorities Committee - February 20, 2018

Council discussed the need for a public consultation regarding the proposed Traffic and Parking By-law.

Council discussed the financial implications associated with passing the proposed Traffic and Parking By-law.

Resolution 2018-02-27-09

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT the February 20, 2018 Strategic Priorities Committee meeting minutes be received and signed and sealed by the Mayor and the Clerk; and

THAT items 5.2 and 5.3 be raised for discussion.

CARRIED

6.2.1 PW 02-2018 Downtown Pedestrian Crosswalk Configurations

Council discussed the comments raised at Strategic Priorities Committee with staff providing an update.

Resolution 2018-02-27-10

Moved By Councillor Hainer

Seconded By Councillor Winter

THAT Council approves operational configuration changes to the downtown pedestrian signals as detailed in option three of report PW 02-2018, and

THAT Council approves additional site alterations to the Queen & Church North East corner as recommended by staff.

CARRIED

6.2.2 PW 07-2018 Wastewater Industrial Waste Surcharge Program

Councillor Van Galen declared pecuniary interest during this item and vacated his seat.

Resolution 2018-02-27-11

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT Council support the updated wastewater surcharge program as recommended by Staff in report PW 07-2018 and staff be directed to proceed with industry consultations in regards to the updated wastewater surcharge program with a report back to Council.

CARRIED

7. CORRESPONDENCE

7.1 Town of Essex re: Offering School Property to Municipalities

Resolution 2018-02-27-12

Moved By Councillor Hainer

Seconded By Councillor Osborne

THAT the correspondence from Town of Essex regarding the offering of school property to municipalities be endorsed.

CARRIED

8. STAFF REPORTS

8.1 Building and Development Services

8.1.1 DEV 06-2018 Application for ZBA (Z06-2017) Wildwood Homes for 121 Ontario Street South

Mark Stone spoke to DEV 06-2018 report and responded to questions from Council.

Resolution 2018-02-27-13

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT DEV 06-2018 Application for ZBA (Z06-2017) Wildwood Homes for 121 Ontario Street South be received; and

THAT the comments received at the Public Meeting be addressed in a comprehensive report presented at a subsequent Council meeting, outlining staff recommendations on the disposition of this Application.

CARRIED

8.1.2 DEV 04-2018 February Monthly Report (Building Development)

Grant Brouwer spoke to DEV 04-2018 report and responded to questions from Council.

Resolution 2018-02-27-14

Moved By Councillor Hainer

Seconded By Councillor Winter

THAT DEV 04-2018 February Monthly Report (Building and Development) be received for information.

CARRIED

8.1.3 DEV 05–2018 Cadzow Splash Pad Procurement Award

Grant Brouwer provided an update to Council on the overall plan for Cadzow Park. Mr. Brouwer continued to speak to DEV 05-2018 report and responded to questions from Council.

Resolution 2018-02-27-15

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT DEV 05-2018 Cadzow Splash Pad Procurement Award be received; and,

THAT the procurement for Cadzow Splash Pad tender be awarded to Openspace Solutions Inc. Option 2 for the procured price of \$231,899.88, inclusive of all taxes and,

THAT staff be authorized to approve any necessary contingencies during the construction of the splash pad project up to, but not exceeding, the 2018 approved budget amount of \$267,000.00; and, THAT By-Law 20-2018 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

CARRIED

8.2 Administration and Human Resources

8.2.1 CAO 08-2018 February Monthly Report (Administration and Human Resources)

Brent Kittmer and Lisa Lawrence spoke to CAO 08-2018 report and responded to questions from Council.

Resolution 2018-02-27-16

Moved By Councillor Craigmile

Seconded By Councillor Van Galen

THAT CAO 08-2018 February Monthly Report (Administration and Human Resources) be received for information.

CARRIED

8.3 Corporate Services

8.3.1 COR 02-2018 February Monthly Report (Corporate Services)

Trisha McKibbin spoke to COR 02-2018 report and responded to questions from Council.

Resolution 2018-02-27-17

Moved By Councillor Winter

Seconded By Councillor Osborne

THAT COR 02-2018 February Monthly Report (Corporate Services) be received for information.

CARRIED

8.4 Finance

8.4.1 FIN 05-2018 February Monthly Report (Finance)

Jim Brown spoke to FIN 05-2018 report and responded to questions from Council.

Resolution 2018-02-27-18

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT FIN 05-2018 February Monthly Report (Finance) be received for information.

CARRIED

8.5 Fire and Emergency Services

8.5.1 FD 02-2018 February Monthly Report (Emergency Services)

Fire Chief Anderson spoke to FD 02-2018 report and responded to questions from Council.

Resolution 2018-02-27-19

Moved By Councillor Hainer

Seconded By Councillor Winter

THAT FD 02-2018 February Monthly Report (Emergency Services) be received for information.

CARRIED

8.6 Community Services

8.6.1 DCS 04-2018 February Monthly Report (Community Services)

Stephanie Ische spoke to DCS 04-2018 report and responded to questions from Council.

Resolution 2018-02-27-20

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT DCS 04-2018 February Monthly Report (Community Services) be received for information.

CARRIED

8.7 Public Works

8.7.1 PW 11-2018 February Monthly Report (Public Works)

Jed Kelly spoke to PW 11-2018 report and responded to questions from Council.

Resolution 2018-02-27-21

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT PW 11-2018 February Monthly Report (Public Works) be received for information.

CARRIED

9. EMERGENT OR UNFINISHED BUSINESS

Councillor Hainer stated that February 28 is Pink Shirt Day which focuses on the awareness of bullying. This year's key focus is on cyberbullying.

Councillor Hainer stated that Rare Diseases Day is February 28 and the National Organization for Rare Diseases is launching the 7,000 mile Rare Movement. Councillor Hainer stated there are many local families that strongly advocate for their families.

10. NOTICES OF MOTION

None.

11. BY-LAWS

11.1 By-Law 20-2018 Authorize an Agreement with Openspace Solutions Inc.

Resolution 2018-02-27-22

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT By-Law 20-2018, being a by-law to authorize an agreement with Openspace Solutions Inc. be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

CARRIED

12. UPCOMING MEETINGS

Mayor Strathdee reviewed the upcoming meetings as presented on the agenda.

13. CLOSED SESSION

None.

14. CONFIRMATORY BY-LAW

Resolution 2018-02-27-23

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT By-Law 21-2018, being a by-law to confirm the proceedings of February 27, 2018 regular Council meeting, be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

CARRIED

15. ADJOURNMENT

Resolution 2018-02-27-24

Moved By Councillor Hainer

Seconded By Councillor Osborne

THAT this regular meeting of Council adjourn at 9:55p.m.

CARRIED

Al Strathdee, Mayor

Brent Kittmer, CAO / Clerk