



MINUTES Regular Council

October 9, 2018
6:00pm
Council Chambers, Town Hall

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

Staff Present: Brent Kittmer, CAO / Clerk
Grant Brouwer, Director of Building and Development
Jed Kelly, Director of Public Works
Trisha McKibbin, Director of Corporate Services
Brett O'Reilly, Corporate Communication and Events Manager
Mark Stone, Planner
Jenna McCartney, Deputy Clerk

1. CALL TO ORDER

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

2. DECLARATIONS OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Councillor Van Galen requested that Council add a discussion under Emergent Business related to the soon to be regulated cannabis legislation.

Resolution 2018-10-09-01

Moved By Councillor Winter

Seconded By Councillor Van Galen

THAT the October 9, 2018 regular Council meeting agenda be accepted as amended.

4. PUBLIC INPUT PERIOD

Frank Doyle of St. Marys Independent asked what the deadline is for a municipality to opt out of cannabis sales.

Brent Kittmer stated that the current date is January 22, 2019.

Frank Doyle asked about the status of the planning applications related to Water Street North.

Grant Brouwer stated the planning applications are expected in the first quarter of 2019.

Frank Doyle asked if the Social Media Policy takes into account that not all residents have access to computers and internet.

Mayor Strathdee stated that the Corporate Communications Department has taken that into account.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

5.1 Public Meeting for Zoning By-law Amendment regarding Accessory Units

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 Town of St. Marys to permit accessory apartments in the Town.

Tonight's meeting is the mandatory Public Meeting held under the Planning Act. Council will make a decision regarding this matter during this evening's meeting or 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."

Brent Kittmer stated "Notice was provided in the St. Marys Independent on September 6, 2018 and was provided to those agencies as prescribed by Regulation.

Written comments received regarding this Application are summarized as follows:

Upper Thames River Conservation Authority	No objection to proposed amendment but recommend addition of following provision: "The accessory apartment is not located within hazard lands, as identified by the Town and the Upper Thames River Conservation Authority".
Vicky and Bill Vine, 202 Widder Street East	Concerned how the community will react to more renters residing in neighbourhoods. Prefer that the Town acknowledge the pros and cons of renting with reference to the Landlord Tenant Act. What provision is there to prevent an owner from becoming an absentee landlord after subdividing the residence and then renting the balance of the residence to another party? Will this amendment allow the owner to apply for an accessory apartment designation to permit six separate apartments to exist on the same piece of property? Recommends that: - accessory apartment permissions should only be granted to property owners who will reside in no less than 60% of said residence - only a designated number of accessory apartments be allowed in any one neighbourhood
Community Living St. Marys and Area	Supports proposed amendments to the Zoning By-law as permitting accessory apartments will: - expand available options for safe, affordable and supportive housing - allow persons with developmental disabilities to live close to others in well-establishment neighbourhoods - allow people to live closer to the downtown and essential services such as healthcare and food - provide opportunities for supportive living spaces for adult children, and aging parents, relatives and friends

Mayor Strathdee asked Councillor Van Galen to comment on the Planning Advisory Committee recommendation.

Councillor Van Galen stated "The Planning Advisory Committee made the following recommendation to St. Marys Town Council at its August 7, 2018 meeting:

THAT St. Marys Town Council proceed with a public meeting to consider amendments to the Town's Zoning By-law to permit accessory apartments as-of-right in single detached, semi-detached and townhouse dwellings, and in detached accessory buildings, subject to unit subject to specified regulations."

Mayor Strathdee asked Mark Stone, Town Planner, to add additional comments.

Mark Stone stated "The purpose and effect of the proposed Zoning By-law Amendment is to add provision to:

- permit one accessory apartment per lot in any single-detached, semi-detached or townhouse dwelling provided that:
 - the maximum gross floor area of the accessory apartment shall not exceed 40% of the gross floor area of the main building or 100 m
 - prohibit a home occupation in any accessory apartment
 - prohibit an accessory apartment on any lot where a garden suite exists
 - require that the lot is serviced by municipal water and sanitary sewer services
- alternatively, permit one accessory apartment in an accessory building or structure on the lot provided that:
 - the size of the lot is a minimum of 1,000 m²
 - the accessory building or structure complies with minimum front, rear, interior side and exterior side yard requirements for the main building
 - the accessory building or structure complies with the building height and lot coverage requirements of the Zoning By-law

David Cullen, 140 Church Street North, stated that some residents may be interested in creating a heritage designation for an entire street and that the residents he has spoken to feel that accessory apartments would not fit the character within the designated areas.

Councillor Osborne asked how it is communicated to the public that accessory apartments do not necessarily detract from the value of the home or its neighbours.

Mr. Stone has included within the by-law that the structure must be consistent with the standards of the neighbourhood.

Councillor Hainer inquired about the legislation requiring accessory apartments.

Mr. Stone stated that the *Planning Act* requires that all municipal official plans and zoning by-laws permit second units in single detached, semi-detached and townhouse dwellings.

Councillor Winter asked if the property owner needed to live on site.

Mr. Stone stated that the legislation does not permit the municipality to require that the property owner must live on site.

Mayor Strathdee thanked those in attendance for their comments. Should Council proceed with the passage of the Zoning By-law Amendment, notice of passing will be provided as prescribed by the *Planning Act*.

Resolution 2018-10-09-02

Moved By Councillor Pope

Seconded By Councillor Van Galen

THAT the October 9, 2018 regular Council meeting be adjourned at 6:06pm to hold a statutory public meeting as required under the *Planning Act*; and

THAT a Public Meeting to consider an amendment to the zoning by-law regarding accessory apartments be opened at 6:07pm.

CARRIED

Resolution 2018-10-09-03

Moved By Councillor Craigmile

Seconded By Councillor Van Galen

THAT this public meeting be adjourned at 6:17pm; and

THAT the October 9, 2018 regular Council meeting reconvene at 6:18pm.

CARRIED

6. ACCEPTANCE OF MINUTES

6.1 Regular Council - September 25, 2018

Resolution 2018-10-09-04

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT the September 25, 2018 regular Council meeting minutes be approved and signed and sealed by the Mayor and the Clerk.

CARRIED

7. CORRESPONDENCE

7.1 Salvation Army St. Marys re: Kettle Kick-Off

Resolution 2018-10-09-05

Moved By Councillor Winter

Seconded By Councillor Craigmile

THAT the correspondence from Salvation Army St. Marys regarding the Annual Kettle Kick-Off be received; and

THAT Council approve the Salvation Army St. Marys' request.

CARRIED

7.2 Social Research and Planning Council re: How Much is Enough?

Resolution 2018-10-09-06

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT the correspondence from Social Research and Planning Council regarding community consultation for the impact of low incomes on families and communities be received.

CARRIED

7.3 Labreche Patterson & Associates Inc. re: Official Plan Review

Resolution 2018-10-09-07

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT the correspondence from Labreche Patterson & Associates Inc. regarding the Official Plan Review be received.

CARRIED

8. STAFF REPORTS

8.1 Corporate Services

8.1.1 COR 26-2018 Social Media Policy

Trisha McKibbin and Brett O'Reilly spoke to COR 26-2018 report and responded to questions from Council.

Council would like the policy to be amended to clarify that Council cannot be terminated for their opinion on social media. It was agreed that the amendment should include a reference to the Code of Conduct,

Staff were directed to include the Youth Centre in the policy.

Resolution 2018-10-09-08

Moved By Councillor Hainer

Seconded By Councillor Pope

THAT COR 23-2018 Social Media Policy report be received; and

THAT Council approve By-law 83-2018, Social Media Policy, for the Town of St. Marys with direction to staff.

Support (6): Mayor Strathdee, Councillor Osborne, Councillor Winter, Councillor Pope, Councillor Hainer, and Councillor Craigmile

Oppose (1): Councillor Van Galen

CARRIED

8.2 Building and Development Services

8.2.1 DEV 46-2018 Accessory Apartments – Town-wide Zoning By-law Amendment

Grant Brouwer and Mark Stone spoke to DEV 46-2018 report and responded to questions from Council.

Resolution 2018-10-09-09

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT DEV 46-2018 Accessory Apartments –Town-wide Zoning By-law Amendment be received;

THAT Council determine that, following the October 9, 2018 public meeting, no further public notice and / or public meeting is required for the Application for Zoning By-law Amendment in accordance

with Section 34(17) of the *Planning Act* since a public meeting was held in accordance with the *Planning Act* and the modifications to the proposed By-law are minor in nature; and,

THAT Council enact Zoning By-law No. Z130-2018 to permit and regulate accessory apartments in the Town of St. Marys if there are no significant concerns raised by the public or members of Council at the statutory public meeting.

Amendment:

Resolution 2018-10-09-10

Moved By Councillor Hainer

Seconded By Councillor Van Galen

THAT Resolution 2018-10-09-09 be amended to include the following paragraph as the third **THAT** statement:

THAT item 5.1.3 in Section 2 of the proposed by-law Z130-2018, which refers to flood plains and hazard lands, be struck.

CARRIED

Mayor Strathdee confirmed for Council that they would now consider the proposed by-law as amended:

Resolution 2018-10-09-09 (AS AMENDED)

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT DEV 46-2018 Accessory Apartments –Town-wide Zoning By-law Amendment be received;

THAT Council determine that, following the October 9, 2018 public meeting, no further public notice and / or public meeting is required for the Application for Zoning By-law Amendment in accordance with Section 34(17) of the *Planning Act* since a public meeting was held in accordance with the *Planning Act* and the modifications to the proposed By-law are minor in nature; and,

THAT item 5.1.3 in Section 2 of the proposed by-law Z130-2018, which refers to flood plains and hazard lands, be struck.

THAT Council enact Zoning By-law No. Z130-2018, as amended, to permit and regulate accessory apartments in the Town of St. Marys.

CARRIED

8.3 Public Works

8.3.1 PW 54-2018 Terracycle Cigarette Butt Recycling

Jed Kelly spoke to PW 54-2018 report and responded to questions from Council.

Resolution 2018-10-09-11

Moved By Councillor Winter

Seconded By Councillor Hainer

THAT Report PW 54-2018, Terracycle Cigarette Butt Recycling be received; and

THAT implementation of a cigarette butt recycling program not be approved at this time.

CARRIED

9. COUNCILLOR REPORTS

9.1 Operational and Board Reports

9.1.1 Bluewater Recycling Association - Coun. Craigmile

Councillor Craigmile spoke to the minutes and responded to questions from Council.

Resolution 2018-10-09-12

Moved By Councillor Hainer

Seconded By Councillor Osborne

THAT the September 20, 2018 Bluewater Recycling Association Board of Directors meeting highlights be received.

CARRIED

9.1.2 Library Board - Coun. Osborne, Winter

Councillor Winter spoke to a recent meeting of the Library Board and responded to questions from Council.

9.1.3 Municipal Shared Services Committee - Mayor Strathdee, Coun. Winter

Councillor Winter spoke to a recent meeting and responded to questions from Council.

9.1.4 Perth District Health Unit - Coun. Osborne

Councillor Osborne spoke to a recent meeting and responded to questions from Council.

Resolution 2018-10-09-13

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT the June 20, 2018 Perth District Health Unit Board minutes be received; and

THAT content from the September 19, 2018 Perth District Health Unit Board agenda be received.

CARRIED

9.1.5 Spruce Lodge Board - Coun. Pope, Van Galen

Councillor Van Galen spoke to a recent meeting and responded to questions from Council.

Resolution 2018-10-09-14

Moved By Councillor Craigmile

Seconded By Councillor Van Galen

THAT the June 20, 2018 Spruce Lodge Board of Management meeting minutes be received.

CARRIED

9.1.6 Upper Thames River Conservation Authority

Mayor Strathdee spoke to an upcoming Board meeting of the Authority that will be taking place at the Pyramid Recreation Centre on October 23.

Resolution 2018-10-09-15

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT the June 26, 2018 Upper Thames River Conservation Authority Board meeting minutes be received; and,

THAT the August 28, 2018 Upper Thames River Conservation Authority Board meeting minutes be received.

CARRIED

9.2 Advisory and Ad-Hoc Committee Reports

9.2.1 Accessibility Advisory Committee - Coun. Hainer

Councillor Hainer reported that there have not been any recent meetings of the Committee.

9.2.2 Business Improvement Area - Coun. Pope

Councillor Pope spoke to a recent meeting and responded to questions from Council.

9.2.3 CBHFM - Coun. Hainer

Mayor Strathdee spoke to a recent meeting and responded to questions from Council.

9.2.4 Committee of Adjustment

Resolution 2018-10-09-16

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT the September 5, 2018 Committee of Adjustment meeting draft minutes be received.

CARRIED

9.2.5 Community Policing Advisory Committee - Mayor Strathdee, Coun. Van Galen

Councillor Van Galen and Mayor Strathdee spoke to the minutes and responded to questions from Council.

Resolution 2018-10-09-17

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT the September 19, 2018 Community Policing Advisory Committee meeting draft minutes be received.

CARRIED

9.2.6 Economic Development Committee - Coun. Pope

Councillor Pope spoke to the minutes and responded to questions from Council.

Resolution 2018-10-09-18

Moved By Councillor Winter

Seconded By Councillor Craigmile

THAT the September 19, 2018 Economic Development Advisory Committee meeting draft minutes be received.

CARRIED

9.2.7 Heritage St. Marys - Coun. Pope

Resolution 2018-10-09-19

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT the September 8, 2018 Heritage St. Marys meeting draft minutes be received.

CARRIED

9.2.8 Museum Board - Coun. Winter

Councillor Winter spoke to the minutes and responded to questions from Council.

Resolution 2018-10-09-20

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT the September 12, 2018 St. Marys Museum Board meeting draft minutes be received.

CARRIED

9.2.9 Planning Advisory Committee - Coun. Craigmile, Van Galen

No recent meeting.

9.2.10 Heritage Conservation District Advisory Committee - Coun. Winter

Councillor Winter spoke to the minutes and responded to questions from Council.

Resolution 2018-10-09-21

Moved By Councillor Winter

Seconded By Councillor Van Galen

THAT the September 17, 2018 Heritage Conservation District Advisory Committee meeting draft minutes be received.

CARRIED

9.2.11 Senior Services Board - Coun. Craigmile

Councillor Craigmile spoke to a recent meeting and responded to questions from Council.

9.2.12 Huron Perth Healthcare Local Advisory Committee - Coun. Hainer

No recent meetings held.

9.2.13 St. Marys Lincolns Board - Coun. Craigmile

No recent meetings held.

9.2.14 St. Marys Cement Community Liaison Committee - Mayor Strathdee, Coun. Craigmile

Councillor Hainer spoke to a recent meeting and responded to questions from Council.

10. EMERGENT OR UNFINISHED BUSINESS

Council discussed the pending legalization of cannabis and inquired about a number of impacts to the municipality.

Brent Kittmer provided an update to Council on the matter and distributed a briefing paper authored by the Association of Municipalities in Ontario (AMO). Mr. Kittmer stated that updates from a number of government departments and agencies are ongoing.

Council directed staff to investigate the following items and report back to Council at a future meeting:

- possibility of imposing greater restrictions on areas in town where smoking is permitted

11. NOTICES OF MOTION

None received.

12. BY-LAWS

Resolution 2018-10-09-22

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT By-Laws Z130-2018, as amended and 83-2018 be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

CARRIED

12.1 Z130-2018 Accessory Apartments

12.2 By-Law 83-2018 Social Media Policy

13. UPCOMING MEETINGS

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

Councillor Pope provided regrets.

14. CLOSED SESSION

None held.

15. CONFIRMATORY BY-LAW

Resolution 2018-10-09-23

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT By-Law 84-2018, being a by-law to confirm the proceedings of October 9, 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

16. ADJOURNMENT

Resolution 2018-10-09-24

Moved By Councillor Winter

Seconded By Councillor Hainer

THAT this regular meeting of Council adjourn at 8:30pm.

CARRIED

Al Strathdee, Mayor

