



MINUTES Regular Council

July 28, 2020

6:00pm

Town Hall, Council Chambers

Council Present: Mayor Strathdee (in-person)
Councillor Craigmile (videoconference)
Councillor Edney (videoconference)
Councillor Luna (videoconference)
Councillor Hainer (videoconference)
Councillor Pridham (videoconference)
Councillor Winter (in-person)

Staff Present: **In-Person**
Brent Kittmer, CAO / Clerk
Jenna McCartney, Deputy Clerk

Conference Line
Richard Anderson, Director of Emergency Services / Fire Chief
Grant Brouwer, Director of Building and Development
Stephanie Ische, Director of Community Services
Jed Kelly, Director of Public Works
Lisa Lawrence, Director of Human Resources
André Morin, Director of Finance / Treasurer
Amy Cubberley, Museum Curator
Dave Blake, Environmental Services Supervisor
Jeff Wolfe, Asset Management and Engineering Specialist

1. CALL TO ORDER

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

2. DECLARATIONS OF PECUNIARY INTEREST

None.

3. AMENDMENTS AND APPROVAL OF AGENDA

Mayor Strathdee presented Brent Kittmer with his 5 years of service acknowledgement and thanked him for his service to the Town of St. Marys.

Resolution 2020-07-28-01

Moved By Councillor Edney

Seconded By Councillor Luna

THAT the July 28, 2020 regular Council meeting agenda be accepted as presented.

CARRIED

4. PUBLIC INPUT PERIOD

None.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

5.1 Public Meeting - 665 James Street North

Resolution 2020-07-28-02

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT the July 28, 2020 regular Council meeting be adjourned at 6:08 pm to hold a statutory public meeting as required under the *Planning Act*; and

THAT a Public Meeting to consider a planning application for 665 James Street North be opened at 6:08 pm.

CARRIED

Mayor Strathdee stated "This Public Meeting is being held in accordance with Sections 22 and 34 of the *Planning Act*, RSO 1990. Through the public engagement process on this file we've heard concerns that the Town is holding an improper meeting because this is a virtual public meeting. We've also heard that the Town should delay this meeting until in-person meetings can resume.

Our reality is that we don't know when the public health restrictions currently in place will be lifted or when in-person public meetings will resume in St. Marys. It is Council's duty to ensure the health, safety and well being of the public, staff, and Council members. We've made the decision that virtual meetings are the way to fulfill this duty to public safety.

The Province has encouraged municipalities to resume the processing of planning applications in an effort to restart the economy. To support the restart of the planning process, the Province has passed a number of pieces of legislation to permit public meetings to continue during the

pandemic. This includes legislative permissions to hold public participation meetings virtually as we are doing tonight. Accordingly, the Town has chosen to resume its planning process and hold virtual public meetings as approved by the Province. We are doing this so that the development applications that we currently have on file do not face long and unknown delays.

The purpose of the Public Meeting is to solicit the public's comments with respect to proposed Official Plan and Zoning By-law Amendments by the applicant (being R. Warkentin). We ask that all participants respect the Town's rules of decorum, and refrain from making any disparaging remarks. We respectfully ask that you focus your comments on issues related to the development, and not make any comments that are disrespectful, or personally directed at any one person. As Chair of the meeting, I will be required to curtail any comments of this nature.

The purpose and intent of the proposed official plan amendment is to change the Official Plan designation of the subject property, 665 James Street North, from "Highway Commercial" to "Residential" with site specific provisions to permit a 4-storey residential apartment building with a maximum density of 95 units per hectare. The purpose and effect of the proposed zoning by-law amendment is to change the zoning of the subject property from "Highway Commercial (C3-9)" to "Residential Zone Five (R5)" with site specific regulations.

Tonight's meeting is the mandatory Public Meeting held under the *Planning Act*. Council will make a decision regarding this matter at a future Council meeting after considering the public feedback received tonight, and after considering a further report from the Town planner.

If you wish to provide input into tonight's meeting you have several options. For those participating in this meeting through video conference or telephone using the Zoom Webinar platform, you can provide your comments once I open the public comments portion of the meeting, and until I close the public portion of the public meeting from comments. To access the webinar, please click on the webinar link provided in tonight's agenda, or call 1-855 703 8985 and use meeting ID 920 0034 4250 and passcode 647037.

When using the video conference, to participate and make a comment please select the "raise hand" feature at the bottom of your screen to be

placed in queue. The moderator will unmute you and acknowledge your presence when it is your turn to speak.

When using the telephone conference, to participate and make a comment press *9 on your keypad to be placed in queue. The moderator will unmute you and acknowledge your presence when it is your turn to speak.

Alternatively, during the meeting you can email clerksoffice@town.stmarys.on.ca if the other options are not available to you. Emails received during the public meeting will be read into the record until the close of the public comment portion of the meeting. Again, the email address is clerksoffice@town.stmarys.on.ca. If your email is received after the close of the public meeting staff will share your comments with Council, the Planner, and the Applicant.

If you wish to be notified of Council's decision, please contact the CAO / Clerk, Brent Kittmer, at clerksoffice@town.stmarys.on.ca

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

Mr. Kittmer stated that 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 signage advertising tonight's meeting was posted on the property.

Mr. Kittmer further stated "Special instructions for attending this online meeting and/or providing comments were provided in the notice and on the Town's Current Planning / Development Applications webpage. Options to participate in this meeting were provided including:

- Sending comments via regular mail to the Town's CAO-Clerk
- Emailing comments
- Leaving a voicemail message detailing comments
- Registering to be a delegation
- Providing comments and/or questions during the meeting by emailing the Clerk's office
- Joining by video or teleconference during the public meeting.

Department and agency comments received are summarized as follows:

Town
Engineering and
Public Works
Department

Water1. At this time, the Town's water supply and distribution system is adequately sized to accommodate the proposed land use. Assumptions on flow volumes and pressures required at the site will need to be verified prior to site plan approval. System capacity will not be guaranteed or assigned to this development until the time of site plan approval. Sanitary 2. At this time, the Town's sanitary treatment and conveyance system is adequately sized to accommodate the proposed land use. Assumptions on sewage volumes generated from the site will need to be verified prior to site plan approval. System capacity will not be guaranteed or assigned to this development until the time of site plan approval. Storm 3. Public Works did not complete a downstream storm system capacity review as it relates to the proposal. The developer will be required to submit their plan for storm water management as per the Town's development standards at the time of site plan approval. Road4. The adjacent roads and the Town's road network are adequately sized to accommodate the proposed land use. Assumptions on traffic generation from the site will need to be verified prior to site plan approval when the proponent can submit anticipated traffic trip generation.5. Public Works notes that the site fronts James St. N. and Glass St. which are Arterial and Collector roads, respectively, as per the Town's Official Plan and road allowance widening requirements from the OP are applicable on property lines adjacent to both roads. 6. Road improvement requirements such as sidewalk and curb and gutter will be required of this development along the roads adjacent to the development.7. The proponent is proposing the driveway entrance off James St. N and provides detail on this in their letter. The Town's Official Plan provides descriptions of the various class road allowances and specifically indicates a desire to reduce the number of driveway entrances on Arterial Roads. As such, it would be preferable to have the driveway entrance off Glass Street instead

Upper Thames River Conservation Authority	· No objection to applications
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There have been several public submissions regarding these applications, some of which have been included in the planner's staff report. Submissions received after the Council agenda was finalized have been forwarded to all members of Council and will be read into the public record by the Clerk later in the public meeting.

As a reminder, during this public meeting, you can submit questions by selecting the raise hand feature on the Zoom Webinar video conference platform, or by pressing *9 on the teleconference, or by emailing the following address: clerksoffice@town.stmarys.on.ca".

Mayor Strathdee called upon Councillor Jim Craigmile to advise Council of the Planning Advisory Committee's recommendation with respect to the Applications.

Councillor Craigmile stated "At the June 15, 2020 meeting, the Planning Advisory Committee passed a motion endorsing, in principle, the revised Applications and recommended that Council proceed to the statutory public meeting under the Planning Act to consider the Applications.

Mayor Strathdee stated "As a reminder, during this public meeting, you can submit questions by selecting the raise hand feature on the Zoom Webinar video conference platform, or by pressing *9 on the teleconference, or by emailing the following address: clerksoffice@town.stmarys.on.ca

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

Mark Stone stated "The 0.42 hectare property is located at the northeast corner of James Street North and Glass Street. There is an existing L-shaped single storey commercial building and parking area on the property.

As part of the Town's ongoing Official Plan review, this site was identified as a property that could potentially provide some apartment type development to meet Provincial requirements and increase the range and availability of much needed housing in the Town.

There are policies in the Official Plan that must be considered when an amendment is proposed, as discussed in my report.

The original applications submission proposed a 5 storey building with commercial on the ground floor and 46 residential units on the 4 storeys above. The proposal consisted of at-grade and underground parking.

In response to comments expressed at the first Planning Advisory Committee meeting in February, the applicant revised the proposal to eliminate the ground floor commercial and reduce the height of the building to 4 storeys. The gross floor area of the building was reduced from about 5,275 square metres to 3,946 square metres. In the revised proposal, all parking would be provided at grade and the separation between the east wall of the proposed building and east property line was increased.

As noted by the Mayor, the Applications propose to redesignate the property to "Residential" under the Official Plan, and rezone the property to "Residential Zone Five (R5)" under the Zoning By-law with the following site specific zoning provisions:

- minimum front yard setback of 5 metres whereas Section 12.2.4 requires 7.5 metres;
- minimum exterior side yard setback of 5 metres whereas Section 12.2.6 requires 7.5 metres;
- minimum rear yard setback of 0 metres whereas Section 12.2.7 requires 12.0 metres;
- maximum building height of 7 metres whereas Section 12.2.8 requires 13.5 metres;
- maximum of four storeys whereas Section 12.2.9 requires three storeys; and,
- minimum landscaped open space of 32 percent whereas Section 12.2.12 requires 35 percent."

Mr. Stone provided an overview of some of the issues expressed by members of the community thus far.

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

Dave Hannam of Zelinka Priamo Ltd. will be acting as the applicant's agent for the public meeting. Mr. Zelinka provided a brief presentation that captured an overview of the planning application.

In response to Councillor Luna's inquiry about a rent range for the future apartment units, Mr. Hannam stated that the exact price will not be known until the units are ready for market as construction costs and market demand will determine the final price. Mr. Hannam stated that the current rental range for one and two bedroom apartments is between \$1,200 and \$1,800.

In response to Councillor Winter's inquiry whether a shadowing report has been prepared for the proposed development, Mr. Hannam stated that it has not.

In response to Councillor Winter's inquiry whether the proposed building could be positioned in an east-west direction rather than north-south as a possibility to reduce possible shadowing, Mr. Stone stated that it could have a potential of increasing the shadowing on residents of Edison Street. Further, Mr. Hannam stated that a number of options have been considered and the applicant believes that the current proposal offers the least shadowing to nearby residents.

Mayor Strathdee welcomed Margaret Bell to present her delegation to Council.

Ms. Bell, residing at 6-74 Edison Street, provided the following comments:

- opposed to the proposed development
- insufficient parking due to the number of units and the possibility of two vehicles per unit
- overflow parking may spill onto Edison Street that already experiences a number of vehicles parked on the street
- safety concerns for those exiting to and entering from James Street North
- concerns that the builder may be taking on a project that is larger than previous experience
- inappropriate fill compared to the surrounding area

- lack of privacy for those with backyards adjacent to the proposed development
- concern that the official plan is being amended to accommodate high density housing in a lower density area
- will there be sufficient drainage capacity to accommodate the needs to the proposed development that does not negatively impact the neighbours?
- has an environmental assessment been conducted to ensure the safety of the property?
- a shadow study needs to be completed due to the proposed height of the development
- lack of green space for pets and children
- concerned that the number of proposed units outweighs the Town's proposed annual growth rate and will result in the Town growing too fast

Councillor Hainer asked if the existing multi - residential development on Edison Street was formed as a condominium corporation.

Elaine Bauer, daughter of Ms. Bell, stated that it is not.

Mayor Strathdee asked staff to present all questions that have been emailed during the public meeting as well as those persons on the webinar to be permitted to individually make their comments.

Larry Hughes of 98 Edison Street and available on the webinar made the following comments and questions:

- How many units are on the first floor?
- Will the road widening impact the sight lines on James Street North?
- Believes that there is not enough parking presented in the design schematics presented by the applicant.
- Concerned that there is no way for a person to exist a patio from a first floor unit other than climbing the railing.

- Does not agree with the Agent's statement that a 4 storey building does not have more of an impact in the area than the 2 storey homes that already exist.

Chris West of 41 Pelissier Street emailed the following comments and questions:

- Will the town meet with a delegation to discuss other areas to build apartments?
- Has the fire department been asked about being able to access the proposed site with safety of residents fire fighters and neighbours?

Jonathon Burkholder of 11 Lady Court and present on the webinar made the following comments and questions:

- Acknowledges the applicant has reduced the proposed development from 5 storeys to 4 storeys but does not support it as 4 storeys will still have an impact on the privacy of existing residential dwellings in the immediate area.
- Is concerned that there is not enough parking spaces provided for within the applicant's schematics and that people will begin to park on area side streets where there are already concerns of overnight parking.

Mayor Strathdee asked staff to read all written correspondence received prior to the meeting in response to the "Notice of Public Meeting" that was circulated.

Larry Hughes, 98 Edison Street, provided in email the following concerns:

- Parking - not enough parking within proposed development to accommodate the number of proposed units. Currently a number of vehicles use on-street parking in the area to accommodate additional vehicles. Will the fire department be able to navigate a fire truck through area streets if there are more vehicles parked on the street? How will snow removal occur within the parking lot and will this reduce parking space availability in the winter? Who provides traffic by-law enforcement currently?
- Safety - can James Street North accommodate the proposed number of vehicles entering and exiting from the development's parking lot

each day in a safe manner? Will a stop sign be implemented to accommodate safe traffic flow?

- Does not support owner - management concept for the building due to the builder's limited experience.
- Does not believe that the building is an appropriate infill to the existing neighbourhood.
- Would hope that concerns voiced at the first planning meeting carry weight at this meeting.

Rick Nickerson, 91 Edison Street, provided the following comments by email:

- feels there are too many zoning by-law and official plan amendments being considered
- believes the development is offering subsidized housing
- feels that this type of development is inherent to a number of problems
- believes that this type of development will make the area less desirable to live in

Bruce and Karen Robinson, 2-74 Edison Street, provided the following comments by email:

- there is not sufficient parking provided at this development
- there is not enough land area for the proposed apartment building and that it could be better used as something more suitable for the area

April Lye, 130 James Street, provided the following comment by email:

- in addition to the one and two bedroom units, there should be three bedroom units to support families and the area is already built towards family needs

John Stevens, 96 Robinson Street, provided the following comments by email:

- concerned about the lack of privacy for existing residents from a four-storey building
- how does the Town select properties for affordable housing?

- believes that the proposed development would be better suited for the previous Arthur Meighen Public School site
- wants developers to be encouraged to build affordable housing in the core rather than on the outskirts

Chris West, 41 Pellissier Street, provided the following comments by email:

- does not believe that the 665 James Street North proposal coincides with the reasons families chose St. Marys to live in
- believes that the proposed development could risk Council's proposed growth rate of 1.5%
- concerned that a number of residents in the area are opposed to the proposed development

Margaret and James Bell, 6-74 Edison Street, provided the following comments by email:

- originally bought their property with the knowledge that 665 James Street North was zoned commercial
- asks that the proposed development be amended to 2 or 3 storeys
- does not want a large building overshadowing their home
- concerned about an increased level of noise due to the number of residents living at the proposed development

Alex Stephens, 125 Millson Crescent, provided the following comments by email:

- opposed to the proposed development at 665 James Street North
- four storey building is contrary to the official plan but it does not suit the neighbourhood's current use
- people on Edison Street will be crowded by the development and will lack privacy

Diana Griffin, 23 Guest Court, provided the following comments by email:

- believes that the rules of the zoning by-law and official plan should be followed and there should be no concessions made for the developer

Patrizia and Peter J. Bayman, 1 - 74 Edison Street, provided the following comments by email:

- purchased their property with the understanding that the property behind them (665 James Street North) was zoned commercial and would remain as such
- concerned that the high-density apartment building does not suit the current low-density neighbourhood that surrounds the area
- concerned about the height of the proposed development which will result in a loss of privacy, loss of view, loss of sunlight, light pollution from the development parking lot, excessive noise, loss of property value, air quality from increased vehicles in the development parking lot, increased traffic congestion in the area, and concerns about water runoff and snow melt from the development parking lot into their garden
- number of parking spaces is not sufficient for a development this size
- number of units is in excess of what is permitted within the Official Plan
- based on the proposed setbacks by the applicant, there will be no adequate buffering, screening or separation distance provided
- higher-density apartment buildings come with inherent issues
- will the proposed development actually provide affordable housing by the time construction is complete?
- proposed development is too large in scale and not appropriate for an infill project in an established neighbourhood
- if higher density is going to be permitted in St. Marys, the current 1.2 parking spaces per unit should be reviewed and increased

Jim Shook, 11-74 Edison Street, provided the following comments by email:

- lack of privacy for the existing residents that have adjoining backyards to the 665 James Street North property
- the Town planner and the applicant should connect with the condominium owners to gather opinions on what constitutes adequate screening as presented in section 3.1.2.7(f) of the Town's Official Plan

Joy Jinks, 11-74 Edison Street, provided the following comments by email:

- the development is an over sized building on an undersized lot
- building does not fit with the character of the existing neighbourhood
- west side of James Street North within the future Thames Crest Farms development is an ideal area for high-density housing

Walter and Brenda Lukovnjak, 5-74 Edison Street, provided the following comments by email:

- the proposed development will create a major decrease in property values directly beside and behind the development
- increased air pollution during and after construction
- noise pollution during and after construction
- decrease in privacy for adjacent neighbours
- obstruction of view and sunlight for adjacent neighbours
- lighting will be a distraction
- will not be able to open windows due to lighting and noise disruption
- increased traffic congestion in the area
- would the building have an effect on water quality and supply?
- crowding in an apartment building could have an impact on the COVID-19 pandemic

Nancy Newton, 3-74 Edison Street, provided the following comments by email:

- the proposed development is too high for the existing neighbourhood as it will compromise the privacy and enjoyment of the homes adjacent to the development
- the proposed development will obscure most of the adjacent neighbour's views and shadow sunlight
- increase in noise levels
- intrusive lighting
- increased traffic along James Street North

- limited space for emergency and service vehicles to manoeuvre
- west side of James Street North is better equipped to provide high density housing

Jonathan Burkholder, 11 Lady Court, provided the following comments by email:

- size of proposed development does not suit the area
- negatively impact property values
- eliminate adjacent neighbour's privacy
- not enough parking spaces
- increased traffic congestion along James Street North
- a better area in Town for such a development would include green space for pets and children, have adequate parking, include electric car charging stations
- would the proposed setbacks permit enough space for proper sight lines for safety?
- would utility services be disrupted during construction?
- will the current municipal infrastructure be able to support the proposed development?

John and Angela Caudle, 143 Millson Crescent, provided the following comments by email:

- opposes the proposed development
- the commercial designation should remain for future development of a variety store
- not enough parking spaces
- reduced water pressure
- smell of garbage
- bright parking lot lights
- devalue homes
- snow removal concerns from the parking lot

- not enough green space if people have pets
- COVID-19 hot spot within apartment building

Heather Meakin, 114 Edison Street, provided the following comments by email:

- will a 4 storey building affect the amount of sun to neighbouring properties?
- what is the period of time each day that the building will cast a shadow throughout the year?
- are surrounding property owner's privacy rights protected?
- what will be permitted on the proposed development's balconies?
- how will an outdoor parking lot remain functional in the winter?
- how will traffic be managed in the area?
- how will the Town hold the applicant to the proposal if the Town has shown they do not enforce their own rules?

Kristi Woolley provided the following comment by email:

- what is the plan to accommodate overflow parking?

Chris West, 41 Pellissier Street, provided the following comment by email:

- Referencing the "4 way test of the Rotary Club of St. Marys, is this proposed development fair to all concerned?

Staff stated there were no further emails or persons participating in the webinar that have questions or comments.

In response to Councillor Luna's inquiry about the difference between subsidized, affordable and attainable housing, Mr. Stone stated that affordable and attainable housing is referenced within provincial policy for housing. Further, the applicant has not proposed a subsidized housing development at 665 James Street North.

Mr. Hannam stated that the development is not being targeted to a specific demographic of renters.

Councillor Luna does not feel that rent between the range previously stated by the agent can be considered affordable to all residents.

Councillor Pridham made the following comments:

- Does the pitch of the roof result in a 4.5 storey building?
- Given that there is not public transit in St. Marys, would the developer consider increasing the parking space ratio to 1.5 spaces per unit?

Mr. Hannam stated that 1.25 spaces per unit also takes into consideration visitor and barrier free parking. While it has not been a requirement of the municipality to date, the applicant has completed a parking study and based the findings on the decision to offer 1.25 spaces per unit. The applicant can control the number of spaces assigned to each unit based on renters needs at the time of signing the rental lease.

In respond to Councillor Pridham's questions, Mr. Stone stated that there are varying opinions about apartments requiring 1.5 parking spaces per units. Further, the height of a building is measured to the height of half of the peak. Mr. Stone committed to providing further details related to height in his future report to Council.

In response to Councillor Pridham's inquiry whether the applicant has considered alternative roof profiles such as a flat roof, Mr. Hannam stated that nothing has been finalized at this time.

Councillor Craigmile reminded Council that the developer of the West Ward School presented a suggested range for rental fees prior to development with a different price being finalized upon the completion of construction.

Councillor Craigmile also reminded Council that Mr. Stone has previously presented a discussion paper related to affordability to Council during consultation of the Official Plan.

Mr. Stone stated that the municipality continues to strive to meet the test of affordability.

Councillor Craigmile stated that not all development meets the guidelines of the existing zoning by-law and official plan and therefore, amendments do need to occur occasionally.

Mr. Stone stated that further review of the R5 zoning is required by staff in the near future.

Councillor Hainer stated that she is disheartened to hear some statements referencing that apartments can attract the wrong crowd.

Councillor Hainer inquired whether below grade parking has been considered by the applicant.

Mr. Hannam stated that the property offers enough space on grade for parking and due to the cost of below grade parking, will not be considering the option.

In respond to Councillor Winter's inquiry whether the applicant intends to manage the building once it is developed, Mr. Hannam replied yes.

Having heard from some residents that are concerned that their property values will drop because of the development Councillor Winter inquired whether the proposed development as a multi-residential building would garner more property taxes than if it were to be a commercial property.

Mayor Strathdee advised that Mr. Stone will report back to Council on this response at a later date.

Councillor Edney stated that he is disheartened by some of the public comments and believes that everyone has the right to housing without being discriminated.

In response to Councillor Winter's inquiry about approaches to improve privacy, Mr. Stone stated that this is typically reviewed during the site plan stage but will recommend to Council in the future report that it be dealt with at the time of the zoning by-law and official plan amendment.

Mayor Strathdee asked that Mr. Stone include options for privacy within the report as well as the possible heights of the privacy barriers.

Councillor Luna asked that future reports from staff related to planning include a synopsis related to how the development promotes Council's strategic goal to provide for development of affordable housing.

Staff confirmed that no further emails or inquiries through the webinar have been received.

Mayor Strathdee stated "I would like to thank those who participated in this meeting. Should Council proceed with approval of the Official Plan Amendment and/or 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 Local Planning Appeal Tribunal applies."

Resolution 2020-07-28-03

Moved By Councillor Luna

Seconded By Councillor Pridham

THAT this Public Meeting be adjourned at 8:47 pm; and

THAT the July 28, 2020 regular Council meeting reconvene at 8:47 pm.

CARRIED

6. ACCEPTANCE OF MINUTES

Council took a brief break at 8:48 pm.

Mayor Strathdee called the meeting back to order at 9:02 pm.

6.1 Regular Council - June 23, 2020

Resolution 2020-07-28-04

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT the June 23, 2020 regular Council meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

6.2 Special Council - July 21, 2020

Resolution 2020-07-28-05

Moved By Councillor Craigmile

Seconded By Councillor Luna

THAT the July 21, 2020 special meeting of Council minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

7. CORRESPONDENCE

7.1 City of Sarnia re: Long Term Care Home Improvements

Council would like this agenda item placed on the August 25, 2020 regular Council agenda.

7.2 Ministry of Municipal Affairs and Housing re: COVID-19 Economic Recovery Act

Resolution 2020-07-28-06

Moved By Councillor Edney

Seconded By Councillor Winter

THAT the correspondence from the Minister of Municipal Affairs and Housing regarding the COVID-19 Economic Recovery Act be received.

CARRIED

7.3 Municipality of Huron East re: Order Requiring Masks

Resolution 2020-07-28-07

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT the correspondence from the Municipality of Huron East regarding the order requiring masks be received.

CARRIED

7.4 Huron Perth Public Health re: Request to Consider an Order Requiring Masks

Resolution 2020-07-28-08

Moved By Councillor Luna

Seconded By Councillor Edney

THAT the correspondence from the Medical Officer of Health and CEO for Huron Perth Public Health regarding a request to consider an order requiring masks be received.

CARRIED

8. STAFF REPORTS

8.1 Building and Development Services

8.1.1 DEV 39-2020 July Monthly Report (Building and Development)

Grant Brouwer presented DEV 39-2020 report and responded to questions from Council.

Resolution 2020-07-28-09

Moved By Councillor Edney

Seconded By Councillor Hainer

THAT DEV 39-2020 July Monthly Report (Building and Development) be received for information.

CARRIED

**8.1.2 DEV 40-2020 - Application for Part Lot Control Lot 21,
Registered Plan 44M-70 Meadowridge Subdivision (Phase 2),
Town of St. Marys**

Grant Brouwer presented DEV 40-2020 report and responded to questions from Council.

Resolution 2020-07-28-10

Moved By Councillor Winter

Seconded By Councillor Pridham

THAT DEV 40-2020 regarding the Application for Part Lot Control for Lot 21 of the Meadowridge subdivision (Phase 2) be received; and,

THAT Council approve By-law 66-2020 affecting Lot 21, Registered Plan No. 44M-70 for a one-year period, ending July 28, 2021.

CARRIED

**8.1.3 DEV 42-2020 Applications for Official Plan and Zoning By-law
Amendments (OP02-2019 and Z04-2019) by R. Warkentin 665
James Street North Part Lot 15, Concession 18 Blanshard
Being Part 2 on 44R-4789**

Mark Stone presented DEV 42-2020 report and responded to questions from Council.

Resolution 2020-07-28-11

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT DEV 42-2020 Application for Official Plan and Zoning By-law Amendments (OP02-2019 and Z04-2019) be received; and,

THAT Staff report back to Council through the preparation of a comprehensive report outlining staff recommendations on the disposition of these Applications following an assessment of all internal department, external agency, public and Council comments.

CARRIED

8.2 CAO and Clerks

8.2.1 CAO 40-2020 July Monthly Report (CAO and Clerks)

Brent Kittmer presented CAO 40-2020 report and responded to questions from Council.

Resolution 2020-07-28-12

Moved By Councillor Edney

Seconded By Councillor Luna

THAT Council defer the discussion of yard sales until August 23.

CARRIED

Resolution 2020-07-28-13

Moved By Councillor Luna

Seconded By Councillor Pridham

THAT CAO 40-2020 July Monthly Report (CAO and Clerks) be received for information.

CARRIED

8.2.2 CAO 41-2020 Huron Perth Public Health – Service Agreement (Stratford Site)

Brent Kittmer presented CAO 41-2020 report and responded to questions from Council.

Resolution 2020-07-28-14

Moved By Councillor Luna

Seconded By Councillor Pridham

THAT CAO 41-2020 Huron Perth Public Health – Service Agreement (Stratford Site) report be received; and

THAT By-Law 65-2020, being a by-law to the authorize the execution of a service agreement with HPPH, be approved.

CARRIED

8.2.3 CAO 42-2020 Resolution of Support for Broken Rail Brewing Inc. AGCO Application

Brent Kittmer presented CAO 42-2020 report and responded to questions from Council.

Resolution 2020-07-28-15

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT CAO 42-2020 Resolution of Support for Broken Rail Brewing Inc. AGCO Application be received; and

THAT the Town of St. Marys supports the AGCO application of Broken Rail Brewing Inc. for a Buy The Glass Licence.

CARRIED

8.2.4 CAO 43-2020 Electronic Meeting Participation

Jenna McCartney presented CAO 43-2020 and responded to questions from Council.

Council was of the consensus that proxy voting is not an avenue it wishes to explore at this time.

Resolution 2020-07-28-16

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT CAO 43-2020 Electronic Meeting Participation report be received; and

THAT Council give direction that committees and boards of Council as well as Council meetings will continue to meet through electronic participation until further notice; and

THAT Council give direction that committees and boards of Council are not required to regularly meet in the absence of priority agenda items unless provincially legislated to do so; and

THAT Council direct staff to report back to Council with a draft amendment to the Procedure By-law, 20 of 2016, including a provision for electronic meeting participation.

CARRIED

8.3 Community Services

8.3.1 DCS 19-2020 Monthly Report (Community Services)

Stephanie Ische presented DCS 19-2020 report and responded to questions from Council.

Resolution 2020-07-28-17

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT DCS 19-2020 July Monthly Report (Community Services) be received for information.

CARRIED

8.3.2 MUS 18-2020 Municipal Register, Non-Designated Property Removal Request, 78 Robinson Street

Amy Cubberley presented MUS 18-2020 report and responded to questions from Council.

Resolution 2020-07-28-18

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT MUS 18-2020 Municipal Register – Non-Designated Property Removal Request, 78 Robinson Street report be received; and

THAT Council approve the removal of 78 Robinson Street as a Non-Designated Property from the Municipal Register.

CARRIED

8.4 Finance

8.4.1 FIN 24-2020 July Monthly Report (Finance)

André Morin presented FIN 24-2020 report and responded to questions from Council.

Resolution 2020-07-28-19

Moved By Councillor Luna

Seconded By Councillor Craigmile

THAT FIN 24-2020 July Monthly Report (Finance) be received for information.

CARRIED

8.4.2 FIN 23-2020 Fire Hall Debenture Financing

André Morin presented FIN 23-2020 report and responded to questions from Council.

Resolution 2020-07-28-20

Moved By Councillor Edney

Seconded By Councillor Luna

THAT FIN 23-2020 Fire Hall Debenture Financing report be received; and

THAT the Town of St. Marys make an application to Ontario Infrastructure and Lands Corporation for the amount of \$3,000,000 to finance the expansion of the Fire Hall with a term of 25 years; and

THAT By-Law 64-2020 authorizing the submission of an application to Ontario Infrastructure and Lands Corporation for financing be approved.

CARRIED

8.4.3 FIN 25-2020 COVID-19 Financial Relief – July 28, 2020 Update

André Morin presented FIN 25-2020 report and responded to questions from Council.

Resolution 2020-07-28-21

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT FIN 25-2020 COVID-19 Financial Relief – July 28, 2020 Update be received for information.

CARRIED

8.5 Fire and Emergency Services

8.5.1 FD 06-2020 July Monthly Report (Emergency Services)

Chief Anderson presented FD 06-2020 report and responded to questions from Council.

Resolution 2020-07-28-22

Moved By Councillor Luna

Seconded By Councillor Edney

THAT FD 06-2020 July Monthly Report (Emergency Services) be received for information.

CARRIED

8.6 Human Resources

8.6.1 HR 07-2020 July Monthly Report (Human Resources)

Lisa Lawrence presented HR 07-2020 report and responded to questions from Council.

Resolution 2020-07-28-23

Moved By Councillor Craigmile

Seconded By Councillor Luna

THAT HR 07-2020 July Monthly Report (Human Resources) be received for information.

CARRIED

8.7 Public Works

8.7.1 PW 43-2020 July Monthly Report (Public Works)

Jed Kelly presented PW 43-2020 report and responded to questions from Council.

Resolution 2020-07-28-24

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT PW 43-2020 July Monthly Report (Public Works) be received for information.

CARRIED

8.7.2 PW 38-2020 Sewer Blockage Policy Update

Dave Blake presented PW 38-2020 report and responded to questions from Council.

Resolution 2020-07-28-25

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT Report PW 38-2020, Sewer Blockage Policy Update be received; and

THAT Policy PW4304, Revision 1.1, being a policy regarding sewer blockages within the Town of St. Marys be approved.

CARRIED

8.7.3 PW 40-2020 Backflow Prevention Policy

Dave Blake presented PW 40-2020 report and responded to questions from Council.

Resolution 2020-07-28-26

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT Report PW 40-2020 Backflow Prevention Policy be received; and

THAT Policy PW4303, being a policy regarding backflow prevention in drinking water within the Town of St. Marys be approved.

CARRIED

8.7.4 PW 41-2020 Battery Recycling Agreement with Call2Recycle Canada Inc.

Dave Blake presented PW 41-2020 report and responded to questions from Council.

Resolution 2020-07-28-27

Moved By Councillor Edney

Seconded By Councillor Luna

THAT Report PW 41-2020, Battery Recycling Agreement with Call2Recycle Canada, Inc. be received; and

THAT Council authorize the Chief Administrative Officer to sign the associated agreement with Call2Recycle Canada, Inc.

CARRIED

8.7.5 PW 42-2020 Procurement of a Bulldozer for the Landfill

Dave Blake presented PW 42-2020 report and responded to questions from Council.

Resolution 2020-07-28-28

Moved By Councillor Luna

Seconded By Councillor Edney

THAT report PW 42-2020, Procurement of a Bulldozer for the Landfill be received; and

THAT Council approve the purchase of a Bulldozer from Toromont CAT for the quoted price of \$211,251.14, inclusive of HST to be funded through the Municipal Modernization Funding program.

CARRIED

8.7.6 PW 45-2020 Downtown Remembrance Banners

Jed Kelly presented PW 45-2020 report and responded to questions from Council.

Resolution 2020-07-28-29

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT PW 45-2020 Downtown Remembrance Banners report be received; and

THAT Council approve the installation of remembrance banners within the Downtown; and

THAT the Public Works Department facilitate the installation and removal of the banners each year and recuperate the costs from the St. Marys Branch of the Royal Canadian Legion on an annual basis; and

THAT Council approve By-Law 68-2020 permitting the implementation of the remembrance banner program and authorizing the Mayor and the Clerk to sign the associated agreement.

CARRIED

8.7.7 PW 47-2020 Fibermat Surface Treatment Contract Award

Jeff Wolfe presented PW 47-2020 report and responded to questions from Council.

Resolution 2020-07-28-30

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT PW 47-2020 Fibermat Surface Treatment Contract Award report be received; and

THAT Council authorize a sole source contract with NorJohn Contracting; and

THAT By-law 67-2020 authorizing the execution of the agreement with NorJohn Contracting be approved.

CARRIED

Council discussed adjourning the meeting to Thursday, July 30 at 9:00 am and continuing with Council Reports at that time.

Council will now consider the by-laws related to the business of the meeting concluded thus far.

12. BY-LAWS

Resolution 2020-07-28-31

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT By-Laws 63-2020, 64-2020, 65-2020, 66-2020, 67-2020 and 68-2020 be read a first, second and third time; and be finally passed by Council, and signed and sealed by the Mayor and the Clerk.

CARRIED

12.1 By-Law 63-2020 To Amend By-Law 95-2018, Appointment of Committee Members

12.2 By-Law 64-2020 Fire Hall Debenture

12.3 By-Law 65-2020 Authorize a Service Commitment Agreement with City of Stratford, County of Perth, County of Huron and Huron Perth Public Health

12.4 By-Law 66-2020 Part Lot Control Lot 21 Registered Plan 44M-70 Meadowridge (Otten)

12.5 By-Law 67-2020 Agreement with NorJohn Contracting

12.6 By-Law 68-2020 Agreement with Royal Canadian Legion Branch #236

13. UPCOMING MEETINGS

Mayor Strathdee reviewed the upcoming meetings as presented on the agenda and noted the August meeting dates will be held through electronic participation.

16. CONFIRMATORY BY-LAW

Resolution 2020-07-28-32

Moved By Councillor Luna

Seconded By Councillor Edney

THAT By-Law 70-2020, being a by-law to confirm the proceedings of July 28, 2020 regular Council meeting be read a first, second and third time; and be finally passed by Council, and signed and sealed by the Mayor and the Clerk.

CARRIED

Resolution 2020-07-28-33

Moved By Councillor Winter

Seconded By Councillor Luna

THAT Council adjourn to Thursday, July 30, 2020 at 9:00 am.

CARRIED



MINUTES
Regular Council

July 30, 2020
9:00 am

Town Hall, Council Chambers

Council Present: Mayor Strathdee (in-person)
Councillor Craigmile (videoconference)
Councillor Edney (videoconference)
Councillor Luna (videoconference)
Councillor Hainer (videoconference)
Councillor Pridham (videoconference)
Councillor Winter (in-person)

Staff Present: **In-Person**
Brent Kittmer, CAO / Clerk
Jenna McCartney, Deputy Clerk

Conference Line
Richard Anderson, Director of Emergency Services / Fire Chief
Grant Brouwer, Director of Building and Development
Stephanie Ische, Director of Community Services
Jed Kelly, Director of Public Works
Lisa Lawrence, Director of Human Resources
André Morin, Director of Finance / Treasurer
Amy Cubberley, Museum Curator
Dave Blake, Environmental Services Supervisor
Jeff Wolfe, Asset Management and Engineering Specialist

1. CALL BACK TO ORDER

Resolution 2020-07-30-01

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT the regular Council meeting be called back to order at 9:01 am on July 30, 2020.

CARRIED

Resolution 2020-07-30-02

Moved By Councillor Luna

Seconded By Councillor Hainer

THAT Council reconsider resolution 2020-07-28-01 being a resolution to approve the regular Council agenda held on July 28, 2020; and

THAT Council approve an amendment to the regular Council agenda by adding agenda item 10.1 under Emergent or Unfinished Business as DEV 43-2020 Sign Bylaw Variance (338 Elizabeth Street).

CARRIED

10. EMERGENT OR UNFINISHED BUSINESS

10.1 DEV 43-2020 Sign By-Law Variance (338 Elizabeth Street)

Resolution 2020-07-30-03

Moved By Councillor Craigmile

Seconded By Councillor Winter

THAT DEV 43-2020 Sign By-law Variance (338 Elizabeth Street) report be received; and

THAT Council approve a variance to the Town of St. Marys Sign By-law for 338 Elizabeth Street (St. Marys District Collegiate and Institute).

CARRIED

9. COUNCILLOR REPORTS

9.1 Operational and Board Reports

Each Councillor reported on the minutes of recent Committee and Board meetings.

Resolution 2020-07-30-04

Moved By Councillor Pridham

Seconded By Councillor Edney

THAT agenda items 9.1.1 to 9.1.6 and 9.2.1 to 9.2.16 be received.

CARRIED

9.1 Operational and Board Reports

9.1.1 Bluewater Recycling Association - Coun. Craigmile

9.1.2 Library Board - Coun. Craigmile, Edney, Mayor Strathdee

Councillor Winter spoke to the motion regarding scattering gardens.

Resolution 2020-07-03-05

Moved By Councillor Winter

Seconded By Councillor Pridham

THAT staff investigate the feasibility of a scattering garden at the cemetery during the review of the Cemetery By-law.

CARRIED

14. CLOSED SESSION

Resolution 2020-07-30-06

Moved By Councillor Luna

Seconded By Councillor Edney

THAT Council move into a session that is closed to the public at 9:35 am as authorized under the *Municipal Act*, Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, (c) a proposed or pending acquisition or deposition of land by the municipality or local board, and (f) advice that is subject to solicitor - client privilege, including communications necessary for that purpose.

CARRIED

14.1 MINUTES CLOSED SESSION

14.2 CAO 44-2020 CONFIDENTIAL Report Back on Code of Conduct Concern

14.3 CAO 45-2020 Solicitor Advice on Municipal Authority to Impose By-Law Mandating Masks

14.4 CAO 46-2020 CONFIDENTIAL Agreement of Purchase and Sale (481 Water Street South, McDonald House)

15. RISE AND REPORT

Resolution 2020-07-30-07

Moved By Councillor Craigmile

Seconded By Councillor Luna

THAT Council rise from a closed session at 9:55 am.

CARRIED

Mayor Strathdee reported that a closed session was held, and two matters were deliberated. Council will consider the following matters by resolution.

15.1 Town By-Law Mandating Face Coverings

Resolution 2020-07-30-08

Moved By Councillor Winter

Seconded By Councillor Luna

THAT the Town of St. Marys supports the public health direction issued by the Medical Officer of Health which requires face coverings to be worn in commercial and public establishments; and

THAT the Town of St. Marys not pass a by-law mandating face coverings at this time; and

THAT Council will reconsider a by-law if or when it appears such a by-law is required to support and increase compliance with the public health direction issued by the Medical Officer of Health.

CARRIED

15.2 By-Law 69-2020 Agreement of Purchase and Sale for 481 Water Street South

Resolution 2020-07-30-09

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT By-law 69-2020, being a by-law to authorize an agreement of purchase and Sale for 481 Water Street South (McDonald House) and to delegate the necessary authority to staff to finalize the agreement, be read a first, second and third time, and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

16. CONFIRMATORY BY-LAW

Resolution 2020-07-30-10

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT By-Law 71-2020, being a by-law to confirm the actions of Council taken on July 30, 2020 during the regular Council meeting, be read a first, second and

third time and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

17. ADJOURNMENT

Resolution 2020-07-30-11

Moved By Councillor Hainer

Seconded By Councillor Luna

THAT this regular meeting of Council adjourn on July 30, 2020 at 9:59 am.

CARRIED

Al Strathee, Mayor

Brent Kittmer, CAO / Clerk