



MINUTES Regular Council

September 8, 2020

6:00pm

Town Hall, Council Chambers

Council Present: Mayor Strathdee (in-person)
Councillor Craigmile (videoconference)
Councillor Edney (videoconference) (arrived at 6:18 pm)
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
Grant Brouwer, Director of Building and Development
André Morin, Director of Finance / Treasurer
Dave Blake, Environmental Services Supervisor

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

Resolution 2020-09-08-01

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT the September 8, 2020 regular Council meeting agenda be accepted as presented.

CARRIED

4. PUBLIC INPUT PERIOD

The following correspondence was provided in advance of the meeting from St. Marys Lincolns Hockey Club.

"Thank you to council and staff for the countless hours that have been invested into recovering from the challenges presented by COVID-19. This process poses many obstacles for all, and we can appreciate how the re-opening of the Pyramid Centre is just one piece of a much greater puzzle.

The St. Marys Lincolns respectfully stand alongside our ice stakeholders, St. Marys Minor Hockey and St. Marys Ringette, in requesting that both ice pads be installed for October 1st. When we met as a group in August, it was communicated to us that there would be a minimum rental requirement before ice would be installed, and understandably so. After discussing with our fellow users, we believe we exceed this threshold for two pads, which should help mitigate the financial burden of re-opening.

It has been noted that ice can be installed within a 7-10 period. This may sound like a time frame that allows us to kick the can down the road. However, it is not conducive to scheduling as we would need to make commitments to other facilities if left too long. We are in conversation with Stratford and Listowel to schedule modified game play this fall, as they are within our health unit, and would be permitted under the Ontario Hockey Federation's Return to Play Framework (3C).

Thank you for your consideration and for all that you do to make St. Marys a great place to live.

Regards, Brandon Boyd, President – St. Marys Lincolns"

Council acknowledged the correspondence and stated that the topic will be considered at the September 15, 2020 special meeting of Council.

Frank Doyle of St. Independent provided the following questions in advance of the meeting.

1. What is the time line for completion of the Fire Hall?
2. How many taxi licences have been issued in town?
3. Any plans to resurrect the Volunteer of the Year?
4. Will Council meetings be tele-casted after the pandemic is over?

Brent Kittmer stated the Fire Hall project is proceeding well with few delays. Staff anticipate a move in date of early December 2020.

Jenna McCartney reported that one company is licensed in St. Marys presently with two vehicles and a total of 8 drivers. The company is operating with vehicles branded as other companies currently although the company anticipates having its own vehicles on the road in the near future.

Mr. Kittmer stated that staff were prepared to review the volunteer of the year program earlier this year although staff were deployed to other duties at the onset of the pandemic. Staff anticipate reviewing the program for 2021.

Mr. Kittmer stated that the limitation to live streaming and saving recorded council proceedings in the past was related to closed captioning. With the many advances that have unfolded during the pandemic, the test of accessibility for captioning has improved. Staff are pleased to see the numbers of viewers during meetings and will consider live streaming as council meetings begin to return to in-person sessions.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

5.1 Retirement Presentation to Jo-Anne Lounds

Mayor Strathdee, Council and staff congratulated Jo-Anne Lounds on her retirement from the Town of St. Marys.

5.2 Ontario Clean Water Agency - 2nd Quarter Reports and Annual Drinking Water Report

Councillor Edney joined the meeting at 6:18 pm.

Adam McClure presented the second quarter water and wastewater reports and responded to questions from Council.

Resolution 2020-09-08-02

Moved By Councillor Winter

Seconded By Councillor Craigmile

THAT the delegation from Ontario Clean Water Agency regarding second quarter water and wastewater reporting be received.

CARRIED

Councillor Edney declared a conflict of interest for agenda 8.4.1., Code of Conduct Compliant and Integrity Commissioner Report, and stated that he would participate in the discussion but would refrain from voting.

5.3 Public Meeting - 465 & 481 Water Street South

Resolution 2020-09-08-03

Moved By Councillor Edney

Seconded By Councillor Luna

THAT the September 8, 2020 regular Council meeting be adjourned at 6:29 pm to hold a statutory public meeting as required under the *Planning Act*; and

THAT a Public Meeting to consider a planning application for 465 & 481 Water Street South be opened at 6:29 pm.

CARRIED

Mayor Strathdee stated the following "This Public Meeting is being held in accordance with Sections 22 and 34 of the Planning Act, RSO 1990.

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 current and future development applications do not face long and unknown delays.

The purpose of tonight's Public Meeting is to solicit the public's comments with respect to proposed Official Plan and Zoning By-law Amendments by the applicant (being the Corporation of the Town of St. Marys).

The purpose and effect of the Applications is to amend the land use permissions for 481 Water Street South and extend these permissions to lands to be conveyed from 465 Water Street South. Approval of the Applications would allow for additional permitted uses on the subject lands and amend zoning regulations related to the minimum permitted interior side yard.

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

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 985 8979 0563 and passcode 098782.

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 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."

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

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.

No department or agency comments have been received to date.

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 Lynn Hainer to advise Council of the Planning Advisory Committee's recommendation with respect to the Applications.

Councillor Hainer stated "At the August 17, 2020 meeting, the Planning Advisory Committee passed a motion endorsing, in principle, the Applications for Official Plan and Zoning By-law Amendment, and recommended that Council proceed to the statutory public meeting under the *Planning Act*."

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 presented an overview of the planning applications.

Mayor Strathdee invited the applicant to speak to the application.

Mr. Kittmer provided the recent history on the property as it pertains to sale of land and zoning of the property.

Andy Forman, prospective owner of 465 & 481 Water Street South, provided Council with an overview of the property.

Councillor Hainer inquired whether the location of the Town's gateway entry sign will pose an issue between the two properties.

Mr. Kittmer stated that the future property owners have cleaned up a significant amount of scrub which has made the sign much more accessible. Mr. Kittmer does not perceive the sign's location to be an issue.

Grant Brouwer, Director of Building and Development stated that the entrance to the proposed shop area will not pose an issue for the location of the Town's sign.

In response to Councillor Pridham's inquiry whether a barrier would be implemented to restrict public access between the park and 465 Water Street South, Mr. Forman stated that a barrier using trees may be implemented behind the shop.

In response to Councillor Pridham's inquiry regarding a need for a retaining wall at the back of the property, Mr. Forman stated that the retaining wall will remain intact.

Jenna McCartney read two pieces of correspondence which were presented in the agenda package from Ms. Katharine Papoff.

Staff confirmed there have been no further emails received or comments made through the Zoom webinar.

In response to Councillor Pridham's request for clarification whether the walking path behind 465 Water Street South would be maintained by the Town, Mr. Brouwer stated that the path is not part of 465 Water Street South.

In response to Councillor Hainer's inquiry about how parking will be managed near the proposed shop, Mr. Brouwer stated the majority of parking will be within the McDonald House property and only a couple of parking spots available near the proposed shop. Mr. Brouwer stated that parking will be reviewed during the site plan stage.

In response to Councillor Hainer's inquiry about a definition of the term "shop", Mr. Stone stated there is a definition and it does refer to permissive activity for a contractor yard or shop.

Staff confirmed there are no further emails related to the planning application.

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 2020-09-08-04

Moved By Councillor Luna

Seconded By Councillor Hainer

THAT this Public Meeting be adjourned at 7:04 pm; and

THAT the September 8, 2020 regular Council meeting reconvene at 7:04 pm.

CARRIED

6. ACCEPTANCE OF MINUTES

6.1 Regular Council - August 25, 2020

Council noted that page 13 should be amended to remove Councillor Craigmile as the Council representative for the Green Committee and replace with Councillor Pridham.

Resolution 2020-09-08-05

Moved By Councillor Pridham

Seconded By Councillor Craigmile

THAT the August 25, 2020 regular Council minutes be approved as amended by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

7. CORRESPONDENCE

7.1 Jaden Cubberley re: Wellington Street North

Resolution 2020-09-08-06

Moved By Councillor Pridham

Seconded By Councillor Luna

THAT the correspondence from Jaden Cubberley regarding Wellington Street North be received; and

THAT the correspondence be directed to staff for review.

CARRIED

7.2 St. Marys Minor Hockey Association re: Return to Play Programming Plan

Resolution 2020-09-08-07

Moved By Councillor Edney

Seconded By Councillor Craigmile

THAT the correspondence from St. Marys Minor Hockey Association regarding the Return to Play Plan be received; and

THAT the request from St. Marys Minor Hockey Association to have a second ice pad be operational be referred to staff for a report back at the September 15, 2020 Special Council meeting.

CARRIED

8. STAFF REPORTS

8.1 Building and Development Services

8.1.1 DEV 56-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2020 and Z04-2020) by the Corporation of the Town of St. Marys for 465 and 481 Water Street South (Part of Lot 35, Thames Concession)

Mark Stone presented DEV 56-2020 report.

Resolution 2020-09-08-08

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT DEV 56-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2020 and Z04-2020) by the Corporation of the Town of St. Marys for 465 and 481 Water Street South (Part of Lot 35, Thames Concession) be received;

THAT Council approve the Official Plan and Zoning By-law Amendment Applications for part of 465 and 481 Water Street South provided no significant concerns are raised by the public or members of Council at the statutory public meeting;

THAT Council consider By-law 77-2020 to adopt Official Plan Amendment No. 34; and,

THAT Council consider Zoning By-law Amendment No. Z137-2020.

CARRIED

8.1.2 DEV 57-2020 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 57-2020 report.

Resolution 2020-09-08-09

Moved By Councillor Hainer

Seconded By Councillor Edney

THAT DEV 57-2020 Applications for Official Plan and Zoning By-law Amendments (OP02-2019 and Z04-2019) by R. Warkentin for 665 James Street North be received;

THAT Council approve the Official Plan and Zoning By-law Amendment Applications for 665 James Street North;

THAT Council consider By-law 79-2020 to adopt Official Plan Amendment No. 35;

THAT Council determine that no further public notice and / or public meeting is required for the Application for Zoning By-law Amendment (Z04-2019) 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 consider Zoning By-law Amendment No. Z138-2020.

CARRIED

Council moved forward agenda item 8.4.1. - Code of Conduct and Integrity Commissioner Final Report.

8. STAFF REPORTS

8.4 CAO and Clerks

8.4.1 CAO 51-2020 Code of Conduct Complaint and Integrity Commissioner Report

Jenna McCartney presented CAO 51-2020 report and introduced Rebecca Hines to Council.

Ms. Hines representing the Town's Integrity Commissioner, Aird & Berlis, presented Council with the final report and responded to questions from Council.

Councillor Edney addressed Council and stated that he will accept the recommendations of the report.

Resolution 2020-09-08-10

Moved By Councillor Pridham

Seconded By Councillor Winter

THAT Council receive the final report from the Integrity Commissioner for file number 2020-01; and

THAT Council is committed to the intents and purposes of the Town of St. Marys Code of Conduct for Members of Council and Local Boards; and

THAT Council accepts the recommendations of the Integrity Commissioner; and

THAT, as a penalty, this resolution shall serve as a formal reprimand of Councillor Edney's conduct; and

THAT, as a remedial measure, Council requests that Councillor Edney formally and publicly apologize to the Complainant for his conduct in breaching the Code and that the apology be provided on or before September 22, 2020.

CARRIED

Council returned to agenda item 8.2.1.

8.2 Finance

8.2.1 FIN 28-2020 Business Economic Support and Recovery Task Force

André Morin presented FIN 28-2020 report.

Resolution 2020-09-08-11

Moved By Councillor Pridham

Seconded By Councillor Winter

THAT FIN 28-2020 Business Support and Recovery Task Force report be received; and

THAT Council support staff's option #1; and

THAT term of the Business Support and Recovery Task Force end on August 31, 2021.

CARRIED

Council took a brief recess 8:31 pm.

Mayor Strathdee called the meeting back to order at 8:40 pm.

8.3 Public Works

8.3.1 PW 55-2020 Annual Water System Inspection

Dave Blake presented PW 55-2020 report.

Resolution 2020-09-08-12

Moved By Councillor Edney

Seconded By Councillor Luna

THAT Report PW 55-2020, Water System Inspection be received for information.

CARRIED

8.3.2 PW 56-2020 Lead Water Service Replacement Policy

Dave Blake presented PW 56-2020 report.

Resolution 2020-09-08-13

Moved By Councillor Hainer

Seconded By Councillor Edney

THAT Report PW 56-2020, Lead Water Service Replacement Policy be received; and

THAT Policy PW4305, being a policy regarding Lead in Drinking Water within the Town of St. Marys be approved.

CARRIED

8.3.3 PW 57-2020 Waste Reduction Week Proclamation

Dave Blake presented PW 57-2020 report.

Resolution 2020-09-08-14

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT PW 57-2020 Waste Reduction Week Proclamation report be received;

THAT Council proclaim October 19 to October 25, 2020 as Waste Reduction Week in the Town of St. Marys; and

THAT Council direct staff to craft a media campaign to highlight waste reduction activities and advertise existing waste diversion programs in St. Marys.

CARRIED

8.4 CAO and Clerks

8.4.2 CAO 52-2020 Update on Staffing Adjustment

Brent Kittmer presented CAO 52-2020 report.

Resolution 2020-09-08-15

Moved By Councillor Hainer

Seconded By Councillor Edney

THAT CAO 52-2020 Update on Staffing Adjustments be received for information; and

THAT Council consider By-law 75-2020, being a by-law to appoint Jenna McCartney as the Clerk for the Town of St. Marys.

CARRIED

8.4.3 CAO 53-2020 Municipal Law Enforcement Officer By-Law Repeal for Park Patrollers

Jenna McCartney presented CAO 53-2020 report.

Resolution 2020-09-08-16

Moved By Councillor Winter

Seconded By Councillor Luna

THAT CAO 53-2020 Municipal Law Enforcement Officer By-Law Repeal for Park Patrollers report be received; and

THAT Council consider By-Law 76-2020 within the by-law section of this agenda.

CARRIED

8.4.4 CAO 54-2020 Animal Control Service Provider Update

Jenna McCartney presented CAO 54-2020 report.

Resolution 2020-09-08-17

Moved By Councillor Luna

Seconded By Councillor Hainer

THAT CAO 54-2020 Animal Control Service Provider Update report be received; and

THAT Council consider By-Law 78-2020 for the purpose of entering into an interim service agreement with Humane Society of Kitchener Waterloo and Stratford Perth.

CARRIED

9. COUNCILLOR REPORTS

9.1 Operational and Board Reports

Each Councillor provided an update on recent meetings of Committees and Board.

Resolution 2020-09-08-18

Moved By Councillor Hainer

Seconded By Councillor Luna

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

CARRIED

9.1.1 Bluewater Recycling Association - Coun. Craigmile

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

**9.1.3 Municipal Shared Services Committee - Mayor Strathdee,
Coun. Luna**

9.1.4 Huron Perth Public Health - Coun. Luna

9.1.5 Spruce Lodge Board - Coun. Luna, Pridham

9.1.6 Upper Thames River Conservation Authority

9.2 Advisory and Ad-Hoc Committee Reports

9.2.1 Accessibility Advisory Committee - Coun. Hainer

9.2.2 Business Economic Support and Recovery Task Force

9.2.3 Business Improvement Area - Coun. Winter

9.2.4 CBHFM - Coun. Edney

9.2.5 Committee of Adjustment

**9.2.6 Community Policing Advisory Committee - Coun. Winter,
Mayor Strathdee**

9.2.7 Green Committee - Coun. Pridham

9.2.8 Heritage Advisory Committee - Coun. Pridham

**9.2.9 Huron Perth Healthcare Local Advisory Committee - Coun.
Luna**

9.2.10 Museum Advisory Committee - Coun. Hainer

9.2.11 Planning Advisory Committee - Coun. Craigmile, Hainer

9.2.12 Recreation and Leisure Advisory Committee - Coun. Pridham

9.2.13 Senior Services Advisory Committee - Coun. Winter

9.2.14 St. Marys Lincolns Board - Coun. Craigmile

**9.2.15 St. Marys Cement Community Liaison Committee - Coun.
Craigmile, Winter**

9.2.16 Youth Council - Coun. Edney

10. EMERGENT OR UNFINISHED BUSINESS

None.

11. NOTICES OF MOTION

None.

12. BY-LAWS

Resolution 2020-09-08-19

Moved By Councillor Luna

Seconded By Councillor Hainer

THAT By-Laws Z137-2020, Z138-2020, 75-2020, 76-2020, 77-2020, 78-2020 and 79-2020 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 Zoning By-Law Amendment Z137-2020 465 an 481 Water Street South

12.2 Zoning By-Law Amendment Z138-2020 665 James Street North

12.3 By-Law 75-2020 Appointment of Clerk and Deputy Clerk

12.4 By-Law 76-2020 Municipal Law Enforcement Officer By-law Repeal

12.5 By-Law 77-2020 Official Plan Amendment No. 34 - 465 and 481 Water Street South

12.6 By-Law 78-2020 Agreement with Humane Society of Kitchener Waterloo Stratford Perth

12.7 By-Law 79-2020 Official Plan Amendment No. 35 - 665 James Street North

13. UPCOMING MEETINGS

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

14. CONFIRMATORY BY-LAW

Resolution 2020-09-08-20

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT By-Law 80-2020, being a by-law to confirm the proceedings of September 8, 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

15. ADJOURNMENT

Resolution 2020-09-08-21

Moved By Councillor Hainer

Seconded By Councillor Edney

THAT this regular meeting of Council adjourns at 9:29 pm.

CARRIED

Al Strathdee, Mayor

Jenna McCartney, Clerk