



MINUTES
Regular Council

May 22, 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
Richard Anderson, Director of Emergency Services / Fire Chief
Grant Brouwer, Director of Building and Development
Jim Brown, Director of Finance
Stephanie Ische, Director of Community Services
Jed Kelly, Director of Public Works
Trisha McKibbin, Director of Corporate Services
Lisa Lawrence, Human Resources Manager
Dave Blake, Environmental Services Supervisor
Jenny Mikita, Senior Services Supervisor
Hillary Bennett, Senior Services Program Coordinator
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

Resolution 2018-05-22-01

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT the May 22, 2018 regular Council agenda be accepted as presented.

CARRIED

4. PUBLIC INPUT PERIOD

Doug Diplock, 48 St. Andrew St. South spoke to the correspondence he provided to Council which was included in this evening's agenda, and indicated he was in support of Council adding pickleball lines to the tennis courts.

Joan Scott, 326 Tracey Street, addressed Council and stated that she is in favour of pickleball lines added to the tennis courts.

Councillor Van Galen requested a point of order with respect to the purpose of the question period.

Mayor Strathdee stated he would welcome brief comments from the public to be accompanied by questions directed to Council regarding any matter specific to the agenda business.

Rob Favacho, 164 Emily Street, stated he has played tennis for a number of years. In Mr. Favacho's experience, he states that it can be very confusing for children to learn to play tennis on courts which have been lined for multi-purposes.

Dave Baxter, 579 Emily Street, acknowledged the difficult decision before council this evening. Mr. Baxter stated that if the courts cannot be shared, he encourages Council to dedicate two courts solely to pickleball courts and two courts solely to tennis courts as a way to appease all parties involved.

John Sipos, 45 Church Street South, stated that he would like Council to consider that painting the addition lines on the courts would be considered by Tennis Club members as a defacement of the courts.

Marianne DeBrabandere, 1842 Perth Road 163, stated that pickleball is a retirement strategy. While pickleball users were not a part of fundraising team in 2014 and 2015, Ms. DeBrabandere feels that if pickleball users were permitted to have lines on the courts, it may be a strategy for the Tennis Club to consider for when they retire from tennis to pickleball.

Mayor Strathdee asked if there was one final question from the gallery.

John Stevens, 96 Robinson Street, suggested that the court could shaded an alternative colour to mark the pickball space (zone). Finally, Mr. Stevens feels

that there are alternative solutions of where to play like the Pyramid Recreation Centre parking lot.

Mayor Strathdee thanked the public for providing their input on the matter.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

5.1 Public Meeting for Zoning By-law Amendment Planning Application Z04-2017, 275 James Street South, St. Marys

Resolution 2018-05-22-02

Moved By Councillor Winter

Seconded By Councillor Hainer

THAT the May 22, 2018 regular Council meeting be adjourned at 6:28pm to hold a statutory public meeting as required under the *Planning Act*; and

THAT a Public Meeting to consider a planning application for 275 James Street South be opened at 6:29pm.

CARRIED

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

The purpose of the Public Meeting is to solicit the public's comments with respect to a proposed Zoning By-law Amendment initiated by the owner of the subject property, 275 James Street South.

The Zoning By-law Amendment Application is required to facilitate the development of 24 condominium townhouse units in four buildings.

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

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

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

Written comments received regarding this Application are as follows:

Town Engineering and Public Works

- Applicant to confirm sanitary system capacity requirement and that sanitary servicing to property is adequate at the time of site plan application.
- Applicant to confirm water system capacity requirement for fire protection and hydrant flow testing will need to be completed at the time of site plan application to confirm water servicing to property is adequate.
- Vehicular access to be reviewed at the time of site plan application.

Huron-Perth Catholic District School Board

- No concerns

De Vries Family, 5 Maxwell Street

- Concerned with proposed development including: potential traffic impacts, impacts on value of existing properties, removal of mature trees, and impacts of construction on adjacent properties.

Gary Bryans, 257 James Street South

- Suggests that the applicant "could get rid of block one and put his road way there and build a separate duplex on Maxwell or something"
- Concerned with loss of green space – applicant should reduce number of units in Blocks 1 and 4 to maintain as much green space as possible
- Concerned with condition of properties during construction (e.g. piles of brush, and truck and trailer parking)"

Mayor Strathdee called up Councillor Van Galen to advise Council of the Planning Advisory Committee's recommendation with respect to the Applicant.

Councillor Van Galen stated "The Planning Advisory Committee made the following recommendation to St. Marys Town Council at its April 23, 2018 meeting:

THAT based on the review of the Application and comments received thus far, Planning Advisory Committee endorses in principle Application Z04-2017 from Adriano Paola for a Zoning By-law Amendment affecting 275 James Street South, St. Marys, and Committee recommends to St. Marys Town Council that it proceed with the statutory public meeting to be scheduled for May 22, 2018."

Mayor Strathdee called upon the Town's Planner to provide additional information regarding the proposed Application.

Mark Stone stated "The irregularly shaped subject property is approximately 0.87 hectares in size, with 33 metres of frontage along James Street South and 13 metres of frontage along Maxwell Street. 24 townhouse units are proposed, each with individual driveways and garages, along with 10 visitor parking spaces. The applicant indicates that the floor area of each dwelling unit will range from 148.7 to 179.3 m² (1,600 to 1,930 ft²).

The subject property is designated Residential according to the Town's Official Plan. The subject property is currently zoned Residential Development (RD), Residential Two (R2-1) and Residential Three (R3) in the Town's Zoning By-law Z1-1997.

The Zoning By-law Amendment Application would rezone the subject property to Residential Zone Five (R5) to permit the proposed townhouse development with exceptions to certain R5 Zone regulations to change the:

- lot area minimum – 133.7 m² per unit measured from driveway to 1 metre behind rear wall of dwelling unit whereas Section 12.4.16(a) requires 1,017 m² for each row or townhouse dwelling
- lot frontage minimum – 13.7 metres along Maxwell Street frontage whereas Section 12.4.16(b) requires 47.0 metres
- exterior side yard minimum – 3.0 metres to James Street (measured from limit of required 5.0 metre wide road widening to townhouse Block 1) whereas Section 12.4.16(c) requires 6.0 metres
- rear yard minimum – 3.0 metres from townhouse Block 4 to north property line (rear lot line) whereas Section 12.4.16(c) requires 7.5 metres"

Mayor Strathdee called upon the Application's Representative to explain the proposed Application related to the subject property.

Brandon Flewelling, Senior Planner of GSP Group Inc, speaking on behalf of the Applicant, explained the process so far and the revisions to the ZBA application to date.

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

Sharon Leslie, 233 James Street South, stated that she is concerned with the current amount of traffic along James Street South and what the new development will add. Ms. Leslie asked if the owner plans to erect a fence to divide the properties. Ms. Leslie also stated that in her opinion 3.0 m for a backyard is not much space. Ms. Leslie ended by stating that she is concerned about the wildlife in her backyard and was told thirteen years ago that the land was contaminated and therefore no one would ever build on the site.

Jennifer Smale, 267 James Street, is concerned about the number of people that could be in each unit; with twenty-four units and possibly four people living in each, that would be a large number of people in a small space and all of these people would surround her property. Ms. Smale stated that her driveway abuts the proposed backyards of a number of the units.

Ms. Smale stated that she is concerned about shadowing and privacy. She would like to know what if there is a plan to replace trees that have already been cut down. Will property lines be adhered to with this development? Will decks be added to units that are already in close proximity to her backyard.

Ms. Smale stated that she is a very concerned citizen regarding the proposal for this property. Is it possible to develop a duplex on the property instead of the multi-residential? Ms. Smale is concerned that there will not be enough green space for the people living in the new development.

Mr. Stone replied regarding the contamination concern. A standard question is asked on every development application regarding awareness of contamination of a property. The Town is not aware of any contamination.

Mr. Stone replied regarding the backyard space for each unit. The Town has heard this concern previously and has taken it into consideration.

Mr. Stone replied regarding shadowing. Typically shadowing is more of a concern with apartments and high rises rather than townhouses.

Mayor Strathdee asked Council if it had any questions.

Councillor Osborne inquired about the price range per unit.

Mr. Flewelling stated he is unaware of that answer at this time.

Councillor Osborne inquired about the private road and the purpose for the branches of the road.

Mr. Flewelling stated the northern branch is for large vehicle maneuvering such as fire truck turning. The eastern branch is visitor parking.

Councillor Pope stated that tonight is not the final decision for what will happen with property. Many of the considerations brought forward tonight will be reviewed by staff. Infill is difficult but necessary for housing needs. Councillor Pope is concerned about the tree scrub on the property but understands it is necessary to permit construction vehicles into site. Thinking of other properties of development, new trees have been added to compliment the development which Councillor Pope is certain will happen at this site.

Councillor Pope inquired whether parkland funds will be required under this development. Further, what are the considerations for garbage and recycling?

Mr. Stone stated that these items will be considered during the site plan approval stage.

Councillor Hainer asked if the units could face the backyards of James Street South residents rather than abutting backyards. Additionally, what is the schedule for development?

Mr. Flewelling stated that the units closest to James Street South will likely be constructed first. The market will dictate the need for more units.

Councillor Hainer concerned about ghost ownership while the remaining units are built and sold.

Mr. Flewelling stated that condominiums have different options for registering the ownership on title. There is an option to register ownership within phases of development.

Councillor Craigmile believes that the set back will be very close to James Street and therefore asked Mr. Stone to reconsider that the set back be increased.

Councillor Osborne feels Council has an obligation to the citizens to answer their concerns. What is the Town's process to respond to concerns?

Mr. Stone stated that after this evening's meeting the staff will address specific site plan issues. Staff can follow up with specific residents to respond to their concerns and keep them updated about the process.

Councillor Winter asked where excess snow will be stored.

Mr. Stone stated this is part of the site plan agreement process and will be considered soon.

Councillor Winter asked if the fire chief had been consulted about the proposed development.

Mr. Stone replied that the fire chief has provided comments about the development.

Councillor Hainer asked that staff bring forward the history of the lot within the next staff report on the matter.

Mayor Strathdee thanked the public for their input. Should Council proceed with the passage of the Zoning By-law Amendment, notice of passing will be provided as prescribed by the Planning Act and a 20-day appeal period to the Local Planning Appeal Tribunal applies.

Resolution 2018-05-22-03

Moved By Councillor Craigmile

Seconded By Councillor Hainer

THAT this public meeting be adjourned at 7:11pm; and

THAT the May 22, 2018 regular Council meeting reconvene at 7:11pm.

CARRIED

5.2 Ontario Clean Water Agency re: 1st quarter reporting

Jackie Muller and Renee Hornick of Ontario Clean Water Agency presented Q1 reporting and responded to questions from Council.

Resolution 2018-05-22-04

Moved By Councillor Hainer

Seconded By Councillor Pope

THAT the presentation by the Ontario Clean Water Agency regarding the 1st quarter report be received.

CARRIED

6. ACCEPTANCE OF MINUTES

6.1 Regular Council - May 8, 2018

Resolution 2018-05-22-05

Moved By Councillor Winter

Seconded By Councillor Craigmile

THAT the May 8, 2018 regular Council meeting minutes be approved and signed and sealed by the Mayor and the Clerk.

CARRIED

6.2 Strategic Priorities Committee - May 15, 2018

Resolution 2018-05-22-06

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT the May 15, 2018 Strategic Priorities Committee meeting minutes be received and signed and sealed by the Mayor and the Clerk; and

THAT Items 5.1 and 5.4 be raised for discussion.

CARRIED

Resolution 2018-05-22-07

Moved By Councillor Van Galen

Seconded By Councillor Osborne

THAT Council denies the request from the St. Marys Farmers' Market Association for a permanent washroom / storage facility; and

THAT staff and representatives of Council open discussions with the St. Marys Farmers' Market Association related to their future needs and the construction a washroom/storage facility at Milt Dunnell Field.

Amendment:

Moved By Councillor Van Galen

Seconded By Councillor Hainer

Resolution 2018-05-22-08

THAT staff and representatives of Council open discussions with the St. Marys Farmers' Market Association related to their future needs and relocation to Milt Dunnell Field.

CARRIED

Resolution 2018-05-22-07 (as amended)

Moved By Councillor Van Galen

Seconded By Councillor Osborne

THAT Council denies the request from the St. Marys Farmers' Market Association for a permanent washroom / storage facility; and

THAT staff and representatives of Council open discussions with the St. Marys Farmers' Market Association related to their future needs and relocation to Milt Dunnell Field.

CARRIED

Resolution 2018-05-22-09

Moved By Councillor Pope

Seconded By Councillor Osborne

THAT Council approve the following recommendations to support Affordable Housing in St. Marys:

1. Initiate a Town-wide amendment to the Zoning By-law to permit secondary units in single detached, semi-detached and townhouse dwellings subject to specific provisions to regulate potential issues such as parking;
2. Engage in discussions with the development industry with respect to opportunities and potential issues related to implementing inclusionary zoning in St. Marys;
3. Explore opportunities for pre-zoning certain lands for affordable housing following completion of the Official Plan review;
4. Consider alternative development standards, following completion of the Official Plan review, through an update to the Town's Zoning By-law;
5. Support the recommendations of the Official Plan review to consider options to permit standalone residential uses (e.g. low-rise apartment buildings) in the periphery parts of the Central Commercial area, provided such uses do not impact the primary commercial, service and tourism function of the downtown;
6. Staff report back on the financial implications of:
7. a. Proposed development charges discounts for new multi residential units constructed for a sale price of \$265,650 or rentals of approximately \$850 per month.b. Amending the multi-residential tax

ratio from 1.1 to 1.0 for newly constructed rental apartments of 7 or more units for the first 10 years after construction

c. And waiving other associated planning fees.

7. Continue to provide land for affordable housing through the sale or leasing of surplus or underutilized municipally owned land, and consider maintaining a publicly accessible database to assist potential developers seeking to construct affordable housing and tenants seeking affordable housing vacancies.

CARRIED

7. CORRESPONDENCE

7.1 Regional Municipality of Waterloo re: Two-Way All-Day GO rail service and High Speed Rail to Waterloo Region

Resolution 2018-05-22-10

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT the correspondence from the Regional Municipality of Waterloo regarding Two-Way All-Day GO rail service and High Speed Rail to Waterloo Region be received.

CARRIED

7.2 Pickleball Committee re: Support of Pickleball

Resolution 2018-05-22-11

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT the correspondence from the Pickleball Committee regarding Pickleball Support be received.

CARRIED

8. STAFF REPORTS

8.1 Building and Development Services

8.1.1 DEV 22-2018 May Monthly Report (Building and Development)

Grant Brouwer spoke to DEV 22-2018 report and responded to questions from Council.

Resolution 2018-05-22-12

Moved By Councillor Van Galen

Seconded By Councillor Craigmile

THAT DEV-22-2018 May Monthly Report (Building and Development) be received for information.

CARRIED

8.1.2 DEV 23-2018 Zoning By-law Amendment (Z04-2017) 275 James Street South

Mark Stone spoke to DEV 23-2018 report and responded to questions from Council.

Resolution 2018-05-22-13

Moved By Councillor Osborne

Seconded By Councillor Craigmile

THAT DEV 23-2018 Application for ZBA (Z04-2017) A. Paola for 275 James Street South be received; and

THAT the comments received at the Public Meeting be addressed in a report presented at a subsequent Council meeting outlining staff recommendations on the disposition of this Application, once Town staff is satisfied with the layout of the proposed development (as part of the review of the related Site Plan Application).

CARRIED

8.2 Public Works

8.2.1 PW 30-2018 May Monthly Report (Public Works)

Jed Kelly spoke to PW 30-2018 report and responded to questions from Council.

Resolution 2018-05-22-14

Moved By Councillor Pope

Seconded By Councillor Winter

THAT PW 30-2018 May Monthly Report (Public Works) be received for information.

CARRIED

8.2.2 PW 34-2018 Centrifuge Rebuild

Dave Blake spoke to PW 34-2018 report and responded to questions from Council.

Resolution 2018-05-22-15

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT Report PW 34-2018 Centrifuge Rebuild be received; and

THAT the Sole Source procurement of maintenance rebuild services be awarded to Alpha Laval in the amount of \$46,678.44; and

THAT By-Law 51-2018 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

CARRIED

8.2.3 PW 33-2018 Wastewater Treatment Plant Inspection Results

Dave Blake spoke to PW 33-2018 responded to questions from Council.

Resolution 2018-05-22-16

Moved By Councillor Winter

Seconded By Councillor Craigmile

THAT PW 33-2018 Wastewater Treatment Plant Inspection Results be received for information.

CARRIED

8.2.4 PW 31-2018 Grand Trunk Countryside Estates Phase 2 Assumption

Jed Kelly spoke to PW 31-2018 report and responded to questions from Council.

Resolution 2018-05-22-17

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT PW 31-2018 Grand Trunk Countryside Estates Phase 2 Assumption be received; and

THAT Council enact By-law 52-2018 to approve full acceptance and assumption of the infrastructure constructed and installed

within Part 1 & Part 2 of Reference Plan 44R-4187, now Registered Plan 44M-18, as required for the Grand Trunk Countryside Estates Phase 2 Subdivision; and

THAT Council enact By-law 53-2018 to open Millson Crescent and Guest Court for public use and establish as public highways.

CARRIED

8.2.5 PW 29-2018 Service Club Sign Applications

Jed Kelly spoke to PW 29-2018 report and responded to questions from Council.

Resolution 2018-05-22-18

Moved By Councillor Pope

Seconded By Councillor Craigmile

THAT PW 29-2018 Service Club Sign Applications be received; and

THAT Council approve the McConnell Club's application to install a logo sign on each of the Service Club Sign structures.

CARRIED

8.3 Administration and Human Resources

Council recessed at 7:58pm.

Mayor Strathdee called the meeting back to order at 8:07pm.

8.3.1 CAO 17-2018 May Monthly Report (Administration and Human Resources)

Councillor Winter declared pecuniary interest for agenda item 8.3.1 for any conversation related to 45 Thames Road.

Councillor Hainer identified that she had previously declared a pecuniary interest on the same matter.

Brent Kittmer and Lisa Lawrence spoke to CAO 17-2018 report and responded to questions from Council.

Resolution 2018-05-22-19

Moved By Councillor Pope

Seconded By Councillor Winter

THAT CAO 17-2018 May Monthly Report (Administration and Human Resources) be received for information.

CARRIED

8.4 Corporate Services

8.4.1 COR 14-2018 May Monthly Report (Corporate Services)

Trisha McKibbin spoke to COR 14-2018 report and responded to questions from Council.

Resolution 2018-05-22-20

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT COR 14-2018 May Monthly Report (Corporate Services) be received for information.

CARRIED

8.4.2 COR 15-2018 5 James Street N (Via Station) Registration of Designation Bylaw

Trisha McKibbin spoke to COR 15-2018 report and responded to questions from Council.

Resolution 2018-05-22-21

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT COR 15-2018 5 James Street N. (Via Station) Registration of Designation Bylaw be received; and

THAT Council pass By-law 50-2018 being a by-law to amend By-law 33 of 1987, a by-law designating 5 James Street North to be of architectural, associative and historical value or interest, as amended by By-law 39 of 2017 (Schedule A).

CARRIED

8.5 Finance

8.5.1 FIN 11-2018 May Monthly Report (Finance)

Jim Brown spoke to FIN 11-2018 report and responded to questions from Council.

Resolution 2018-05-22-22

Moved By Councillor Craigmile

Seconded By Councillor Van Galen

THAT FIN 11-2018 May Monthly Report (Finance) be received for information.

CARRIED

8.6 Fire and Emergency Services

8.6.1 FD 05-2018 May Monthly Report (Emergency Services)

Fire Chief Anderson spoke to FD 05-2018 report and responded to questions from Council.

Resolution 2018-05-22-23

Moved By Councillor Craigmile

Seconded By Councillor Winter

THAT FD 05-2018 May Monthly Report (Emergency Services) be received for information.

CARRIED

8.7 Community Services

8.7.1 DCS 11-2018 May Monthly Report (Community Services)

Stephanie Ische spoke to DCS 11-2018 report and responded to questions from Council.

Resolution 2018-05-22-24

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT DCS 11- 2018 May Monthly Report (Community Services) be received for information.

CARRIED

8.7.2 DCS 09-2018 Pickleball Lines on the Tennis Courts

Stephanie Ische spoke to DCS 09-2018 report and responded to questions from Council.

Resolution 2018-05-22-25

Moved By Councillor Van Galen

Seconded By Councillor Craigmile

THAT the Town staff facilitate a meeting between representatives of the Tennis Club and Pickleball Club to arrive at a mutually agreeable design for use of 2 pickleball courts at the tennis courts and report back to Council at the next regular meeting.

CARRIED

9. EMERGENT OR UNFINISHED BUSINESS

None.

10. NOTICES OF MOTION

None.

11. BY-LAWS

Resolution 2018-05-22-26

Moved By Councillor Pope

Seconded By Councillor Hainer

THAT By-Laws 50-2018 to 53-2018 be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

CARRIED

**11.1 By-Law 50-2018 Amend by-law 39 of 2017 Heritage Designation 5
James Street South**

**11.2 By-Law 51-2018 Authorize an Agreement with Alpha Laval for
Centrifuge Maintenance Rebuild**

**11.3 By-Law 52-2018 Assumption of Infrastructure for Millson Crescent
and Guest Court**

**11.4 By-Law 53-2018 Open and Assume Guest Court and Millson Crescent
as a Public Highway**

12. UPCOMING MEETINGS

Mayor Strathdee provided his regrets for June 12.

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

13. CLOSED SESSION

None.

14. CONFIRMATORY BY-LAW

Resolution 2018-05-22-27

Moved By Councillor Craigmile

Seconded By Councillor Osborne

THAT By-Law 54-2018, being a by-law to confirm the proceedings of May 22, 2018 regular Council meeting, be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

CARRIED

15. ADJOURNMENT

Resolution 2018-05-22-28

Moved By Councillor Hainer

Seconded By Councillor Craigmile

THAT this regular meeting of Council adjourn at 9:50pm.

CARRIED

Al Strathee, Mayor

Brent Kittmer, CAO / Clerk