



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, August 10, 2020

4:30 pm

Council Chambers

Civic Centre

by videoconference

Present: Mayor C. Provenzano, Councillor P. Christian, Councillor S. Hollingsworth, Councillor L. Dufour, Councillor L. Vezeau-Allen, Councillor D. Hilsinger, Councillor M. Shoemaker, Councillor M. Bruni, Councillor R. Niro, Councillor C. Gardi, Councillor M. Scott

Officials: T. Vair, R. Tyczinski, L. Girardi, K. Fields, S. Schell, P. Johnson, J. Bruzas, D. Elliott, D. McConnell, B. Lamming, T. Anderson, F. Coccimiglio, T. Vecchio, M. Zuppa

13. Closed Session

Moved by: Councillor D. Hilsinger

Seconded by: Councillor S. Hollingsworth

Resolved that this Council proceed into closed session to discuss two proposed acquisitions or dispositions of land;

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matters without the need for a further authorizing resolution.

Municipal Act section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

1. Adoption of Minutes

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the Minutes of the Regular Council Meeting of 2020 07 13 and Special Council Meeting of 2020 07 27 be approved.

Carried

2. Questions and Information Arising Out of the Minutes and not Otherwise on the Agenda

3. Declaration of Pecuniary Interest

3.1 Councillor M. Shoemaker - Contract 2020-4E – Boardwalk Remediation

Contractor is a client of law firm.

3.2 Councillor M. Shoemaker - By-law 2020-154 (Agreement) Boardwalk Remediation

Contractor is a client of law firm.

3.3 Councillor M. Shoemaker - By-law 2020-147 (Agreement) GFL LED Lighting Upgrades

Contractor is a client of law firm.

4. Approve Agenda as Presented

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the Agenda for 2020 08 10 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Canada United

5.2 Application A-2-20-Z – 305 Selby Road

Mike Savino (applicant) was in attendance by telephone.

5.3 Application A-11-19-Z – 412 Second Line West and 236 Prentice Avenue

Ralph Medaglia (agent for the applicant) was in attendance by telephone.

5.4 Application A-3-20-Z – 36 Wright Street

Shawn Spurr and Frank D'Addetta (principals of the applicant) were in attendance by telephone.

Dave Wierzbicki was in attendance by telephone in opposition to the application.

5.5 Application A-4-20-Z – 35 Fairview Avenue

Bruce Willson (counsel for the applicant) was in attendance by telephone.

5.6 Soo Greyhounds Memorial Cup 2021 Bid

Tim Lukenda was in attendance by telephone.

6. Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

Moved by: Councillor D. Hilsinger

Seconded by: Councillor S. Hollingsworth

Resolved that all the items listed under date 2020 08 10 – Agenda item 6 – Consent Agenda be approved as recommended.

Carried

6.1 Municipal Accommodation Tax – Waiver of Penalties and Interest

The report of the Chief Administrative Officer was received by Council.

The relevant By-law 2020-158 is listed under item 11 of the Minutes.

6.2 2019 Audited Financial Statements

The report of the Manager of Finance was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Finance dated 2020 08 10 concerning 2019 Audited Financial Statements be received and that the Audited Consolidated Financial Statements and Trust Fund Statements for 2019 be approved.

Carried

6.3 Second Quarter Financial Report: COVID-19 Financial Implications

The report of the Manager of Finance was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Finance dated 2020 08 10 concerning Second Quarter Financial Report to 2020 06 30: COVID-19 Financial Implications be received as information.

Carried

6.4 RFP – Professional Services – Feasibility Study and Preliminary Design Concept for Kinsmen Centre

The report of the Manager of Purchasing was received by Council.

The relevant By-law 2020-150 is listed under item 11 of the Minutes.

6.5 RFP – Online Learning/Training System

The report of the Manager of Purchasing was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Purchasing dated 2020 08 10 concerning RFP – Online Learning/Training System be received and that the proposal submitted by Noverant as required by Human Resources and Public Works for the three (3) year period commencing August 2020 (with the option for up to two (2) additional years by mutual agreement) be approved.

Carried

6.6 Smart Industrial/Business Park

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2020 08 10 concerning Smart Industrial/Business Park be received as information.

Carried

6.7 Broadband Application to Support a Next-Generation Broadband Network in Ward 5

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2020 08 10 concerning Broadband Application to Support a Next-Generation Broad Band Network in Ward 5 be received and that the submission of an application to CENGN for a pilot project to support the deployment of a next-generation broadband network in Ward 5 be approved.

Carried

6.8 GFL Memorial Gardens Fan-Friendly Pricing

The report of the Director of Community Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the report of the Director of Community Services dated 2020 08 10 concerning Fan-Friendly pricing be received and that Council approve fan-friendly pricing options as a permanent product offering at the GFL Memorial Gardens.

Carried

6.9 Northern Transfer Point Agreement with Sault College

The report of the Director of Community Services was received by Council.

The relevant By-law 2020-142 and 2020-157 are listed under item 11 of the Minutes.

6.10 Supplemental Funding Request – Ermatinger-Clergue National Historical Site

The report of the Director of Community Services was received by Council.

The relevant By-law 2020-145 is listed under item 11 of the Minutes.

6.11 Community War Memorial Grant Agreement

The report of the Manager of Recreation and Culture was received by Council.

The relevant By-law 2020-146 is listed under item 11 of the Minutes.

6.12 Rental Housing Incentive Program Extension

The report of the Director of Planning was received by Council.

The relevant By-law 2020-155 is listed under item 11 of the Minutes.

6.13 Outdoor Patio Approvals

The report of the Director of Planning was received by Council.

The relevant By-law 2020-156 is listed under item 11 of the Minutes.

6.14 Downtown Public Realm Priorities – NOHFC Funding

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Senior Planner dated 2020 08 10 concerning Downtown Public Realm priorities be received and that Council authorize staff to proceed with the procurement required to implement the downtown public realm priority projects as recommended.

Carried

6.15 Wellington Street Underpass – Public Works Remedial Work

The report of the Director of Public Works was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the report of the Director of Public Works dated 2020 08 10 concerning Wellington Street Underpass remedial work be received and that the Miscellaneous Construction budget be approved to fund the effort.

Carried

6.16 Contract 2020-4E – Boardwalk Remediation

Councillor M. Shoemaker declared a conflict on this item. (Contractor is a client of law firm.)

The report of the Manager of Design and Transportation Engineering was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Design and Transportation Engineering dated 2020 08 10 concerning Boardwalk Remediation be received and that Contract 2020-4E be awarded to Avery Construction Limited; further that a portion of the upgrades to the street lighting system on St. Mary's River Drive be included in this contract; and that Tulloch Engineering's engineering fee estimate be increased by \$9,475 to include the design of the St. Mary's River Drive street lighting.

The relevant By-law 2020-154 authorizing execution of the contract with Avery Construction Limited appears under item 11 of the Agenda and will be read with all by-laws under that item.

Carried

6.17 Connor Road Culvert Tender

The report of the Land Development and Environmental Engineer was received by Council.

The relevant By-law 2020-148 is listed under item 11 of the Minutes.

6.18 Parking Lot Lease – 272 Wellington Street West

The report of the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-law 2020-151 is listed under item 11 of the Minutes.

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.3.1 Soo Greyhounds Memorial Cup 2021 Bid

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2020 08 10 concerning the Soo Greyhounds Memorial Cup 2021 bid be received and that the request for funding in the amount of \$300,000 from the Economic Development Fund for the Soo Greyhounds to host the 2021 Memorial Cup be approved.

Majority	For	Against	Absent
Mayor C. Provenzano	X		
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour	X		
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	11	0	0

Carried

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.7.1 A-2-20-Z 305 Selby Road (Mike Savino)

The report of the Junior Planner was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Junior Planner dated 2020 08 10 concerning Rezoning Application A-2-20-Z 305 Selby Road be received and that Council approve the application and rezone the subject property from Single Detached Residential Zone (R2) to Low Density Residential Zone (R3.S) with a Special Exception to reduce the number of required parking spaces for the semi-detached dwelling from 3 spaces to 2 spaces;

Further that the Legal Department be requested to prepare the by-law necessary to effect the same.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

7.7.2 A-11-19-Z 412 Second Line West and 236 Prentice Avenue (Pasquale Lento)

The report of the Planner was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Planner dated 2020 08 10 concerning rezoning application A-11-19-Z be received and that Council approve the application and rezone the subject properties from Single-Detached Residential Zone (R2) to Low Density Residential Zone (R3.S) with a special exception to permit two multiple-attached buildings subject to the following provisions:

1. A 1.8 metre fence must be constructed along the east lot line;
2. A 2.4 metre fence must be installed between the subject property and 232 Prentice Avenue;
3. The subject property be deemed as an area of site plan control;

Further that the Legal Department be requested to prepare the by-law(s) necessary to effect the same.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

7.7.3 A-3-20-Z 36 Wright Street (BDI Holdings Limited)

The report of the Planner was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Planner dated 2020 08 10 concerning rezoning application A-3-20-Z be received and that Council approve the application and rezone the subject property from Single-Detached Residential Zone (R2) to Low Density Residential Zone (R3.S) with the following special exceptions:

1. Permit a multiple attached building;
2. Permit parking spaces in the required front yard;
3. Reduce the required front yard setback from 7.5 metres to 5.8 metres;
4. Reduce the required rear yard setback from 10 metres to 6.7 metres;
5. The subject property be deemed as an area of site plan control;

Further that the Legal Department be requested to prepare the by-law(s) necessary to effect the same.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

7.7.4 A-4-20-Z 35 Fairview Avenue (Willson)

Acting Mayor M. Bruni assumed the Chair for this item only.

The report of the Planner was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Planner dated 2020 08 10 concerned rezoning application A-4-20 Z be received and that Council approve the application and rezone the subject property from Single-Detached Residential Zone (R2) to Low Density Residential Zone (R2.S) with the following special exceptions:

1. Permit a triplex;
2. Reduce the parking requirement from 4 to 3 spaces with a combined stall width not exceeding 8.5 metres;
3. Permit parking spaces in the required front yard setback;
4. Reduce the west side yard setback from 1.2 to 0.9 metres;
5. Permit a stairway structure to project to within 0 metres of the west lot line subsequent to Ontario Building Code requirements;
6. The subject property be deemed an area of site plan control.

Further that the Legal Department be requested to prepare the by-law(s) necessary to effect the same.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

7.8 Boards and Committees

8. Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council

8.1 Insurance Requirements for Patios

Moved by: Councillor L. Dufour

Seconded by: Councillor L. Vezeau-Allen

Whereas during the current COVID-19 environment many eating establishments have developed outdoor patios to serve customers and maintain business operations; and

Whereas patios offer an alternative for patrons; and

Whereas currently in Sault Ste. Marie applicants must maintain minimum liability insurance of \$2,000,000, which increases to \$5,000,000 where alcohol is involved; and

Whereas the increase in insurance liability can raise premiums for business owners on average from \$1,600 to \$2,000; and

Whereas many other municipalities across Ontario only require \$2,000,000 in liability insurance where alcohol is served (City of Sudbury, City of Toronto, City of Waterloo, City of Barrie); and

Whereas to promote and support local businesses to grow and thrive;

Now Therefore Be It Resolved that the Legal Department be requested to review and report back regarding insurance requirements for all patio establishments including a by-law amendment fixing liability insurance at \$2,000,000.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

9. Committee of the Whole for the Purpose of Such Matters as are Referred to it by the Council by Resolution

10. Adoption of Report of the Committee of the Whole

11. Consideration and Passing of By-laws

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that all By-laws under item 11 of the Agenda save and except By-laws 2020-147 and 2020-154 under date 2020 08 10 be approved.

Carried

11.1 By-laws before Council to be passed which do not require more than a simple majority

11.1.1 By-law 2020-141 Procurement Policies and Procedures

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-141 being a by-law that establishes the authority and sets out the methods by which Goods, Services or Construction will be purchased and disposed of for the purposes of the City of Sault Ste. Marie be passed in open Council this 10th day of August, 2020.

Carried

11.1.2 By-law 2020-142 (Agreement) Sault College (Northern Transfer Point)

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-142 being a by-law to authorize the execution of the Agreement between the City and Sault College of Applied Arts and Technology for the long-term lease to support the construction of the Northern Transfer Point be passed in open Council this 10th day of August, 2020.

Carried

11.1.3 By-law 2020-145 (Agreement) Rural Economic Development Program (RED)

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-145 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs for funding under the Rural Economic Development Program be passed in open Council this 10th day of August, 2020.

Carried

11.1.4 By-law 2020-146 (Agreement) Community War Memorial Grant

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-146 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in Right of Canada as represented by the Minister of Veterans Affairs for funding in the amount of \$24,986 to support the restoration of the Memorial Tower be passed in open Council this 10th day of August, 2020.

Carried

11.1.6 By-law 2020-148 (Agreement) Connor Road Culvert Repair

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-148 being a by-law to authorize the execution of the Contract between the City and EllisDon Civil Ltd. for the Connor Road culvert repair (Contract 2020-10E) be passed in open Council this 10th day of August, 2020.

Carried

11.1.7 By-law 2020-150 (Agreement) Kinsmen Club Feasibility Study and Design Concept

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-150 being a by-law to authorize the execution of the Agreement between the City and IDEA Inc. for the Feasibility Study and Preliminary Design Concept for Kinsment Centre be passed in open Council this 10th day of August, 2020.

Carried

11.1.8 By-law 2020-151 (Agreement) 272 Wellington Street West Parking Lot Lease

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-151 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie Housing Corporation for the Parking Lot Lease for the City Property comprising 272 Wellington Street West be passed in open Council this 10th day of August.

Carried

11.1.10 By-law 2020-155 (Planning) Rental Housing Incentive Program Extension

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-155 being a by-law to extend the Rental Housing Community Improvement Plan for an addition two years be passed in open Council this 10th day of August, 2020.

Carried

11.1.11 By-law 2020-156 (Agreement) Outdoor Patio

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-156 being a by-law to approve the standard form of an Outdoor Patio Agreement and further to delegate to the Director of Planning and Enterprise Services, or his/her delegate, signing authority to execute same on behalf of the City of Sault Ste. Marie and further make minor variations from the standard Outdoor Patio Agreement and Sidewalk Patios Requirements and Guidelines to suit the needs of the particular user and circumstances be passed in open Council this 10th day of August, 2020.

Carried

11.1.12 By-law 2020-157 (Agreement) PUC Private Power Line Crossing Northern Transfer Point

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-157 being a by-law to authorize the execution of the Agreement between the City and PUC Services Inc. for the Private Power Line Crossing – Crossing Private Property Acknowledgement be passed in open Council this 10th day of August, 2020.

Carried

11.1.13 By-law 2020-158 Amend By-law 2018-218 Municipal Accommodation Tax (MAT)

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-158 being a by-law to amend the Municipal Accommodation Tax By-law 2018-218 be passed in open Council this 10th day of August, 2020.

Carried

11.1.5 By-law 2020-147 (Agreement) GFL LED Lighting Upgrades

Councillor M. Shoemaker declared a conflict on this item. (Contractor is a client of law firm.)

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-147 being a by-law to authorize the execution of the Agreement between the City and S&T Electrical Contractors Limited for LED Lighting Upgrades in the arena bowl at the GFL Memorial Gardens be passed in open Council this 10th day of August, 2020.

Carried

11.1.9 By-law 2020-154 (Agreement) Boardwalk Remediation

Councillor M. Shoemaker declared a conflict on this item. (Contractor is a client of law firm.)

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2020-154 being a by-law to authorize the execution of the Contract between the City and Avery Construction Limited for the construction of scour protection along the St. Mary's River waterfront from the viewing platform east of the Clergue Generating Station to the Fort Creek Bridge, and the construction of approximately 260 meters of concrete break wall on the landward side of the walkway including all landscape restoration and new

street lighting along St. Mary's River Drive (Contract 2020-4E) be passed in open Council this 10th day of August, 2020.

Carried

- 11.2 By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority**
- 11.3 By-laws before Council for THIRD reading which do not require more than a simple majority**
- 12. Questions By, New Business From, or Addresses by Members of Council Concerning Matters Not Otherwise on the Agenda**
- 14. Adjournment**

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that this Council now adjourn.

Mayor

City Clerk