



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, January 22, 2019
6:00 P.M.
City Hall Council Chambers – 325 Farr Drive

Minutes

1. Call to Order

The meeting was called to order by Mayor Carman Kidd at 6:03 p.m.

2. Roll Call

Council: Mayor Carman Kidd; Councillors Jesse Foley, Doug Jelly, Jeff Laferriere, Mike McArthur and Danny Whalen

Present: Christopher W. Oslund, City Manager
David B. Treen, Municipal Clerk
Doug Walsh, Director of Public Works
Tammie Caldwell, Director of Recreation
Shelly Zubyck, Director of Corporate Services
Jennifer Pye, Planner
James Franks Economic Development Officer
Steve Langford, Fire Chief (A)

Regrets: Councillor Patricia Hewitt

Media: Diane Johnston, Temiskaming Speaker
Bill Buchberger, CJTT 104.5 FM

Members of the Public Present: 5

3. Review of Revisions or Deletions to Agenda

None

4. Approval of Agenda

Resolution No. 2019-074

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that City Council approves the agenda as printed.

Carried

5. Disclosure of Pecuniary Interest and General Nature

Councillor Foley disclosed a pecuniary interest in regards to Item 19 b) 5 e) Under Section 239 (2) (b) of the Municipal Act, 2001 – personal matters about an identifiable individual – Organizational Chart

6. Review and adoption of Council Minutes

Resolution No. 2019-075

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that City Council approves the following minutes as printed:

- a) Regular meeting of Council – January 8, 2019
- b) Special meeting of Council – January 15, 2018 (Budget)

Carried

7. Public Meetings pursuant to the Planning Act, Municipal Act and other Statutes

7.1. Disposition of Land

Owner: City of Temiskaming Shores

Subject Land: Parts 3 & 4 on Plan 54R-6021

Purpose: The disposition of the subject lands to the Temiskaming Shores Non-Profit Housing Corporation (TSNPHC) – Grant Drive

Mayor Kidd outlined that the public meeting scheduled tonight is to consider an application to acquire municipally owned property and that the public meeting serves two purposes: first, to present to Council and the public the details and background

to the proposed disposition and secondly, to receive comments from the public and agencies before a decision is made by Council.

Mayor Kidd declared the meeting to be open and to be a public meeting and asked the Clerk, Dave Treen to provide the background to the proposed application.

Clerk Dave Treen utilizing powerpoint stated that Council adopted Resolution No. 2018-322 at the June 28, 2018 Special Council meeting in regards to the Temiskaming Shores Seniors Housing Corporation's (TSSHC) Affordable Seniors Housing Project Funding application and agreed to support the project, including the donation of Parts 3 & 4 on Plan 54R-6021 valued at \$216,115.

TSSHC is currently negotiating a development agreement with CGV builders for the construction of the proposed seniors complex which consists of 32 one bedroom units, ten of which would be barrier free and 36 two bedroom units, eleven of which would be barrier free.

The subject property is located on Grant Drive directly east of the Husky Restaurant and is 7.9 Ac in size. Mr. Treen noted that there is a large diameter culvert diagonally cutting across the subject property.

It was noted that from a planning perspective there is a requirement to amend the zoning by-law and the property would be subject to Site Plan Control. Public Works has indicated that an easement will be required for the large diameter culvert to permit continued maintenance.

Mr. Treen indicated that Surveyors on Site have been retained for the purposes of preparing a new reference plan specific to create a parcel for an easement for the culvert.

Based on By-law No. 2015-160 being a by-law for the disposition of land Disposal has been authorized through a donation via Resolution No. 2018-322 and the appraised value is \$216,115.

Mr. Treen stated that this public meeting satisfies the requirements for a public notice and meeting and that any comments received this evening will be taken into consideration. The city will also await notification from the Temiskaming Shores Senior's Housing Corporation confirming an agreement has been entered into with a builder prior to final consideration of disposition of the subject property.

Mayor Kidd thanked Mr. Treen for the presentation and inquired if there were any questions or comments from members of the public.

Bill Ramsay – Snowmobile Club

Mr. Ramsay outlined that when the Town of Haileybury sold property to accommodate a boathouse about 15 years ago it cut off adequate snowmobile trail access to Lake Temiskaming and is concerned that the disposal of this property, if

no access is granted attained would cut off access to commercial amenities. The club would require about a 10 m wide strip which permits a good buffer for safety.

Mr. Ramsay would like to negotiate a resolution with the City as opposed to trying to negotiate with the Senior's group prior to disposition of the property.

Marie-Jeanne Breault-Elliott

Marie-Jeanne indicated that there are current water (pressure) and sewer (storm drainage) problems in the Dymond subdivision and is concerned that this development will create further impacts.

Director of Public Works, Doug Walsh indicated that the city is working with a consultant to rectify the situation and hope to include some remedial work (water) as part of the 2019 budget.

Marie-Jeanne, from a storm sewer perspective, stated that several homes on Rondeau had back-ups last year. Mr. Walsh responded that at about this time last year there was a thaw and catchbasins and a ditch inlet was full of slush and ice and froze and runoff went into the storm sewer with most of those houses (footing drains) being connected to the storm system and did not have backflow preventers and water entered those basements.

Marie-Jeanne was concerned that with the development there is potential for increased water into basements. Mr. Walsh responded by indicating that this development and her property is serviced with open ditches not a closed collection system. It was also noted that those ditches are cleaned of snow each spring to allow water to flow.

Mayor Kidd indicated that drainage from the Senior's development is proposed to outlet downstream of the outlet for the large diameter culvert and would therefore not increase drainage into the ditches along Grant Drive.

Marie-Jeanne raised concerns with the condition of Drive-In theatre Road especially at the intersection at Grant Drive where there is a large dip in the road. Mayor Kidd responded that repairs to the road would likely be delayed until after construction is completed.

Stacey Brazeau

Stacey outlined that residents in the intersection at Hwy 11 and Drive-in Theatre Road and Hwy 11B at Wendy's are not easily negotiated and inquired if there was any way to rectify the issue perhaps through the installation of traffic lights. Mayor Kidd responded that a Traffic Report has recently been completed and is currently being reviewed by the Ministry of Transportation and they have jurisdiction over what can and cannot be done on Hwy 11 and Hwy 11B.

Mayor Kidd inquired if there were any questions or comments from Council. With no further comments, Mayor Kidd declared this portion of the public meeting to be closed and advised that Council will give due consideration to all comments received tonight.

8. Question and Answer Period

None

9. Presentations / Delegations

a) Nicole Guertin – Resident

Re: Can Eat Smart Initiative - Update

Nicole outlined that the initiative is simple and is suggesting an on-line introductory program on cannabis eatables in multiple languages for consumers. There would be five (5) small sections followed by a quiz targeting first time users and cover types of cannabis, dozes, cooking, safe consumption and safe storage.

The key of the program is to have the *Can Eat Smart* poster in each of the establishments that will be selling cannabis and eatables as well as a button on each of the on-line sites where it is being sold.

The Timiskaming Health Unit has approved Walter Humenuik, Public Health Promoter to sit on the advisory board along with representatives from Addictive Services, Law Enforcement, Insurance Broker and concerned citizens wanting to make a difference.

Nicole outlined that Health Canada has announced there will be public consultation on the introduction of Cannabis eatables in Canada and presently out of the 12 question there are none in regards to the safe promotion of eatables in Canada. It is anticipated that this initiative will be submitted to Health Canada prior to the February 20, 2019 deadline and would like the support of Northern municipalities as part of the submission.

Mayor Kidd thanked Nicole for her presentation.

10. Communications

a) Stephanie Paparella, Legislative Coordinator – City of Hamilton

Re: Support – Maintaining the Voters’ List for Municipal Elections

Reference: Received for Information

b) Marc Dupuis, Mayor – Municipality of Mattice-Val Cote

Re: Support – Declaration of Office (Council)

Reference: Received for Information

c) Charles Cirtwill, President & CEO – Northern Policy Institute

Re: Invitation – Projects and Resources at NPI

Reference: Received for Information

d) Steve Roy, Project Manager – AECOM Canada Ltd.

Re: Notice – Rehabilitation of Hwy 65 and Hwy 66

Reference: Received for Information

e) Rhonda Latendresse, Executive Director – Seizure & Brain Injury Centre

Re: Proclamation – March as Epilepsy Month

Reference: Received for Information

Resolution No. 2019-076

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10. e) according to the Agenda references.

Carried

11. Committees of Council – Community and Regional

None

12. Committees of Council – Internal Departments

None

13. Reports by Members of Council

Councillor Jelly reported on the following:

- ACFO Brunch: Attended the brunch on January 24th which recognized volunteers throughout the district with 120 in attendance on behalf of the City. The City assisted in recognizing young Alexandre Breton for his volunteerism.

14. Notice of Motions

None

15. New Business

a) Support – Can Eat Smart Initiative

Resolution No. 2019-077

Moved by: Councillor Whalen

Seconded by: Councillor McArthur

Whereas the federal government has passed legislation legalizing recreational cannabis since October 17, 2018; and

Whereas the Cannabis Act, SC 2018, presently permits Canadians to make cannabis edibles at home; and

Whereas the federal government passed an amendment to the Cannabis Act in the fall of 2018, to permit the selling of cannabis edibles taking effect 1 year after the legalization, being in the fall of 2019; and

Whereas more than 50% of Canadians have expressed an interest in trying cannabis edibles but are afraid of overconsumption; and

Whereas the Alcohol and Gaming Commission of Ontario will oversee the sale and distribution of recreational cannabis through a subsidiary corporation within the Province of Ontario; and

Whereas the municipalities and the province of Ontario, should consider the need for education on the safe consumption of cannabis edibles where products are sold; and

Whereas a Northern Ontario business is proposing an education program which would provide information on the responsible use of cannabis edibles to new cannabis users through the CAN EAT SMART initiative;

Now therefore be it resolved that the Council of the City of Temiskaming Shores hereby recognizes the need for education on cannabis edibles and supports the CAN EAT SMART initiative; and

Furthermore, that a copy of this resolution be sent to the Federation of Northern Ontario Municipalities (FONOM) and all member municipalities for their support.

Carried

b) Administrative Report No. CGP-003-2019 – Amendments to By-law No. 2012-101 – Traffic and Parking By-law – Fines

Resolution No. 2019-078

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CGP-003-2019;

That Council directs staff to prepare the necessary by-law to amend By-law 2012-101 (Traffic and Parking By-law) amending the Set Fines for parking violations for consideration of First and Second reading (Provisional approval) at the January 22, 2019 Regular Council meeting; and

That Council directs staff to submit the Provisional by-law to the Ministry of Attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to Third and Final Reading.

Carried

c) Administrative Report CGP-004-2019 – Zoning By-law Amendment – Marijuana Production Facilities in Manufacturing Industrial (M2) Zone

Resolution No. 2019-079

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CGP-004-2019;

That Council agrees to amend the provisions of the City of Temiskaming Shores Zoning By-law No. 2017-154 to permit the addition of marijuana production facility to the list of permitted uses in the Manufacturing Industrial (M2) Zone provided such facility is serviced with municipal water and sanitary sewer services; and

That Council directs staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law 2017-154 for consideration at the January 22, 2019 Regular Council Meeting.

Carried

d) Memo No. 002-2019-CS – Amendment to By-law No. 2019-023 – Borrowing By-law

Resolution No. 2019-080

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 002-2019-CS;

That Council directs staff to prepare the necessary by-law to amend By-law No. 2019-023 to replace Schedule “A”, resulting in the increase in the operating line from \$2,000,000 to \$4,000,000.

Carried

e) Administrative Report RS-002-2019 – 2019 Recreation Fee Increases

Resolution No. 2019-081

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. RS-002-2019; and

That Council directs staff to amend By-law No. 2012-039 (Departmental User Fees) to increase recreational fees for 2019 to 2021 for consideration at the February 5, 2019 Regular Council meeting.

Carried

f) 2019 Budget Targets

City Manager, Chris Oslund utilizing powerpoint reviewed in respect to the 2019 Budget options for target setting. Chris outlined three (3) options in four (4) categories that Council may consider or deliberate and provide another option. The purpose of Council setting targets would provide staff with direction on presenting the second draft of the 2019 budget.

The four categories suggested for target setting were taxation, reserves, debt & debt financing and the operating budget.

Council provided Chris with some general direction on taxation (2-4%) and 10% of own-purpose reserves.

16. By-laws**Resolution No. 2019-082**

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that:

By-law No. 2019-025 Being a by-law to authorize the Sale of Land to Michael Fila being Part 1 and 2 on Plan 54R-6054 (portion of Lakeview Avenue)

By-law No. 2019-026 Being a by-law to amend By-law No. 2012-101, as amended being a by-law to Regulate Traffic and Parking of vehicles in the City of Temiskaming Shores – Amendment to Set Fines

By-law No. 2019-027 Being a by-law to amend By-law No. 2019-023 being a by-law to authorize borrowing from time to time to meet current Expenditures during the Fiscal Year ending December 31, 2019

By-law No. 2019-028 Being a by-law to enact a Zoning by-law Amendment to amend certain provisions of the Manufacturing Industrial (M2) Zone

be hereby introduced and given first and second reading.

Carried

Resolution No. 2019-083

Moved by: Councillor McArthur

Seconded by: Councillor Foley

By-law No. 2019-025;

By-law No. 2019-027; and

By-law No. 2019-028.

Be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

17. Schedule of Council Meetings

a) Special – Monday, February 4, 2019 at 6:00 p.m. (Budget)

b) Regular – Tuesday, February 5, 2019 at 6:00 p.m.

18. Question and Answer Period

Dan Dawson - Resident

Mr. Dawson suggested, in regards to the bump on Drive-In Theatre Road near the intersection be marked with permanent signs as it has been there for several years and the small portable signs are being knocked down by plow equipment.

Mr. Dawson commented that after sitting through budget discussions this evening and based on ratepayer comments during his campaign for a Council position understands that costs do increase, however in his opinion Council should keep operating cost at a zero increase or reduced.

19. Closed Session

Resolution No. 2019-084

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that Council agrees to convene in Closed Session at 7:50 p.m. to discuss the following matters:

- a) **Adoption of the December 18, 2018 – Closed Session Minutes**
- b) **Under Section 239 (2) (b) of the Municipal Act, 2001 – personal matters about an identifiable individual – Organizational Chart**

Carried

Resolution No. 2019-085

Moved by: Councillor Jelly
Seconded by: Councillor McArthur

Be it resolved that Council agrees to rise with report from Closed Session at 8:42 p.m.

Carried

Matters from Closed Session:

- a) **Adoption of the December 18, 2018 – Closed Session Minutes**

Resolution No. 2019-086

Moved by: Councillor Laferriere
Seconded by: Councillor Whalen

Be it resolved that Council approves the December 18, 2018 Closed Session Minutes as printed.

Carried

- b) **Under Section 239 (2) (b) of the Municipal Act, 2001 – personal matters about an identifiable individual – Organizational Chart**

Council provided staff with direction in Closed Session.

20. Confirming By-law

Resolution No. 2019-087

Moved by: Councillor McArthur
Seconded by: Councillor Jelly

Be it resolved that By-law No. 2019-029 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Special meeting held on **January 15, 2019** and its Regular Meeting held on **January 22, 2019** be hereby introduced and given first and second reading.

Carried

Resolution No. 2019-088

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

Be it resolved that By-law No. 2019-029 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2019-089

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that City Council adjourns at 8:44 p.m.

Carried

Mayor – Carman Kidd

Clerk – David B. Treen