



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, September 14, 2020
4:30 pm
Council Chambers
Civic Centre

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

Officials: M. White, R. Tyczinski, L. Girardi, T. Vair, K. Fields, S. Schell, P. Johnson, D. McConnell, B. Lamming, F. Coccimiglio, A. Shier, C. Rumiel, T. Vecchio, M. Zuppa

13. Closed Session

Moved by: Councillor M. Scott
Seconded by: Councillor L. Vezeau-Allen

Resolved that this Council move into closed session to discuss one item subject to solicitor/client privilege.

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 matter without the need for a further authorizing resolution.

Municipal Act section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

1. Adoption of Minutes

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the Minutes of the Regular Council Meeting of 2020 08 10 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 – Algoma Central Railway Inc. Property Acquisition – Gateway Site

Property owner is a client of law firm.

3.2 Councillor M. Shoemaker – By-law 2020-164 (Property Acquisition) ACR Property Abutting the Gateway Site

Property owner is a client of law firm.

3.3 Councillor M. Shoemaker – A-8-20-Z 1765 Great Northern Road (Caswell)

Applicant is a client of law firm.

3.4 Councillor M. Shoemaker – 2020-175 (Zoning) 1765 Great Northern Road (Caswell)

Applicant is a client of law firm.

3.5 Councillor C. Gardi – Millennium Court Ravine Remedial Work

Owner of property in the immediate vicinity.

4. Approve Agenda as Presented

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Vezeau-Allen

Resolved that the Agenda for 2020 09 14 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Ronald A. Irwin Civic Centre Dedication

Hon. Ronald A. Irwin, C.M., LL.B., Q.C., P.C. was in attendance.

5.2 Latin / Hispanic Heritage Month

5.3 Hunger Action Month

5.4 Ovarian Cancer Awareness Month

5.5 Recovery Month

5.6 Application A-1-20-Z 25 Donna Drive and 468 Second Line West

Steve Ficociello was in attendance by videoconference representing the applicant.

Carlo Spadafora, counsel for the applicant, and John MacDonald, engineer for the applicant, were in attendance by videoconference.

Michael Friscolanti, President, Algoma Condominium Corporation #20 was in attendance by videoconference.

5.7 Application A-7-20-Z.OP 170 Old Garden River Road

Andre Riopel, applicant, was in attendance by videoconference.

5.8 Application A-9-20-Z.OP 12 Fish Hatchery Road

Jan Roubal was in attendance by teleconference representing the applicants.

5.9 Application A-8-20-Z 1765 Great Northern Road

Mia Carella, counsel for the applicant, was in attendance by videoconference.

5.10 A-6-20-Z 21 Garden Avenue

Daniel Perri was in attendance by teleconference representing the applicants.

Charly Murray, Laurie Bloomfield and Lauri Barbeau were in attendance by teleconference.

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

Moved by: Councillor M. Scott

Seconded by: Councillor L. Dufour

Resolved that all the items listed under date 2020 09 14 – Agenda item 6 – Consent Agenda save and except Agenda item 6.11 be approved as recommended.

Carried

6.1 Outstanding Council Resolutions

6.2 Correspondence – Noise By-law Exemption

6.3 RFP – Point of Sale System (POS) – Arenas

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

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Manager of Purchasing dated 2020 09 14 be received and that the proposal submitted by TouchBistro Inc. for the provision of a Point of Sale System (POS), as required by the Arenas Division of Community Development and Enterprise Services be approved.

Carried

6.4 RFP – Relocation of Downtown Bus Terminal Class Environmental Assessment

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

The relevant By-law 2020-172 is listed under item 11 of the Minutes.

6.5 Twin Pad Arena – ICIP Community, Culture and Recreation Funding Application

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

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2020 09 14 concerning Twin Pad Arena – ICIP Community, Culture and Recreation Funding Application be received and that staff be requested to report back with options and a recommendation regarding replacement of the W.J. McMeeken arena no later than October 26, 2020.

Carried

6.6 Wellington Street Underpass Rehabilitation – Increased Engineering Fees

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

Moved by: Councillor M. Scott
Seconded by: Councillor L. Dufour

Resolved that the report of the Manager, Design and Transportation Engineering dated 2020 09 14 concerning Wellington Street Underpass Rehabilitation Engineering Fees be received and that Council authorize the further increase of \$28,3000 in the engineering fee limit to a limit of \$84,600.

Carried

6.7 Millennium Court Ravine Remedial Work

Councillor C. Gardi declared a conflict on this item. (Owner of property in the immediate vicinity.)

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

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Manager, Design and Transportation Engineering dated 2020 09 14 concerning Millennium Court Ravine Remedial Work be received and that \$227,370 from uncommitted capital funds in 2020 be used to finance the project.

Carried

6.8 POA – Third Inter-Municipal Agreement

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

The relevant By-law 2020-165 is listed under item 11 of the Minutes.

6.9 Canadian Pacific Welcome Sign Agreement

The report of the Assistant City Solicitor/Senior Litigation Counsel is attached for the consideration of Council.

The relevant By-law 2020-166 is listed under item 11 of the Minutes.

6.10 Housekeeping – Delegate Signing Authority – Suite Holder Agreements

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

The relevant By-law 2020-174 is listed under item 11 of the Minutes.

6.12 Builders Risk Insurance for West End Sewage Treatment Plant

The report of the City Solicitor was received by Council.

The relevant By-law 2020-170 is listed under item 11 of the Minutes.

6.13 Contract 2020-11E – Northern Community Centre Multi-Use-Path/Bridge Project

The report of the City Planner was received by Council.

The relevant By-law 2020-168 is listed under item 11 of the Minutes.

6.14 Algoma Central Railway Inc. Property Acquisition – Gateway Site

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

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

The relevant By-law 2020-164 is listed under item 11 of the Minutes.

6.15 Ontario Municipal Commuter Cycling Funding – Amending Agreement

The report of the Senior Planner was received by Council.

The relevant By-law 2020-159 is listed under item 11 of the Minutes.

6.16 DCIP – Financial Incentive Grant Applications – September 2020

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Senior Planner dated 2020 09 14 concerning Downtown Community Improvement Plan Financial Incentive applications be received and that the following grant applications be approved:

1. 274 North Street: Facade Improvement - \$20,000
2. 258 Queen Street East: Building Activation - \$20,000
3. 405 Queen Street East: Building Activation - \$20,000

Carried

6.17 Correspondence – Reaching Home Funding

6.11 89 Hudson Street, Purchase of Property

The report of the City Solicitor was received by Council.

The relevant By-law 2020-171 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

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.6.1 Insurance Requirements for Patios

The report of the City Solicitor and Risk Manager was received by Council.

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the City Solicitor and Risk Manager dated 2020 09 14 concerning insurance requirements for patios be received and that liability insurance requirements be established at \$2m for unlicensed patios and licensed patios.

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 Planning

7.7.1 A-1-20-Z 25 Donna Drive and 468 Second Line West (1890714 Ontario Inc. c/o Steve Ficociello)

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Scott

Seconded by: Councillor L. Dufour

Resolved that the report of the Senior Planner dated 2020 09 14 concerning Rezoning Application A-1-20-Z be received and that Council rezone the subject property from Single Detached Residential Zone (R2) and Parks and Recreation Zone (PR) to Low Density Residential Zone (R3.S) with a special exception to reduce the rear yard (Second Line) setback requirement from 10m to 7.5m;

That the property be deemed subject to site plan control pursuant to section 41 of the *Planning Act*

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And that the Legal Department be requested to prepare the necessary by-law 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	8	3	0

Carried

Recess

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Dufour

Resolved that this Council recess for ten minutes.

Carried

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that Council now resume.

Carried

7.7.2 A-7-20-Z.OP 170 Old Garden River Road (2436112 Ontario Inc. - c/o Andre Riopel)

The report of the Planner was received by Council.

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Planner dated 2020 09 14 concerning Official Plan and Zoning amendment application A-7-20-Z.OP be received and that Council rezone the subject property

from Single-Detached Residential Zone (R2) to General Commercial Zone (C4.S) with a special exception to:

1. Permit the continued use of the existing single-detached dwelling unit;
2. Reduce the front yard setback from 6m to 5m for the existing single detached dwelling;
3. Reduce the rear yard setback from 10m to 2m for the existing single detached building;
4. Reduce the projection setback into rear lot line from 3m to 0m for the existing deck only;
5. Permit parking to be located in a required front yard only for the single detached dwelling.

That the subject property be deemed subject to site plan control pursuant to section 41 of the *Planning Act*

And that the Legal Department be requested to prepare the necessary by-law 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-8-20-Z 1765 Great Northern Road (Caswell)

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

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Senior Planner dated 2020 09 14 concerning Rezoning Application A-8-20-Z be received and that Council rezone the portion of the subject property, as shown on the maps attached, from Rural Area Zone (RA) to Rural Area Zone (RA.S) with a

special exception to permit the construction of an 18.3m x 30.5m (60'x100') cold storage building, subject to the following condition:

- That the storage of chemicals or petroleum products within the cold storage building is prohibited.

The relevant By-law 2020-175 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

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	conflict			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	10	0	0	Carried

7.7.4 A-9-20-Z.OP 12 Fish Hatchery Road (Roubal)

The report of the Planner was received by Council.

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that the report of the Planner dated 2020 09 14 concerning Official Plan and Zoning amendment Application A-9-20-Z.OP be received and that Council:

Approve Official Plan Amendment 228 by way of a notwithstanding clause to the Rural Area land use policies to permit retail sales and food service on the subject property; and

Rezone the subject property from Rural Area Zone (RA) to Rural Area Zone (RA.S) with a special exception to:

1. Permit the sale and service of bicycles, skis and other non motorized outdoor equipment and food services;
2. Reduce the front yard (Landslide Road) setback from 30m to 10m for the existing building only;

3. Reduce the exterior side yard (Fish Hatchery Road) setback from 15m to 8m for the existing building only;
4. Permit parking to be located no closer than 15m to the required interior side yard and no closer than 10m to the required front yard.

And that the subject property be deemed subject to site plan control pursuant to section 41 of the *Planning Act*

And that the Legal Department be requested to prepare the necessary by-laws 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

7.7.5 A-6-20-Z 21 Garden Avenue (Daniel and Alissa Perri)

The report of the Junior Planner was received by Council.

Moved by: Councillor M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Junior Planner dated 2020 09 14 concerning planning application A-6-20-Z 21 Garden Avenue be received, and that Council approve the application by rezoning the subject property from Single Detached Residential Zone (R2) to Low Density Residential Zone (R3.S) with a Special Exception to:

1. Reduce the required parking spaces for the semi-detached dwelling from 3 spaces to 2 spaces, and
2. Reduce the required lot frontage from 18m to 17.5m

And that the Legal Department be requested to prepare the necessary by-law 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	8	3	0	
				Carried

7.8 Boards and Committees

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

8.1 Assistance for Regional Community Airports

Moved by: Councillor M. Shoemaker

Seconded by: Councillor C. Gardi

Whereas regional community airports are of strategic national importance and play an essential role in Canada’s air transportation sector, providing vital services and connecting remote communities with the rest of the country and the world; and

Whereas regional community airports like the Sault Ste. Marie Airport are part of a larger multi-modal transportation system, maintaining trade and the flow of goods and providing life-saving access to emergency transport through medivac services; and

Whereas regional community airports provide a public benefit that extends far beyond the communities in which they are located and are critical to the overall social and economic health and well-being of local communities; and

Whereas the COVID-19 pandemic has significantly impacted the aviation industry, resulting in dramatic reductions in revenue for regional airport operations;

Now Therefore Be it Resolved that the City of Sault Ste. Marie requests that the federal and provincial governments provide regional community airports with financial assistance needed to ensure their continued operation until domestic, trans-border and international travel resumes and the industry recovers;

Further that a copy of this resolution be sent to the Honourable Marc Garneau, Minister of Transport; the Honourable Chrystia Freeland, Minister of Finance; the Honourable Melanie Joly, Minister of Economic Development and Official Languages; Terry Sheehan, MP for Sault Ste. Marie; Ross Romano, MPP for Sault Ste. Marie; the Honourable Vic Fedeli, Ontario's Minister of Economic Development, Job Creation and Trade; the Honourable Caroline Mulroney, Ontario's Minister of Transportation; the Honourable Rod Phillips, Ontario's Minister of Finance, the Honourable Steve Clark, Ontario's Minister of Municipal Affairs and Housing, the Honourable Greg Rickford, Ontario's Minister of Energy, Mines, Northern Development and Indigenous Affairs, the Sault Ste. Marie Chamber of Commerce; The Federation of Northern Ontario Municipalities, Northwestern Ontario Municipal Association, Rural Ontario Municipal Association, Association of Municipalities of Ontario, Canadian Airports Council and Airport Management Council of Ontario.

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

8.2 Provincial / Municipal Grants for Upgrading Homes

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Whereas the Provincial Government and the City of Sault Ste. Marie had previously offered grants to homeowners who wanted to make improvements to their residences, and such program was extremely successful; and

Whereas it is in the interest of the City of Sault Ste. Marie for homes to be well maintained and updated; and

Whereas many individuals across Ontario, including in Sault Ste. Marie, live on a fixed income and have difficulty finding the resources to make upgrades to their residences;

Now Therefore Be It Resolved that the Planning Department review the historic success of the provincial-municipal grant program and report and make recommendations on whether funds are available from a provincial or municipal source to assist those on fixed incomes with the upgrading and maintenance of their homes.

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

8.3 Notice of Motion

Moved by: Councillor M. Shoemaker

Whereas in February 2018 Council approved a rezoning for a new Pino's grocery store on Great Northern Road; and

Whereas as part of that rezoning approval, Council approved a traffic light to be installed at a to-be constructed entrance to Pino's adjacent to the Walmart laneway just north of Superior Home Bakery; and

Whereas businesses in the immediate vicinity of the proposed intersection were concerned about the ability of their clients and customers to get in and out of their premises; and

Whereas a potential solution to the access issue for those businesses would be for Walmart to grant them access to their laneway that will be controlled by a traffic signal; and

Whereas construction has begun on the installation of the traffic signals but agreements have not yet been reached between businesses that abut Walmart's laneway, and Walmart, for access to the Walmart laneway, and Walmart has been difficult to communicate with on the issue, ignoring various outreaches and correspondence;

Now Therefore Be It Resolved that Council direct that installation of traffic signals at the new intersection be paused until such time as agreements are reached or progress has been made on negotiations of such agreements between neighbouring businesses and Walmart for access to their laneway;

Further Be It Resolved that staff continue to make efforts to reach out to Walmart to facilitate the negotiations for said access, as they've been attempting to do for quite some time.

Suspend Rules of Procedure

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that the rules of procedure be suspended to permit this meeting to extend beyond five hours.

TwoThirdsPresent	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	10	1	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 M. Scott

Seconded by: Councillor L. Vezeau-Allen

Resolved that all By-laws under item 11 of the Agenda under date 2020 09 14 save and except By-laws 2020-164, 2020-171 and 2020-175 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 2020-143 (Zoning) 305 Selby Road (Mike Savino)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-143 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 305 Selby Road (Mike Savino) be passed in open Council this 14th day of September, 2020.

Carried

11.1.2 By-law 2020-152 (Zoning) 35 Fairview Avenue (Cosmo Joseph Gervasi)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-152 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 35 Fairview Avenue (Cosmo Joseph Gervasi) be passed in open Council this 14th day of September, 2020.

Carried

11.1.3 By-law 2020-153 (Development Control) 35 Fairview Avenue (Cosmo Joseph Gervasi)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-153 being a by-law to designate the lands located at 35 Fairview Avenue an area of site plan control (Cosmo Joseph Gervasi) be passed in open Council this 14th day of September, 2020.

Carried

11.1.4 By-law 2020-159 (Agreement) Ontario Municipal Commuter Cycling

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-159 being a by-law to authorize the execution of the Amending Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario for the Ontario Municipal Commuter Cycling Program Transfer Payment be passed in open Council this 14th day of September, 2020.

Carried

11.1.5 By-law 2020-160 (Zoning) 36 Wright Street (BDI Holdings Limited/Shawn Spurr)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-160 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 36 Wright Street (BDI Holdings Limited c/o Shawn Spurr) be passed in open Council this 14th day of September, 2020.

Carried

11.1.6 By-law 2020-161 (Development Control) 36 Wright Street (BDI Holdings Limited/Shawn Spurr)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-161 being a by-law to designate the lands located at 36 Wright Street an area of site plan control (BDI Holdings Limited c/o Shawn Spurr) be passed in open Council this 14th day of September, 2020.

Carried

11.1.7 By-law 2020-162 (Zoning) 412 Second Line West and 236 Prentice Avenue (Pasquale Lento)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-162 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 412 Second Line West and 236 Prentice Avenue (Pasquale Lento) be passed in open Council this 14th day of September, 2020.

Carried

11.1.8 By-law 2020-163 (Development Control) 412 Second Line West and 236 Prentice Avenue (Pasquale Lento)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-163 being a by-law to designate the lands located at 412 Second Line West and 236 Prentice Avenue an area of site plan control (Pasquale Lento) be passed in open Council this 14th day of September, 2020.

Carried

11.1.10 By-law 2020-165 (Agreement) POA – Inter-Municipal

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-165 being a by-law to authorize the execution of the Third Inter-Municipal Agreement between the City and the Municipal Partners for the provision of Provincial Offences administration, revenue sharing and prosecutorial services be passed in open Council this 14th day of September, 2020.

Carried

11.1.11 By-law 2020-166 (Agreement) Welcome Sign on CP Property

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-166 being a by-law to authorize the execution of the Agreement between the City and Canada Pacific to permit the City to maintain a welcome sign on Canadian Pacific's property be passed in open Council this 14th day of September, 2020.

Carried

11.1.12 By-law 2020-167 (Traffic) Amend Traffic By-law 77-200

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-167 being a by-law to amend Schedule "A" of Traffic By-law 77-200 be passed in open Council this 14th day of September, 2020.

Carried

11.1.13 By-law 2020-168 (Agreement) Northern Community Centre Multi Use Path/Bridge Project

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-168 being a by-law to authorize the execution of the Agreement between the City and Avery Construction Limited for the Northern Community Centre Multi-Use-Path/Bridge Project (Contract 2020-11E) be passed in open Council this 14th day of September, 2020.

Carried

11.1.14 By-law 2020-169 (Regulations) Amend Noise Control By-law 80-200

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-169 being a by-law to exempt the wedding of Kaili Morano at 424 Fourth Line West on September 18, 2020 from 11:00 a.m. to 1:00 a.m. from Noise Control By-law 80-200 be passed in open Council this 14th day of September, 2020.

Carried

11.1.15 By-law 2020-170 (Insurance) Builders Risk Insurance West End Sewage Treatment Plan upgrades

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-170 being a by-law to authorize the approval of the Builders Risk Insurance costs for the West End Sewage Treatment Plant Phase 1 upgrades be passed in open Council this 14th day of September, 2020.

Carried

11.1.17 By-law 2020-172 (Agreement) Relocation Downtown Bus Terminal Environmental Assessment

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-172 being a by-law to authorize the execution of the Agreement between the City and Tulloch Engineering Inc. for the provision of engineering services associated with the conducting of a Municipal Class Environmental Assessment for the relocation of the Downtown Bus Terminal be passed in open Council this 14th day of September, 2020.

Carried

11.1.18 By-law 2020-173 (Agreement) Canadian Union of Public Employees - Public Works CUPE No. 3

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-173 being a by-law to authorize the execution of the Agreement between the City and Local No. 3 Canadian Union of Public Employees - Public Works for the term commencing February 1, 2019 to January 31, 2023 be passed in open Council this 14th day of September, 2020.

Carried

11.1.19 By-law 2020-174 (Delegation) Director Community Services Suite Holder Agreements

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-174 being a by-law to authorize the Director of Community Services, or his/her designate, to enter into standard agreements between the City and suite holders of the GFL Memorial Gardens (or as named in the Agreement, Sault Ste. Marie Sports & Entertainment Centre) be passed in open Council this 14th day of September, 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

11. Consideration and Passing of By-laws

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

11.1.9 By-law 2020-164 (Property Acquisition) ACR Property Abutting the Gateway Site

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

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-164 being a by-law to authorize the acquisition of property located abutting the Gateway Site (Algoma Central Railway Inc.) be passed in open Council this 14th day of September, 2020.

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	conflict		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	10	0	0

Carried

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

11.1.1 By-law 2020-143 (Zoning) 305 Selby Road (Mike Savino)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-143 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 305 Selby Road (Mike Savino) be passed in open Council this 14th day of September, 2020.

Carried

11.1.2 By-law 2020-152 (Zoning) 35 Fairview Avenue (Cosmo Joseph Gervasi)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-152 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 35 Fairview Avenue (Cosmo Joseph Gervasi) be passed in open Council this 14th day of September, 2020.

Carried

11.1.3 By-law 2020-153 (Development Control) 35 Fairview Avenue (Cosmo Joseph Gervasi)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-153 being a by-law to designate the lands located at 35 Fairview Avenue an area of site plan control (Cosmo Joseph Gervasi) be passed in open Council this 14th day of September, 2020.

Carried

11.1.4 By-law 2020-159 (Agreement) Ontario Municipal Commuter Cycling

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-159 being a by-law to authorize the execution of the Amending Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario for the Ontario Municipal Commuter Cycling Program Transfer Payment be passed in open Council this 14th day of September, 2020.

Carried

11.1.5 By-law 2020-160 (Zoning) 36 Wright Street (BDI Holdings Limited/Shawn Spurr)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-160 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 36 Wright Street (BDI Holdings Limited c/o Shawn Spurr) be passed in open Council this 14th day of September, 2020.

Carried

11.1.6 By-law 2020-161 (Development Control) 36 Wright Street (BDI Holdings Limited/Shawn Spurr)

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-161 being a by-law to designate the lands located at 36 Wright Street an area of site plan control (BDI Holdings Limited c/o Shawn Spurr) be passed in open Council this 14th day of September, 2020.

Carried

11.1.7 By-law 2020-162 (Zoning) 412 Second Line West and 236 Prentice Avenue (Pasquale Lento)

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-162 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 412 Second Line West and 236 Prentice Avenue (Pasquale Lento) be passed in open Council this 14th day of September, 2020.

Carried

11.1.8 By-law 2020-163 (Development Control) 412 Second Line West and 236 Prentice Avenue (Pasquale Lento)

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-163 being a by-law to designate the lands located at 412 Second Line West and 236 Prentice Avenue an area of site plan control (Pasquale Lento) be passed in open Council this 14th day of September, 2020.

Carried

11.1.10 By-law 2020-165 (Agreement) POA – Inter-Municipal

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-165 being a by-law to authorize the execution of the Third Inter-Municipal Agreement between the City and the Municipal Partners for the provision of Provincial Offences administration, revenue sharing and prosecutorial services be passed in open Council this 14th day of September, 2020.

Carried

11.1.11 By-law 2020-166 (Agreement) Welcome Sign on CP Property

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-166 being a by-law to authorize the execution of the Agreement between the City and Canada Pacific to permit the City to maintain a welcome sign on Canadian Pacific's property be passed in open Council this 14th day of September, 2020.

Carried

11.1.12 By-law 2020-167 (Traffic) Amend Traffic By-law 77-200

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-167 being a by-law to amend Schedule "A" of Traffic By-law 77-200 be passed in open Council this 14th day of September, 2020.

Carried

11.1.13 By-law 2020-168 (Agreement) Northern Community Centre Multi Use Path/Bridge Project

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-168 being a by-law to authorize the execution of the Agreement between the City and Avery Construction Limited for the Northern Community Centre Multi-Use-Path/Bridge Project (Contract 2020-11E) be passed in open Council this 14th day of September, 2020.

Carried

11.1.14 By-law 2020-169 (Regulations) Amend Noise Control By-law 80-200

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-169 being a by-law to exempt the wedding of Kaili Morano at 424 Fourth Line West on September 18, 2020 from 11:00 a.m. to 1:00 a.m. from Noise Control By-law 80-200 be passed in open Council this 14th day of September, 2020.

Carried

11.1.15 By-law 2020-170 (Insurance) Builders Risk Insurance West End Sewage Treatment Plan upgrades

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-170 being a by-law to authorize the approval of the Builders Risk Insurance costs for the West End Sewage Treatment Plant Phase 1 upgrades be passed in open Council this 14th day of September, 2020.

Carried

11.1.17 By-law 2020-172 (Agreement) Relocation Downtown Bus Terminal Environmental Assessment

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-172 being a by-law to authorize the execution of the Agreement between the City and Tulloch Engineering Inc. for the provision of engineering services associated with the conducting of a Municipal Class Environmental Assessment for the relocation of the Downtown Bus Terminal be passed in open Council this 14th day of September, 2020.

Carried

11.1.18 By-law 2020-173 (Agreement) Canadian Union of Public Employees - Public Works CUPE No. 3

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-173 being a by-law to authorize the execution of the Agreement between the City and Local No. 3 Canadian Union of Public Employees - Public Works for the term commencing February 1, 2019 to January 31, 2023 be passed in open Council this 14th day of September, 2020.

Carried

11.1.19 By-law 2020-174 (Delegation) Director Community Services Suite Holder Agreements

Moved by: Councillor C. Gardi
Seconded by: Councillor L. Dufour

Resolved that By-law 2020-174 being a by-law to authorize the Director of Community Services, or his/her designate, to enter into standard agreements between the City and suite holders of the GFL Memorial Gardens (or as named in the Agreement, Sault Ste. Marie Sports & Entertainment Centre) be passed in open Council this 14th day of September, 2020.

Carried

11.1.16 By-law 2020-171 (Property Acquisition) 89 Hudson Street (598096 Ontario Limited Trahan)

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-171 being a by-law to authorize the acquisition of property located at 89 Hudson Street (598096 Ontario Limited – Trahan).

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	10	1	0

Carried

11.1.20 2020-175 (Zoning) 1765 Great Northern Road (Caswell)

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

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that By-law 2020-175 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 1765 Great Northern Road (Caswell) be passed in open Council this 14th day of September, 2020.

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	conflict		
Councillor M. Bruni	X		
Councillor R. Niro	X		

Councillor C. Gardi	X
Councillor M. Scott	X

Results	10	0	0	Carried
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12. Questions By, New Business From, or Addresses by Members of Council Concerning Matters Not Otherwise on the Agenda

13. Closed Session

Moved by: Councillor C. Gardi
 Seconded by: Councillor L. Dufour

Resolved that this Council move into closed session to discuss two proposed acquisitions or dispositions of land and one item subject to third party confidentiality.

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; and section 239(2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

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

14. Adjournment

Moved by: Councillor C. Gardi

Seconded by: Councillor L. Dufour

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk