



REGULAR MEETING OF CITY COUNCIL MINUTES

Tuesday, February 22, 2022

4:30 pm

Video Conference

Council meetings may be viewed live on the City's YouTube channel
<https://www.youtube.com/user/SaultSteMarieOntario> and on Shaw Channel 10

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

Absent: Councillor M. Scott

Officials: R. Tyczinski, M. Zuppa (M. White, , L. Girardi, T. Vair, K. Fields, S. Schell, P. Johnson, P. Niro, D. McConnell, B. Lamming, T. Anderson, F. Coccimiglio, M. Borowicz-Sibenik, C. Rumiell, R. Van Staveren, T. Vecchio by video conference)

13. Closed Session

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that this Council move into closed session to consider two items relating to the disposition of property and one item relating to labour relations or employee negotiations;

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session 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 (d) labour relations or employee negotiations)

1. Adoption of Minutes

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that the Minutes of the Regular Council Meeting of January 31, 2022 and Special Council Meeting of February 7, 2022 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 S. Hollingsworth – Downtown Plaza Property Exchange (Stone’s Office Supply Ltd.)

Property owner is a friend.

4. Approve Agenda as Presented

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the Agenda for February 22, 2022 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 National Heritage Week

5.2 World Lymphedema Day

5.3 Anti-Human Trafficking Awareness Day

5.4 Pink Shirt Day

5.5 Economic Development Update

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that all the items listed under date February 22, 2022 – Agenda item 6 – Consent Agenda save and except Agenda items 6.2 and 6.15 be approved as recommended.

Carried

6.1 Tender for One 35-Foot Low-Floor Passenger Bus, One Community Bus and One Parabus

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated February 22, 2022 be received and that the tenders for:

- Supply and delivery of one 35-foot low-floor passenger bus be awarded to New Flyer Industries Canada ULC at their tendered price of \$573,640 plus HST;
- Supply and delivery of one community bus be awarded to Creative Carriage Ltd. at their tendered price of \$182,444 plus HST;
- Supply and delivery of one Para-Transit minibus be awarded to Creative Carriage Ltd. at their tendered price of \$172,790 plus HST

be approved.

Carried

6.3 Carpenters Constitutional Challenge (Update)

The report of the Director of Human Resources was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the report of the Director of Human Resources dated February 22, 2022 concerning section 133 Constitutional Challenge be received and that up to \$100,000 be approved to continue the constitutional challenge at the Divisional Court level, with ongoing single-sourcing of MathewsDinsdale as the City's representative; further, if the amounts cannot be accommodated through the corporate budget, the use of Contingency Reserve up to a maximum of \$100,000 for 2021 and forward be approved.

Carried

6.4 Mill Market Architectural and Engineering Services

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated February 22, 2022 be received and City Council authorize an expenditure of up to \$260,000 from the 2021 One-time Canada Community Building Fund (CCBF) funding to procure architectural and engineering services associated with the Mill Market project at 73 Brock Street.

Carried

6.5 Additional Donations in Support of Rosedale Park – Childcare Algoma and Kiwanis Club of Sault Ste. Marie

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

The relevant By-laws 2022-29 and 2022-34 appear under item 11 of the Minutes.

6.6 Public Art Project Funding

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

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated February 22, 2022 concerning Public Art Projects Funding be received and that the public art projects:

1. Bi'Minowaaseyaa To Bring Forth New Light – Light Box Project \$12,000
2. Traffic Wrap Program – \$12,000
3. New Community Development Fund – Public Art Reserve with an upper limit of \$200,000 from the unspent funds allocated in the annual operating budget for public art

be approved.

Carried

6.7 Municipal Law Enforcement Officers

The report of the Manager of Transit and Parking was received by Council.

The relevant By-law 2022-40 appears under item 11 of the Minutes.

6.8 2022 Aqueduct Repairs – Engineering Consultant Selection

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Design and Transportation Engineering dated February 22, 2022 concerning 2022 Aqueduct Repairs be received and that design and contract administration services be awarded to Tulloch Engineering.

An individual engineering agreement will be brought to Council for approval at a future meeting.

Carried

6.9 Elizabeth Street Sewer and Stairs Repair

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

The relevant By-law 2022-22 appears under item 11 of the Minutes.

6.10 Brock Street Road Closure

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

The relevant By-law 2022-31 appears under item 11 of Minutes.

6.11 Deeming By-law – 937 and 945 Sunnyside Beach Road

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

The relevant By-law 2022-13 appears under item 11 of the Minutes.

6.12 Downtown Plaza Property Exchange (Stone's Office Supply Ltd.)

Councillor S. Hollingsworth declared a conflict on this item. (Property owner is a friend.)

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

The relevant By-laws 2022-32, 2022-33, 2022-38 and 2022-39 appear under item 11 of the minutes.

6.13 Property Declared Surplus and Sale – Water Lot Abutting 5 McPhail Avenue

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

The relevant By-law 2022-28 appears under item 11 of Minutes.

6.14 Intact Public Entities – Claims Handling Agreement

The report of the Risk Manager was received by Council.

The relevant By-law 2022-30 appears under item 11 of the Minutes.

6.2 Council Remuneration By-law

The report of the City Clerk was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the City Clerk dated February 22, 2022 concerning Council Remuneration By-law Updates be received and that the recommended amendments be reflected in a by-law to appear on a future Council Agenda.

	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	5	5	1
			Tied, Defeated

6.15 Potential Demolition Incentive

The report of the Planning Director was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Director dated February, 2022 concerning potential demolition incentive be received as information.

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Dufour

Whereas Council has, on a number of occasions, expressed its view that property standards in certain areas of the community require significant improvement; and

Whereas at least two motions seeking community improvement plans have been brought forward to address the desire of Council to see improvement in the City’s property standards, as well as the use of existing housing stock in the community; and

Whereas City Council had sought to incentivize either the adaptive re-use of existing buildings, or the demolition and redevelopment of unsalvageable buildings; and

Whereas no new community improvement plans have been brought forward, despite the requests made by Council; and

Whereas on the February 22, 2022 City Council agenda, a report identifying a possible community improvement plan was not recommended by staff;

Now Therefore Be It Resolved that Council direct staff to bring forward a draft of a community improvement plan that addresses both the adaptive re-use of existing buildings in the community, and the option of demolishing and redeveloping unsalvageable buildings in the community to Council for its decision, within the next six months.

	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	0	1

Carried

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 Economic Development Update

The report of the Director of Economic Development was received by Council.

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Director of Economic Development dated February 22, 2022 concerning Economic Development Update be received as information.

	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	0	1

Carried

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.8 Boards and Committees

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

8.1 Activation of Downtown

Moved by: Councillor M. Shoemaker

Seconded by: Councillor D. Hilsinger

Whereas in 2017 a motion was brought seeking a plan for downtown street closures; and

Whereas in January 2022, a staff report indicated that the Downtown Association had a number of concerns about weekend downtown street closures and staff was not recommending the weekend downtown street closures; and

Whereas Council expressed a desire to continue pursuing activating the downtown for additional events;

Now Therefore Be It Resolved that Council direct staff bring a plan to Council for additional activation of Queen Street or nearby areas by working in conjunction with the Downtown Association, but that such plan be the City of Sault Ste. Marie’s plan.

	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	9	1	1

Carried

8.2 Butterfly House Proposal

Moved by: Councillor D. Hilsinger

Seconded by: Councillor L. Dufour

Whereas the attached presentation regarding a butterfly house was made to Mayor Provenzano, the Deputy CAO, Community Development and Enterprise Services and the Director of Tourism and Community Development; and

Whereas a butterfly house would be a novel and interesting feature for our community

Now Therefore Be It Resolved that staff be requested to work with Entomica to assess the proposal and return to Council with a report as to the feasibility of a butterfly house in Sault Ste. Marie.

	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	0	1

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 L. Dufour
Seconded by: Councillor M. Bruni

Resolved that all By-laws under item 11 of the Agenda under date February 22, 2022 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 2022-13 (Subdivision Control) Deeming 937 and 945 Sunnyside Beach Road

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

Resolved that By-law 2022-13 being a by-law to deem not registered for purposes of subdivision control certain lots in the Sunnyside Beach Subdivision 2, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 22nd day of February, 2022.

Carried

11.1.2 By-law 2022-22 (Engineering) Contract 2022-1E Ellis Don Industrial Services Inc.

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

Resolved that By-law 2022-22 being a by-law to authorize the execution of the Contract between the City and Ellis Don Industrial Services Inc. for the replacement of the Elizabeth Street sanitary sewer and to repair the foundations of the Elizabeth Street stairs (Contract 2022-1E) be passed in open Council this 22nd day of February, 2022.

Carried

11.1.3 By-law 2022-28 (Property Sale) Abutting 5 McPhail Avenue

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

Resolved that By-law 2022-28 being a by-law to declare the City owned property legally described as PT PIN 31539-0119 (LT) PT WATER LT IN FRONT OF PARK LOT 11 CON 1 ST. MARY'S AS IN A2793 EXCEPT PT 2-3 1R9071 AND PT 1 1R11346, BEING PART 1 PART OF WATER LOT IN FRONT OF PARK LOT 11 CONCESSION 1 PLAN 1R-13714; SAULT STE. MARIE being property abutting 5 McPhail Avenue as surplus to the City's needs and to authorize the disposition of the said property to Randy Park or as otherwise directed be passed in open Council this 22nd day of February, 2022.

Carried

11.1.4 By-law 2022-29 (Agreement) Child Care Algoma – Rosedale Park

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-29 being a by-law to authorize the execution of the Agreement between the City and Child Care Algoma for playground equipment for Rosedale Park be passed in open Council this 22nd day of February, 2022.

Carried

11.1.5 By-law 2022-30 (Agreement) Intact Public Entities Inc. Claim Handling

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-30 being a by-law to authorize the execution of the Agreement between the City and Intact Public Entities Inc. for claim handling be passed in open Council this 22nd day of February, 2022.

Carried

11.1.6 By-law 2022-31 (Temporary Street Closing) Brock Street

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-31 being a by-law to permit the temporary closing of Brock Street between Albert Street East and the northerly laneway adjacent to Civic #181 from February 23, 2022 to June 1, 2022 be passed in open Council this 22nd day of February, 2022.

Carried

11.1.7 By-law 2022-32 (Property Sale) Portion of Property to Stone's Office Supply Ltd.

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-32 being a by-law to declare the City owned property legally described as PT PIN 31542-0094 (LT) LT 8-10, 18-21 PL 366MCD ST. MARY'S; PT LT 11 PL 366MCD ST. MARY'S PT 2 1R9277; PT MCDOUGALD ST. PL 366MCD ST. MARY'S AS IN T219159 CLOSED BY T219159; SAULT STE. MARIE as surplus to the City's needs and to authorize the disposition of the said property to Stone's Office Supply Ltd. or as otherwise directed be passed in open Council this 22nd day of February.

Carried

11.1.8 By-law 2022-33 (Property Acquisition) Purchase of 78 Bingham Street from Stone's Office Supply Ltd.

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-33 being a by-law to authorize the acquisition of property located at civic 78 Bingham Street (Stone's Office Supply Ltd.) be passed in open Council this 22nd day of February, 2022.

Carried

11.1.9 By-law 2022-34 (Agreement) Kiwanis Club of Sault Ste. Marie, Ontario, Incorporated re Donation Rosedale Park

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-34 being a by-law to authorize the execution of the Agreement between the City and The Kiwanis Club of Sault Ste. Marie, Ontario Incorporated for the donation for playground equipment for Rosedale Park be passed in open Council this 22nd day of February, 2022.

Carried

11.1.10 By-law 2022-37 (Agreement) WSP Canada Inc. Active Transportation Master Plan

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-37 being a by-law to authorize the execution of the Agreement between the City and WSP Canada Inc. for the provision of Development of Active Transportation Master Plan be passed in open Council this 22nd day of February, 2022.

Carried

11.1.11 By-law 2022-38 (Lane Assumption) Downtown Plaza Lane

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-38 being a by-law to assume for public use and establish as a public lane, the lane more particularly described as PIN 31542-0306 (LT) 15 FT Lane PL 366MCD St. Mary's S of LT 1-3 & N of LT 22; SAULT STE. MARIE, McDougald Subdivision be passed in open Council this 22nd day of February, 2022.

Carried

11.1.12 By-law 2022-40 (Parking) Enforcement Officers

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-40 being a by-law to appoint by-law enforcement officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie be passed in open Council this 22nd day of February, 2022.

Carried

11.1.13 By-law 2022-41 (Official Plan Amendment) 16 Caesar Road

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-41 being a by-law to adopt Amendment No. 237 to the Official Plan for the City of Sault Ste. Marie (786211 Ontario Limited - Primo Pizza - 16 Caesar Road) be passed in open Council this 22nd day of February, 2022.

Carried

11.1.14 By-law 2022-42 (Zoning) 16 Caesar Road

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-42 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 16 Caesar Road (786211 Ontario Limited - Primo Pizza) be passed in open Council this 22nd day of February, 2022.

Carried

11.1.15 By-law 2022-43 (Development Control) 16 Caesar Road

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2022-43 being a by-law to designate the lands located at the northern 5.18 metres of 16 Caesar Road an area of site plan control (786211 Ontario Limited – Primo Pizza).

Carried

11.2 By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority

11.2.1 By-law 2022-39 (Lane Closing and Conveyance) Downtown Plaza Lane

Moved by: Councillor C. Gardi
Seconded by: Councillor M. Bruni

Resolved that By-law 2022-39 being a by-law to stop up, close and authorize the conveyance of a lane in the McDougald Subdivision, Plan 366MCD be passed in open Council this 22nd day of February, 2022.

Carried

- 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 L. Vezeau-Allen
Seconded by: Councillor M. Bruni

Resolved that this Council now adjourn.

Carried

“Christian Provenzano”

Mayor

“Rachel Tyczinski”

City Clerk