

Corporation of the Township of The Archipelago



**MINUTES
MEETING OF COUNCIL**

**August 20, 2021
9 James Street, Parry Sound, Ontario
Via Zoom Meeting**

Council Members Present: Reeve: Bert Liverance
Councillors: Laurie Emery Ward 1
Greg Andrews Ward 1
Peter Frost Ward 2
Earl Manners Ward 3
Scott Sheard Ward 3
David Ashley Ward 4
Alice Barton Ward 4
Rick Zanussi Ward 4
Ian Mead Ward 5
Vacant Seat Ward 6

Staff Present: John Fior, Chief Administrative Officer
Maryann Weaver, Clerk
Cale Henderson, Manager of Development & Environmental Services
Greg Mariotti, Manager of Operational Services
Erin Robinson, Chief Financial Officer/Treasurer

1. CALL TO ORDER

The meeting was called to order at 9:17 a.m., and commenced with the signing of the National Anthem, Roll Call, and the Traditional Land Acknowledge Statement.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Greg Andrews informed Council that based on legal advice from the Solicitor General, he would not be declaring a pecuniary interest regarding his indemnification request.

Councillor Earl Manners informed council that he would not be participating in the Vincent Payne Marine Ltd. Amended Site Plan Development Agreement vote, as he is a customer of Payne Marine.

3. MINUTES OF THE PREVIOUS MEETING

Regular Meeting of Council – July 16, 2021

21-124

**Moved by Councillor Ashley
Seconded by Councillor Mead**

NOW THEREFORE BE IT RESOLVED that the Minutes of the Regular Meeting of Council held on July 16, 2021, be approved.

Carried.

Committee of the Whole Meeting – July 15, 2021

21-125

**Moved by Councillor Andrews
Seconded by Councillor Frost**

NOW THEREFORE BE IT RESOLVED that the Minutes of the Committee of the Whole Meeting held on July 15, 2021, be approved.

Carried.

Committee of the Whole Meeting – June 17, 2021

21-126

**Moved by Councillor Zanussi
Seconded by Councillor Barton**

NOW THEREFORE BE IT RESOLVED that the Minutes of the Committee of the Whole Meeting held on June 17, 2021, be approved.

Carried.

Committee of the Whole Meeting – May 20, 2021

21-127

**Moved by Councillor Manners
Seconded by Councillor Mead**

NOW THEREFORE BE IT RESOLVED that the Minutes of the Committee of the Whole Meeting held on May 20, 2021, be approved.

Carried.

4. CLOSED MEETING

21-128

**Moved by Councillor Sheard
Seconded by Councillor Emery**

NOW THEREFORE BE IT RESOLVED that Council move into a CLOSED MEETING at 9:22 a.m., pursuant to Section 239(2)(e)(f) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to deal with advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Canadian Pacific Railway North Shore Closing

Carried.

OPEN MEETING

21-129

**Moved by Councillor Barton
Seconded by Councillor Ashley**

NOW THEREFORE BE IT RESOLVED that Council move out of a CLOSED MEETING at 9:27 a.m.

Carried.

5. CAO REPORT ON COUNCIL DIRECTIONS

21-130

**Moved by Councillor Manners
Seconded by Councillor Zanussi**

NOW THEREFORE BE IT RESOLVED that Council receives the August 2021 CAO Report on Council Directions, as distributed.

Carried.

6. REPORT OF TASK FORCES/COMMITTEES

• FINANCE AND ADMINISTRATION

2020 Consolidated Financial Statements

21-131

**Moved by Councillor Frost
Seconded by Councillor Andrews**

NOW THEREFORE BE IT RESOLVED that Council accepts the 2020 Consolidated Financial Statements prepared by BDO Canada LLP for the year ended December 31, 2020.

Carried.

Council Vacancy – Ward 6

21-132

**Moved by Councillor Barton
Seconded by Councillor Manners**

NOW THEREFORE BE IT RESOLVED Council of the Township of The Archipelago, in accordance with Section 262 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, hereby declares the Ward 6 Councillor seat to be vacant effective immediately; and

FURTHER BE IT RESOLVED that such vacancy be filled through the appointment process by Appointment by Call for Applications; and

FURTHER BE IT RESOLVED that Council approve the Council Vacancy Appointment Procedures, as attached to fill the vacant seat in Ward 6.

Carried

In-Person Council Meetings

21-133

**Moved by Councillor Zanussi
Seconded by Councillor Emery**

NOW THEREFORE BE IT RESOLVED that Council continue to hold Council meetings virtually at this time; and

FURTHER BE IT RESOLVED that Staff continue to monitor public health guidelines, recommendations and best practices to determine when it will be appropriate to once again commence 'in-person' Council meetings.

Carried.

Asset Management Software

21-134

**Moved by Councillor Andrews
Seconded by Councillor Frost**

NOW THEREFORE BE IT RESOLVED that Council approve the purchasing of asset management software provided by PSD Citywide Inc. at a licensing purchase price of \$11,500, implementation costs of \$17,600 and annual support/maintenance costs of \$6,000 per year.

Carried.

Town of Parry Sound. North Bay Parry Sound District Health Unit. Public Health Funding for 2022

21-135

**Moved by Councillor Ashley
Seconded by Councillor Frost**

WHEREAS Council has received a request for support of a resolution enacted by The Town of Parry Sound with regards to the cost-sharing formula for the North Bay Parry Sound District Health Unit;

NOW THEREFORE BE IT RESOLVED that Council of the Township of The Archipelago endorses the resolution enacted by the Town of Parry Sound; and

FURTHER BE IT RESOLVED that a copy of this resolution be forwarded to the Minister of Health, MPP Norm Miller, North Bay Parry Sound District Health Unit, and member municipalities within the said Health Unit.

Carried.

• **PUBLIC WORKS**

Purchase of Site 9 Weigh Scale

21-136

**Moved by Councillor Mead
Seconded by Councillor Barton**

NOW THEREFORE BE IT RESOLVED that Council approved the purchase of a weigh scale plus accessories from Canadian Scale Company Ltd. at a quoted cost of \$64,150, which includes estimated crane rental costs and a desktop PC of \$2,000.

Carried.

7. **CORRESPONDENCE**

Council Correspondence

21-137

**Moved by Councillor Emery
Seconded by Councillor Andrews**

NOW THEREFORE BE IT RESOLVED that Council receives the August 2021 Council Correspondence listing.

Carried.

Reeve Liverance requested that The Township of Huron-Kinloss's resolutions pertaining to prostate blood test being covered by national health care and the termination of the Government of Canada's appeal of the 2019 Human Rights Tribunal Hearing be brought forward as resolutions.

Councillor Barton noted that the Township passed a resolution pertaining to the termination of the 2019 Human Rights Tribunal Hearing in July's Council Meeting. Councillor Barton requested that Council be provided more information on prostate blood test resolution and that the topic be presented at the September Council Meeting.

8. **BY-LAWS**

Campus of Care at West Parry Sound Health Centre Site. Return Management of 101 long-term care beds to Ministry of Long-Term Care

2021-39

**Moved by Councillor Manners
Seconded by Councillor Frost**

That By-law Number 2021-39, being a By-law to return management of 101 long-term care beds to the Ministry of Long-Term Care to be relocated into a Campus of Care at West Parry Sound Health Centre Site, be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

Vincent Payne Marine Ltd. – Authorize Amended Site Plan Development Agreement

2021-40

**Moved by Councillor Mead
Seconded by Councillor Zanussi**

That By-law Number 2021-40, being a By-law to authorize the execution of an amended site plan development agreement between Vincent Payne Marine Ltd., and the Corporation of the Township of The Archipelago, be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

**Deeming By-law
Barrett, 190 Healey Lake Water**
Lot 17 on Plan M-198

2021-41

**Moved by Councillor Manners
Seconded by Councillor Zanussi**

That By-law Number 2021-41, being a By-law to deem Lot 17 of Plan M-198, in the geographic Township of The Archipelago not to be a part of a registered plan of subdivision (Barrett, 190 Healey Lake Water), , be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP): COVID-19 Resilience Infrastructure Stream – Local Government Intake

2021-42

**Moved by Councillor Ashley
Seconded by Councillor Mead**

That By-law Number 2021-42, being a By-law to authorize the execution of a Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP): COVID-19 Resilience Infrastructure Stream – Local Government Intake, be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

9. QUESTION TIME

Councillor Ashley requested that staff produce a report summarizing government broadband funding initiatives and the current connectivity landscape in the area. Councillor Ashley asked that the report be available to share with ratepayer associations. John Fior informed Council that a Connectively Committee Meeting will be held prior to the September Council meeting to discuss these topics.

Councillor Manners reported that he recently attended a meeting in Pointe au Baril regarding boat speed and wake. Councillor Manners requested that staff arrange a meeting with OPP to discuss vessel operation restriction regulations (VORRs), specifically in the Brignall Banks Narrows area. John Fior noted that he will arrange a meeting or a future deposition with the OPP Marine Unit regarding speed enforcement and education.

10. PUBLIC MEETING

Proposed Zoning By-law Amendment No. Z07-21
Hurley, Dan and Vanderbrug, Karen

At 10:00 a.m., Council held a Public Meeting to consider proposed Zoning By-law Amendment Number Z07-21, Hurley, Dan and Vanderbrug, Karen.

Reeve Liverance called the meeting to order. Cale Henderson, Manager of Development & Environmental Services, summarized the application.

Applicant, Dan Hurley, had no additional comments to provide.

Reeve Liverance declared this portion of the public meeting closed at 10:05 a.m.

11. BY-LAWS CONT'D

Hurley, Dan and Vanderbrug, Karen
Authorize the execution of a development agreement

Part Lot 51, Concession 4, being Parts 1 and 2 on Plan 42R-20648, designated as Parcel 16855 PSNS in the geographic Township of Harrison.

2021-43

Moved by Councillor Andrews
Seconded by Councillor Ashley

That By-law Number 2021-43, being a By-law to authorize the execution of a development agreement between Dan Hurley/Karen Vanderbrug and the Corporation of the Township of The Archipelago, be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

Hurley/Vanderbrug – Zoning By-law Amendment No. Z07-21

A2101-21

Moved by Councillor Emery
Seconded by Councillor Ashley

That By-Law Number A2101-21, being a By-law to amend By-law No. A2000-07 (the Comprehensive Zoning By-law) for Part Lot 51, Concession 4, being Parts 1 and 2 on Plan 42R-20648, designated as Parcel 16855 PSNS, in the geographic Township of Harrison, be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

12. QUESTION TIME CONT'D

Councillor Emery inquired if Pointe au Baril Community Center will be used for the Federal Election. Maryann Weaver reported that the Community Centre will be utilized for the upcoming election, and that the Township approved the event in an effort to minimize the need for residents to travel to Parry Sound vote.

Councillor Zanussi expressed concerns regarding severe speed restrictions in the Pointe au Baril narrows, as it would impact contractors commuting to jobs in the outer islands. Councillor Zanussi also noted that further speed restrictions in the main channel could result in speed increases in less busy channels.

Councillor Zanussi informed Council that he received a complaint from a resident regarding a boat dumping head waste onto crown land. The resident inquired if the Township could put up signs advising against waste dumping. John Fior reminded Council that the Township does not have jurisdiction on crown land. Mr. Fior asked Councillor Zanussi to share the complaint details with intent for staff to look into the matter.

Council recessed for a meeting of the Committee of Adjustment at 11:04 a.m. and resumed business at 11:36 a.m.

Council recessed for lunch at 11:37 a.m. and resumed business at 1:00 p.m.

13. CLOSED MEETING

21-138

**Moved by Councillor Sheard
Seconded by Councillor Emery**

NOW THEREFORE BE IT RESOLVED that Council move into a CLOSED MEETING at 1:01 p.m., pursuant to Section 239(2)(e)(f) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to deal with advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Councillor Andrews – Indemnification Request

Carried.

OPEN MEETING

21-139

**Moved by Councillor Barton
Seconded by Councillor Ashley**

NOW THEREFORE BE IT RESOLVED that Council move out of a CLOSED MEETING at 1:44 p.m.

Carried.

14. OTHER BUSINESS CONT'D

Councillor Andrews – Indemnification Request

Reeve Liverance requested a recorded vote.

21-140

**Moved by Councillor Sheard
Seconded by Councillor Barton**

WHEREAS an application has been made by Councillor Andrews for payment for his legal costs;

AND WHEREAS By-law No. 2016-18 was approved by Council on May 20, 2016 to provide indemnification for Members of Council, Local Boards, committees, employees or former employees with respect to certain actions or proceedings arising from their duties;

AND WHEREAS Council has determined that Councillor Andrews' legal expenses comply with the Indemnification By-law;

NOW THEREFORE BE IT RESOLVED that Council for the Township of The Archipelago hereby agrees to indemnify Councillor Andrews and direct staff to pay all legal costs in the amount of \$38,345.37.

Yea

Councillor Barton
Councillor Andrews
Councillor Emery
Reeve Liverance

Nay

Councillor Frost
Councillor Manners
Councillor Sheard
Councillor Ashley
Councillor Zanussi
Councillor Mead

Defeated.

Councillor Andrews thanked Council, Mr. McDonald, and Maryann Weaver for their time and efforts relating to his indemnification request. Councillor Andrews noted that based on Council's decision, he will be commencing legal action against The Township of The Archipelago regarding the matter.

Council recessed for lunch at 10:59 a.m. and resumed business at 2:05 p.m.

15. DEPUTATIONS

Rian Allen, Planning Consultant. Zoning By-law Review
Draft modifications for discussion purposes

Council discussed modifications #25 to #28 and provided Mr. Allen with feedback on the by-law revisions.

16. CONFIRMING BY-LAW

2021-44

Moved by Councillor Emery
Seconded by Councillor Barton

That By-law Number 2021-44, being a By-law to Confirm the Proceedings of the Regular Meeting of Council held on August 20th, 2021, be read and finally passed in Open Council this 20th day of August, 2021.

Carried.

17. ADJOURNMENT

21-141

Moved by Councillor Frost
Seconded by Councillor Andrews

NOW THEREFORE BE IT RESOLVED that the Regular Meeting of Council held on August 20, 2021 be adjourned at 3:07 p.m.

Carried.

TOWNSHIP OF THE ARCHIPELAGO

Bert Liverance, Reeve

Maryann Weaver, Clerk