



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Friday, October 30<sup>th</sup>, 2020

1:00 p.m.

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**Council Members Present:** Mayor Carol Ballantyne  
Councillors: Cheryl Philip, Liz Stermsek and Paul Ziraldo

**Staff Present:** Brenda J. Fraser, CAO|Clerk|Treasurer  
Keven Beaucage, Deputy Clerk, Deputy Treasurer  
Linda Moyer, Planning Technian

1. **Call the Meeting to Order**

**Res. No. 1/30/10/2020 Cheryl Philip, Liz Stermsek**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney on October 30<sup>th</sup>, 2020 be declared open and called to order at 1:00 p.m. **CARRIED**

2. **Approval of Agenda**

**Res. No. 2/30/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on October 30<sup>th</sup>, 2020 be adopted as amended.

**DEFER 10(h)(ii) Deputy Mayor Ziraldo re: A visit from Santa CARRIED**

3. **Declaration of Pecuniary Interest and the General Nature Thereof - None noted.**

4. **Delegations/Presentations**

(a) **Delegations - Nil**

(b) **Presentations – Nil**

5. **Minutes**

(a) **Adoption of Minutes**

(i) **Special Meeting, Draft Minutes – October 9<sup>th</sup>, 2020**

(ii) **Regular Meeting, Draft Minutes – October 9<sup>th</sup>, 2020**

(iii) **Special Meeting, Draft Minutes – October 23<sup>rd</sup>, 2020**

**Res. No. 5(a)(i)-(iii)/30/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves the Minutes of the Council Meeting(s) as follows:

(i) **Special Meeting, Draft Minutes – October 9<sup>th</sup>, 2020**

(ii) **Regular Meeting, Draft Minutes – October 9<sup>th</sup>, 2020**

(iii) **Special Meeting, Draft Minutes – October 23<sup>rd</sup>, 2020**

**CARRIED**

(b) **Receive Committee Minutes - Nil**

6. **Committee Resolutions for Consideration - Nil**

7. **Public Meetings (Pursuant to the *Planning Act*)**

(a) **Report and Resolution re: Amendment to Zoning By-law No. 2002-28, as amended RZ-02-20 (PRATT)**

**Res. No. 7(a)/30/10/2020 Cheryl Philip, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney approves application RZ-02-20 (PRATT) to rezone Part of Lots 19 & 20, Concession 14, in the Township of Bethune, now in the Town of Kearney from the Rural (RU) Zone to the Tourist Commercial Exception Five (CT-5) Zone to allow for an eco-tourist operation consisting of 10 cabins, 10 tent sites, an accessory dwelling, assembly hall, accessory retail sales and outdoor recreation activities.

**DEFERRED**

(b) **By-law No. 2020-xx re:** To amend Zoning By-law No. 2002-28, as amended RZ-02-20 (PRATT)

**Res. No. 7(b)/30/10/2020 Liz Stermsek, Cheryl Philip**

**By-law No. 2020-45**, Being a By-law to amend Zoning By-law No. 2002-28, as amended (PRATT), be read a first time.

**DEFERRED**

8. **Public Meetings (Pursuant to the Municipal Act)** – Nil

9. **Unfinished Business** – Nil

10. **Reports and By-laws**

(a) **Building**

(i) **By-law No. 2020-xx re:** to authorize the signing of an amended Agreement with The Centre for Geographic Information Systems (CGIS) to add 'Chief Building Official Module'.

**Res. No. 10(a)/30/10/2020 Liz Stermsek, Cheryl Philip**

**By-law No. 2020-46**, Being a By-law to authorize the signing of an amended Agreement between the Corporation of the Town of Kearney and the Centre for Geographic Information Systems (CGIS) to add the 'Chief Building Official Module', be read a first, second and third time and numbered 2020-46 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and be engrossed in the By-law Book.

**CARRIED**

(b) **Planning**

(i) **Report and Resolution re:** Consent Application B-022/20 (TYTLER)

**Res. No. 10(b)(i)/30/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney recommends approval of Consent Application B-022/20 (TYTLER) subject to the following conditions:

**That** payment in lieu of a parkland dedication be paid in accordance with Section 51.1 of the Planning Act;

**That** a draft reference plan of survey be provided to the Town of Kearney for review prior to registration;

**That** any deviation of the travelled portion of the road which encroaches onto the subject property be surveyed and deeded to the Municipality:

**That** four copies of the final reference plan of survey, together with one digital copy, be provided to the Town of Kearney; and

**That** confirmation be received from the Operations Manager that there are no concerns with respect to access to the proposed lot.

**CARRIED**

(ii) **Report and Resolution re:** Exchange of Property (CANNING)

**Res. No. 10(b)(ii)/30/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney accepts the recommendation to move forward with a By-law to provide for the acquisition of Part of Lot 6, east side of Kingmore (Main) Street, Plan 93, as in RO202488, in the Town of Kearney, in the District of Parry Sound. (CANNING)

**CARRIED**

(iii) **By-law No. 2020-xx re:** Acquisition By-law

**Res. No. 10(b)(iii)/30/10/2020 Cheryl Philip, Liz Stermsek**

**By-law No. 2020-47**, Being a By-law to provide for the acquisition of Part of Lot 6, east side of Kingmore (Main) Street, Plan 93, as in RO202488, in the Town of Kearney, in the District of Parry Sound, be read a first, second and third time and numbered 2020-47 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and be engrossed in the By-law Book.

**CARRIED**

(c) **Operations**

(i) **Transfer Station Report** – for the period October 2, 2020 to October 20, 2020 – Report only.

(ii) **Report and Resolution re:** Junction of Hwy 518 and Forestry Tower Road

**Res. No. 10(c)(ii)/30/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney directs Staff to relocate non-regulatory signs, to a minimum of 200 m away from the intersection of Forestry Tower Road and Hwy 518.

**CARRIED**

(iii) **Discussion re: Temporary Garbage Collection**

**Res. No. 10(c)(iii)/30/10/2020 Paul Ziraldo, Liz Stermsek**

**WHEREAS** members of the public have requested options for household garage disposal during the Cashman Creek Bridge Replacement;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney directs Staff to be available Tuesday and Saturday from 10:00 a.m. – 12:00 p.m. for garbage drop-off at Forestry Tower Road, to receive household garbage – no recycling and no construction material.

**CARRIED**

(d) **Administration**

(i) **By-law No. 2020-xx re: Agreement between the Town of Kearney and the Northern Ontario Heritage Fund Corporation**

**Res. No. 10(d)(i)/30/10/2020 Liz Stermsek, Cheryl Philip**

**By-Law 2020-48** being a By-law to authorize the signing of an Agreement between the Corporation of the Town of Kearney and the Northern Ontario Heritage Fund Corporation, be read a first, second and third time and numbered 2020-48 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be engrossed in the By-law Book.

**CARRIED**

(ii) **By-law No. 2020-xx re: Contract renewal with Parry Sound Ambulance Communication Service**

**Res. No. 10(d)(ii)/30/10/2020 Paul Ziraldo, Liz Stermsek**

**By-Law 2020-49** being a By-law to authorize the signing of an Agreement between the Corporation of the Town of Kearney and the West Parry Sound Health Centre, be read a first, second and third time and numbered 2020-49 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation and be engrossed in the By-law Book.

**CARRIED**

(iii) **Report and Resolution re: Polling Station**

**Res. No. 10(d)(iii)/30/10/2020 Liz Stermsek, Cheryl Philip**

**WHEREAS** in the past, Council has approved the use of the Kearney Community Centre by Elections Canada for Federal Elections;

**AND WHEREAS** our Municipality has been contacted by Elections Canada asking if our Community Centre may still be available as a voting location during the COVID-19 restrictions, should a Federal Election be called;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney determines that we will be able to host elections using our Seniors Room.

**CARRIED**

(e) **Treasury**

(i) **Report and Resolution re: Payment Register**

**Res. No. 10(e)(i)/30/10/2020 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney has received the 'List of Accounts' and has no objections to be noted with regard to Cheques #30148 to #30224 in the total amount of \$534,063.88.

**CARRIED**

(ii) **Report re: 2020 Revenue and Expenditure Review – January to September 2020 – Report only.**

(iii) **Resolution re: Safe Restart Funding**

**Res. No. 10(e)(iii)/30/10/2020 Paul Ziraldo, Liz Stermsek**

**WHEREAS** the Corporation of the Town of Kearney has received a payment of \$157,400.00 under the Safe Restart Agreement, from the ministry of Municipal Affairs and Housing;

**AND WHEREAS** the funding is to be used to support COVID-19 operating costs and pressures of the Municipality;

**AND WHEREAS** if the amount of funding exceeds the Municipality's identified 2020 COVID-19 costs, the Province's expectation is that excess funding will be placed in Reserves to be accessed to support COVID-19 costs that the Municipality may continue to incur in 2021;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney shall transfer any funds in excess of 2020 identified COVID-19 costs to a COVID-19 reserve in 2020.

**CARRIED**

(f) **Fire and Emergency Services**

(i) **Report re: Fire Chief, Fire Department Report for Regular Council Meeting on October 30, 2020 – Report only.**

(ii) **Report and Resolution re: New Firefighter**  
**Res. No. 10(f)(ii)/30/10/2020 Liz Stermsek, Cheryl Philip**  
**BE IT RESOLVED** that, effective immediately, the Council of the Corporation of the Town of Kearney accepts Cheryl Smyth to the Kearney Fire and Emergency Services Department, as a volunteer firefighter/first responder, subject to the conditions agreed to in the United Food and Commercial Workers Collective Agreement. **CARRIED**

(g) **Facilities and Buildings** - Nil

(h) **Council Presentations**

(i) **Mayor Ballantyne, discussion re: Public Access to Town Office; Lions Park Ice Rink**

Discussion of Council resulted in the decision for Municipal Buildings to continue to remain closed to the public at this time.

Resolution of Council regarding the Ice Rink is found under Agenda Item 11(a)(i).

(ii) **Deputy Mayor Ziraldo re: A visit from Santa – Discussion Deferred.**

(iii) **Councillor Philip re: Draft Council Minutes**

Discussion of Council resulted in the decision to post Minutes in draft form on our Website.

## 11. **Correspondence**

(a) **Action Items**

(i) **Meg Stoyan re: Lions Club Outdoor Rink**

**Res. No. 11(a)(i)/30/10/2020 Cheryl Philip, Liz Stermsek**

**WHEREAS** a request has been received to keep our Lions Park outdoor ice rink open this winter season to encourage winter fitness activities;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports keeping our Lions Park outdoor ice rink open, subject to compliance with COVID-19 restrictions and guidelines. **CARRIED**

(ii) **Township of Asphodel-Norwood re: Cannabis Production**

**Res. No. 11(a)(ii)/30/10/2020 Paul Ziraldo, Liz Stermsek**

**WHEREAS** the Ontario Federation of Agriculture has adopted the position that licenced cannabis production for medical and/or recreational use purposes should be considered a farming activity;

**AND WHEREAS** the Government of Canada introduced Bill C-45 (the Cannabis Act) to create the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation and possession;

**AND WHEREAS** Section 7 of the Cannabis Act requires that any person who intends to submit an application for a licence for cultivation, a licence for procession, or a licence for sale that authorizes the possession of cannabis must provide written notice to:

- a) The local government;
- b) The local fire authority; and
- c) The local police force or the Royal Canadian Mounted Police detachment responsible for providing policing services to the area in which the site is referred to in the application;

**AND WHEREAS** Section 25(1) of the Act requires a holder of a licence for cultivation, a licence for processing, or a licence for sale that authorizes the possession of cannabis to provide a written notice to the local authorities within 30 days of issuance, amendment, suspension, reinstatement or revocation of a licence and provide a copy of said notice to the Minister;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney requests a governing body in cannabis production that:

1. Takes a unified approach to land use planning restrictions;
2. Enforces the regulations under the Cannabis Act on behalf of the licencing agency and ensures local authorities are in fact provided with notification of any licence issuance, amendment, suspension, reinstatement, or revocation within their region;
3. Communicates more readily with local governments; and
4. Provides local governments with more support.

**AND FURTHER** that this Resolution be forwarded to our MP, MPP, the Minister of Agriculture, Food and Rural Affairs and the Minister of Agriculture and Agri-Food, with the request that they enact legislation to support local governments

with land use management and enforcement issues.

**CARRIED**

(iii) **Township of Machar re: Drive Test Centre in Sundridge**  
**Res. No. 11(a)(iii)/30/10/2020 Liz Stermsek, Cheryl Philip**

**WHEREAS** the permanent closure of the one day per week Sundridge Drive Test Site has recently been brought to our attention;

**AND WHEREAS** this is a great disservice to our residents and negatively impacts our communities by requiring travel to North Bay, Huntsville or Parry Sound for driver's licensing requirements;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney urges the Province of Ontario to reopen the Drive Test satellite location in the Village of Sundridge.

**CARRIED**

**(b) Information Items**

(i) **District of Parry Sound Social Services Administration Board re: Report - October 2020 – Report only.**

(ii) **Kearney Watershed Environmental Foundation re: October Newsletter – Report only.**

**12. Other Business – Nil**

**13. Closed Session**

**Res. No. 13(a)-(b)/30/10/2020 Cheryl Philip, Liz Stermsek**

**BE IT RESOLVED** that in accordance with Section 239, (1), (2), (3) and (3.1) of the Municipal Act, c. 25, S.O. 2001, as amended, the Council for the Corporation of the Town of Kearney will convene in Closed Session at 2:36 p.m. for discussion regarding:

(a) A proposed or pending acquisition or disposition of land by the municipality or local board (x 3)

(b) Labour relations or employee negotiations (x 2)

**CARRIED**

**Res. No. 13(c)/30/10/2020 Paul Ziraldo, Liz Stermsek**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney reconvene in Open Session and report on matters discussed in Closed Session. Closed Session adjourned at 3:53 p.m.

**CARRIED**

**14. Business Arising from Closed Session – Nil**

**15. Confirming By-Law**

**By-Law 2020-xx** being a By-law to confirm the proceedings of Council at its Special Meeting held on October 23<sup>rd</sup>, 2020; at its Special Meeting held on October 30<sup>th</sup>, 2020; and at its Regular Meeting held on October 30<sup>th</sup>, 2020.

**Res. No. 15/30/10/2020 Liz Stermsek, Paul Ziraldo**

**By-law No. 2020-50**, Being a By-law to confirm the proceedings of Council at its Special Meeting held on October 23<sup>rd</sup>, 2020; at its Special Meeting held on October 29<sup>th</sup>, 2020; at its Special Meeting held on October 30<sup>th</sup>, 2020; and at its Regular Meeting held on October 30<sup>th</sup>, 2020, be read a first, second and third time and numbered 2020-50 and that the said By-law be signed by the Mayor and Clerk, sealed with the Seal of the Corporation, and engrossed in the By-law Book.

**CARRIED**

**16. Adjournment**

**Res. No. 16/30/10/2020 Liz Stermsek, Cheryl Philip**

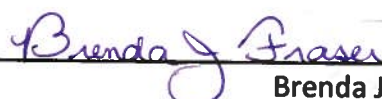
**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 3:56 p.m. to meet again at 1:00 p.m. on November 20<sup>th</sup>, 2020 in the Council Chambers, Kearney, Ontario.

**CARRIED**

THE CORPORATION OF THE  
TOWN OF KEARNEY



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk