



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

### REGULAR COUNCIL MEETING

Council Chambers

Wednesday, March 16<sup>th</sup>, 2022

1:00 p.m.

**Council Members Present:** Mayor Carol Ballantyne  
Councillors: Cheryl Philip; Mike Rickward; Liz Stermsek and  
Paul Ziraldo (virtual)

**Staff Present:** Brenda J. Fraser, CAO|Clerk|Treasurer  
Brian Horsman, Chief Building Official  
Matt Clouthier, Deputy Chief Building Official

**EcoVue Planning Consultants:** Kent Randall, Planner  
Jessica Rae Reid, Junior Planner

1. **Call the Meeting to Order**

Res. No. 1/16/03/2022 Liz Stermsek, Cheryl Philip

BE IT RESOLVED that the Regular Council Meeting of the Corporation of the Town of Kearney on March 16<sup>th</sup>, 2022 be declared open and called to order at 1:00 p.m. **CARRIED**

*Moment of Silence to honour the memory of Karen Kostick Canning.*

2. **Approval of Agenda**

Res. No. 2/16/03/2022 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Agenda of the Regular Council Meeting of the Corporation of the Town of Kearney on March 16<sup>th</sup>, 2022 be adopted as circulated. **CARRIED**

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

4. **Delegations/Presentations - Nil**

5. **Minutes**

(a) **Adoption of Minutes**

Res. No. 5(a)(i)/16/03/2022 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) Regular Meeting, *Draft Minutes* – February 25<sup>th</sup>, 2022 **CARRIED**

(b) **Receive Committee Minutes**

Res. No. 5(b)(i)-(ii)/16/03/2022 Cheryl Philip, Liz Stermsek

BE IT RESOLVED that the Council of the Corporation of the Town of Kearney receive the following Advisory Committee Minutes:

- (i) Joint Waste Management Committee – *Draft Minutes*, February 23, 2022; 2022 Proposed Budget
- (ii) Kearney Community Centre Building Advisory Committee re: Minutes – March 7<sup>th</sup>, 2022 **CARRIED**

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

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

- (a) **Kent Randall, Town Planner re:** New Comprehensive Zoning By-law (Cannabis provision and Mapping)

- (b) Comments from the Public re: Comprehensive Zoning By-law

See Public Meeting Minutes – March 16<sup>th</sup>, 2022

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

9. **Unfinished Business – Nil**

10. Reports and By-laws

(a) Building

- (i) **Report and Resolution re:** Considerations for a Shared Services Agreement with the Township of McMurrich/Monteith

**Res. No. 10(a)(i)/16/03/2022 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney , in accordance with the Report from CBO Brian Horsman, regarding “Considerations for a Shared Service Agreement with the Township of McMurrich/Monteith”, supports the ‘Central Office’ approach for sharing building department services.

**CARRIED**

(b) Planning

- (i) **Report and Resolution re:** Purchase of Shore Road Allowance

**Res. No. 10(b)(i)/16/03/2022 Cheryl Philip, Liz Stermsek**

**WHEREAS** a request has been received from Clifton and Shirely Dyke, to purchase a portion of the Shore Road Allowance adjacent to their property;

**AND WHEREAS** this request does not appear to impact adjoining landowners nor municipal access points;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports in principle, the purchase of the shore road allowance in front of Part of Lot 17, Concession 9, Part 3, 42R-18843, Township of Proudfoot (804 Grass Lake Road).

**RECORDED VOTE Requested by: Councillor Paul Ziraldo**

**PHILIP, Cheryl** Yes

**RICKWARD, Mike** No

**STERMSEK, Liz** No

**ZIRALDO, Paul** Yes

**BALLANTYNE, Carol** No

**DEFEATED**

- (ii) **Report and Resolution re:** Moore Consent

**Res. No. 10(b)(ii)/16/03/2022 Liz Stermsek, Cheryl Philip**

**BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney recommends approval of Consent Application C-01-21 (Moore) subject to the following conditions:

1. That the applicant determine the exact location of the road allowance via a Legal Plan of Survey;
2. That the applicant provide proof of ownership of the portion of Gray Jay Land directly in front of the retained lands;
3. That the applicant co-ordinate the process required to extend Gray Jay Lane;
4. That an updated survey be undertaken and provided to the Town of Kearney for review prior to registration, depicting sufficient access to the subject property;
5. That the applicant enter into an Agreement with the Town of Kearney to maintain this Right-of-Way;
6. That prior to the finalization of Consent, confirmation to be provided, that the North Bay Mattawan Conservation Authority has no concerns or objections with regard to sewage disposal systems on the subject lands;
7. That payment-in-lieu of a parkland dedication shall be paid in accordance with Section 51.1 of the Planning Act;
8. That all municipal taxes to date shall be paid in full;
9. That confirmation be received from the Operations Manager that there are no concerns with respect to access to the proposed lot;
10. That all Town fees and disbursements (legal, engineering, planning) if any, incurred by the Town with respect to this application, shall be paid by the owner; and
11. That four copies of the final reference plan of survey, together with one digital copy, be provided to the Town of Kearney.

**DEFERRED**

(c) Operations

- (a) **Transfer Station Report – February 1, 2022 to March 15, 2022 – Report only.**

(d) Administration

- (i) **By-law No. 2022-xx re:** To authorize Voting by Mail for the 2022 Municipal Election and the entering into of an agreement to provide Vote by Mail services

**Res. No. 10(d)(i)/16/03/2022 Liz Stermsek, Cheryl Philip**

**By-law No. 2022-10**, Being a By-law to authorize Voting by Mail for the 2022 Municipal Election and to authorize the entering into of an agreement to provide Vote by Mail services, be read a first, second and third time and numbered 2022-10 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. 2022-xx re:** To enter into an Agreement with Central 1 Credit Union in respect of Payee accounts paid at Participating Financial Institutions

**Res. No. 10(d)(ii)/16/03/2022 Liz Stermsek, Cheryl Philip**

**By-law No. 2022-11**, Being a By-law to authorize the execution of an Agreement between the Corporation of the Town of Kearney and Central 1 Credit Union, be read a first, second and third time and numbered 2022-11 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) **By-law No. 2022-xx re:** To adopt a Community Safety and Well Being Plan

**Res. No. 10(d)(iii)/16/03/2022 Liz Stermsek, Cheryl Philip**

**By-law No. 2022-12**, Being a By-law to adopt the Almaguin Highlands Community Safety and Well-Being Plan for the Town of Kearney, be read a first, second and third time and numbered 2022-12 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**

- (iv) **By-law No. 2022-xx re:** To appoint a Weed Inspector

**Res. No. 10(d)(iv)/16/03/2022 Liz Stermsek, Cheryl Philip**

**By-law No. 2022-13**, Being a By-law to appoint a Weed Inspector for the Town of Kearney, be read a first, second and third time and numbered 2022-13 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**

- (v) **Resolution re:** Inclusion of Kearney/McMurrich Monteith in the physician-to-patient ratio withing the Burk's Falls Family Health Team catchment area

**Res. No. 10(d)(v)/16/03/2022 Cheryl Philip, Liz Stermsek**

**WHEREAS** the current agreements between the Ministry of Health, the physician group in Burk's Falls and the Burk's Falls Family Health Team list the Burk's Falls catchment area to include Burk's Falls, Armour, Magnetawan, Perry and Ryerson;

**AND WHEREAS** the physicians represented by these agreements can, technically, only take on patients within that catchment area;

**AND WHEREAS** the Town of Kearney and the Township of McMurrich/Monteith are not part of this catchment area, nor are they part of any other agreement or catchment area;

**AND WHEREAS** the inclusion of Kearney and McMurrich/Monteith population numbers would change the physician-to-patient ratio and may allow for an additional physician resource within the Burk's Falls Family Health Team;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney requests the inclusion of the Town of Kearney and supports the inclusion of the Township of McMurrich/Monteith, in the Burk's Falls catchment area;

**AND FURTHER** that this Resolution be forwarded to Burk's Falls, Armour, Magnetawan, Joly, Strong, Sundridge, Perry and Ryerson for their support and request to the Ministry of Health to update the required agreements to reflect the addition of Kearney and McMurrich/Monteith to the Burk's Falls Family Health Team.

**CARRIED**

- (vi) **Resolution re:** Funding of Provincial Hospitals

**Res. No. 10(d)(vi)/16/03/2022 Liz Stermsek, Cheryl Philip**

**WHEREAS** healthcare funding is a provincial and federal responsibility;

**AND WHEREAS** from 2009 to 2020 a total of \$415.4 million has been transferred from municipal operations to fund and build provincial hospitals;

**AND WHEREAS** remaining log-term commitments to hospitals stand at \$117.5 million (as of 2020), which will also be financed from municipal operations;

**AND WHEREAS** a hospital is one of many public services that contributes to healthy communities;

**AND WHEREAS** municipal contributions to provincial hospitals takes away from the resources available for other municipal services that contribute to the health and well-being of residents;

**AND WHEREAS** a community's total contribution to local hospitals also includes the donations made by benevolent individuals, groups and businesses along with municipal contributions;

**AND WHEREAS** a community's required local share is to pay 10% of capital construction costs and 100% of the cost of equipment, furniture and fixtures, which includes medical equipment with big ticket prices (i.e. MRI machines, CT scanners and x-ray machines);

**AND WHEREAS** this translates to a 70% provincial share and 30% local share (individuals, groups, businesses and municipalities) of the overall cost of provincial hospital operations and capital projects;

**AND WHEREAS** the adoption of the “design-build-finance” hospital construction model (also known as alternative financing and procurement or P3 projects), has increased local share amounts because they now include the costs of long-term financing;

**AND WHEREAS** equipment replacement needs are increasingly frequent and increasingly expensive with average equipment lifespan of just ten years;

**AND WHEREAS** the Association of Municipalities of Ontario has highlighted the “local share” of the hospital capital contributions as a major issue in its 2022 Pre-Budget Submission to the Standing Committee on Finance and Economic Affairs;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney does hereby call for a provincial re-examination of the “local share” hospital capital calculation methodology, to better reflect the limited fiscal capacity of municipalities and the contributions to health care services they already provide to a community;

**AND FURTHER** that a copy of this Resolution be circulated to the Minister of Finance, the Minister of Health, the Minister of Municipal Affairs and Housing and the Association of Municipalities of Ontario.

**CARRIED**

(vii) **Resolution re: Ontario Health Team**

**Res. No. 10(d)(vii)/16/03/2022 Cheryl Philip, Liz Stermsek**

**WHEREAS** the Almaguin Highlands Health Council (AHC) represents ten of the municipalities in the Almaguin Highlands with the main objective being to ensure that the Almaguin Highlands region is adequately serviced from a healthcare perspective, including that all of our citizens have access to the quality healthcare all Ontarians expect;

**AND WHEREAS** when the Ontario Health Teams (OHT’s) were announced, our area was not included in the initial OHT applications;

**AND WHEREAS** during discussions in the first half of 2021, the AHC, as a group, unanimously decided to pursue a partnership with the Muskoka and Area OHT (MAOHT);

**AND WHEREAS** we have also recently been approached by the Nipissing Wellness OHT (NWOHT) asking that we consider joining their OHT application;

**AND WHEREAS** we see benefit in participating in discussions, as we will be in a partnership with one of our surrounding OHT’s when the decision is made for our area;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports a partnership with MAOHT.

**CARRIED**

(viii) **Resolution re: Northern Ontario School of Medicine capacity expansion**

**Res. No. 10(d)(viii)/16/03/2022 Liz Stermsek, Cheryl Philip**

**WHEREAS** the life expectancy of Northern residents is more than two years lower than the Ontario average and one person in eight across the North do not have access to a family doctor;

**AND WHEREAS** these Northern Ontario communities advocate for equitable health care, especially for underserved rural, Indigenous and Francophone communities in Northern Ontario;

**AND WHEREAS** finding ways to encourage more family physicians and health care professionals to stay and work in Northern communities will contribute to reducing the crisis for citizens in the North;

**AND WHEREAS** the Northern Ontario School of Medicine (NOSM) graduates far fewer health care professionals than the need requires and it would take five existing graduating classes at sixty-four physicians per year from NOSM just to address the current shortage;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney, in support of the Resolution from the Almaguin Highlands Health Council (AHC), requests that the Provincial Government and the Ontario Medical Association expand NOSM’s capacity for physician candidates to meet the needs of Northern Ontario, including finding ways to bring additional health care support from other areas of the Province;

**AND FURTHER** that a copy of this Resolution be forwarded to the AHC requesting support of all member Councils.

**CARRIED**

(e) **Treasury**

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

**Res. No. 10(e)(i)/16/03/2022 Cheryl Philip, Liz Stermsek**

**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 #31503 to #31544 in the total amount of \$183,939.63.

**CARRIED**

(f) **Fire and Emergency Services**

- (i) **Report re:** Fire Chief, Fire Department Report for Regular Council Meeting on March 16, 2022 – **Report only.**

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

(h) **Council Presentations**

- (i) **Mayor Ballantyne, Discussion and Resolutions re:** Kearney representation on the Joint Waste Management Board; 2022 Regatta; Update from Councillors regarding their Committees

Discussion of Council regarding the Joint Waste Management Board resulted in the following Resolution

**Res. No. 10(h)(i)(a)/16/03/2022 Mike Rickward, Liz Stermsek**

**WHEREAS** the Joint Waste Management Agreement with the Township of Perry states that members from each municipality shall be appointed every three years ;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney shall:

- ☒ Advertise for a member from the Public;
- ☐ Appoint \_\_\_\_\_ as our member from the Public;
- ☒ Appoint DM Stermsek and Councillor Philip as our Council members to represent Kearney

**CARRIED**

Members of Council reported the status of each of the Committees they sit on.

Further discussion of Council resulted in the following Resolution

**Res. No. 10(h)(i)(b)/16/03/2022 Liz Stermsek, Mike Rickward**

**WHEREAS** due to the COVID-19 Pandemic, public festivals and events held annually by our Town, were cancelled;

**AND WHEREAS** restrictions associated with the pandemic are now being lifted;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney directs Staff to advertise for volunteers to sit on the following volunteer committees:

- ☒ Regatta
- ☒ Christmas Begins in Kearney
- ☒ Dog Sled Races
- ☒ T-Ball; Soft Ball
- ☒ Exercise Instructor

**CARRIED**

**11. Correspondence**

(a) **Action Items**

- (i) **Town of South Bruce Peninsula re:** Municipal Accommodation Tax and Crown Campgrounds

**Res. No. 11(a)(i)/16/03/2022 Mike Rickward, Liz Stermsek**

**WHEREAS** the Municipal Act states that “the Crown, any agency of the Crown in right of Ontario or any authority...” is exempt from Municipal Accommodation Tax;

**AND WHEREAS** this exemption creates an unfair competitive advantage for provincially operated campgrounds;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports the Town of South Bruce Peninsula in the request for the removal of the Municipal Accommodation Tax exemption for all Crown owned campgrounds;

**AND FURTHER** that a copy of this Resolution be forwarded to Norm Miller, MPP, Parry Sound – Muskoka.

**CARRIED**

- (ii) **Township of Perry re: Expansion of Northern Ontario School of Medicine**  
Council supported this Resolution under Agenda Item 10(d)(viii).

(b) **Information Items**

- (i) **District of Parry Sound Social Services Administration Board re:** CAO Report – February 2022 – **Report only.**

**12. Other Business – Nil**

**13. Closed Session**

**Res. No. 13(a)-(b)/16/03/2022 Liz Stermsek, Mike Rickward**

**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 2:28 p.m. for discussion regarding:

(a) *Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board*

(b) *Personal matters about an identifiable individual, including municipal or local board employees*

**CARRIED**

**Res. No. 13(c)/16/03/2022 Mike Rickward, 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 4:17 p.m.

**CARRIED**

**14. Business Arising from Closed Session**

Mayor Ballantyne reported on matters discussed in Closed Session.

**15. Confirming By-Law**

**Res. No. 15/16/03/2022 Liz Stermsek, Mike Rickward**

**By-law No. 2022-14**, Being a By-law to confirm the proceedings of Council at its Regular Meeting held on March 16<sup>th</sup>, 2022, be read a first, second and third time and numbered 2022-16 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. 16/16/03/2022 Liz Stermsek, Mike Rickward**

**BE IT RESOLVED** that the Regular Council Meeting of the Corporation of the Town of Kearney adjourn at 4:20 p.m. to meet again at 1:00 p.m. on Wednesday, April 6, 2022, in the Council Chambers, Kearney, Ontario.

**CARRIED**

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



Carol Ballantyne, Mayor



Brenda J. Fraser, Clerk