

The Corporation of The Town of Parry Sound

Council Meeting Minutes July 4, 2017

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## **Minutes**

### **Date:**

July 4, 2017

### **Time:**

7:00 p.m. (Closed 6:00 p.m.)

### **Location:**

52 Seguin Street, Parry Sound, Council Chambers - Gibson Street Entrance

### **Members Present:**

Mayor Jamie McGarvey, Clr. Paul Borneman, Clr. Bonnie Keith, Clr. Jim Marshall, Clr. Doug McCann, Clr. Keith Saulnier

### **Regrets:**

Clr. Brad Horne

### **Staff Present:**

Rob Mens, Jackie Boggs, Peter Brown, Taylor Elgie, John Este, April McNamara, Lynn Middaugh, Trevor Pinn, Tammy Purdy, Dave Thompson

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## **Presentations:**

n/a

The Mayor called the meeting to order at 7:10 p.m. Prior to the Open Meeting of Council, Council adjourned to a Closed Meeting pursuant to the following resolution:

### **Resolution 2017 - 117**

**Moved by Councillor McCann**

**Seconded by Councillor Borneman**

**That** pursuant to Section 239(2) of the Municipal Act, R.S.O. 2001, Chapter 25, as amended, the Council of the Corporation of the Town of Parry Sound move to a meeting closed to the public in order to address a matter(s) pertaining to:

- b) personal matters about an identifiable individual, including municipal or local board employees. **(Licensing Matter)**
- f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. **(Zoning Matter)**
- j) educating or training council members and no member shall discuss or deal with any matter in a way that materially advances the business of the Council.

**(Performance Management)**

## **1. Agenda**

### **1.1 Additions to Agenda/Notice of Motion**

None.

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## **1.2 Prioritization of Agenda**

None.

## **1.3 Adoption of Agenda**

**Moved by Councillor Marshall**

**Seconded by Councillor Borneman**

That the Council agenda for July 4, 2017 be approved as circulated.

**Carried**

## **1.4 Disclosure of Pecuniary Interest and the General Nature Thereof**

Councillor Keith declared a pecuniary interest in Item 7.1 due to employment conflict and left the room during the vote.

## **2. Public Meeting**

None.

## **3. Minutes and Matters Arising from Minutes**

### **3.1 Adoption of Minutes**

**Moved by Councillor McCann**

**Seconded by Councillor Saulnier**

That the Minutes from the Council meeting June 20, 2017 be approved as circulated.

**Carried**

### **3.2 Questions of Staff**

Councillor Saulnier complimented everyone on a great Canada Day at the Town Docks. While there he noticed a light beeping at the nearby pumping station. Mr. Brown said the alarm was a small pumping station taking sewage from the town dock area. The increase volume that day with the people and the rain will tax that station and an alarm will go off. We are looking at upsizing the pumps in that station in the interim and would like to replace it down the road with a bigger station. Staff were there Saturday, Sunday and part of Monday looking into that pumping station as we were having problems with it.

Councillor Keith commented on the new public washrooms. They look really good. She also wanted to know the status of Emily Street? Mr. Brown replied that it is progressing slowly but surely. They are almost at MacFarlane Street. We are having a problem with the active live force main due to it's smaller size and it wasn't located where we thought it would be and of course there's a lot of rock to go through. Councillor Keith also asked about Parry Sound Drive. Will there be another coat of asphalt as she has received some complaints about some rippling on the asphalt. Mr. Brown replied that we've already received an extra thick coat of asphalt and there will be no further applications. He was not aware of any issues of this type and will have it checked out.

Councillor Keith thought the line painting on Cascade and William had just been done and they looked a little worse for wear already. Are we using a different paint? Mr. Brown replied that we've been using the same paint for the last several years. We've had a late start this year due to the incredible amount of rain. As well, the temperature has to be a consistent 20 degrees c+ to make it work and dry properly. He isn't aware of any issue with Cascade and William unless it hasn't been completed yet.

Councillor Borneman asked when we will see bicycle lanes connected along Parry Sound Drive? Mr. Brown replied that the job at hand consists of building a recreation trail from the Pentecostal Church past the YMCA entrance. There is an old road bed there that's just off the road. We are waiting for locates and enough staff to complete it.

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We hope to get to that in the next week or two. Then just past the YMCA at Cedarland Homes on the west side we will go off the road bed onto Parry Sound Drive where we've already paved. There is a three metre wide strip of asphalt to accommodate the recreation trail. We will then continue to where McDougal ran their recreational trail last year and that's where we will connect. We will be adding lines and delineators to ensure the public knows this is a recreation trail and not a place to park or to pass. Hopefully by the end of the month we will have the recreation trail connection that everyone has been waiting for.

#### **4. Correspondence**

##### **4.1 Peggy Hawthorn, Parry Sound Seniors Club**

Re: Request to waive building application fee for the new roof for their building.

*(Circulated to Mayor and Council and forwarded to the Chief Building Official for follow-up – Report and Recommendation to Council on this evening's agenda)*

##### **4.2 Wendy Kaufman, Manager, Community Planning and Development, Ministry of Municipal Affairs and Housing**

Re: Approval of Official Plan Amendment No. 1 - Oastler Park Shopping Plaza - enabling the use of the subject land for either one bank or one financial office.

*(Circulated to Mayor and Council and forwarded to the Principal Planner for follow-up)*

##### **4.3 AMO Watchfile - June 15 & 22, 2017**

Re: Municipal Industry News.

*(Circulated to Mayor and Council and forwarded to Clerk for placement on e-agenda)*

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**4.4** Wendall Fisher, Chair, Parry Sound Area Active Transportation

Re: Thank you letter for recent completion of cycling lanes on William Street.

*(Circulated to Mayor and Council and forwarded to the Clerk for filing)*

## **5. Deputations**

**5.1** Greg Mason, Chair, Downtown Sustainability Committee 10 mins.

Re: Mr. Mason provided an update on activities from the last year and a half. *{For more details, please see "Presentations" at [www.parrysound.ca](http://www.parrysound.ca) where minutes are posted.}*

**5.2** Bob Griffiths, President, Larry Woolner, Operations Vice President and Carol Wilson, Membership Director of Sail Parry Sound 10 mins.

Re: Mr. Griffiths introduced himself and Sail Parry Sound. Mr. Woolner updated Council about the erosion on the Sunset Trail and requested assistance from Parry Sound for its repairs for 2018. Ms. Wilson updated the public on the activities planned for this summer. Check [www.sailparrysound.on.ca](http://www.sailparrysound.on.ca) for a complete listing of events.

The following direction was proposed:

### **Direction Approved (For Direct Staff Follow-up)**

That Council consider repairing the Sunset Trail in budget deliberations for 2018.

**Carried**

**5.3** Ken Patel - Canada Best Value Inn & Suites on Joseph Street.

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Mr. Patel expressed his concerns about the Fire Department and their dealings with him regarding smoke alarms in his place of business. He said that they do have a fire alarm system which is tested every year by a professional company and the Fire Department is checking every little thing like batteries in smoke alarms. Last year he paid a \$10,000 fine and this year the Fire Department is checking his building again. Mr. Patel's staff isn't able to replace all batteries that have been removed by occupants. He thinks the fire department is wasting time with all these inspections and time in court and they should be going into the community and educating people. Other towns just charge fines and here in Parry Sound people are taken to court. Mr. Patel says the documentation is wrong and that is why there are delays at court. If this continues he will be out of business and will not be paying taxes. He is looking for some help.

Chief Thompson requested Council's indulgence and asked to say a few things in response to this situation. Mayor McGarvey responded that as long as it doesn't become a debate, he has no issue with that. Mr. Patel has stated his case and clarification from the Fire Chief would be in order.

Chief Thompson said that he would speak in generalities. Smoke alarms save lives. We have had two deaths in the past few years that could have been prevented with working fire alarms. The Fire Department has an active educational program and we go door to door each year here in Parry Sound. And yet when we go on calls, we still find houses and businesses that do not have working smoke alarms. There is zero tolerance for that. We charge everyone when we come across those situations. As far as hotel/motel owners, we starting checking everyone three years ago and this was a direct result of a complaint from a traveling resident. The Fire Prevention officer checked that particular establishment and over 50% of the smoke alarms didn't have batteries. That has been rectified and the Fire Department now checks all the hotel/motel owners in Parry Sound annually. The Fire Prevention officer calls ahead and lets them know a week in advance when he will be by to inspect their building and

recommends that owners check their alarms and make sure they are working. The Fire Prevention Officer does not want to come in and charge anyone but when business owners are given a heads up a week in advance and the previous issues have not been corrected, the Fire Department has no alternative but to lay charges. Some of our hotel/motel owners are on their second inspection and the problems have still not been dealt with a year later. Obviously, fines will be increased the second time around.

Chief Thompson's final point is that the Fire Code is provincial legislation, not municipal legislation. Council is required to appoint a Fire Chief by by-law and this makes it an apolitical process. This ensures that the rules and the law are applied in a consistent manner and everyone is treated the same.

Lastly, Chief Thompson cited the fire at 19 Parry Sound Road. Charges were laid, we went to court and the owners were convicted and accumulated fines reached \$40,000.00. All due to none working smoke alarms.

## **6. Mayor & Councillors' Reports**

Mayor and Councillors gave their reports on meetings attended and matters arising.

## **7. Ratification of Matters from Closed Agenda**

7.1 To support the issuance of a Taxi Driver's License to Applicant #002-2017 and to rescind Resolution 2013-141.

**Resolution 2017 - 118**

**Moved By Councillor Saulnier**

**Seconded By Councillor McCann**



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That Council, support Applicant #002-2017's request to apply for a taxi driver's license. Council directs the Issuer of Licenses to issue the Applicant a six (6) month Probation Taxi Drivers License with the following conditions:

The applicant provides the Issuer of License a current CPIC in good standing.

The applicant is not to be dispatched to a certain individual's request for service or to any taxi trip that individual is part of; and

That the owner of Parry Sound Taxi signs a responsibility agreement; and

That if the Town becomes aware of any violation of the applicant's probation conditions set herein the license be revoked immediately; and

That Council rescind Resolution 2013-141.

**Defeated**

## **8. Consent Agenda**

None.

## **9. Resolutions and Direction to Staff**

### **9.1 Finance and POA Court Services**

#### **9.1.1 POA Write-offs**

Spokesperson: Trevor Pinn, Director of Finance and POA Court Services

**Resolution 2017 - 119**

**Moved By Councillor Borneman**

**Seconded By Councillor Marshall**

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That Council for the Town of Parry Sound, hereby approves the write-offs for the Provincial Offences Act Court outlined in Schedule "A" attached.

**Carried**

## **9.2 Public Works**

### **9.2.1 Monument Restoration - Hillcrest & Sylvan Acres Cemeteries**

Spokesperson: Peter Brown, Director of Public Works

#### **Resolution 2017 - 120**

**Moved By Councillor Keith**

**Seconded By Councillor Saulnier**

That Council award the tender to Sanderson Monument Co. Ltd. in the amount of Fourteen thousand, two hundred and eighteen dollars and seventy-nine cents (\$14,218.79) taxes (1,635.79) included, for the repair and restoration of monuments at Hillcrest Cemetery and Sylvan Acres Cemetery, this being the lowest tender of three (3) tenders received.

**Carried**

### **9.2.2 Quotation - Waste Water Treatment Plant Clean-Out Services**

Spokesperson: Peter Brown, Director of Public Works

#### **Resolution 2017 - 121**

**Moved By Councillor Borneman**

**Seconded By Councillor McCann**

That Council accept the quotation from Bartels Environmental Services Inc. in the approximate amount of \$74,030., based on estimated volumes of material, taxes extra,

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for Waste Water Treatment Plant clean-out services, this quotation being the lowest of two quotations received.

**Carried**

### **9.2.3 Train Whistle Cessation**

Spokesperson: Peter Brown, Director of Public Works

#### **Direction Approved (For Direct Staff Follow-Up):**

That upon budget approval for 2018, Council direct staff to proceed with the "Procedure for eliminating whistling at public grade crossings" consistent with the requirements of Section 23.1 of the Railway Safety Act, Section 104 of the new Grade Crossings Regulations and Appendix D of the Grade Crossing Standards.

**Carried**

## **9.3 Development and Leisure Services**

### **9.3.1 Sign Variance - 46 Bowes Street**

Spokesperson: John Este, Chief Building Official

#### **Resolution 2017 - 122**

**Moved By Councillor Saulnier**

**Seconded By Councillor Keith**

That the Chief Building Official is authorized and directed to issue a permit for the sign at 46 Bowes Street according to the conditions and variances on Schedule "A" attached.

**Carried**

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**9.3.2 Parry Sound Seniors Club - Request for Waiver of Permit Fee**

Spokesperson: John Este, Chief Building Official

**Resolution 2017 - 123**

**Moved By Councillor Marshall**

**Seconded By Councillor McCann**

That staff is directed and authorized to arrange for a non-cash donation Parry Sound Seniors Club, owner and operator of the building at 80 James Street, in the amount of \$140 according to Schedule "A" attached.

**Carried**

**9.3.3 Façade Improvement - 2017 Terms of Reference**

Spokesperson: Taylor Elgie, Principal Planner

**Resolution 2017 - 124**

**Moved By Councillor Keith**

**Seconded By Councillor Saulnier**

That upon the recommendation of the Façade Improvement Review Committee, Council adopts the revised Façade Improvement Program Terms of Reference, attached as Schedule "A"; and

That Resolution 2009-201 be rescinded.

**Carried**

**9.4 Emergency and Protective Services**

**9.5 Administration**

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**9.6 Other Business**

**10. By-laws**

**10.1 Finance and POA Court Services**

**10.2 Public Works**

**10.3 Development and Leisure Services**

**10.3.1 Bobby Orr Community Centre: Snack Bar Lease Agreement**

Spokesperson: April McNamara, Manager of Parks and Recreation

**By-law 2017 - 6751**

Being a By-law to authorize the execution of an agreement with Jim Cox, "Mister Chips", for a three (3) year term to provide services at the Bobby Orr Community Centre snack bar.

**Read a First, Second and Third time, Passed, Signed and Sealed** this 4th day of July, 2017.

**10.3.2 Parks By-Law Update & Consolidation**

Spokesperson: April McNamara, Manager of Parks and Recreation

**By-law 2017 - 6752**

Being a By-law to regulate the use of Public Parks within the Town of Parry Sound and to repeal 98-4016, 2003-4640, 2006-4016 and 2006-4917.

**Read a First, Second and Third time, Passed, Signed and Sealed** this 4th day of July, 2017.

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**10.3.3** Rezoning Application - Z/17/05 - Dennis Drive - Penco Homes Limited - Lifting of "h" symbol

Spokesperson: Taylor Elgie, Principal Planner

**By-law 2017 - 6753**

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law) as amended to remove a holding provision ("h" symbol") from Lots 47-49, Plan M405 in the Town of Parry Sound.

**Read a First** time,

**Read a Second and Third** time, and **Defeated** this 4th day of July, 2017.

The following By-law was proposed:

**Moved By Councillor Borneman**

**Seconded By Councillor McCann**

**By-law 2017 - 6755**

Being a By-law to amend By-law 2004-4653 (The Zoning By-law) as amended to remove a holding provision ("h" symbol) from Lot 49, Plan M405 in the Town of Parry Sound.

**Read a First, Second and Third** time, **Passed, Signed and Sealed** this 4th day of July, 2017.

**Direction Approved (For Direct Staff Follow-up):**

That if by-law 2017-6753 is defeated, the Director of Finance, the Director of Public Works and the Principal Planner explore the possibility of a fees and charges by-law to provide municipal water and sewer services to all the lots zoned R1(h) in plan M405 and to evaluate the applicant's request.

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**Carried**

**10.4 Emergency and Protective Services Administration**

**10.5 Administration**

**10.6 Other Business**

**10.6.1 Confirming By-law**

**By-law 2017 - 6754**

Being a By-law to confirm the proceedings of Council.

**Read a First, Second and Third time, Passed, Signed and Sealed** this 4th day of July, 2017.

**11. Adjournment**

The Mayor adjourned the meeting at 8:45 p.m.

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**Mayor Jamie McGarvey**

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**Jackie Johnston Boggs, Clerk**

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