

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 15, 2020

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## **Minutes**

### **Date:**

December 15, 2020

### **Time:**

7:04 P.M. (6:20 PM Closed)

### **Location:**

Via Zoom Video Conference

### **Members Present:**

Mayor McGarvey, Councillor Backman, Councillor Borneman, Councillor Burden, Councillor Horne, Councillor Keith, Councillor Doug McCann

### **Staff Present:**

CAO Clayton Harris, Clerk Rebecca Johnson, Director of Finance Stephanie Phillips, Director of Development & Protective Services Dave Thompson, Director of Public Works Mike Kearns, Manager of Building and Planning Services Taylor Elgie, Manager of Revenue & Taxation Rob Beaumont, Manager of Infrastructure & Technology Forrest Pengra

### **Presentations: N/A**

**Resolution 2020 - 141**

**Moved by Councillor Backman**

**Seconded by Councillor Burden**

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 matters pertaining to:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board (**developer request to purchase land from the Town; MTO offer to sell land to the Town**);

e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, (**claim against Town funds**);

k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board, (**claim against Town funds**);

**Carried**

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

**1.2 Prioritization of Agenda**

Mayor McGarvey prioritized item 9.5.1 and then 9.4.1, to be dealt with after deputations; and added new item 9.5.2 regarding a request for exemption from the noise by-law.

**1.3 Adoption of Agenda**

**Moved by Councillor Keith**

**Seconded by Councillor Horne**

That the Council agenda for December 15, 2020 be approved as amended.

**Carried**

**1.4 Disclosure of Pecuniary Interest and the General Nature Thereof - N/A**

**2. Public Meeting - N/A**

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

**3.1 Adoption of Minutes**

**Moved by Councillor McCann**

**Seconded by Councillor Burden**

That the Minutes from the Regular Council meeting held December 1, 2020 be approved as circulated.

**Carried**

**3.2 Questions of Staff**

**3.2.1** In response to Councillor Keith's inquiry regarding a maintenance hole on Joseph St and the status of railing installation on Cascade St., Director of Public Works Mike Kearns responded that if temperatures moderate, a better patch work can be done for the rest of winter around the Joseph St. maintenance hole. With respect to the railing on Cascade Street, Mr. Kearns reported that although the railing was part of the contract installation, there was a decision made at some point not to re-install. Currently he is attempting to ensure design that will not impede snow removal and still allow for a 1.5 meter regulation width sidewalk.

**3.2.2** In response to Councillor Burden's concerns on behalf of the Downtown Business Association (DBA) regarding garbage on James Street between Seguin and Mary, and their request for garbage containers mid-block, Mr. Kearns reported that the MOU between Town and DBA identifies that garbage receptacles are removed during winter conditions and a few remain. One of the challenges in wintertime is to place receptacles where they won't impede snow removal.

**3.2.3** Councillor Backman commented that she would like the existing garbage receptacles in the downtown area replaced by bins supporting recycling. In addition, Councillor Backman requested an update on the CIINO initiative to which CAO Clayton Harris responded per the following: The Regional Economic Development Collaborative is composed of all seven West Parry Sound area municipalities; the new EDO James Cox started December 7th with an office located in the Township of The Archipelago building; Chair Michelle Hendry and Mr. Harris met with him yesterday, and will set a meeting with Mr. Cox and the Town's EDO Vlad Shehovtsov for Thursday.

**3.2.4** In response to Councillor Borneman's inquiry as to potential for a rink at Kinsmen Park this winter, Mr. Kearns reported that the Health Unit has released guidelines on operating outdoor rinks, and that pending appropriate weather conditions, plans are in place to make an outdoor rink at Kinsmen Park.

**3.2.5** In response to Councillor Keith's inquiry regarding winter solstice, Mr. Kearns reported that to his knowledge no celebratory plans were in place to recognize winter solstice this year.

#### **4. Correspondence**

**4.1** Rick Kerr

RE: Request for amendment to Cemetery Regulations - for Council's consideration

**4.2** Ann MacDiarmid, Mayor, Seguin Township

RE: Withdrawal from Boundary Adjustment Discussions - Filed

**4.3** Aleesha Clark, Committee Chair, Absolutely Georgian Bay

RE: Introduction of Absolutely Georgian Bay Tourism Cooperative Inc.- Filed

## **5. Deputations**

### **5.1 Tom Parks, OHE Consultants**

RE: Request for exemption from Noise Regulations for Jail Demolition

Mr. Park gave an explanation of the reason for the requested exemption from the noise regulations by-law and acknowledged that the Ontario Regulations 131/20 which prohibit municipalities from regulating construction noise between 6 AM and 10 PM may mean that his request is not necessary as contractors will be able to work from 6 AM to 9 AM prior to court, from 6 PM to 10 PM after court and on weekends and statutory holidays. In addition, Mr. Park responded to inquiries about how the work will be undertaken, including filling with uncompressible fill; and lighting during nighttime operations.

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

Mayor and members of Council gave reports on meetings attended and matters arising.

## **7. Ratification of Matters from Closed Agenda - N/A**

## **8. Consent Agenda - N/A**

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

### **9.1 Public Works**

#### **9.1.1 Winter Control Level of Service Policy**

Spokesperson: Mike Kearns, Director of Public Works

**Resolution 2020 - 142**

**Moved by Councillor Burden**

**Seconded by Councillor Borneman**

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That Council endorse and adopt the attached Winter Control Level of Service Policy for roads and sidewalks.

**Carried**

## **9.2 Development and Protective Services**

### **9.2.1 Extension of Temporary Patio Permissions for Restaurants During COVID-19**

Spokesperson: Taylor Elgie, Manager of Building and Planning Services

#### **Resolution 2020 - 143**

**Moved by Councillor Keith**

**Seconded by Councillor Horne**

Whereas on June 8, 2020 the Alcohol and Gaming Commission of Ontario (AGCO) permitted new patios or temporary additions to patios to provide more opportunities to local businesses while protecting health and safety, subject to municipal requirements, and provided an extension to these timelines on December 9, 2021; and

Whereas the Council for the Town of Parry Sound passed Resolution 2020-067 to permit temporary restaurant and bar patios and opted not to enforce the Zoning By-law or Site Plan Agreements as it related to parking infractions as a result of these patios until January 1, 2021; and

Whereas Covid-19 will be an issue affecting restaurants for the foreseeable future and the Town wishes to extend the timelines of this Resolution to be in tandem with the AGCO's extension.

Now Therefore be it Resolved that the Council for the Town of Parry Sound supports an extension until January 1, 2022 to the terms noted in Resolution 2020-067.

**Carried**

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**9.2.2 Consent Application B/45A&B/2020 - Macazer Holding**

Spokesperson: Taylor Elgie, Manager of Building and Planning Services

**Resolution 2020 - 144**

**Moved by Councillor Borneman**

**Seconded by Councillor McCann**

That Council of the Town of Parry Sound hereby supports Parry Sound Area Planning Board Application Number B45A&B/2020 - Macazer Holding.

**Carried**

**9.3 CAO's Office/Administration**

**9.3.1 The 2019-2020 Annual Report**

Spokesperson: Clayton Harris, CAO

**Resolution 2020 - 145**

**Moved by Councillor McCann**

**Seconded by Councillor Keith**

That Council receive the 2019-2020 Annual Report as attached, and direct staff to make copies of it available to the public and circulated to MP Scott Aitchison, MPP Norm Miller, the Downtown Business Association, the Chamber of Commerce and other agencies and organizations as appropriate.

**Carried**

**9.4 Finance and POA Court Services**

**9.4.1 Water & Wastewater Rate Study**

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Spokesperson: Stephanie Phillips, Director of Finance/Treasurer

Sean-Michael Stephen of Watson & Associates Economists addressed Council from a prepared presentation regarding a proposed ten-year sewer and water rate structure to address Council's previous direction to move to a structure that includes a base charge and consumptive rate that is uniform across all customers. The proposed recommendation includes a differentiated rate based on meter size with no distinction between residential and non-residential customers, and consumptive component based on actual usage for metered customer with no minimum consumption charge. Built into the rate structure are increased annual charges for operating expenditures plus inflation estimated at 2% per year, and capital related expenditure based on the capital funding plan.

**Resolution 2020 - 146**

**Moved by Councillor Burden**

**Seconded by Councillor Borneman**

WHEREAS Council approved a change from the current water and wastewater rate structure to a rate structure with a monthly fixed charge, based on meter size, and a consumptive rate (per gallon/per cubic metre) that is uniform for all customers; and

WHEREAS pricing structure changes were deferred to investigate additional options;

NOW THEREFORE Council hereby approves the posting of the Town of Parry Sound Water and Wastewater Rate Study for public circulation and comment; and

THAT the Water Financial Plan be prepared in the format required under O.Reg. 453/07 and submitted to the Province to maintain the Town's Municipal Drinking Water Licence; and further

THAT the recommended rates be brought forward for consideration.

**Carried**

## **9.5. Other Business**

### **9.5.1 West Parry Sound Recreation & Culture Centre**

Spokesperson: Donald Sanderson, Chair, Wellness Centre & Pool Committee

Wellness Centre & Pool Committee Chair Donald Sanderson introduced himself and consultants present, and then proceeded to give a presentation from a series of slides on the proposed West Parry Sound Area Recreation Centre.

In addition, questions posed were responded to by Mr. Sanderson or other members of the team per the following:

- it is unknown whether funding is jeopardized if a municipality pulls out; the project and funding formula would need to be reworked for approval by remaining municipalities.
- although the objective of the proposal was to develop program for the facility using 5 acres, there is an additional 10 acres available as well as 9 acres owned by the Town abutting the property that could be used for additional programming.
- Soil samples have been taken in the parking lot and play field area, and on the existing developed area, and all is buildable.
- the building can be re-oriented or expanding upon once an architect has been selected to proceed with finalizing siting and design.
- The Municipal Joint Service Agreement requires 100% agreement of members to release a municipality from the Agreement, with the rationale that any municipality on its own deciding to undertake a recreation project of this magnitude would be committed for decades.
- 2% of annual operating budget is put into a reserve fund to address future capital expenditures - an industry standard.
- Terms of Reference for the Joint Municipal Service Board are essentially contained within the Agreement - a broad constitutional document to set up the Board.

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- with respect to the receipt by other municipalities of the presentation, the Townships of McDougall and The Archipelago have both passed resolutions endorsing the recommendations; the Municipality of Whitestone received the presentation and will decide at a future meeting, which was their planned approach to the issue.
- the operating agent will be determined by the Joint Municipal Service Board; the hope is that an arrangement can be made with the YMCA.
- The YMCA owns the land and is agreeable to leasing it for a nominal amount per year for 100 years. If as a condition of funding the land must be owned by the grant recipient, the YMCA is agreeable to sell the land for a nominal amount.
- consider changing the word "burden" to something more positive in the Joint Municipal Service Board Agreement vis a vis "municipalities shall share the burden of the annual contribution."

Mayor McGarvey thanked Chair Sanderson and other presenters.

**Resolution 2020 - 147**

**Moved by Councillor Keith**

**Seconded by Councillor Horne**

Be it Resolved that subject to all area municipalities agreeing to participate as outlined in the attached report presented by the Wellness Centre & Pool Committee at the December 15, 2020 Meeting of Council, and subject to ICIP funding approval, The Council for the Corporation of the Town of Parry Sound approves the following recommendations:

1. That the YMCA property, as recommended by CS&P Architects be approved as the site;
2. That CS&P Architects Option A be approved for the purposes of designing and constructing the facility;

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3. That the cost sharing formula be approved for the allocation of operating and capital costs;
4. That a Joint Municipal Service Board be used by the municipalities, for the purpose of acting as an agent on behalf of the Municipalities, in the constructing, maintaining, fundraising and operating of the West Parry Sound Area Recreation and Culture Centre;
5. That the Joint Municipal Service Board Agreement be approved, and the Mayor and Clerk be authorized to execute the agreement, substantially in the form attached;
6. That pending approval of the ICIP grant application the Steering Committee be directed to take the necessary steps to create the Joint Municipal Service Board;
7. That the Steering Committee be directed to enter into negotiations with the YMCA for the purposes of operating the facility; and
8. That the Steering Committee be directed to enter into negotiations with the YMCA to secure the approved site.

Mayor McGarvey requested a recorded vote:

Councillor Backman	yes
Councillor Borneman	yes
Councillor Burden	yes
Councillor Horne	yes
Councillor Keith	yes
Councillor McCann	yes
Mayor McGarvey	yes

**7-yes;**

**0-no**

**Carried Unanimously**

**9.5.2 Request for Exemption from Noise Regulations By-law**

**Resolution 2020 - 148**

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**Moved by Councillor Borneman**

**Seconded by Councillor McCann**

Whereas Council has received a request per attached Schedule A for exemption from the Noise Regulations By-law 2009-5301; and

Whereas no concerns have been raised by Town staff with respect to the request for exemption, and

Whereas Ontario Regulation 131/20 filed April 7, 2020 and in effect for 18 months from date of filing, denies a municipality the power to prohibit and regulate noise with respect to construction activity in a municipality between the hours of 6 AM and 10 PM

Now Therefore the Council of the Corporation of the Town of Parry Sound does hereby grant the applicant all requested exemptions from the Noise Regulations By-law 2009-5301 per application attached as Schedule A.

**Carried**

## **10. By-laws**

### **10.1 Public Works**

#### **10.1.1 Curbside Collection Contract Extension**

Spokesperson: Mike Kearns

#### **By-law 2020 - 7094**

Being a bylaw to authorize the extension of an agreement with Waste Connections of Canada Inc. for curbside waste and recycling collection for two years, ending December 31, 2022.

**Read a First, Second & Third time, Passed, Signed & Sealed**

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**10.2 Development and Protective Services**

**10.3 CAO's Office/Administration**

**10.4 Finance and POA Court Services**

**10.4.1 2021 Interim Tax Levy**

Spokesperson: Rob Beaumont

Manager of Revenue & Taxation/Tax Collector

**By-law 2020 - 7093**

Being a By-Law to provide for an interim tax levy, for the payment of taxes, and for penalty and interest at 1 1/4 percent per month for the 2021 taxation year.

**Read a First, Second & Third time, Passed, Signed & Sealed**

**Direction Approved for Staff Follow-up**

**Moved by Councillor Keith**

**Seconded by Councillor Borneman**

That staff be directed to report back on the implications of waiving the 1 1/4% penalty under various options, i.e. over different number of months, etc.

**Carried for staff follow-up**

**10.5 Other Business**

**10.5.1 Confirming by-law**

**By-law 2020 - 7095**

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

**Read a First, Second & Third time, Passed, Signed & Sealed**

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## **11. Adjournment**

Mayor McGarvey Adjourned the Meeting at 9:21 PM

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