

The Corporation of The Town of Parry Sound

Council Meeting Minutes May 4, 2021

This meeting was live streamed, recorded and is available on the internet by visiting the Town of Parry Sound's website at www.parrysound.ca.

Minutes

Date:

May 4, 2021

Time:

7:09 PM (Recessed at 7:12 PM due to live streaming disruption; reconvened with live stream at 7:23 PM; recessed at 8:30 PM due to live streaming disruption; reconvened with live stream at 8:46 PM)

Location:

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 & Planning Services Taylor Elgie, Manager of Infrastructure & Technology Forrest Pengra, Human Resources Coordinator Alicia Lesperance.

Presentations: N/A

Resolution 2021 - 051

Moved by Councillor Horne

Seconded by Councillor Keith

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:

d) labour relations or employee negotiations, **(hiring policy interpretation)**;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, **(Contractor work on Town property), (Planning Board decision)**;

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, **(hiring policy interpretation), (Contractor work on Town property), (Planning Board decision)**.

Carried

1.1 Additions to Agenda/Notice of Motion

1.2 Prioritization of Agenda - N/A

1.3 Adoption of Agenda

Moved by Councillor Burden

Seconded by Councillor Keith

That the Council agenda for May 4, 2021 be approved as circulated.

Carried

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

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1.4.1 Councillor Horne declared pecuniary interest on item 10.4.2 regarding boat launches and parking on Salt Dock Road, as he is a property owner and resident on Salt Dock Road. Councillor Horne left the meeting for duration of the item, did not participate in discussion, nor vote on the item.

(Live streaming and recording were disrupted at 7.12 PM. Prior to awareness of the disruption, Mayor McGarvey opened the meeting, Council voted on adoption of the Agenda, heard disclosures of pecuniary interest, and moved to a Public Meeting per motion below. Council then recessed while technical adjustments were made and live streaming and recording per Part 1 of the meeting resumed at 7:23 PM.)

2. Public Meeting

2.1 Proposed Zoning By-law Amendment - Z/21-04 – 9 and 11 Church Street (FAD Architects on behalf of Gromov)

Moved by Councillor Horne

Seconded by Councillor Borneman

That we do now adjourn the regular meeting and declare the public meeting open.

Carried

Council held a public meeting to consider a proposed Zoning By-law amendment under Sections 34 of the Planning Act, as amended. After the Mayor adjourned the regular meeting and declared the public meeting open, the Clerk advised that notice had been given by prepaid first-class mail to the required prescribed agencies and property owners within 120 metres, posted on the property and placed on the Town's website.

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Mr. Elgie advised that the proposed Zoning By-Law amendment would change the zoning of the property from C1 on 11 Church Street and amend the S.P. 26.119(h) on 9 Church Street to permit a mixed-use building with a commercial ground floor and 20 residential spaces.

In response to the Mayor's invitation to address Council, Matt Ryan of FAD Architects, spoke on behalf of the developer Gromov in favour of the proposed Zoning By-law amendment. Mr. Ryan said that he thinks the project focuses development within the urban area, strengthens the central business district as a prime location and place to live, and is in keeping with the Town's Official Plan. Mr. Ryan said that one of the tools at our disposal to help fight effects of climate change is to reduce dependence on a car and to do that, we need to stop spreading development outward, by increasing density, so that we create more walkable, liveable communities; and projects like this are key to that concept.

No one spoke in opposition to the proposed Zoning By-law amendment.

Mr. Elgie advised that he had received a couple requests for information, but no formal comments yet with regards to this matter.

The Mayor advised that Council, at its discretion may approve the proposed Zoning By-law amendment and if so, must either circulate notice of passing of the by-law or give notice in the local press. Objections to the passing of the by-law will be received by the Clerk within 20 days from the date such notice is given, which objections will be forwarded to the Local Planning Appeal Tribunal. If an appeal is submitted and the appellant has not provided Council with an oral or written submission before the passing of the by-law, the Local Planning Appeal Tribunal may choose to dismiss the appeal.

Moved by Councillor Borneman

Seconded by Councillor Keith

That we do now declare the public meeting closed and the regular meeting reconvened.

Carried

3. Minutes and Matters Arising from Minutes

3.1 Adoption of Minutes

Moved by Councillor Burden

Seconded by Councillor McCann

That the Minutes from the Regular Council meeting held April 20, 2021 be approved as circulated.

Carried

3.2 Questions of Staff

3.2.1 In response to Mayor McGarvey's inquiry as to the reason trees were cut down on Gibson Street near Market Square Park, Director of Public Works Mike Kearns reported that as a result of tree limbs falling on private property near vehicles and the adjacent sidewalk, a board certified arborist was consulted to assess these large trees. After reviewing from a number of perspectives, including viable growth within the crown, the arborist determined that they were not candidates for maintenance, and removal was the only viable option to remove the hazards posed by the trees.

3.2.2 In response to Councillor Borneman's inquiry regarding the public consultation process to the Official Plan, Manager of Building and Planning Services Taylor Elgie concurred that it is a lengthy process. Plans were in place last spring for an open house, which was cancelled because of COVID. An open house with large maps available for viewing is useful to make the information accessible for people; providing the information on-line is less interactive and therefore the process has been delayed. Mr. Elgie reported that the department is trying to move the process forward with an open

house or equivalent in the next 4-6 months, including potential for on-line consultation and review. He also noted that people can contact him by phone, e-mail, letter, etc. if an open house doesn't work. The Open house is followed by a mandatory public meeting, after which errors are corrected, and then final approval granted at a subsequent meeting.

3.2.3 In response to Councillor Borneman's inquiry regarding regulations around backyard hens, Mr. Elgie reported that there has been a desire to consider accessory units holistically in the comprehensive zoning by-law and that is why this too has not moved forward.

By-law Enforcement Officer Allison Kreuger reported that before a regulatory by-law regarding backyard hens could be considered and passed by Council, the zoning by-law would need to be amended to address inclusion of backyard hens.

The following motion was proposed:

Moved by Councillor Borneman

Seconded by Councillor Keith

That staff be directed to review the current zoning by-law to consider amendments to permit backyard hens.

Carried

3.2.4 In response to Councillor Borneman's inquiry on the status of the IMPACT awards for local innovation and small business, CAO Clayton Harris reported that the Town of Parry Sound is one of 32 Founders in the Parry Sound Area and that the IMPACT awards will be presented by both Muskoka Founders Circle and Parry Sound Founders Circle on May 27th from 5:00 - 7:30 PM in a free admission virtual gala. With respect to the PS Impact Awards, five finalists will have gone through a Dragon's Den style selection process with a prize of \$10,000 and \$5,000 awarded to the top two.

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3.2.5 In response to Councillor Backman's inquiry, Clerk Rebecca Johnson confirmed that the Near North District School Board representatives will be addressing Council at one of the two June Council meetings with respect to construction of the new high school. With respect to Councillor Backman's query regarding traffic studies, Mr. Elgie reported that he and Director of Development & Protective Services Dave Thompson met with school Board representatives last week and recommended a traffic study that not only looked at cars, but also at pedestrian traffic in the area.

3.2.6 In response to Councillor Keith's inquiry regarding statistics and process for determining pothole repair, Mr. Kearns reported that staff have been out as weather permits, patching small potholes with hotmix from recycled asphalt and that larger road cut sections will be scheduled soon for repair by an external contractor.

3.2.7 In response to Councillor Keith's inquiry regarding the status of reinstallation of the railing at the Cascade St. hill, Mr. Kearns reported that he has been speaking with a local contractor who has agreed to meet on-site to review installation of the railing so as not to hinder winter maintenance. The meeting is pending.

4. Correspondence

4.1 Anne Bossart, Tower Hill Gardeners Coordinator

RE: Appreciation for work of Recreation Department staff for work at Tower Hill.

4.2 Margaret Dunnigan, June Carlton, Louise Campbell, Cynthia Hamlin, Anita Chechock

RE: individual letters of the same text supporting Council's position to deny construction of a vehicle bridge over the Fitness Trail - filled.

4.3 Maryann Weaver, Clerk, Township of the Archipelago

RE: Support for WPS Area Recreation and Culture Centre - filed.

4.4. Ann & Dave Hurdman, Parry Sound residents

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RE: Concerns with proposed amendment to the Parking & Traffic by-law under item 10.4.2 on the agenda which would charge for the overnight parking at boat launch.

5. Deputations - N/A

6. Mayor & Councillors' Reports

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

7. Ratification of Matters from Closed Agenda

7.1 Interpretation of Hiring Family Members Policy. Policy # C-1.2.

Spokesperson: Alicia Lesperance, Human Resources Coordinator

Resolution 2021 - 052

Moved by Councillor McCann

Seconded by Councillor Backman

That Council supports the staff interpretation of the Hiring of Family Members Policy (C-1.2.)

And Further That Council directs staff to update the Policy and clarify under what circumstances it is acceptable to have family members working in the same department

Carried

7.2 Request to Appeal Planning Board Decision on B/06/2021 (TPS - Barnes)

Spokesperson: Taylor Elgie, Manager of Building and Planning Services

Resolution 2021 - 053

Moved by Councillor Borneman

Seconded by Councillor Burden

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Whereas the Council for the Town of Parry Sound recommended the denial of Parry Sound Area Planning Board Application B/06/2021 (TPS) - Barnes by Resolution 2021-033;

And Whereas the Parry Sound Area Planning Board granted approval of B/06/2021 (TPS) - Barnes by Resolution 2021-31;

And Whereas Parry Sound Area Planning Board Resolution 2021-31 does not include a condition of consent that the lands be rezoned in order to ensure compliance with Town of Parry Sound Zoning By-law 2004-4653, as amended.

Now Therefore Be it Resolved that Council appeal the decision of Parry Sound Area Planning Board Application B/06/2021 (TPS) - Barnes to the Local Planning Appeal Tribunal (LPAT) as the Parry Sound Area Planning Board's decision will create an illegal non-complying lot per the Town's Zoning By-law and does not represent good planning;

And Further That Council directs the Manager of Building and Planning Services to execute all necessary documents as it relates to the submission of this appeal unless the Planning Board's Decision is amended to note a Zoning By-law Amendment is a condition of consent prior to the expiry of the appeal period.

Carried

8. Consent Agenda - N/A

9. Resolutions and Direction to Staff

9.1 CAO's Office/Administration

9.1.1 Flag Policy - Inclusion of Pride Flag, and Amended Half-Masting Protocols

Spokesperson: Rebecca Johnson, Clerk

Resolution 2021 - 054

Moved by Councillor Keith

Seconded by Councillor Horne

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That the Flag Policy as adopted by Resolution 2020-076 is hereby revoked, and that the Flag Policy attached as Schedule A, which incorporates adoption of the annual flying of the Pride flag, and amended protocols regarding half-masting as a mark of respect and condolence is hereby approved.

Carried

(Live streaming and recording were disrupted at 8:30 PM. Prior to awareness of the disruption, Council voted on Resolution 2021-054 above, received Councillor McCann's request below, and heard the motion under Resolution 2021-055 below without yet voting on it. Council then recessed while technical adjustments were made and live streaming and recording per Part 2 of the meeting resumed at 8:46 PM.)

In response to Councillor McCann's request for the possibility of adapting the municipal flagpole so that both the municipal flag and the an approved organization's flag could be flown at the same time, Director of Public Works Mike Kearns responded that he would review the pole to determine if this could be done.

9.1.2 West Parry Sound Regional Economic Development Collaborative - Terms of Reference

Spokesperson: Clayton Harris, CAO

Resolution 2021 - 055

Moved by Councillor Borneman

Seconded by Councillor Burden

WHEREAS the West Parry Sound Economic Development Collaborative (WPSEDC) is a partnership between the seven municipalities of West Parry Sound, originally created in 2018 with a mandate to improve the region's business environment;

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AND WHEREAS member municipalities approved the WPSEDC Terms of Reference in early 2018, which created a collaborative governance model involving a Board of Municipal Stakeholders, a Core Group of Advisors, a Steering Committee, and a Regional Economic Development Officer (EDO);

AND WHEREAS the Steering Committee and the Regional EDO are the only elements of this model that have been implemented to date;

AND WHEREAS FedNor approved funding for a period ending November 2023 to hire a Regional Economic Development Officer for a three (3) year term, with contributing funding coming from member municipalities;

AND WHEREAS all member municipalities passed resolutions of Council in October 2020 confirming their commitment to the WPSEDC;

AND WHEREAS the Steering Committee and the Regional EDO have recommended amendments to the WPSEDC Terms of Reference in order to reflect current operating procedures and economic development priorities;

AND WHEREAS the WPSEDC structure requires a Board of Stakeholder Municipalities, comprised of the Heads of Council (or designate) of the member municipalities, to provide high-level strategic direction to the WPSEDC;

THEREFORE BE IT RESOLVED that the Municipality adopts the updated WPSEDC Terms of Reference attached as Schedule A;

AND FURTHER that the Municipality hereby appoints _____ to the Board of Stakeholder Municipalities.

The following appointing motion was made.

Moved by Councillor Keith

Seconded by Councillor McCann

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That the Resolution be amended to appoint Mayor McGarvey to the Committee, with Councillor Backman appointed as alternate in cases where the Mayor cannot attend

Carried

The amended resolution was voted on.

Carried as amended

9.2 Finance and POA Court Services

9.3 Public Works

9.3.1 Stormwater drainage easement - 1 Georgian Bay Avenue.

Spokesperson: Mike Kearns, Director of Public Works

Resolution 2021 - 056

Moved by Councillor Burden

Seconded by Councillor Borneman

Whereas the Town of Parry Sound has a stormwater conveyance over 1 Georgian Bay Ave; and

Whereas Parry Sound Condominium Corporation No. 6, owner of 1 Georgian Bay Ave. is in favour of granting an easement;

Now therefore the Mayor & Clerk are hereby authorized to sign the transfer documents to register the easement attached as Schedule A.

Carried

9.4 Development and Protective Services

9.5. Other Business

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9.5.1 Declaration of June 2021 as PTSD Awareness Month

Spokesperson: Mayor McGarvey

Resolution 2021 - 057

Moved by Councillor Keith

Seconded by Councillor Horne

Whereas June has been declared as PTSD Awareness Month each year around the world; and

Whereas for centuries we have recognized post traumatic stress disorder; and

Whereas PTSD can affect all ages, children through to seniors: and

Whereas treatment for PTSD is available; and

Whereas it is up to each of us to know that the PTSD Assessment form is a major tool to seek medical assistance; and

Whereas PTSD Awareness Month urges all to seek help for those who may have PTSD requiring medical assistance;

NOW THEREFORE Council of the Corporation of the Town of Parry Sound does hereby proclaim June as PTSD Awareness month in the Town of Parry Sound, and encourages residents to actively learn about the PTSD Assessment form written by the Centre for PTSD Research as a tool to assist those affected by PTSD to obtain medical assistance.

Carried

10. By-laws

10.1 CAO's Office/Administration

10.2 Finance and POA Court Services

10.2.1 Debenture issue for Servicing Denis & Macklaim Drive.

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

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By-law 2021 - 7128

A By-law of the Corporation of the Town of Parry Sound to Authorize the Borrowing Upon Amortizing Debentures in the Principal Amount of \$750,424 towards the cost of servicing Macklaim/Denis.

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

10.3 Public Works

10.4 Development and Protective Services

10.4.1 Amendment to the Sign By-law 2002-4486

Spokesperson: Allison Kreuger, By-law Enforcement Officer

By-law 2021 - 7124

Being a By-law to amend the Sign By-law 2002-4486 regarding Sandwich Board Signs

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

10.4.2 Amendment to Parking and Traffic Control By-law 2019-6912

Spokesperson: Allison Kreuger, By-law Enforcement Officer

By-law 2021 - 7125

Being a By-law to amend the Parking and Traffic Control By-law 2019-6912 regarding Champagne St. Boat launch overnight parking and parking on Salt Dock Road.

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

10.4.3 New Public Dock and Boat Launch By-law for the Town of Parry Sound.

Spokesperson: Allison Kreuger, By-law Enforcement Officer

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By-law 2021 - 7126

Being a By-law to regulate the use of Public Docks, Piers and Boat Launch Ramps and revoke By-law 2010-5470.

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

(Councillor Backman's internet connection dropped at 9:18 PM and she was not present for discussion or vote on items 10.4.4 and 10.4.5. Councillor Backman reconnected with the meeting at 9:22 PM and was present for discussion and vote on item 10.5.1.)

10.4.4 Sound Boat Works License of Occupation

Spokesperson: Dave Thompson, Director of Development and Protective Services

By-law 2021 - 7127

Being a By-law to authorize the execution of a License of Occupation with Sound Boat Works for the use of the property identified Pt Water Lt C West of Mill St, Foley as in PS8343 Except Pt 11, 42R6597 & Pt 4, 42R11471; Parry Sound.

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

10.4.5 Zoning By-law Amendment Application Z/21/01 - Kingshott/Crookshank-Hurd

Spokesperson: Taylor Elgie, Manager of Building and Planning Services

By-Law 2021 - 7129

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law), as amended, for 88 and 94 Louisa Street (John Jackson Planner Inc. on behalf of Kingshott/Crookshank-Hurd)

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

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10.5 Other Business

10.5.1 Confirming by-law

By-law 2021 - 7130

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

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

11. Adjournment

Mayor McGarvey adjourned the meeting at 9:23 PM

Personal Information collected in Section 2. Public Meeting, Section 4. Correspondence and/or Section 5. Deputations is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Section 21. (1) c and will be used to create a record available to the general public.