

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

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Minutes

Date:

October 15, 2019

Time:

7:00 P.M. (6:30 PM Closed)

Location:

52 Seguin Street, Council Chambers, Gibson Street Entrance

Members Present:

Mayor Jamie McGarvey, Councillor Vanessa Backman, Councillor Paul Borneman, Councillor Roger Burden, Councillor Brad Horne, Councillor Bonnie 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 Peter Brown, Manager of Building & Planning Services Taylor Elgie, Human Resources Coordinator Alicia Lesperance, Manager of POA Court Services Andre Couture.

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

Presentations: N/A

Resolution 2019 - 109

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 matters pertaining to:

b) personal matter about an identifiable individual, including municipal or local board employees **(Taxi License Appeal Hearing)**

e) litigation of potential litigation, including matters before administrative tribunals, affecting the municipality or local board; **(Rezoning - 1 College Dr.)**

f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; **(Rezoning - 1 College Dr.)**

Carried

1.1 Additions to Agenda/Notice of Motion

1.2 Prioritization of Agenda

1.3 Adoption of Agenda

Moved by Councillor Backman

Seconded by Councillor McCann

That the Council agenda for October 15, 2019 be approved as circulated.

Carried

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

1.4.1 Councillor Keith is employed by the Solicitor General and as such declared conflict on item 7.1 related to Applicant #001-2019's appeal for a Taxi Drivers' License. Councillor Keith left the room, did not participate in discussion nor vote on the matter.

2. Public Meeting

Moved by Councillor Keith

Seconded by Councillor McCann

That we do now adjourn the regular meeting and declared the Public Meeting open.

Carried

2.1 Proposed Zoning By-law Amendment - Z/19/14 – 12 College Drive (M2 Developments Inc. - The Gardens)

Subsequent to an explanation of how the public was notified of application Z/19/14 – 12 College Drive (M2 Developments Inc. - The Gardens), Manager of Building & Planning Services Taylor Elgie gave an explanation of the purpose of the proposed Zoning By-law Amendment (ZBA), being to amend the existing S.P. 26.88 Zone. The property currently permits a four storey Retirement Residence in addition to all the uses in the C3 zone. The applicant has requested the additional use of a four storey Apartment Dwelling to provide flexibility subject to reduced easterly and rear yard setbacks, and a reduced parking standard of 30 parking spaces for 60 units. The portion of the property subject to the rezoning is currently vacant.

Mayor McGarvey invited those in favour of the proposed ZBA to address Council.

Bill Mardimae of M2 Developments, owner and operator of the Parry Sound retirement home The Gardens addressed Council, noting that the original project was developed in 2013 with 70 suites, and an additional 37 has just been added. Mr. Mardimae reported that with increasing demand, the developer proposes to put a 40 to 50-unit apartment building for seniors adjacent to the retirement home, on the west side. Mr. Mardimae

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

noted that the land was severed earlier this year which allows for a retirement home and some commercial uses. As the developers believe the proposed seniors' apartment units fall somewhere in between the existing zoning permissible uses, thus the rezoning application has been made to clearly define it.

Mayor McGarvey invited those in opposition to the proposed ZBA to address Council.

Keith Smith addressed Council noting that he is not opposed to the development per se but questioned how many dedicated handicapped parking spots there would be if there are only 30 parking spaces for 50 or 60 units. Mr. Smith noted that government regulation calls for .04 dedicated handicapped parking spaces per unit, which only totals approximately 1.2 for the proposed development.

Mr. Smith reported that he is a resident of The Gardens, and that there are 18 parking spots assigned for residents, 7 spots not assigned at all, and only 3 spots dedicated handicapped. Mr. Smith noted that there are two residents in wheelchairs and 16-17 people with handicapped permits and he suggested that therefore there should be 17 dedicated handicapped spots. Mr. Smith said that if the new building is going to have 30 parking spots, there should be dedicated handicapped parking over and above governmental regulations, i.e. with 50% of the spots marked for residents, and 30% of that 50% as dedicated handicapped parking.

Mr. Elgie reported that one letter has been received from Fasken Martineau DuMoulin LLP on behalf of Canadore College, expressing concerns with the definition of a retirement residence vs. apartment dwelling with the latter permitting any person to live there. The proposed reduced parking provisions may result in parking on Canadore property. Fasken Martineau DuMoulin requested that this technicality be addressed, or that the application its current form be denied.

2.2 Proposed Zoning By-law Amendment - Z/19/15 – 32 Great North Road (Distler/Ambraska)

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

Subsequent to an explanation of how the public was notified of application Z/19/15 – 32 Great North Road (Distler/Ambraska), Manager of Building & Planning Services Taylor Elgie gave an explanation of the purpose of the proposed rezoning from S.P. 26.109 to a R3 Zone. The property was zoned R3 prior to a recent rezoning, and the applicant wishes to return to R3 zoning status. Additionally, the applicant has requested a reduced parking space size of 2.7m x 6m. Previously the property was used as a fourplex, but this structure suffered a fire.

No members of the public were present to speak either in favour or in opposition to the proposed rezoning, and Mr. Elgie reported that no letters had been received.

2.3 Zoning By-law Amendment - Z/19/16 – Dennis Drive and Macklaim Drive (Town of Parry Sound)

Subsequent to an explanation of how the public was notified of application Z/19/16 – Dennis Drive and Macklaim Drive (Town of Parry Sound), Manager of Building & Planning Services Taylor Elgie explained that the Town proposes to rezone the subject properties from R1(h) to a R2 zone due to the recent installation of water, sewer and storm services. The properties were zoned with a holding provision to preclude development until municipal services were made available, which has occurred. The 20 properties are currently vacant.

Mayor McGarvey invited those in favour of the proposed ZBA to address Council.

Suzanne Young, resident on Macklaim Drive spoke in favour of the proposed rezoning noting that affordable housing is needed, and that with the location's proximity to a local elementary school, it ought to attract young families. With the requirement for water, sewer and storm sewer availability, Ms. Young asked that sidewalks be included in any future development plans, and specifically that a sidewalk be installed on Macklaim Drive for pedestrians, including children walking to school, as the current design with the presence of the hill makes it dangerous for pedestrians.

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

No one spoke in opposition to the proposed ZBA and Mr. Elgie reported that no letters had been received either in favour or, or in opposition.

Mayor McGarvey concluded the public meeting with notice that objections to the passing of the amendments 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 Backman

Seconded by Councillor Horne

That we now declare the Public Meeting Closed.

Carried

3. Minutes and Matters Arising from Minutes

3.1 Adoption of Minutes

Moved by Councillor McCann

Seconded by Councillor Backman

That the Minutes from the Regular Council meeting held October 1, 2019 be approved as circulated.

Carried

3.2 Questions of Staff

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

3.2.1 In response to Councillor Borneman's question regarding the status of the Wellness Centre Pool Complex, CAO Clayton Harris reported that a lot of progress has been made by the area municipalities working together collectively and agreeing earlier this year on three important issues: i.e. 1) a simplified decision making process for the 7 area municipalities and 2 First Nations; 2) undertaking due diligence before committing money towards a project that could cost as much as \$25 million before grants; and 3) engaging a third party with expertise to undertake the due diligence. Mr. Harris reported that the due diligence is underway, and that while there has been much said on the issue of site selection, only about 1/3 of the consultant's work is related to site selection, with the majority of work related to understanding what the community's needs are, capital costs based on those needs and the location, servicing costs and a business plan to address operating costs once it is built.

Mr. Harris noted that the due diligence work was awarded to a qualified firm at the Oct 3rd, 2019 Council meeting, after all area municipalities had agreed on cost sharing for due diligence. Mr. Harris also noted that there is a federal-provincial grant available with a November 12 submission deadline, which could fund up to 70% of the project, and that efforts are focussed on getting that grant application in by November 12th.

3.2.2 In response to Councillor Backman's inquiry as to whether there was any plan for lighting the Town of Parry Sound sign on Highway 400 in the 2020 budget, Director of Public Works Peter Brown reported that the lighting is solar powered, has been there for as long as the sign has been there, and that he will be putting in to the 2020 budget funds to improve the intensity of the lighting there.

3.2.3 In response to Councillor McCann's inquiry as to who looks after the now deteriorated Parry Sound population sign on Oastler Park Drive, Mr. Brown reported that it is the provincial Ministry of Transportation responsibility, and that he will have a conversation with MTO to learn what their time frame is for repairing/replacing it.

4. Correspondence

4.1 Bill Liggins

RE: Request for Accessible Pedestrian Signal at Church-Isabella intersection

Circulated to Mayor & Council and Director of Public Works.

4.2 Tom Dowswell

RE: Suggestion that DSSAB budget go towards small business

Circulated to Mayor & Council.

4.3 Belvedere Heights Home for the Aged

RE: Notice of Annual General Meeting - October 17th, 6:30 PM, Belvedere Heights

Circulated to Mayor & Council.

4.4 Roger & Olga Little

RE: Request for Waubeek Street speed reduction to 40 km/hour and stop sign at Wood St.

Circulated to Mayor & Council and Director of Public Works.

5. Deputations

5.1 Bill Liggins

RE: Accessible Pedestrian Signals (APS)

Mr. Liggins, resident on Winnifred Ave, addressed Council with a request for consideration in the 2020 budget for an audible pedestrian (APS) signal at the Isabella-Church intersection.

Mr. Liggins contrasted the Isabella-Church intersection which has no APS, with that at James and Seguin, noting that the latter uses a beep, which directs the pedestrian to

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

the button, which has a directional arrow. About halfway across, the APS on other side beeps, helping the person navigate across correctly.

Mr. Liggins noted that with the mega school proposed near the Isabella-Church intersection, there will be even more pedestrian traffic including elementary school aged children, a few who have vision loss and will need safe crossing.

Mr. Liggins reported that there are approximately 80-84 people in Parry Sound who have identified themselves as blind or visually impaired with that number increasing in summer months, and that he is personally aware of 4 persons in the immediate area.

Mr. Liggins noted that he would like to see the Town budget annually to have traffic lights throughout the Town include APS by year 2025 in order to meet AODA guidelines.

Moved by Councillor McCann

Seconded by Councillor Keith

THAT staff be directed to include for consideration in the 2020 budget, APS at the Isabella-Church intersection

Carried

5.2 Roger Little

RE: Waubeek Street maximum speed limit

Mr. Little addressed Council regarding safety concerns on Waubeek Street where he is resident. Mr. Little noted that prior to the reconstruction work on Waubeek Street, its condition had a speed calming effect, however now he and others believe that people drive too fast on it, exceeding by 10 or 20 km/hour the unposted default speed limit of 50 km/hour.

Mr. Little reported that he did not believe Waubeek Street could be similarly compared with Parry Sound Drive, Bowes, William and Church Streets, and identified features of

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

Waubeek Street, such as its steep hill and curve which in other jurisdictions would warrant consideration of such a street for speed reduction.

Mr. Little noted that Waubeek Street is susceptible to deer crossing from Georgian Bay, and that a 40 km/hour speed limit would reduce the risk of collision or injury from collision. Mr. Little also noted that Prospect Street is 40 km/hour to address safety concerns for pedestrians who walk to the beach in summer and questioned why this shouldn't then also apply to Waubeek Street, which is the street access to Prospect Street.

Mr. Little concluded by noting that Waubeek Street is a busy road and advocating for the posting of the speed limit at 40 km/hour and putting a stop sign at Waubeek at Wood Street out of safety concerns for pedestrians.

6. Mayor & Councillors' Reports

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

7. Ratification of Matters from Closed Agenda

7.1 Appeal the Denial of Taxi Driver's Licence

Councillor Keith left room and did not participate in discussion

Resolution 2019 - 110

Moved by Councillor McCann

Seconded by Councillor Backman

That Council approve Applicant #001-2019's appeal and grant a temporary Taxi Driver's Licence; and directs the Issuer of Licences to issue the Applicant a six (6) month Probationary Taxi Driver's Licence with conditions identified as confidential Schedule A.

Carried

8. Consent Agenda

8.1 International Month for the Elimination of Violence Against Women

Resolution 2019 - 111

Moved by Councillor Borneman

Seconded by Councillor McCann

That the Council hereby proclaims the month of November in Parry Sound as International Month for the Elimination of Violence Against Women.

Carried

8.2 Local Government Week

Resolution 2019 - 112

Moved by Councillor Burden

Seconded by Councillor McCann

Whereas Local Government Week aims to increase youth and public awareness about the important role local government plays in our communities;

Be it resolved that October 21 to 25, 2019 be proclaimed as Local Government Week in the Town of Parry Sound; and

That St. Peter the Apostle Catholic School grade 5/6 class visit the Municipal Office and participate in a simulated council meeting on October 23, 2019.

Carried

9. Resolutions and Direction to Staff

9.1 Public Works

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

9.2 Development and Protective Services

9.3 CAO's Office/Administration

9.3.1 Director of Public Works Selection - Sub-Committee of Council Appointments

Spokesperson: Alicia Lesperance, HR Coordinator

Direction

Moved by Councillor Borneman

Seconded by Councillor McCann

That pursuant to the Town hiring policy, the Sub-Committee for the hiring of the Director of Public Works position be composed of the following Members of Council: Councillor Borneman, Councillor Horne, Councillor Keith

Carried

9.3.2 Parry Sound Founders Circle

Spokesperson: Clayton Harris, CAO

Direction

Moved by Councillor Backman

Seconded by Councillor Borneman

That staff be directed to bring back a partnership agreement between the Founders Circle and the Town regarding the collection and administration of the funds, including issuing charitable receipts for the donations to the Parry Sound Founders Circle award;

That the agreement specify that the funds must be donated to the Town, are held in a Town bank account, and the Town has sole discretion on disbursements; and

That the Town create a specific Reserve for the funds; and

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

That the payment of the award be made based upon the recommendation by the Parry Sound Founders Circle to the Town.

Carried

9.3.3 2020 Council Meeting Dates

Spokesperson: Rebecca Johnson, Clerk

Resolution 2019 - 113

Moved by Councillor Keith

Seconded by Councillor Horne

That pursuant to By-law 2018-6814, Section 3, paragraph 4, Council approves Schedule "A" as attached, the 2020 schedule of Regular Meetings of Council.

Councillor Keith requested a recorded vote:

	Yes	No
Councillor Vanessa Backman		X
Councillor Paul Borneman		X
Councillor Roger Burden		X
Councillor Brad Horne		X
Councillor Bonnie Keith		X
Councillor Doug McCann		X
Mayor Jamie McGarvey		X
	0	7

Defeated

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

The following motion was made:

Resolution 2019 - 114

Moved by Councillor Keith

Seconded by Councillor McCann

That pursuant to By-law 2018-6814, Section 3, paragraph 4, Council approves Schedule "A" as attached, the 2020 schedule of Regular Meetings of Council, based on the 1st and 3rd Tuesdays of the month with the usual exceptions of January and August.

Carried

9.3.4 Strategic Plan Resources

Spokesperson: Clayton Harris, CAO

Direction

Moved by Councillor Backman

Seconded by Councillor Borneman

That staff be authorized to single source the resources necessary to undertake the updating of the Town's Strategic Plan in the amount of \$17,000.

Carried

9.4 Finance and POA Court Services

9.4.1 2020 Budgeting Schedule

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

Resolution 2019 - 115

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

Moved by Councillor Horne

Seconded by Councillor Keith

That Council hereby approves the 2020 Budgeting Schedule as set out in the attached Schedule "A".

Carried

9.5. Other Business

9.5.1 Skatepark

Spokesperson: Councillor Backman

Resolution 2019 - 116

Moved by Councillor Backman

Seconded by Councillor Horne

Whereas Council through the 2019 Budget, approved the development of a comprehensive Parks & Recreation Master Plan, and

Whereas the 2019 budget also allocated \$30,000 towards skatepark resurfacing and expansion; and

Whereas it may be advantageous to await the results of the Parks & Recreation Master Plan with respect to a skatepark

Now therefore be it resolved that Council put the Skatepark resurfacing and expansion project on hold.

Carried

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

10. By-laws

10.1 Public Works

10.1.1 Encroachment Agreement - 5 Gibson Street

Spokesperson: Peter Brown, Director of Public Works

By-law 2019 - 6978

Being a by-law to execute an encroachment agreement with the owner of 5 Gibson Street.

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

10.2 Development Protective Services

10.2.1 Official Plan Amendment No. 3 and Rezoning Application Z/19/06 - Smith Crescent (YMCA/Wickman)

Spokesperson: Taylor Elgie, Manager of Building and Planning Services

By-Law 2019 - 6974

Being a By-law to Adopt Official Plan Amendment No. 3 - Smith Crescent (YMCA/Wickman)

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

By-Law 2019 - 6975

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law), as amended, for Rezoning Application Z/19/06 - Smith Crescent (YMCA/Wickman)

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

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

Resolution 2019 - 117

Moved by Councillor Borneman

Seconded by Councillor McCann

That the Mayor and Clerk be authorized to execute a consent agreement as per Parry Sound Area Planning Board Resolution 2019-061 for application B/04/2019 (PS)

Carried

10.2.2 Rezoning Application - Z/19/13 - 17 Miller Street (Walsh/Ben Prichard Law Corporation)

Spokesperson: Taylor Elgie, Manager of Building and Planning Services

By-Law: 2019 - 6976

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law), as amended, for 17 Miller Street (Walsh/Ben Prichard Law Corporation)

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

10.3 CAO's Office/Administration

10.3.1 Procedural By-law Update - Permit WCPC electronic participants voting rights

Spokesperson: Rebecca Johnson, Clerk

Resolution 2019 - 118

Moved by Councillor Burden

Seconded by Councillor Borneman

Whereas the Wellness Centre Pool Committee established by the seven area municipalities is desirous of enabling electronic participants to vote at its open meetings;
and

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

Whereas the Town`s Procedural By-law 2018-6814 does not permit electronic participant voting at Council, nor at its boards and committees; and,

Whereas proposed By-law 2019-6977 updates the Procedural By-law with minor amendments: i.e. permitting Council by resolution to authorize as it sees fit electronic participants of committees to vote; and making minor housekeeping amendments;

Now Therefore Council waives the 21-day public notice provision of amendments to the Procedural By-law as normally required by Provision of Notice Policy as contained in Resolution 2011- 242.

Carried

By-law 2019 - 6977

Being a By-law to govern and regulate the proceedings of Council of The Corporation of the Town of Parry Sound, its Committees and where applicable, its Boards and to repeal By-law 2018-6814.

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

Resolution 2019 - 119

Moved by Councillor Keith

Seconded by Councillor Backman

THAT pursuant to By-law 2019 - 6977, Council authorizes electronic participating members of the Wellness Centre and Pool Committee as established by Resolution 2019-087, to vote at its open meetings.

Carried

10.4 Finance and POA Court Services

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 15, 2019

10.4.1 Renewal of lease with Strong-Sundridge-Joly Arena & Hall for POA Court

Spokesperson: Andre Couture, Manager of POA Court Services

By-Law 2019 - 6973

Being a By-law to authorize the execution of an agreement with the Corporations of the Township of Strong, Village of Sundridge and Township of Joly, operators of the Sundridge-Strong-Joly Arena and Hall and the Town of Parry Sound, Administrators of the Provincial Offences Court, for the leasing of court facilities.

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

10.5 Other Business

10.5.1 Confirming by-law

By-law 2019 - 6978b

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

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

11. Adjournment

Mayor McGarvey adjourned the meeting at 8:45 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.