

The Corporation of The Town of Parry Sound

Council Meeting Minutes June 16, 2020

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Minutes

Date:

June 16, 2020

Time:

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

Location:

Via Zoom Video Conferencing

Members Present:

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

Staff Present:

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

Presentations: N/A

Prior to the commencing the Regular Council Meeting, Council moved to a closed meeting per the following resolution:

Resolution 2020 - 058

Moved by Councillor McCann

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:

b) personal matters about an identifiable individual, including municipal or local board employees, (**applications for Fence Viewers**);

e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, (**Minutes of Settlement - Conseil scolaire public du Nord-Est de l'Ontario**);

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, (**Minutes of Settlement - Conseil scolaire public du Nord-Est de l'Ontario**).

Carried

1.1 Additions to Agenda/Notice of Motion

1.2 Prioritization of Agenda

1.3 Adoption of Agenda

Moved by Councillor McCann

Seconded by Councillor Burden

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That the Council agenda for June 16, 2020 be approved as circulated.

Carried

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

1.4.1 Councillor Keith Declared Pecuniary Interest on item 9.1.3, as she is Chair of the Parry Sound Area Planning Board, receives remuneration, and is therefore not able to vote on a resolution which calls for delegating at the AMO Conference to remove Parry Sound from the Planning Board.

1.4.1 Councillor Horne Declared Pecuniary Interest on item 9.1.3, as he is a member of the Planning Board, receives remuneration, and is therefore not able to vote on a resolution which calls for delegating at the AMO Conference to remove Parry Sound from the Planning Board.

Neither member participated in discussion nor voted on the matter.

2. Public Meeting

2.1 Proposed Zoning By-law Amendment Z/20/03 – 9 Church Street ((Matt Ryan on behalf of Oleg Gromov) to amend C1 zone to permit a mixed use commercial and residential building.

Moved by Councillor Backman

Seconded by Councillor McCann

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

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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.

Manager of Planning & Building Services Taylor Elgie advised that the proposed Zoning By-Law amendment would amend the C1 zone to permit a mixed use commercial and residential building. Ten residential units are proposed above the main floor commercial space with the following specific exemptions included: increasing the maximum height from 10.5 metres to 18 metres; reducing the rear yard setback from 6 metres to 3 metres; providing an exemption to the cumulative residential floor area cap; requiring a minimum of ten underground parking spaces; and reducing the minimum parking space size from 3 metres by 6 metres to 2.79 metres by 6 metres.

Matt Ryan, on behalf of the owner and architect located in Italy, responded to the Mayor's invitation to speak in favour of the proposed Zoning By-law amendment. Mr. Ryan noted that this innovative building will be built of cross laminated timber construction which is meant to be a showcase for Mr. Gromov 's manufacturing facility of cross laminated timber north of Parry Sound. Mr. Ryan said that he believed the development fits the Town's Official Plan, as it focuses development within the central business district and strengthens the central business district as a prime location to live and work where services are readily available. Mr. Ryan noted that this is not new development on a green field site, but rather is re-development on a brown field site. Mr. Ryan expressed the opinion that there is a need to build higher density housing to help address effects of climate change and reduce dependence on the automobile. Projects like this are an important step in building and creating liveable, walkable communities.

Brenda Tabobondung responded to the Mayor's invitation to speak in opposition to the proposed Zoning By-law amendment. Ms. Tabobondung said that the proposed multi-level structure will be out of character with the rest of the single-family residences in the neighbourhood. It will increase the need for parking; with more on street parking in summer and winter, it will be dangerous for sight lines if backing out of the driveway in addition to the problem of snow-banks. The size of the building will block light on the

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south side of her building. It will be a big building like the one on River Street, which looks out of place in relation to adjacent structures in the area.

Mr. Elgie advised that he had received the following three letters with regards to this matter.

- From Al Downing, a letter of opposition citing that the proposed development would be almost doubling the height and rear yard set-backs, and he noted concerns with the location of commercial parking. Mr. Downing purchased 7 Church Street and made it into a parking lot to accommodate parking required for his apartment buildings. Mr. Downing reported that neither he nor his tenants wanted a 60' high apartment building looking down into his apartments.

- From Nikeeta Tabobondung, a letter of opposition and concerns

- From Michael Reeves owner of 43 and 45 Seguin St, a letter of support

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 Backman

That we do 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 McCann

Seconded by Councillor Keith

That the Minutes from the Regular Council meeting held June 2, 2020 be approved as circulated.

Carried

3.2 Questions of Staff

3.2.1 In response to a question from Mayor McGarvey regarding the reporting of COVID-19 stats, Director of Development & Protective Services Dave Thompson reported that COVID-19 cases are reported within the District Health Unit of the patient's permanent residence, therefore the number of reported cases in the North Bay Parry Sound District Health Unit may be lower than the actual number of cases that are currently being tended to in the area. This is standard across the province, and may be of concern, because it doesn't give the public accurate information on what is going on in the area. If a case is in the area that is being reported through another health unit, that health unit does contact other health units to follow up with contact tracing as necessary.

Moved by Councillor Borneman

Seconded by Councillor McCann

That staff be directed to draft for the Mayor's signature a letter to the Premier and Deputy Premier, (who is also the Minister of Health) to express the Town's concerns regarding the system of publishing statistics for communicable diseases including

COVID-19 cases between District Health Units, and inquire as to what can be done to correct the situation.

Carried

3.2 In response to Councillor Backman's inquiry regarding potential grant application for Transport Canada's Rail Safety Improvement Program for the Isabella Street crossing previously identified as unsafe in a delegation to Council, Director of Finance Stephanie Phillips noted that more research may be required as an initial look at the application criteria indicates that funding does not seem to deal with road conditions at the rail line.

Director of Public Works Mike Kearns responded with a commitment on behalf of himself and Ms. Phillips to take a closer look at the grant program to determine whether the rail crossing at Isabella Street could fit into the eligibility criteria.

3.3 In response to Councillor Keith's inquiry regarding pavement line painting, Mr. Kearns reported that Town staff looks after turn lanes, while the majority of pavement lines are completed by a third party contractor, and it is not unreasonable to expect that the job could be completed by the end of the month.

4. Correspondence

4.1 Lori McDonald, Director of Corporate Services/Clerk, Town of Bracebridge

RE: Resolution of support to lobby provincial government for financial assistance to support municipalities in offsetting the financial impact of the COVID-10 pandemic.

Resolution for consideration under item 9.5.1 on the agenda.

5. Deputations - N/A

6. Mayor & Councillors' Reports

Mayor and Councillor reported on meetings attended and matters arising.

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7. Ratification of Matters from Closed Agenda

7.1. Appointment of Fence Viewers

Spokesperson: Rebecca Johnson, Clerk

Resolution 2020 - 059

Moved by Councillor Horne

Seconded by Councillor Keith

That the following be appointed as Fence Viewers to the end of Council's term November 30, 2022: staff members Taylor Elgie, Allison Kreuger, Forrest Pengra; and members of the public Wyatt Gray, Ray Hachigian and Lee-Ann Turner.

Carried

7.2. Minutes of Settlement - School Board

Spokesperson: Clayton Harris, CAO

By-law 2020 -7051

Being a By-law to authorize the execution of Minutes of Settlement with Natalie Davis, Denis Labelle et Conseil scolaire public du nord-est de l'Ontario regarding the École élémentaire publique de Parry Sound

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

8. Consent Agenda

9. Resolutions and Direction to Staff

9.1 CAO's Office/Administration

9.1.1 Closed Meeting Investigation Report

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Spokesperson: Rebecca Johnson, Clerk

Resolution 2020 - 060

Moved by Councillor Borneman

Seconded by Councillor McCann

That Council receives the Closed Meeting Investigation Report attached as Schedule A.

Carried

9.1.2 Appointment of Mayor & Council Member as Shareholder Representatives to Lakeland Shareholders

Spokesperson: Clayton Harris, CAO

Resolution 2020 - 061

Moved by Councillor Backman

Seconded by Councillor Horne

That pursuant to Section 3.7 of the Lakeland Shareholders Agreement, Council of the Town of Parry Sound appoints Mayor Jamie McGarvey, and as alternate, Councillor _____ as Shareholder Representative for purposes of providing any consent or approval required by the Lakeland Shareholders Agreement or by the Business Corporations Act, for the term of Council ending November 30, 2022, or until such time as new members are appointed.

The following amendment was proposed.

Moved by Councillor Borneman

Seconded by Councillor Keith

That Councillor Borneman be appointed as the alternate Shareholder Representative in Mayor McGarvey's absence.

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Amendment Carried

The amended resolution was voted on:

Carried as amended

9.1.3 Delegation to AMO

Spokesperson: Clayton Harris, CAO

Resolution 2020 - 062

Moved by Councillor Backman

Seconded by Councillor Borneman

That Council endorse the list of delegation topics at the AMO 2020 Virtual Conference per the attached report.

Carried

9.1.4 Employee Food Drive

Spokesperson: Clayton Harris, CAO

Resolution 2020 - 063

Moved by Councillor Backman

Seconded by Councillor McCann

That Council receive the report on the Employee Food Drive for information purposes.

Carried

9.2 Finance and POA Court Services

9.2.1 2019 Annual Investment Report

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Spokesperson: Stephanie Phillips, Director of Finance/Treasurer

Resolution 2020 - 064

Moved by Councillor Burden

Seconded by Councillor Borneman

That Council accepts the 2019 Annual Investment Report attached as Schedule A, in accordance with Town's Investment Policy.

Carried

9.2.2 Municipal Modernization Program Project Deliverable Extension

Spokespersons: Clayton Harris, CAO

Stephanie Phillips, CPA, CMA - Director of Finance/Treasurer

Resolution 2020 - 065

Moved by Councillor Keith

Seconded by Councillor Horne

WHEREAS COVID-19 and Provincial Emergency Orders have impacted resources, the supply of services, and the ordinary course of businesses in general

NOW THEREFORE IT BE RESOLVED THAT the Council of The Town of Parry Sound hereby requests the Ministry of Municipal Affairs & Housing to extend the deadline for the Third-Party Reviewers Report under the Municipal Modernization Program to March 31st, 2021;

THAT Council requests that the other corresponding reporting deadlines for the Interim Progress Report and the Draft of the Independent Third-Party Reviewer's Report also be extended, and

THAT Council authorize the CAO to retain the appropriate consulting services to expedite the process and report to Council at a future date for ratification.

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The following amendment was proposed:

Moved by Councillor Keith

Seconded by Councillor Borneman

That the words "that the publishing of the final report be on the town's website, and..." be inserted as new paragraph 4.

Amendment carried

The amended resolution was voted on:

Carried as amended

9.3 Public Works

9.3.1 RFQ - Sewer Flushing and Cleaning

Spokesperson: Mike Kearns, Director of Public Works

Resolution 2020 - 066

Moved by Councillor Backman

Seconded by Councillor Keith

That Council accept the quotation from Municipal Sewer Services Inc. in the amount of \$30,962.00, HST included, for sewer flushing and cleaning of approximately 7,700 metres of sanitary sewer and camera inspection and georeferencing of approximately 5,800 metres of sanitary sewer, this quotation being the lowest of three (3) quotations received.

Carried

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9.4 Development and Protective Services

9.4.1 Temporary Patio Permissions for Restaurants During COVID-19

Spokespersons: Taylor Elgie, Manager of Building and Planning Services

Vladimir Shehovtsov, Economic Development Officer

Resolution 2020 - 067

Moved by Councillor Horne

Seconded by Councillor Backman

Whereas in response to COVID-19, the Province of Ontario had limited the food and drink industry;

Whereas on June 8, 2020 the Province has reduced these restrictions and is permitting new patios or temporary additions to patios to provide more opportunities to local businesses while protecting health and safety, subject to municipal requirements; and

Whereas the Council for the Town of Parry Sound recognizes the need to support local businesses while protecting human health and safety during COVID-19.

Now Therefore be it Resolved that the Council for the Town of Parry Sound supports the Province's goal of temporarily permitting new and larger patios to assist local restaurants and other licensed establishments until January 1, 2021; and further

That provided any new or expanded patio is on the Licensee's property, the Town's Zoning By-law and Site Plan Agreements will not apply to the temporary patio; and further

That any fees be waived for Sidewalk Patio Program until January 1, 2021.

Carried

The following direction was proposed

Direction for staff follow-up

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Moved by Councillor Backman

Seconded by Councillor Borneman

That staff be directed to explore with other stakeholders including the DBA, on how the Town can support the sidewalk patio program potentially through programs such as the façade program

Carried

9.5. Other Business

9.5.1 Establish Municipal Financial Assistance Program per FMC Recommendations

Spokesperson: Mayor McGarvey

Resolution 2020 - 068

Moved by Councillor Borneman

Seconded by Councillor McCann

WHEREAS the Federation of Canadian Municipalities (FCM) issued a report titled “Protecting Vital Municipal Services” on April 23, 2020 which included recommendations to the federal government to provide financial assistance for municipalities across the country;

AND WHEREAS the Association of Municipalities of Ontario (AMO) recognizes that a collaborative federal-provincial effort is required to provide much needed financial assistance to municipalities and their May 14, 2020 letter (attached) to the Prime Minister and the Premier urges Canada and Ontario to extend their successful collaboration through financial support for municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Town of Parry Sound joins the Town of Bracebridge in supporting the FCM recommendation and requests that both the

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Federal and Provincial Governments establish a municipal financial assistance program to offset the financial impact of the COVID-19 pandemic;

AND FURTHER THAT the Town of Parry Sound supports the Association of Municipalities of Ontario (AMO) in lobbying the Provincial Government for financial assistance to support Municipalities in offsetting the financial impact of the COVID-19 pandemic;

AND FURTHER THAT this resolution be forwarded to the Honorable Steve Clark, Minister, Municipal Affairs and Housing, local Member of Parliament (MP) and local Member of the Ontario Legislature (MPP), FCM, AMO and its member municipalities, and municipalities in the Districts of Parry Sound and Muskoka.

Carried

10. By-laws

10.1 CAO's Office/Administration

10.2 Finance and POA Court Services

10.2.1 Claw Back Percentages for 2020 Property Taxes

Spokesperson: Rob Beaumont, Manager of Revenue & Taxation

By-Law 2020 - 7049

Being a By-law to Specify the "Claw-back Percentages" in Respect of Properties in the Commercial Class for 2020 Taxation Year.

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

10.4 Development and Protective Services

10.5 Other Business

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10.5.1 Confirming by-law

By-law 2020 - 7050

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 8:35 PM.

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