

The Corporation of The Town of Parry Sound

Council Meeting Minutes August 9, 2022

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## **Council Meeting Minutes - August 9, 2022**

7:00 PM, Parry Sound Council Chambers 52 Seguin St. Parry Sound, (5:30 PM Closed)

### **Members Present:**

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

**Regrets:** Councillor Horne, Councillor Keith

### **Staff Present:**

CAO Clayton Harris, Clerk Rebecca Johnson, Director of Development & Protective Services Dave Thompson, Director of Public Works Mike Kearns, Director of Finance/Treasurer Stephanie Phillips, Human Resources Specialist Pamela Langevin, Manager of Planning Jeremy Rand

Prior to the Regular Meeting, Council adjourned to a meeting closed to the public per the following resolution.

### **Resolution 2022 - 094**

**Moved by Councillor Burden    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:

d) labour relations or employee negotiations; **(Non-Union Compensation Review, Non-Union Benefits)**

**Carried**

## **Presentation/Announcements**

### **1. Agenda and Minutes Review**

**1.1 Land Acknowledgement**

**1.2 Additions to Agenda - N/A**

**1.3 Prioritization of Agenda - N/A**

**1.4 Adoption of Agenda**

**Moved by Councillor Borneman      Seconded by Councillor Burden**

That the Council agenda for August 9, 2022 be approved as circulated.

**Carried**

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

**1.6 Adoption of Minutes**

**Moved by Councillor McCann      Seconded by Councillor Burden**

That the Minutes from the Regular Council meeting held July 19, 2022 be approved as circulated.

**Carried**

### **2. Public Meeting**

**2.1 Zoning By-law Amendment Z/22-02 Great North Road, Prasher**

**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 Section 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.

Manager of Planning Jeremy Rand advised that the purpose of the proposed Zoning By-law amendment is to allow for relief of the height restrictions to allow a maximum development height of 30 metres. The applicant proposes to build a condominium hotel on the site located on Great North Road, legally described as SPT PCL A on Plan 137.

### **1. Town Planner Comments**

Mr. Jim Dymont gave an overview of the development from a prepared presentation:

Known as the former Shell property, up until approximately 35 years ago the property had fuel tanks upon it, each probably about 5 or 6 storeys tall. In 1999, the Town adopted a Waterfront Master Plan, updated in 2006 which was a plan to redevelop these brownfield sites with major docking facilities, public access to the waterfront and residential and commercial uses on the water. The proposal here seeks to implement that plan in many ways.

The application is to increase the height from 5 storeys to 10 storeys. The applicant has provided the following studies in response to the Town's request during pre-consultation: Traffic Impact; Visual Impact, development concept plan, survey and topographic plan, and John Jackson planning report describing the use. In addition, the applicant has consulted with Transport Canada and a functional servicing report is in process now.

The proposed development includes: a 6-storey hotel with 77 rooms; 36 units of rental residential apartments adjacent to the road; 50 stacked townhouse units; two 10 storey condos with 120 units; covered and uncovered boat storage for a total of 95 boat

parking spaces; and opportunity to complete trail along the waterfront permitting public access. Currently the Official Plan (OP) designation is marine resort commercial with no OP amendment required.

Mr. Dymont noted that the OP identifies that land within this designation may be zoned to allow a maximum building height of 15 metres, and that provisions are in place through section 3.2.6.5 of the OP to permit rezoning to allow structures in excess of 15 metres, subject to certain criteria. Mr. Dymont also noted other matters contained in section 8.3.4.3 that might prompt Council to consider authorizing increases in the density or height, and that these are issues that Council should consider when deciding on whether to approve the application or not.

The current zoning by-law places the land as a residential marine holding zone which ensures that among other things, proper site plan approval is undertaken; in this instance one of the important considerations is how the land is going to be serviced.

Mr. Dymont noted that all proposed purposes are permitted by the OP and Zoning By-law; only height is an issue requiring rezoning.

Mr. Dymont also noted that in the staff report is a list of properties in Town which exceed 15 metres. In consultation with the Fire Chief, there is no problem from a health and safety perspective of going to 30 metres. With respect to servicing, there is a constraint which the Town is dealing with, and which may be brought up with the developer. Mr. Dymont concluded by noting that a staff recommendation report would be coming forward in the future, once all reports have been reviewed and comments have been considered and addressed with the developer.

## **2. Planner for Developer Comments:**

John Jackson, planner for the developer addressed Council noting that the current growth pressures and potential for income generated by demand for the proposed uses makes this development possible at this time. Mr. Jackson noted that there is still

substantial clean up of the brownfield required and that increased density can help pay for that. Clean up under hotel, restaurant and non-residential elements can be handled through a clay cap, but contaminated soil at residential locations must be removed to a recognised and licensed location, with the residential location filled with clean soil.

Mr. Jackson suggested that there is now demand for the range of housing and amenities as contemplated in plans 40 years ago and that these are important matters to keep in mind when considering the benefits for the community in approving a rezoning to permit the increased height.

Mr. Jackson provided the following further details on the proposed development:

- Hotel Marriott with conference facilities, pool, high standard restaurant, public amenity areas.
- 6-storey hotel which requires rezoning to increase height, as a 5-storey hotel would fit within the 15-metre height restriction
- 10-storey condos at 30 metres in height
- Condos featuring 24/7 concierge and covered walkways without ice hazards which can be enjoyed as a walk area.

In conclusion, Mr. Jackson reported that he was aware of only one letter of concern in response to the circulation, and that he believes this development is in line with the thinking and goals identified in the waterfront master plan. Starting with the hotel and boat docking facilities, assuming approvals in place, the work could take 2 to 5 years.

### **3. Opposition to the Proposed Zoning By-law Amendment**

Nancy Cunningham, resident of Salt Dock Road, responded to the Mayor's invitation to those wishing to speak in opposition to the proposed Zoning By-law amendment.

Ms. Cunningham reported that while she considers this a great proposal, and that the presentation was comprehensive and professional, she has concerns on an increased

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height, because 15 m to 30 m is considerable and sets a precedent, with this as the first in the inner harbour.

Ms. Cunningham noted that the Town is part of the UNESCO Biosphere and that although the benefits may be somewhat intangible, this is an attraction.

Ms. Cunningham suggested that in spite of claims that this development will ease housing, this is not an affordable housing development which is what is needed. Ms. Cunningham concluded with a request that Council give due consideration and deliberation over the issue of the height.

Mr. Rand advised that he had received 2 pieces of correspondence from CP Rail; and one letter from David & Ann Hurdman expressing concerns regarding the proposed height.

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.a Questions of Consultant**

Subsequent to the Public Meeting, Mayor McGarvey opened the meeting for further questions of Town Planning Consultant Jim Dymont by members of Council. The following are responses from Mr. Dymont and other staff as appropriate:

- with respect to whether there will be affordable rental or townhouse units, the building styles proposed suggest that the 36-unit apartment rental building would be a low-cost development. Stacked Townhouses are also less expensive to construct, with shared walls and without elevators, and therefore can be brought onto market at lower cost.

The developer will be asked how to increase affordable housing in exchange for permitting increased height.

- all construction has to comply with the Ontario Building Code. The larger the building, the more access for fire fighting apparatus is required. The Town fire truck does reach 30 metres, but that is only a direct reach. Buildings of this nature are designed in such a fashion to take into consideration fire fighting apparatus.

- the hotel is proposed to be 6 storeys and 2 condo buildings are 10 storeys, all of which are over 15 metres. There is a simultaneous application for consent to subdivide the properties in order that the development can occur in phases, and each property can be zoned separately creating opportunity for rezoning and height increases on only those properties identified for the hotel and condos.

- the maximum density is 75 units per hectare; and the proposed development is well within that.

- Developer Mr. Prasher is doing other developments in Town and has a keen interest in this Town; indications are that he is prepared to go forward with it.

- dockage is intended on tying in with hotel and condos. In addition to the rezoning application to deal with height, there is a consent application to sever properties, and the site plan approval process on each parcel.

- the height of the tallest buildings in Gravenhurst are 7 storey condos, and there is a Marriott Hotel in Gravenhurst. Information on comparable development projects that this company has undertaken in Ontario and Canada will be provided at a later date.
- a rendering of the proposed development from Great North Road is available on the Town's website.
- overall value of the proposed development is between \$200M and \$300M.
- the existing old oil dock is on a different property.
- the applicant will have to undertake a record of site condition, in which potential sources of contamination will have to be identified, and remediation carried out and tested to show that the remediation has been done. As noted previously, part of the rationale for a 10-storey condo is to pay for that expense.
- there is a process for the developer to apply and be assessed for eligibility for consideration in the Town's community improvement program regarding brownfields.
- preliminary discussions have been held with the applicant to consider front ending costs for services in order to expedite the development.

### **3.b Questions of Staff**

**3.1** In response to Councillor Borneman's request, Director of Public Works Mike Kearns reported that camera work determined that the pipes under Kristen Heights are in acceptable condition and that therefore an overlay will be applied to relieve the depression in the road planned within the next month or so.

**3.2** In response to Councillor Backman's request, Director of Public Works Mike Kearns reported that staffing has been challenging this year, and that the MadVac has been operated 2 and sometimes 3 days a week depending upon availability, with the downtown business area set as a priority, starting a little earlier than 8 AM.

**3.3.** In response to Councillor McCann's concerns regarding hedge growth overtaking sidewalks on Bowes St and on Gibson near Belvedere Hill, Director of Public Works Mike Kearns responded that staff do monitor in order to trim back, and requested that if there is an issue, that the public do contact the Town.

#### **4. Correspondence - N/A**

#### **5. Deputations - N/A**

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

Mayor and Councillors reported on meetings attended and matters arising.

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

##### **7.1 Non-Union Pay Equity Plan and Market Review Schedule**

##### **Resolution 2022 - 095**

**Moved by Councillor McCann    Seconded by Councillor Burden**

That Council hereby directs staff to:

- a) Prepare a Non-Union Pay Equity Plan to reflect the results of the 2022 Non-Union pay equity analysis, and
- b) Undertake a market review of all non-union positions every 3 to 4 years with the next market review to be scheduled in 2025.

**Carried**

##### **7.2 Compensation Amendments to the Non-Union Employees Compensation and Benefits By-law**

##### **Resolution 2022 - 096**

**Moved by Councillor Burden    Seconded by Councillor McCann**

That Council hereby directs staff to include in the Non-Union Employees Compensation and Benefits By-law 2022-7274 the following:

- a) adoption of the 2022 Salary Grid for Non-Union staff as presented by ML Consulting, effective September 1, 2022
- b) adoption of a pay framework with job rates that target the 60th percentile of the defined pay market
- c) movement through the pay grid steps based on an annual performance rating of good/competent per the Performance Review and Development Plan adopted as Schedule A by Resolution 2002-175 or successor plan as may be administratively amended.
- d) adoption of the ML Consulting Job Evaluation System with new and changed positions evaluated using this System.

**Carried**

**7.3    Bereavement Benefit Amendment to Non-Union Employees Compensation & Benefits**

**Resolution 2022 - 097**

**Moved by Councillor Burden    Seconded by Councillor McCann**

That Council hereby directs staff to amend the Bereavement Leave section of the Non-Union Employees Compensation and Benefits By-law 2022-7274 with the following:

- a) *Leave of absence with pay of five (5) days will be granted to an employee when attending a funeral or attending cremation or attending to the affairs of the employee's spouse, common-law spouse, mother, father, legal guardian, child, stepchild, sister, or brother.*

- b) Leave of absence with pay of three (3) days will be granted to an employee when attending a funeral or cremation or attending to the affairs of the employee's mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandparents, spouse's grandparents, stepparents, or any other relative residing with the employee.*

**Carried**

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

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

### **9.1 Development and Protective Services**

**9.1.1** Designation of Secretary-Treasurer for the purposes of Consent applications.

Spokesperson: Jeremy Rand, Manager of Planning, Development & Protective Services

#### **Resolution 2022 - 098**

**Moved by Councillor McCann   Seconded by Councillor Burden**

WHEREAS Council is the approval authority for Consent applications in the Town of Parry Sound; and

WHEREAS a Secretary-Treasurer for Consents manages all aspects of consent applications including Public Notices, Minutes, coordination of agency comments, organizing appeals, clearance of conditions and records management,

THEREFORE BE IT RESOLVED THAT Council hereby appoints the Manager of Planning as Secretary-Treasurer for Consents and the Administrative Assistant Building and Planning as Deputy Secretary-Treasurer for Consents.

**Carried**

## **9.2 CAO Office/Administration**

**9.2.1** Seguin's response to Town Council's request for additional information and studies in advance of supporting Seguin Council's request for an MZO.

Spokespersons: Clayton Harris, CAO; Jeremy Rand, Manager of Planning

### **Resolution 2022 - 099**

**Moved by Councillor Backman Seconded by Councillor Borneman**

That the staff report, including Seguin's response to the Town regarding the Town's request for additional information relevant to Seguin's MZO application be received; and

That the staff report be shared with West Parry Sound municipalities and MPP Graydon Smith and to Minister of Municipal Affairs and Housing Steve Clark.

**Carried**

**9.2.2** Update - Key Performance Objectives in Support of the Strategic Plan

Spokespersons: Clayton Harris, CAO; Senior Leadership Team

### **Resolution 2022 - 100**

**Moved by Councillor Borneman Seconded by Councillor Backman**

That Council approve the 2022 Second Quarter progress report on the Town's Key Performance Objectives (KPOs) as set out in Schedule A.

**Carried**

Council agreed on an action request for Director of Public Works Mike Kearns to write a letter to MP Scott Aitchison asking for his support in obtaining funding from CN and CP for railway safety and copied to CN and CP Rail.

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### **9.2.3 The 2020-21 Annual Report**

Spokesperson: Clayton Harris, CAO

#### **Resolution 2022 - 101**

**Moved by Councillor Borneman                      Seconded by Councillor Backman**

That the 2020-21 Annual Report be received by Council and made available to the public and circulated to MP Scott Aitchison, MPP Graydon Smith, the Downtown Business Association, the Chamber of Commerce and other agencies and organizations as appropriate.

**Carried**

### **9.2.4 Hybrid Council Livestreaming and Recording Quality**

Spokesperson: Callin Belchamber, Manager of Information Technology

#### **Resolution 2022 - 102**

**Moved by Councillor Backman      Seconded by Councillor Borneman**

That Council receive the report on hybrid Council livestreaming and recording quality and accept the recommendation to continue using the existing meeting solution, consisting of a Meeting Owl for video and desk microphones for audio; and

That if in the future, an Owl-like product is released with a higher resolution camera that significantly improves the video quality, staff is authorized to purchase this equipment.

**Carried**

## **9.3 Finance and POA Court Services**

### **9.3.1 O.Reg. 588/17 Compliant Asset Management Plan 2022**

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Spokespersons: Stephanie Phillips, Director of Finance/Treasurer; Clayton Harris, CAO

Prior to voting on the resolution, Chris Vanderheydan, Senior Consultant, Asset Management with PSD Citywide Inc. gave an overview to Council from a prepared powerpoint presentation that was provided in advance to Council.

### **Resolution 2022 - 103**

**Moved by Councillor Borneman                      Seconded by Councillor Backman**

That Council hereby approves the 2022 Asset Management Plan for the Town of Parry Sound prepared by Public Sector Digest Inc.

**Carried**

### **9.3.2 Mileage Reimbursement**

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

### **Resolution 2022 - 104**

**Moved by Councillor Backman      Seconded by Councillor Borneman**

**That** Council approve the revision to the HR Policy B-3.1 to change the business mileage reimbursement \$0.61/km per Revenue Canada; and further

**That** the mileage reimbursement rate will increase each January 1 to the current rate approved by the Canada Revenue Agency as reasonable for "Automobile allowance rates".

**Carried**

**9.3.3 Reserve and Reserve Fund Annual Report; 2021 Surplus allocation**

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

**Resolution 2022 - 105**

**Moved by Councillor McCann    Seconded by Councillor Burden**

That Council receives the 2021 Reserve and Reserve Fund Annual Report, attached as Schedule A, in compliance with the Town's Reserve and Reserve Fund Policy; and

That as a reduction is expected to the WSIB liability currently under review, funds as they become available will be transferred to the Legal-Insurance Claim Reserve to a maximum of \$200,000 limit and any excess to the Town's Pool Reserve; and

That Council hereby approves the allocation of the remaining surplus as identified in Schedule B.

**Carried**

**9.4 Public Works**

**9.5 Other Business**

**9.5.1 Calling for Priority Provincial Funding of MPSSAS**

Spokesperson: Mayor McGarvey

**Resolution 2022 - 106**

**Moved by Councillor Burden    Seconded by Councillor McCann**

WHEREAS the Muskoka Parry Sound Sexual Assault Services (MPSSAS) has provided prevention education, advocacy and support for survivors of recent or historical sexual violence in the area since 1993;

AND WHEREAS the number of survivors needing access to crisis counselling and long-term therapy programs has multiplied four (4) times since 1993;

AND WHEREAS ongoing underfunding of MPSSAS has reduced the number of resources available to provide these services due to highly specialized skill requirements that are unmatched by low wages and benefits relative to other mental health funded positions;

AND WHEREAS the current COVID-19 pandemic has resulted in isolated survivors, unable to leave abusive situations due to pressures on housing and shelters, requiring the services of MPSSAS;

NOW THEREFORE BE IT RESOLVED THAT the Town of Parry Sound supports as a priority, increased and sustainable provincial funding for MPSSAS by the Provincial Government and its agencies.

**Carried**

## **10. By-laws**

### **10.1 Development and Protective Services**

#### **10.1.1 Agreement for the Use of Public Property for Georgian Bay Airways/Tailwinds**

Spokesperson: Dave Thompson, Director of Development and Protective Services

#### **By-law 2022 - 7273**

Being a By-law to authorize the execution of an agreement with Georgian Bay Airways for the lease of a water lot located between the Georgian Bay Airways property and the Town Dock.

**Read a First, Second & Third Time, Passed, Signed and Sealed**

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## **10.2 CAO Office/Administration**

### **10.2.1 Non-Union Personnel Benefits**

Spokesperson: Pamela Langevin, HR Specialist

#### **By-Law 2022 - 7274**

Being the Non-Union Employees Compensation & Benefits By-law

**Read a First, Second & Third Time, Passed, Signed and Sealed**

### **10.2.2 Amend Procedural By-law for Council Inaugural Meeting Date**

Spokesperson: Rebecca Johnson, Clerk

#### **By-law 2022 - 7275**

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

**Read a First, Second & Third Time, Passed, Signed and Sealed**

## **10.3 Finance and POA Court Services**

## **10.4 Public Works**

### **10.4.1 FedNor Agreement to fund a Climate Change Coordinator Intern**

Spokesperson: Mike Kearns, Director of Public Works

#### **By-law 2022 - 7277**

Being a By-law to authorize ratification of an Agreement with FedNor to fund a Climate Change Coordinator Intern

**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 2022 - 7276**

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 9:29 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.

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Mayor Jamie McGarvey

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Clerk Rebecca Johnson