

The Corporation of The Town of Parry Sound

Council Meeting Minutes December 6, 2022

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Council Meeting Minutes - December 6, 2022

7:00 PM, Parry Sound Council Chambers 52 Seguin St. Parry Sound

Members Present

Mayor McGarvey, Councillor Ashford, Councillor Beleskey, Councillor Borneman, Councillor Keith, Councillor McCann, Councillor McDonald

Staff Present:

CAO Clayton Harris, Clerk Rebecca Johnson, Director of Public Works Mike Kearns, Director of Development & Protective Services Dave Thompson, Director of Finance Stephanie Phillips, BOHF Curator Caitlin Dyer, Manager of Planning Jeremy Rand, Manager of Revenue & Taxation Rob Beaumont, IT Technician Chris Christmas

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

Resolution 2022 - 155

Moved by Councillor McCann

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 a matter(s) pertaining to:

b) personal matters about an identifiable individual, including municipal or local board employees (**applicants to Boards, Commissions and Committees**)

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 Beleskey Seconded by Councillor McCann

That the Council agenda for December 6, 2022 be approved as circulated.

Carried

1.5 Disclosure of Pecuniary Interest and the General Nature Thereof

1.5.1 Councillor McCann declared a conflict of interest on item 9.2.2 Consent Application (B22-05) - 41a Isabella Street, Bowland, because the property owners are personal friends. Councillor McCann removed himself from the meeting for the duration of the item and did not discuss nor vote on the matter.

1.6 Adoption of Minutes

Moved by Councillor McDonald Seconded by Councillor Keith

That the Minutes from the Regular Council meeting held November 15, 2022 and Special Council Meeting held November 29, 2022 be approved as circulated.

Carried

2. Public Meeting

2.1 B22-15 for Hassall Holdings Corp

CAO Clayton Harris left the meeting for duration of the Public Meeting.

Moved by Councillor Beleskey 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 hear any interested persons regarding a proposed consent application for lot addition under Section 53 of the Planning Act

The purpose of the proposed consent application at 37 Joseph Street is to facilitate a lot addition in order to recognize an existing driveway encroachment. A staff report on the matter is covered under Agenda item 9.2.1.

No one spoke either in favour of or in opposition to the proposed Zoning By-law amendment.

Manager of Planning Jeremy Rand reported that no agency correspondence had been received however there were concerns expressed by the neighbouring property owner Laura Tripp who stated that the photo provided by the Town for the purpose of informing neighbours of the location of the land in question relative to the abutting properties is inaccurate. Ms. Tripp requested that a decision on the matter be delayed until the property in question could be accurately identified through an on-site visit showing physically the land to be severed, and shown accurately on a photo, as well as confirmation of surveyed property lines.

Moved by Councillor McCann Seconded by Councillor Keith

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

Carried

3. Questions of Staff

3.1 In response to Councillor McCann's inquiry regarding the status of enhanced lighting at Bowes and Pine Dr. and on Queen St., Director of Public Works Mike Kearns noted that with respect to the Bowes-Pine Dr intersection, equipment has been ordered and tested; and with respect to Queen St there is a lack of infrastructure to support additional lighting making installation plans more challenging.

3.2 In response to Councillor Borneman's concerns regarding the response time of Lakeland to a recent power outage, Council agreed to request that Lakeland representatives attend and address Council at a meeting.

4. Correspondence

4.1 Chair Lynne Gregory, Vice-Chair Art Coles, Belvedere Heights Board

RE: Board continuity and appointments; Circulated to members of Council for consideration.

4.2 Parry Sound Founders Circle;

RE: Founders Choice Awards Winners Announced - Filed

4.3 Nadine Hammond, Curator/Manager, West Parry Sound District Museum

RE: 2023 Budget Request - referred to Director of Finance for budget consideration.

5. Deputations

5.1 Keith Duncan, Julie Armstrong RE: Concerns with Backyard Hens

Keith Duncan addressed Council from a prepared power point presentation, requesting that the Town repeal the Backyard Hen By-law 2021-7164. Mr. Duncan based his request on the following assertions:

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- A majority of respondents through the public consultation process prior to passage of By-law 2021-7164 indicated they were in opposition to permitting Backyard Hens in Town.
- Since the introduction of backyard hens, there has been an increase in predators active in the neighbourhood including bears, coyotes, foxes, racoons, and fishers.
- The only know food attraction for predators are hens, since neighbourhood homeowners keep household garbage in their garage, put bird feeders away during non-winter months, regularly clean BBQs and maintain yards.
- On August 31st, a bear sow attacked and killed hens in a licensed hen coop in Kristen Heights. A neighbour subsequently shot and killed the sow with a rifle, leaving 2 cubs roaming the neighbourhood until they were captured and removed.
- Concerns about not only the presence of predators posing a danger to humans, but of a rifle being discharged in the dark in a residential neighbourhood, where children were within 20 feet of the bear when shots fired.

Tim Thomas, resident since 2001 at 1 Kristen Heights addressed Council, noting that he is nervous taking his grandchildren aged 2 and 4 outside, as he has observed an increase in foxes, coyotes and fishers since the introduction of the chicken coops. Mr. Thomas said he was concerned that someone was going to be mauled by a bear attracted by chickens and that this is preventable by the removal of chicken coops.

Julie Armstrong, whose daughter and family lives next door to the chicken coop located in Kristen Heights, outlined what happened on August 31st with respect to the bear sow attack and killing of the hens, and subsequent shooting of the sow leaving the cubs roaming the area until they were captured. Ms. Armstrong described the event as traumatic and unsettling and requested that the by-law permitting backyard hens be revoked.

Mr. Keith concluded the presentation noting that the By-law Department has confirmed that of the 2 coop licenses in Parry Sound, only one is active. Mr. Keith suggested that

revoking the by-law at this time would therefore have little impact on residents who have licenses but would have a lasting beneficial impact on the Town.

The follow motion was made:

Moved by Councillor Keith

Seconded by Councillor McCann

That staff be directed to bring forward a report on By-law 2021-7164 authorizing the licensing of Backyard Hens, for Council review.

Carried

5.2 Nora Alexander RE: Petition regarding Waubeek St. forested area.

Nora Alexander circulated to Council, information and a petition signed by 155 neighbours in the vicinity of 66 Waubeek Street, requesting that a preservation area of two acres (0.8 hectares) of the forest currently present on the site be included in the official plan amendment for 66 Waubeek Street.

Ms. Alexander noted that she believes the forest is a candidate for the "significant woodlands" identification found in the *Ministry of Natural Resources Natural Heritage Reference Manual* for natural heritage policies of the Provincial Policy Statement, as it meets the criteria for woodland size, woodland diversity, uncommon characteristics pertaining to the age of the trees and the size of the native tree species and the habitat of an endangered animal species. Ms. Alexander referred to Ontario legislation including the Planning Act, and the Municipal Act, that protects trees as well as the Town's Official Plan which states: "*The Town is committed to the protection and enhancement of the concept of the "urban forest" within urban areas, with a commitment to maintaining and expanding a treed environment as an integral component of the urban landscape.*"

Ms. Alexander reported that a committee of neighbourhood representatives met with the Chairperson of DSSAB and five staff members on November 14th to discuss their plans for 66 Waubeek Street. Upon the neighbours' request for the withdrawal of DSSAB's

Official Plan amendment and rezoning application based on the significant woodland on the property, DSSAB asked the neighbourhood representatives to find 6 other acres. Ms. Alexander noted that the neighbourhood representatives are therefore requesting that the Town consider exchanging 6 acres of the 50 acres of property owned by Carling and the Town of Parry Sound along Parry Sound Drive, originally considered for the pool site. Ms. Alexander noted that such an exchange would not only preserve this urban forest, but also honour the William Beatty Lands and Timber company who gave the property to the Parry Sound Board of Education in 1963, specifically for the building of a school, and on which site, the Kinsmen School and subsequently a daycare facility was built. Maintaining the forest would contribute to the daycare centre's Forest School curriculum.

Moved by Councillor Borneman Seconded by Councillor McCann

That Council invite the Chair of the DSSAB Board and Executive Director to a Council meeting in order to dialogue on the issues at 66 Waubeek Street, and potential alternatives.

Carried

5.3 Anne Bossart RE: Tower Hill Garden Update

Anne Bossart addressed Council from a prepared power point presentation with highlights of the projects that she has led at the Tower Hill Gardens over the last 10 years including expanding gardens, refurbishing the pond, restoring the Ranger Cabin and establishing a children's garden. Ms. Bossart noted that more than 45 people have volunteered regularly over the last 10 years and on average put in between 500 and 600 hours between May and October annually.

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Ms. Bossart concluded noting that while she hopes to continue working on the Tower Hill Gardens, she would welcome someone coming forward to take over leadership when she is finished and encouraged Council to consider this.

6. Mayor & Councillors' Reports

Members of Council gave reports on meetings attended and matters arising.

7. Ratification of Matters from Closed Agenda

7.1 Waterfront Advisory Committee Terms of Reference

Resolution 2022 - 156

Moved by Councillor McDonald Seconded by Councillor Keith

That within the Terms of Reference to the Waterfront Advisory Committee as adopted by Resolution 2021 – 097, the number of voting citizen appointees be increased from 5 to 7.

Carried

7.2 Citizen/Lay Appointments to Board, Commissions, Committees

Resolution 2022 - 157

Moved by Councillor Beleskey Seconded by Councillor Keith

That Council hereby approves citizen/lay appointments to various Boards, Commissions and Committees as identified in Schedule "A" attached.

Carried

8. Consent Agenda - N/A

9. Resolutions and Direction to Staff

9.1 Public Works

9.2 Development and Protective Services

9.2.1 Consent Applications (B22-15) – 37 Joseph Street, Hassall

Spokesperson: Jeremy Rand, Manager of Planning

CAO Clayton Harris left the meeting for duration of discussion and voting on the item

Resolution 2022 - 158

Moved by Councillor Keith

Seconded by Councillor Beleskey

Council hereby approves Consent Application B22-15 at 37 Joseph Street in order to facilitate a lot addition in favour of the adjacent parcel to the east subject to the conditions outlined in Schedule A.

The following motion to amend was made:

Moved by Councillor Keith

Seconded by Councillor Beleskey

That an additional numbered item #8 be added to Schedule A conditions per: *That the location of the driveway be shown on the survey.*

Amendment Carried

The amended resolution was voted on.

Carried as Amended.

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9.2.2 Consent Application (B22-05) - 41a Isabella Street, Bowland

Spokesperson: Jeremy Rand, Manager of Planning

Resolution 2022 - 159

Moved by Councillor Keith

Seconded by Councillor Beleskey

Council hereby approves Consent Application B22-05 in order to facilitate the creation of one severed and one retained lot subject to the conditions outlined in Schedule A.

Carried

9.2.3 2023 Land Ambulance Budget

Spokesperson: Dave Thompson, Director of Development and Protective Services

Resolution 2022 - 160

Moved by Councillor Keith

Seconded by Councillor Beleskey

That upon the recommendation of the EMS Advisory Committee the 2023 Land Ambulance Operating Budget be approved with a 5% levy increase over the 2022 approved budget in a total amount of \$12,292,095.27; and

That a Land Ambulance Capital Budget be approved in the amount of \$595,000 to be funded from the EMS Capital Reserve Fund.

Carried

9.3 CAO Office/Administration

9.3.1 Council Member Appointments to Boards, Commissions, Committees

Spokesperson: Rebecca Johnson, Clerk,

Resolution 2022 - 161

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Moved by Councillor McCann

Seconded by Councillor Keith

That Council hereby approves appointments of members of Council and staff to various Boards, Commissions and Committees as identified in Schedule "A" attached.

Carried

9.4 Finance and POA Court Services

9.4.1 General Insurance Renewal and Risk Management Services

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

Resolution 2022 - 162

Moved by Councillor McDonald

Seconded by Councillor McCann

That Council hereby approves the renewal of the Corporation's general insurance and risk management services with BFL Canada at the premium of up to \$647,267 plus tax for the one-year period ending December 15, 2023.

Carried

10. By-laws

10.1 Public Works

10.2 Development and Protective Services

10.2.1 Fire Dispatch Agreement with Health Centre

Spokesperson: Dave Thompson, Director of Development & Protective Services

By-law 2022 - 7291

Being a By-law to authorize the execution of an agreement with the West Parry Sound Health Centre for the provision of Fire Dispatch Services.

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

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10.2.2 Rezoning Application - Z/22/03 - 51 George Street - Lionston Holdings - Lifting of Holding Provision (h)

Spokesperson: Jeremy Rand, Manager of Planning

By-Law 2022 - 7292

Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law) as amended to remove a Holding Provision ("h" symbol") from Part of Lots 11 and 12, West Side of Forest Street, Plan 21 and Part 1, Plan 42R-9872 and Part of Lot 1 and 3, Plan 42R-8176 in the Town of Parry Sound

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

10.2.3 Amendment to the Water and Wastewater Fees By-law.

Spokespersons: Clayton Harris, CAO

Dave Thompson, Director of Development and Protective Services

By-law 2022 - 7295

Being a By-law to use GFA as the basis for calculating the water and wastewater fee for commercial/industrial applications effective with the first commercial/industrial application processed under By-law 2022-7251.

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

10.2.4 Rezoning Application - Z/22/04 - Emily Street - 1853009 Ontario Inc. - Lifting of Holding Provision (h)

Spokesperson: Jeremy Rand, Manager of Planning

By-Law 2022 - 7297

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Being a By-law to amend By-law No. 2004-4653 (The Zoning By-law) as amended to remove a Holding Provision (h) from Part of Mill Block A and Part of Original Shore Road Allowance being Parts 1 to 3, Plan 42R-20299 in the Town of Parry Sound.

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

10.3 CAO Office/Administration

10.3.1 Northern Ontario Heritage Fund Corporation, Northern Ontario Internship Program Agreement

Spokesperson: Caitlin Dyer, Bobby Orr Hall of Fame Curator

By-law 2022 - 7293

Being a By-law to authorize the execution of an agreement with the Northern Ontario Heritage Fund Corporation accepting the terms and conditions of approval of the Bobby Orr Hall of Fame Curatorial & Collections Intern.

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

10.3.2 Northern Ontario Heritage Fund Corporation, Rural Enhancement Program Funding Agreement

Spokesperson: Caitlin Dyer, Bobby Orr Hall of Fame Curator

By-law 2022 - 7294

Being a By-law to authorize the execution of an agreement with the Northern Ontario Heritage Fund Corporation accepting the terms and conditions of funding for the Bobby Orr Hall of Fame Exhibition Re-Design Project.

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

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10.3.3 Amend Public Library Board By-law to increase Town representation

Spokesperson: Rebecca Johnson, Clerk

By-law 2022 - 7298

A By-law for the establishment and composition of a Public Library Board

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

10.4 Finance and POA Court Services

10.4.1 2023 Interim Tax Levy

Spokesperson: Rob Beaumont

Manager of Revenue & Taxation/Tax Collector

By-law 2022 - 7296

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 2023 taxation year.

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

10.5 Other Business

10.5.1 Confirming By-law

By-law 2022 - 7299

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

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

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11. Adjournment

Mayor McGarvey adjourned the meeting at 9:27 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.

Mayor Jamie McGarvey

Clerk Rebecca Johnson