

The Corporation of The Town of Parry Sound

Council Meeting Minutes October 17, 2023

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.

Council Meeting Minutes - October 17, 2023

7:10 PM, Parry Sound Council Chambers 52 Seguin St. Parry Sound,

Closed 6:30 PM - 7:10 PM

Members Present:

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

Member Absent:

Councillor Borneman

Staff Present:

CAO Clayton Harris, Recording Clerk Ann Hurdman, Director of Public Works Mike Kearns, Director of Finance Stephanie Phillips, Director of Development & Protective Services Dave Thompson, Manager of Planning Jeremy Rand, Manager of Information Technology Callin Belchamber

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Closed Meeting Resolution 2023 - 150

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

Resolution 2023 - 150

Moved by Councillor Keith Seconded by Councillor McCann

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:

c) a proposed or pending acquisition or disposition of land for municipal or local board purposes, **(acquisition of property)**

Carried

1. Agenda and Minutes Review, Pecuniary Interest

1.1 Land Acknowledgement

1.2 Presentations/Announcements.

1.2.1 Giselle Bodkin, Partner at BDO Canada LLP was in attendance by zoom to deliver the final report on the Draft Consolidated Financial Statements for the year ended December 31, 2022 (Item 9.4.2)

1.3 Additions to Agenda

1.4 Prioritization of Agenda

1.5 Adoption of Agenda

Moved by Councillor McDonald Seconded by Councillor Beleskey

That the Council agenda for October 17, 2023 be approved as circulated.

Carried

1.6 Disclosure of Pecuniary Interest and the General Nature Thereof

1.7 Adoption of Minutes

Moved by Councillor McCann Seconded by Councillor Beleskey

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That the Minutes from the Regular Council meeting held October 3, 2023 be approved as circulated.

Carried

2. Public Meeting

Moved by Councillor McDonald

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 two proposed Zoning By-law amendments under Section 34 of the Planning Act.

2.1 Zoning By-law Amendment - Z/23-04 – Town of Parry Sound - 71 Parry Sound Road.

The proposed Zoning By-law amendment would change the zoning of the property from the existing zone of Residential Second Density (R2) holding (h) in part to Special Provision 26.137 (R2) which would add Row, Townhouse or Maisonette Dwelling, Fourplex Dwellings and Apartment Dwellings (to a maximum of 10 units each) as permitted uses subject to the provisions of the Residential Third Density (R3) zone as well as permit a maximum height of 14 metres.

Following an explanation by Recording Clerk Ann Hurdman on how the public was notified of the public meeting, Manager of Planning Jeremy Rand, noted that the subject lands are located at 71 Parry Sound Road.

The purpose of the proposed zoning amendment application is to permit additional forms of development and increased heights on the subject lands.

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If approved, the application would change the zoning of the property from Residential Second Density (R2) holding (h) in part to Special Provision 26.137 in part. The Special Provision would add Row, Townhouse or Maisonette Dwelling, Fourplex Dwelling and Apartment Dwellings as permitted uses subject to the provisions of the Residential Third Density (R3) Zone. The zoning would also permit a maximum height of 14.0 metres instead of the currently permitted 10.5 meters, as well as limit the number of Dwelling Units within an Apartment Dwelling to ten (10).

It should be noted that the application would not change the boundaries of the existing Environmental Protection Zone (EP) on the subject lands.

In response to the Mayor's invitation for members of the public to speak who are in favour of the rezoning no one came forward in favour of the rezoning.

In response to the Mayor's invitation for members of the public to speak who are in opposition of the rezoning, the following persons came forward in opposition of the rezoning.

- Warren Sovereign and Samantha Schell of 16 Railway Avenue

Several concerns were expressed. Part of the area is currently zoned as an Environmentally Protected Area (EPA) - when was the last environmental impact study undertaken? They would ask that another EPA impact study be undertaken before the rezoning is passed. There is a natural spring behind their house which is wetland that runs all the way down to electrical sub station at the corner of Parry Sound Road & Railway Avenue. Doesn't see how a multi family dwelling could be constructed on this property. The area is all swamp and rocks, he doesn't see how infrastructure could be put in to support any development such as this at all. Has many questions - if a developer comes in, environmental impact study to be done, how would this move

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forward? How would access be gained with current state it is in? Several other properties could be developed within the town without developing this EPA property. If an EPA zone is developed there is no going back, it's gone. Other properties such as the Victory School property could be developed for such a purpose without affecting an EPA zone. Frogs, turtles, deer come right up into their back yard. No-one on the street want to see this development in their back yard.

- Jean Beckett, the owner of 12 Railway Avenue, her son & family live there.

Ms. Beckett has made a written submission. She is concerned, agrees that Parry Sound needs development and housing but is concerned that this is not the right place. Housing can be done wrong, not sure what expertise Council or staff have but there is a lot of expertise within Town that could be tapped into, for example, DSSAB and Community Mental Health. With the difficulties that Premier Ford is in right now with the wetlands Parry Sound doesn't want to be in the same situation. Doesn't want to see this Council make the same mistake that other Town Councils have made in the past such a Louisa Street. An environmental study needs to be done. An infrastructure study needs to be done - can the existing system handle the extra capacity? A new system can be installed at the development but it still needs to be connected to the older, smaller system feeding into the MacFarlane St wastewater plant. There are many other factors to be looked at than just that specific piece of land. She hopes Council will do their homework

- Curtis Slinger of 12B Railway Avenue

Mr. Slinger addressed the state of the neighbourhood right now, the roads, lack of sidewalks, lots of kids in the neighbourhood. It would be nice to cater to those residents already living there rather than developing for those who want to live there.

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There are already apartments on Railway Avenue, some existing concerns with garbage. It would be good to have the roads fixed and sidewalks installed before moving on to other things.

Mr. Rand noted that the following comments were received by the Building Department which indicate that development is located near railway properties may be subject to noise and/or vibration studies.

No other internal comments were received regarding this application.

Comments were received by Lakeland Power which recommended that the developer coordinate with Lakeland Power as soon as is feasible.

Comments received by CN Railway indicate that the subject site is located in proximity to the CN's Main Line. CN has concerns of development/densifying uses in proximity to railway operations. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use compatibility issues are exacerbated. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. Please refer to CN's guidelines for the development of sensitive uses in proximity to railways. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.

There were a number of recommendations within CN's comments that will be implemented through the recommended by-law and a holding provision as well as any subsequent development agreement. These include:

- The requirement of a noise study for any dwellings located within 300 metres of the CN Right of Way.
- That a Vibration Study will be required for any dwelling located within 75 metres of the CN Right of Way.

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- That warning clauses be required for any development agreements, offer of purchase and agreements of Purchase and Sale or Lease agreements on the subject lands.
- That storm water management require concurrence from CNR.
- That an operational easement be registered against the subject property in favour of CN.

Additionally, CN also noted that they typically recommend the following safety mitigation measures for developments located adjacent to the CN right of way:

- A minimum setback of 30.0 metres be implemented in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway right of way; and
- The Owner shall install and maintain a chain link fence of minimum 1.83 metres in height along the mutual property line.

No other internal or external agency comments were received.

A letter of objection was received from Jean Beckett. The letter indicated that they are opposing this zoning change. The concerns include the following:

1. Environmental;
2. Ability of the Town to service those lots;
3. Gentrification of the community;
4. Traffic issues;
5. Developing the lot with the current zoning would be manageable provided environmental concerns are addressed; and
6. It was noted that one ten unit building or two would be an acceptable increase in density. To rezone the whole land mass involved would result in many more than that being built.

The letter summarizes that Parry Sound needs growth and housing developments by we must not let that be unbridled growth. Housing needs to be built and some currently empty land must be utilized to meet the development, but this growth must be carefully

planned. We can learn from studying other communities and the challenges they have faced, particularly the problems encountered when their growth was not prudently done.

No other comments have been received by members of the public.

3.1

2.2 Moved by Councillor Ashford Seconded by Councillor Beleskey

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

Carried

3. Questions of Staff

3.1 In response to Councillor McDonald's inquiry concerning the cruise ship which did not come to Parry Sound but diverted to Midland Clayton Harris, CAO responded that his understanding was that it was due to the ship not having a pilot to bring them into the harbour. The cruise line does not have any issues with Parry Sound's port.

3.2 In response to Councillor Keith's question about the Isabella / Beatty Streets closure Director of Public Works Mike Kearns noted the closure was due to and emergency storm sewer replacement. Due to the amount of traffic through the area a detour was set up for vehicular traffic only, pedestrian traffic was still being facilitated. The planned end of the detour is Friday October 20th.

3.3 In response to Councillor McCann's inquiry of the ownership of an abandoned utility pole, which is on a lean, on Miller Street, close to Seguin Street Director of Public Works Mike Kearns will look in to who owns it and if it is the Town's see if it can be removed.

3.4 In response to Councillor McCann's question about whether the trees which are being removed around town will be replaced Director of Public Works Mike Kearns noted that there are many reasons for tree removal and that each circumstance must be reviewed & perhaps replacement will take place elsewhere.

4. Correspondence N/A

5. Deputations

6. Mayor & Councillors' Reports

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

7. Ratification of Matters From Closed Agenda

8. Consent Agenda

8.1 Letter of Support for the Parry Sound Friendship Centre

Spokesperson: Mayor Jamie McGarvey

Direction approved for Direct Staff follow-up:

Moved by Councillor Keith Seconded by Councillor McDonald

That the letter of support for the Parry Sound Friendship Centre's new Community Centre be approved.

Carried

9. Resolutions and Direction To Staff

9.1.1 Trimming of foliage overhanging Municipal property

Spokesperson: Mike Kearns, Director of Public Works

Information Report for Council consideration

To provide Council with information related to the trimming of foliage that overhangs Municipal property from private property and the possibility of charging back the cost of

the trimming to the owner of the plant/tree and to provide a recommendation to Council on the topic.

Direction approved for Direct Staff follow-up:

Moved by Councillor Keith Seconded by Councillor Beleskey

That the information report pertaining to trimming foliage overhanging Municipal property be received; and

That staff be directed to seek legal advice on the Town's ability to charge fees to those property owners who are neglectful of the trimming of trees, foliage, plantings, shrubs, etc. abutting municipal land / sidewalks; and

That staff be directed to contact like sized municipalities to see how they handle these situations of encroachment on sidewalks and roadways.

Carried

9.1.2 Wood St Speed Limit Reduction Request and 4-way Stop

Direction for Wood and Marion Streets.

Spokesperson: Mike Kearns, Director of Public Works

Information Report for Council consideration

To provide Council with information related to the requested speed reduction on Wood St. and the Council Direction to establish a 4-way stop in relation to the request to provide speed control in the area.

Direction approved for Direct Staff follow-up:

Moved by Councillor Beleskey Seconded by Councillor Keith

That the information report pertaining to the Wood St speed limit reduction request and 4-way stop direction for Wood & Marions Street be received; and

That Council confirm the upholding of the resolution 2023-142 passed at the October 3rd Council meeting which approved installation of a 4 way stop at the corner of Wood & Marion Streets.

Carried

9.2.1 Delegation of authority to staff for certain Temporary Outdoor Patios

Spokesperson: Jeremy Rand, Manager of Planning

Resolution 2023 - 151

Moved by Councillor McCann

Seconded by Councillor Keith

WHEREAS in December 2022 the Alcohol and Gaming Commission of Ontario (AGCO) amended the provincial framework for temporary patios which came into effect on January 1, 2023 and required that municipal approval be obtained for licensees prior to selling or serving liquor on a temporary patio for up to eight months per calendar year;

AND WHEREAS many applications for temporary patios require only a technical review by staff and approval by Council would add time and delay to temporary patio approval requests where no additional relief (i.e. zoning) is required;

THEREFORE BE IT RESOLVED THAT where applications for temporary patios do not require relief from municipal zoning by-laws or site plan requirements, and are limited to 8-months in any one calendar year, that Council authorize the Director of Development and Protective Services or the Director of Public Works as the approval authority for these types of applications.

Carried

9.3.1 Provision of Cell Phones to Members of Council

Spokesperson: Callin Belchamber, Manager of Information Technology

Resolution 2023 - 152

Moved by Councillor Beleskey

Seconded by Councillor Ashford

That the Town provide each member of Council with the option to either: receive a corporate cell phone and data plan for the period of their Council term; or continue using current arrangements. Corporate phones would allow Councillors to "hot spot" their Council device to the phone, using its data plan as internet (where cell service exists); and

That each member of council wanting Option 1 should contact the Manager of IT.

Carried

9.3.2 Market Square Park Wi-Fi

Spokesperson: Callin Belchamber, Manager of Information Technology

Information Report for Council consideration

To notify Council of work in progress for a cost-effective solution to maintain public Wi-Fi service in Market Square Park.

Direction approved for Direct Staff follow-up:

Moved by Councillor Ashford Seconded by Councillor Beleskey

That the information report concerning public Wi-Fi in Market Square Park be received.

Carried

9.4.1 2024 Budget Schedule

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

Resolution 2023 - 153

Moved by Councillor Ashford

Seconded by Councillor Beleskey

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That Council hereby approves the 2024 Budgeting Schedule as set out in the attached Schedule "A".

Carried

9.4.2 2022 Financial Statements

Spokesperson: Stephanie Phillips, Director of Finance / Treasurer

Resolution 2023-

Moved by Councillor Beleskey Seconded by Councillor Ashford

That Council for the Town of Parry Sound does hereby approve the Draft Consolidated Financial Statements for the year ended December 31, 2022, in Schedule "A" as attached; and

That the 2022 Draft Financial Statements for the Provincial Offences Act in Schedule "B" be approved as attached; and

That the 2022 Draft Financial Statements for Administration of Land Ambulance Services in Schedule "C" be approved as attached.

Carried

9.5.1 Proclamation International Day of Biosphere Reserves

Resolution 2023 - 155

Moved by Councillor Keith Seconded by Councillor Ashford

That whereas in November 2021, the 41st session of the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) designated November 3 as the International Day for Biosphere Reserves, and

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Whereas the purpose of this international day is to provide a wake-up call on the importance of caring for the environment and achieving a balance between human activities and the conservation of natural resources - and on the leading role that the World Network of Biosphere Reserves plays in this regard; and

Whereas the intention of this international day is to mobilise and acknowledge the commitment, actions and solutions by the people, institutions and partners that make up the global network;

Now Therefore the Mayor of the Town of Parry Sound hereby proclaims November 3, 2023 and every November 3 thereafter as International Day for Biosphere Reserves in the Town of Parry Sound; and

That the Town celebrates the eastern Georgian Bay Biosphere region as one of the 738 biosphere reserves in the world and commends the work of community-based Georgian Bay *Mnidoo Gamii* Biosphere a registered non-profit charity, for its work in protecting the environment, creating vibrant communities and supporting a healthy economy by building capacity through education and culture.

Carried

9.5.2 Proclamation Treaties Recognition Week

Resolution 2023 - 156

Moved by Councillor Keith Seconded by Councillor Ashford

WHEREAS treaties form the basis of the relationship between Indigenous and non-Indigenous people; and

WHEREAS treaties are legally binding agreements that set out rights, responsibilities and relationships, with treaty commitments as valid today as they were when signed often many years ago; and

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WHEREAS Treaties Recognition Week honours the importance of, and promotes learning about treaties; and

WHEREAS the Province of Ontario passed legislation in 2016 declaring the first full week of November as Treaties Recognition Week;

NOW THEREFORE the Council of the Corporation of the Town of Parry Sound hereby proclaims the week of November 5 – 11, 2023 as “Treaties Recognition Week” in the Town of Parry Sound.

Carried

10. By-laws

10.5.1 Confirming By-law

By-law 2023 - 7372

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

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

11. Adjournment

Mayor McGarvey adjourned the open meeting at 9:01 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

Deputy Clerk Clayton Harris