

The Corporation of The Town of Parry Sound

Council Meeting Minutes February 6, 2024

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Council Meeting Minutes - February 6, 2024

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 Finance Stephanie Phillips, Director of Development & Protective Services Dave Thompson, Manager of Planning Jeremy Rand, Manager of Parks & Recreation April McNamara, Chief Building Official Mark Vandermeer, Municipal Law Enforcement Officer Allison Kreuger

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Closed Meeting Resolution

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

Resolution 2024 - 008

Moved by Councillor Borneman 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:

b) personal matters about an identifiable individual, including municipal or local board employees, (**Request to Waive Property Tax Penalty & Interest**);

d) labour relations or employee negotiations, (**CUPE Local 17 Collective Bargaining**);

k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board, (**Municipal Servicing Agreement, Non-Interest Bearing Loan Agreement**)

Carried

1. Agenda and Minutes Review, Pecuniary Interest

1.1 Land Acknowledgement

1.2 Presentations/Announcements - N/A

1.3 Additions to Agenda - N/A

1.4 Prioritization of Agenda

Councillor Borneman requested that item 9.3.3 be prioritized.

1.5 Adoption of Agenda

Moved by Councillor McCann

Seconded by Councillor Beleskey

That the Council agenda for February 6, 2024 be approved as amended.

Carried

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

1.7 Adoption of Minutes

Moved by Councillor McDonald

Seconded by Councillor Ashford

That the Minutes from the Regular Council meeting held January 16, 2024 be approved as circulated.

Carried

2. Public Meeting - N/A

3. Questions of Staff

3.1 In response to Councillor Keith's inquiry regarding handicapped access at the Bobby Orr Community Centre vis a vis a recent incident of lack of viewing access, Director of Public Works Mike Kearns reported that staff did a walk through of the area with the individual who had the concern, and with some members of the Accessibility Advisory Committee. Mr. Kearns noted that some changes have been made, for example the elevator is now turned on when events are occurring on the ice surface to ensure that people can access the second floor to view, while other areas on the second floors are locked to prevent unauthorized access. Mr. Kearns noted that staff are working on challenges that still exist within the building, and that the concerned parties have been advised of the improvements made.

3.2 In response to Councillor Borneman's inquiry as to how snow removal is prioritized, Mr. Kearns noted that the downtown core, access to on-street parking and

higher volume roadways are prioritized. Snow removal may be ongoing in multiple areas of the Town at the same time, utilizing Town staff and contractors.

3.3 In response to Councillor Ashford's inquiry regarding Fitness Trail maintenance, Mr. Kearns noted that the Trail becomes a snowmobile trail in the winter season and that although pedestrian traffic is not prohibited, the trail is maintained by snowmobile clubs to snowmobile standards and therefore is not salted or sanded.

3.4 In response to Councillor Keith's inquiry regarding what measures are being taken to deal with dog feces along the Fitness Trail, Director of Development & Protective Services Dave Thompson noted that in the winter, By-law department focuses on roads and parking control; however he will discuss opportunities to patrol the trail and potentially become more aggressive with issuance of tickets as may be necessary.

3.5 In response to Councillor Beleskey's inquiry as to plans for benches or other amenities along the Town's portion of the Park to Park Trail, Mr. Kearns reported that there is a bench program with quite a few located along the Fitness Trail, that he is not aware of other infrastructure requests, but that if there are recommendations or requests to forward them to Public Works for consideration in the budget.

3.6 In response to Councillor McCann's inquiry regarding memorial bench donations, Mr. Kearns reported that the Town does have a memorial bench donation program.

3.7 In response to Councillor McDonald's inquiry regarding the potential to increase the number of trash receptacles around Town, Mr. Kearns reported that staff try to place them strategically, and noted that their design is important to ensure they are not used improperly for household garbage instead of for their intended purpose of small pieces of trash. Mr. Kearns also noted that additional receptacles in Town can change the quantity of work set out for staff and that as part of the blue box transition is a program of public space pick-up of recyclables which may address some of the problem.

4. Correspondence

- 4.1** Parry Sound Living - Message from the Mayor, Filed
- 4.2** Business View Magazine, featuring Parry Sound, Filed
- 4.3** Enbridge Gas Inc. - concerns with OEB decision on Phase 1 Enbridge Gas 2024 rebasing application, Filed.
- 4.4** Blake Grace, Parry Sound Seniors Club 1269 request for relief from parking control on Saturday, February 10, covered by item 9.5.5.
- 4.5** Rotary Club, request for relief from parking control on Saturday, March 30, covered by item 9.5.6.

5. Deputations

5.1 PS Standard Condominium Corp #11- 11 Salt Dock Road, Transfer of Watermain Responsibility

Barb Barrett, agent for Parry Sound Condominium #11 located at 11 Salt Dock Road, addressed Council with respect to a request that the watermain that runs down the middle of Salt Dock Road and owned by Condominium #11 be taken over as the Town's responsibility.

Ms. Barrett gave background on the dates of registration of buildings A, B and C, noting all were functional by February 2020. The Town Public Works request in June 2021 to take over the watermain as Greystone's Lighthouse Development wanted to connect to it raised concerns for Condo Board 11 regarding potential decreased water pressure with a new development connecting, and liability should there be damage to the watermain. The Board's response to Greystone was a request for a substantial deposit; Greystone declined and chose another route to connect.

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Ms. Barrett noted that in April 2022, the Board asked legal counsel to get an amendment to the site plan to turn over the water main to the Town however were then told by the Town that the project was no longer deemed urgent. Ms. Barrett said that in response to a November 2022 request for a \$5,000 deposit to transfer watermain ownership, the cheque and paperwork was made ready by the Board by January, 2023; however nothing has advanced since, and these dealings are costing the Board money that it has not budgeted for.

Director of Development & Protective Services Dave Thompson noted that Ms. Barrett is correct that this has been a long time in the works. The request for the watermain transfer was initiated by staff due to servicing needs of the Lighthouse condominium and at that time would have been advantageous to the Town, the development, and to residents of Lighthouse. Mr. Thompson noted that those Town attempts to facilitate the transfer were declined by Condo Board #11, and the Town indicated to Ms. Barrett at the time, that it was a priority then, but that if it didn't proceed, there were a number of other projects that would then take precedence, which is what is happening now.

Director of Public Works Mike Kearns added that after the Town's unsuccessful attempts to facilitate the transfer of the privately owned watermain to the Town, the Lighthouse Development connected to the main feed out of the water plant, which is to be avoided whenever possible.

In response to CAO Clayton Harris' inquiry regarding costs for the transfer, Mr. Thompson noted that the Lighthouse developer was prepared to pay all costs for conveyance, as well as a courtesy payment to the Condo Board for facilitating the watermain ownership changeover so that they could connect to this more appropriate location.

Mr. Kearns noted that it is unusual for a watermain to be under private ownership, however it was part of the original site plan agreement for the entire condominium development, and when connections points were sought for the Lighthouse

Development, attempts to transfer the ownership to the Town were made. With respect to concerns raised by the Condominium Board regarding water pressure, Mr. Kearns noted that it was addressed by the engineering firm at the time. Mr. Kearns explained that there are sometimes water pressure issues related to elevation and topography and in multi-story buildings there are sometimes pump systems required to get water to the top.

In response to Ms. Barrett's inquiry as to who would be responsible if something were to happen to the watermain before ownership transfer to the Town was completed, Mr. Thompson reported that it would be the responsibility of Condo Board #11, and in addition, any damage done to Town infrastructure by the watermain break for example, would also be the responsibility of the Condo Board.

Mayor McGarvey thanked Ms. Barrett and noted that the transfer process is continuing as staff has reported, and that the Condo Board's concerns as to the length of time it is taking have been heard.

5.2 Michael Martyn, Festival of the Sound

Festival of the Sound Executive Director Michael Martyn, accompanied by Board member Janis Ryder addressed Council from a prepared power point presentation with respect to a request to waive fees for the Stockey Centre for the three Tuesdays of the 17-day program of the 2024 Festival of the Sound season. Branded as "Tuesdays on the Town", the proposed schedule at several different venues in Town including at the Stockey Centre includes Yoga & Strings, Yoga Cool-Down, Concert, Chamber Kids, Sensory Friendly Concert, Bands on the Bay and Classical Hits. With this year's 45th anniversary, Mr. Martyn commented on the Festival's long relationship with the Town and identified how the Festival and the proposed Tuesday programming fits with the Town's strategic priorities of economic growth, quality of life, and organizational excellence.

Mr. Martyn agreed to pursue Mayor McGarvey's suggestion that the Festival of the Sound apply for a Municipal Assistance Program grant to offset the amount requested as waived fees.

6. Mayor & Councillors' Reports

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

7. Ratification of Matters From Closed Agenda

7.1 Non-interest Bearing Loan Agreement with the West Parry Sound Recreation & Cultural Centre Board

Spokesperson: Clayton Harris, CAO

By-law 2024 - 7395

Being a By-law to authorize the execution of an agreement with the West Parry Sound Recreation and Cultural Centre Board for a Non-Interest Bearing Loan.

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

8. Consent Agenda - N/A

9. Resolutions and Direction To Staff

9.1.1 Development Charges (DC) Deferral Policy

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

Direction for Staff Follow-up

Moved by Councillor Keith

Seconded by Councillor Borneman

That comments be received; and

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That staff take into consideration comments from Members of Council and the public and report back to the next Council meeting with a recommended DC Deferral Policy.

Carried

9.2.1 Rotary Club Request BOCC Fee Waiver Maple Leaf Alumni Game

Spokesperson: April McNamara, Manager of Parks & Recreation

Resolution 2024 - 009

Moved by Councillor Keith

Seconded by Councillor Ashford

That Council confirm rental fees are required for the Rotary Club of Parry Sound use of the Bobby Orr Community Centre, ice surface, hall and meeting rooms for the Maple Leaf's Alumni Game on March 30, 2024, a Fundraising Event.

Defeated

Moved by Councillor Borneman

Seconded by Councillor McDonald

That the required fees be funded from the 2023 Municipal Assistance Program (MAP).

Withdrawn

Resolution 2024 - 010

Moved by Councillor Borneman

Seconded by Councillor McDonald

That the Town of Parry Sound Council authorizes the waiving of rental fees for the Rotary Club of Parry Sound use of the Bobby Orr Community Centre, ice surface, hall and meeting rooms for the Maple Leaf's Alumni Game on March 30, 2024 Fundraising Event, due to ineligibility of the Rotary Club for a Municipal Assistance Program Grant and as it (the event) benefits the West Parry Sound Area.

Carried

9.2.2 Transfer Station Operations

Spokesperson: Mike Kearns, Director of Public Works

Resolution 2024 - 011

Moved by Councillor Ashford

Seconded by Councillor Keith

That council receives the report on the changes to the transfer station operations relating to the purchase of tags on site and controlling the flow of traffic/access through the site.

Carried

9.2.3 Mclsaac Way Tribute Road

Spokesperson: Mike Kearns, Director of Public Works

Direction for Follow-up:

Moved by Councillor Beleskey

Seconded by Councillor Keith

That Council direct Staff to make the appropriate amendments to the traffic bylaw to allow Mclsaac Way Tribute Road to be established as a one-way street with a 30 km/h speed limit and that it be incorporated into the Municipal Road inventory.

Carried

9.3.1 Business Case for Big Sound Marina/Town Dock Operations

Spokesperson: Dave Thompson, Director of Development & Protective Services

Resolution 2024 - 012

Moved by Councillor Ashford

Seconded by Councillor Beleskey

That Council authorizes the engagement of Karen Jones Consulting to develop a business case for operation of the Town Dock/Big Sound Marina per her proposal submitted as Schedule A.

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Carried

9.3.2 Big Sound Marina/Town Dock Operators Agreement

Spokesperson: Dave Thompson, Director of Development and Protective Services

Resolution 2024 - 013

Moved by Councillor Beleskey

Seconded by Councillor Ashford

That staff be directed to negotiate a one-year extension to the current BSM Town Dock Operators Agreement; and

That staff prepare an RFP for the operation of BSM / Town Dock to be released in the late summer / early Fall of 2024

Carried

9.3.3 Fascia Signs on Buildings at 114 Bowes St

Spokesperson: Mark Vandermeer, Chief Building Official

Resolution 2024 - 014

Moved by Councillor Ashford

Seconded by Councillor Keith

That pursuant to section 3.(4) of By-law 2002-4468 (as amended), the Chief Building Official is authorized to issue a permit for additional fascia signage at 114 Bowes St, according to Schedule "A" attached,

That the permit will act as a renewal of, and addition to, the permits issued in 2016, and

That the permit shall expire five (5) years from the date of issuance.

Carried

9.4.1 Waterfront Advisory Committee Terms of Reference

Spokesperson: Clayton Harris, CAO, Administration

Resolution 2024 - 015

Moved by Councillor Ashford Seconded by Councillor Keith

That the Waterfront Advisory Committee's Terms of Reference be amended attached as Schedule A.

Carried

9.4.2 Resignations from Boards, Committees

Spokesperson: Rebecca Johnson, Clerk

Resolution 2024 - 016

Moved by Councillor McCann Seconded by Councillor Borneman

That upon notice from various Boards and Committees, and from individuals tendering their resignations from same, the following appointments as authorized by Resolution 2022-157 are hereby revoked effective immediately:

- Matt Meglio, Seanan Meygesi and Mary Ellen Swan from the Parry Sound Downtown Business Association Board;
- Alex Distler from the Façade Improvement Program Committee
- Dan Glenney from the Waterfront Advisory Committee

Carried

9.5.1 Floating Accommodations

Spokesperson: Mayor McGarvey

Resolution 2024 - 017

Moved by Councillor Borneman

Seconded by Councillor McCann

That Council of the Corporation of the Town of Parry Sound authorizes Mayor McGarvey to sign the letter of concern initiated by the Township of Georgian Bay and addressed to the Chairs of the Standing Committee on Environment and Sustainable Development and on Transport, Infrastructure and Communities regarding Floating Accommodations.

Carried

9.5.2 Non-Profit Sector Appreciation Week

Spokesperson: Mayor McGarvey

Resolution 2024 - 018

Moved by Councillor McDonald

Seconded by Councillor McCann

Whereas nearly 850,000 nonprofit workers, 77% of whom are women, are dedicated to serving, connecting, and supporting all Ontarians, and

Whereas nonprofit workers have continued essential services through the pandemic, such as child care, long-term care, shelters, community health centres, seniors support, and more, and

Whereas Ontario's 58,000 nonprofits help to create healthy and thriving communities, and contribute \$65 billion to the economy; and

Whereas Ontario's nonprofit sector is diverse- from arts and culture, housing, sports and recreation, faith, child development, community health care, the environment, and more, and

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Nonprofits are leading advocacy and change for a better, greener, more equitable economy and inclusive society, and

Whereas during the Covid pandemic, nonprofit workers supported Ontarians with creative, local solutions, such as live virtual concerts to keep us connected, repurposing community kitchens for mobile food programs, telephone trees to reach isolated seniors, virtual sports programs for mental health and physical fitness, pre-loaded phones with wellness supports for Indigenous youth, and much more;

Now Therefore, the Council of the Corporation of the Town of Parry Sound hereby declares February 12-16, 2024 as Non-Profit Sector Appreciation Week in Parry Sound.

Carried

9.5.3 Exotic Animals

Spokesperson: Mayor McGarvey

Direction for Staff Follow-up

Moved by Councillor Borneman Seconded by Councillor McDonald

That Staff be directed to research and bring forward a report for Council's consideration regarding regulation of Exotic Animals in the Town of Parry Sound.

Carried

9.5.4 Amendment to OHSA to Clarify Definition of Employer

Spokesperson: Mayor McGarvey

Resolution 2024 - 019

Moved by Councillor McCann Seconded by Councillor Borneman

That the Town of Parry Sound supports the resolution from the Federation of Northern Ontario Municipalities which requests that the province amend the Occupational Health

and Safety Act to clarify the definition of "employer" to exclude owners that have contracted with a constructor for a project; and

That this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable David Piccini, Minister of Labour, Immigration, Training and Skills Development, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), the Federation of Northern Ontario Municipalities (FONOM), Ontario's Big City Mayors, Mayors and Regional Chairs of Ontario, Northern Ontario Large Urban Mayors, the Council of Ontario Construction Associations, and the Ontario Chamber of Commerce.

Carried

9.5.5 Seniors Club Request for Relief from Parking Regulations

Resolution 2024 - 020

Moved by Councillor McCann

Seconded by Councillor Borneman

That pursuant to By-law 2019-6912 as amended, which permits Council to grant an exemption from the time limited parking regulations as set out in Section 4.5 of the Bylaw and upon the request of the Parry Sound Seniors Club 1269, Council hereby grants exemption to the Parry Sound Seniors Club 1269, from the time limited parking regulations as set out in Section 4.5 of Parking By-law 2019-6912 on Saturday, February 10, 2024 from 9:00 AM to 4:00 PM pertaining to the west side of James St. from McMurray St. to Rosetta St. only.

Carried

9.5.6 Rotary Club Request for Relief from Parking Regulations

Resolution 2024 - 021

Moved by Councillor Borneman Seconded by Councillor McDonald

That pursuant to By-law 2019-6912 as amended, which permits Council to grant an exemption from the time limited parking regulations as set out in Section 4.5 of the Bylaw and upon the request of the Rotary Club of Parry Sound, Council hereby grants exemption from the time limited parking regulations as set out in Section 4.5 of Parking By-law 2019-6912 on Saturday, March 30, 2024 for all hours throughout Town, for the fundraising event *Hockey Day in Parry Sound*.

Carried

10. By-laws

10.2.1 Waste Connections Canada Curbside Waste & Recycling Contract extension

Spokesperson: Mike Kearns, Director of Public Works

By-law 2024 - 7392

Being a by-law to authorize the execution of a one-year extension to the current service agreement with Waste Connections Canada for curbside waste and recycling collection.

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

10.3.1 Deeming By-law - 5-7 Albert Street (Alias Inc.)

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

By-law 2024 - 7393

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Being a By-law to Deem Certain Lots in the Town of Parry Sound not to be Part of a Registered Plan of Subdivision (Alias Inc. 5-7 Albert Street)

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

10.5.1 Confirming By-law

By-law 2024 - 7394

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 meeting at 9:25 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