

The Corporation of The Town of Parry Sound

Council Meeting Minutes February 20, 2024

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Council Meeting Minutes - February 20, 2024

7:07 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 Operations Vinni Bonazza, Manager of Revenue & Taxation Rob Beaumont

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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 - 023

Moved by Councillor McCann

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:

b) personal matters about an identifiable individual, including municipal or local board employees, (**applicants to the Façade Improvement Program Committee**);

c) a proposed or pending acquisition or disposition of land for municipal or local board purposes, (**Future disposition of Town Owned Property; property transaction for WPS Recreation & Cultural Centre Project**);

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, (**Proposed Amendment to the WPS Recreation & Cultural Centre Board Agreement; property transaction for WPS Recreation & Cultural Centre Project**)

Carried

1. Agenda and Minutes Review, Pecuniary Interest

1.1 Land Acknowledgement

1.2 Presentations/Announcements

1.3 Additions to Agenda

1.4 Prioritization of Agenda

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1.4.1 Councillor Borneman requested that item 10.1.1 be prioritized

1.5 Adoption of Agenda

Moved by Councillor McCann Seconded by Councillor Ashford

That the Council agenda for February 20, 2024 be approved as circulated.

Carried

1.6 Disclosure of Pecuniary Interest and the General Nature Thereof

1.7 Adoption of Minutes

Moved by Councillor Keith Seconded by Councillor Borneman

That the Minutes from the Regular Council meeting held February 6, 2024 and Special Capital Budget Council meeting held February 13, 2024 be approved as circulated.

Carried

2. Public Meeting

2.1 Zoning Application Z24-01 - Brunatti, 85 River Street

Moved by Councillor Ashford Seconded by Councillor Keith

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 (ZBA) under Section 34 of the Planning Act as amended.

Manager of Planning Jeremy Rand explained that the purpose of the application is to rezone the subject lands from the existing zone of Residential Second Density (R2) to Restricted Industrial subject to Special Provision 26.139 which is proposed to include the following permitted uses:

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- Mini-warehousing;
- Public storage;
- Parking area;
- Professional Office;
- Recreational Vehicle Sales/Service;
- Outside Storage of finished products, materials or boats; and
- Transportation Depot.

Speaking in Favour:

1. On behalf of the property owners, John Jackson addressed Council indicating that the rezoning application is in accordance with policies contained in the Official Plan adopted a number of years ago to allow extension of commercial uses, similar to storage uses. Mr. Jackson noted that many years ago the current applicants were interested in small parcel off the railway, but the railway declared the old railway yards surplus as a whole and so the applicants were somewhat forced to acquire the entire large parcel of land. The proposal is for a site specific rezoning to extend commercial uses with some conditions so whatever uses that may occur will be compatible with adjoining residential lands, i.e. screening, acoustical barriers, etc. Mr. Jackson said there is no specific proposal at this time, but the application will put the lands in a development ready state.

2. Property owner John Brunatti noted that the property is already considered residential; however, it is so close to the railway that it doesn't make good residential development. Self storage has minimal use which offers a buffer between residential lands and the railway.

Speaking in Opposition:

1. Ursula Stilson of 63 River St. addressed Council with concerns about changing the zoning. Ms. Stilson said that when Brunattis developed that area, they changed the land elevation, took away green space, took down a willow tree, and eliminated a stream

which ran into a catchment basin, all of which has caused more water to pool in the area. They put in drainage pipes but had to re-lay them as they weren't as effective as they had hoped. According to Ms. Stilson, now all water from Louisa St. goes through the aggregate and flows into River St. gardens resulting in a marshy area more so than ever before because of the changed elevation of the Brunatti property. Ms. Stilson said that if buildings such as mini warehousing, public storage, professional offices, transportation depot which could be anything from a small garage to a whole service centre, are erected, the infrastructure will have to be changed yet again which may exacerbate the drainage issue and diminish her enjoyment of her property.

2. Lena Speirs of 57 River St. noted that she shared all the same reservations as expressed by her neighbour Ms. Stilson. Ms. Speirs said that the extension of the elevation on Brunatti property has resulted in flooding which has affected the structural integrity of her home and prevents her child from playing in the backyard unsupervised for fear of drowning. She expressed concern over the effect on other properties and the valuation of homes if the extension continues down the street without proper drainage in place. Ms. Speirs also expressed concerns over the absence of specific uses for the proposed rezoning, saying that gray areas gives an opportunity for people to take advantage, whether it is current or future owners.

3. Bobbi-Jo Henry of 47 River St. noted that the Town's Official Plan 2012 Special Provision 3.1.3.6 for 76 River Street reads " non residential uses may be permitted so long as there are no negative impacts between the non-residential use and the abutting residential uses." Ms. Henry concurred with comments already made about the drainage problems, citing the same flooding/marshy problem in her backyard, and concerns that the water will get into her basement. Ms. Henry also expressed concern over the potential displacement of wildlife and concluded with concern that there is too much potential for negative impacts, without benefits such as housing.

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4. Keith Wilson of 69 River St expressed agreement with the comments made by residents at 47, 57 and 63 River Street, and added that the concerns of his wife and himself are about the enjoyment of their property, and the negative impact on property values if the zoning change goes through. Mr. Wilson expressed concern about potential increased traffic behind his house, noise and light pollution from security lights, the environmental impact, and contamination that drains past homes.

5. Joe Harrower of 15 Redwood Dr. noted that his property borders on the railway property in question and while he doesn't have the grading issues identified by previous speakers, he has concerns about light pollution. Having purchased the property a year ago, he expressed concern about how the rezoning would affect the value of his property. Mr. Harrower noted that the current green space provided a buffer and asked how future noise pollution would be monitored.

6. Gary Oldfield of 13 Wakefield St. expressed concern that if the driveway on the south border of the property that empties onto Dufferin Street is opened, it would add more vehicles onto Wakefield Street, an area that already sees increased traffic to avoid the lights at River and Bowes Streets.

7. Janis White of 53 River St. expressed agreement with concerns expressed by her neighbours. Ms. White asked those in the audience who were against the proposed rezoning to raise their hands. A number of hands were raised.

8. Judy Ideson of 51 River St. said that she had an opportunity to buy the property in question about 20 to 25 years ago, but that she was advised that it was so polluted, one couldn't do anything with it. She expressed concern about any movement of earth with the oil left by the railroad, especially with water draining down.

9. Bobbi-Jo Henry of 47 River St. returned to address Council noting that she had correspondence between CN Rail and Charlie Wier regarding an environmental study in 1996 which confirmed contamination.

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Mr. John Brunatti noted that upon purchasing the property from the railway, they embarked upon an environmental clean-up, for which a report can be provided to the Town.

Manager of Planning Jeremy Rand reported that 7 objection letters have been received from neighbouring property owners which include concerns regarding:

- Privacy;
- Noise;
- Light Trespass;
- Exacerbation of existing drainage issue;
- Loss of wildlife habitat;
- Loss of natural vegetation and screening;
- Existing Contamination on site;
- Traffic Concerns;
- Speeding;
- Compatibility of uses;
- Increased recreational vehicle traffic;
- Reduction of property value;
- Odours;
- Negative impact to wildlife corridors; and
- Lack of information being provided.

Mr. Rand said that comments received by CN Rail indicate that the following are required protective measures for non-residential uses adjacent to mainlines:

1. That a minimum 15 metre setback from the railway right-of-way is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops).
2. A chain link fence of minimum 1.83 metre height is required to be installed and maintained along the mutual property line.

3. The storm water management facility must be designed to control storm water runoff to pre-development conditions including the duration and volume of the flow and accordingly have no impacts on CN right of way, including ditches, culverts and tracks. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.

Mr. Rand noted that comments received by the Building Department indicate that legal access may be a concern and that there appears to be an open storm drainage course on the northern portion of the property to be developed. Comments received by the Building Department and the Wastewater Department indicate no concerns.

2.2 B24-01 - 1853009 Ontario Inc. (Greystone) 7 Champagne St

Council held a second public meeting to consider a proposed consent application under Section 53 of the Planning Act.

Manager of Planning Jeremy Rand explained that the purpose of the application is to sever the existing parcel into two separate parcels (one severed lot and one retained lot). The severed lot is proposed to be 1.48 hectares with 50.4 metres of frontage on Champagne Street. The retained lot would be 2.95 hectares in area with no road frontage.

Lauren Arsenault of Morgan Planning & Development addressed Council on behalf of the developer from a prepared power point presentation, identifying the lands at 7 Champagne Street, located at the end of Champagne Street, west of Emily Street, with approximately 370 m of frontage on Georgian Bay and approximately 4.5 hectares (11.3 acres) of total lot area. The lands are vacant, having previously been used for fuel storage (Imperial Oil dock lands) and have since undergone environmental remediation works. A concrete retaining wall remains on the property. Ms. Arsenault noted that it is the intent of the proponent to develop the vacant lands with high density, multi-storey

condominium buildings and townhouse blocks. The subject lands have been zoned to permit the proposed uses.

Ms. Arsenault said that the severance will allow the severed lot and the retained lot to be developed separately and that the retained lot will be subject to a holding provision that will prohibit its development until a municipal right of way has been extended from Kate Street to Wellington Street. The objective of the consent application is to create one residential lot on lands designated Marine and Resort Residential. The severance will enable the severed lot to be developed first, followed by the development of the retained lot. Both the severed and retained lots have been designed with sufficient lot frontage and area to accommodate two separate high density residential developments, which will be finalized via the Town's Site Plan Control process. The retained lot will be subject to a holding provision that will prohibit its development until a municipal right of way has been extended from Kate Street to Wellington Street.

Ms. Arsenault said that the application conforms to the intents and policies of the Town of Parry Sound Official Plan (2014), the Growth Plan for Northern Ontario (2011), and the Provincial Policy Statement (2020); and that the application will allow for the orderly redevelopment of a vacant and under-utilized brownfield site which will revitalize the waterfront area and provide over 200 dwelling units to the local market. In conclusion, Ms. Arsenault indicated that Morgan Planning & Development feel that the consent application represents good land-use planning.

Planning Consultant John Jackson addressed Council noting that he was speaking neither in favour of, nor in opposition to the application, but that he has forwarded a memo on behalf of the owners immediately to the east of this proposed development. Contrast Development has a project proposed for a 20 unit townhouse development subject to site plan approval. Mr. Jackson noted that the Imperial Oil lands were originally considered as part of the Contrast Development project, but they understood at the time that the surplus lands were considered permanent brownfields and not

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available for development. Mr. Jackson noted that now that the surplus Imperial Oil lands have been acquired by another developer, one of things to be conscious of is the potential for conflict with respect to Contrast Development's harbour view. Mr. Jackson said that Contrast Development has now located the townhouses at an elevation that would be above any 15 m height allowance of development on the former Imperial Oil Lands.

In addition, Mr. Jackson noted that as the lands were brownfields, a record of site condition will have to be undertaken, and it would be logical that any development approvals be conditional upon receiving the necessary environmental approvals. Lastly, Mr. Jackson suggested that as there seems to be sufficient land, the Town may want to consider parkland to extend trail systems and improve upon amenities at this location as an integral part of the waterfront. Mr. Jackson concluded by noting that none of these comments are meant as objections, but rather as information on some of the area context and that he looks forward to the developers implementing a long term objective of the waterfront.

John Morton of Greystone addressed Council noting that Greystone is excited to be undertaking this project, and that this is a first in a long list of steps to be taken to complete this project.

Manager of Planning Jeremy Rand noted that a letter of objection was received from Trevor Gilchrist at 39 Emily Street who identified the following areas of concern: displacement of wildlife, long construction horizon, hardship to the biosphere, disruption of an otherwise peaceful neighbourhood, use of explosives as well as the loss of view.

A second letter was received from John Jackson on behalf of David Jankovic. It was noted in this letter that while there is no objection to the subject lands being severed or developed, they would like Council to appreciate the major investment that has been undertaken to avoid conflicts between the proposed townhouses on Mr. Jankovic's lot

and future development on the subject lands with respect to height to ensure that views are not being blocked. A copy of this letter was shared with Council.

Comments received by the Building Department indicate that both the severed and retained portions are adjacent to municipal road allowances. No concerns were noted.

Comment received by the Manager of the Water Systems indicated that there is no municipal water servicing the properties.

No other concerns were received by internal or external agencies circulated on the application.

Moved by Councillor McCann

Seconded by Councillor Borneman

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

Carried

3. Questions of Staff

3.1 In response to Councillor Borneman's question as to what can be done to maintain the ice surface at Kinsmen Park rink, Director of Public Works Mike Kearns noted that outdoor artificial ice is expensive and not environmentally friendly, and that staff are in the midst of review of the situation and will be reporting back to a future Council meeting.

3.2 In response to Councillor Keith's concern regarding children playing on the elevator at the Bobby Orr Community Centre with a suggestion that signage be installed, Mr. Kearns reported that this is something that is being reviewed. With respect to the previous weekend, Mr. Kearns noted that it was an open event without a specific user group identified, and therefore more difficult to assign responsibility. Mr. Kearns encouraged people to not leave their children unattended, and that signage could be considered.

4. Correspondence

4.1 Rick Cain, President, Rotary Club of Parry Sound, Request for Support of 2024 Annual 3-Pitch Rotary Strikes Against Cancer - referred to Director of Finance for consideration within the Budget.

5. Deputations - N/A

6. Mayor & Councillors' Reports

Mayor & Councillors reported on meetings attended and matters arising.

7. Ratification of Matters From Closed Agenda

7.1 Amendment to WPS Recreation & Cultural Centre Board Agreement to Permit Bridge Financing

Spokesperson: Clayton Harris, CAO

By-law 2024 - 7397

Being a By-law to authorize the execution of an amendment to the West Parry Sound Recreation and Cultural Centre Joint Municipal Services Board Agreement.

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

8. Consent Agenda - N/A

9. Resolutions and Direction To Staff

9.2.1 Pavement Markings - Tender

Spokesperson: Vinni Bonazza, Manager of Operations

Resolution 2024 - 024

Moved by Councillor Keith

Seconded by Councillor Ashford

That Council accepts the bid from Provincial Road Markings Inc. for lines and pavement markings of Town streets in the amount of \$38,262.53, excluding taxes, this being the lowest compliant bid of five bids received.

Carried

9.3.1 Façade Improvement Program Committee Terms of Reference

Spokesperson: Jeremy Rand, Manager of Planning

Resolution 2024 - 025

Moved by Councillor Ashford

Seconded by Councillor Keith

THAT Council adopts the revised Façade Improvement Program Committee Terms of Reference, as attached as Schedule A; and

THAT Resolution 2017-124 be revoked

Carried

9.3.2 Appointments to Façade Improvement Program Committee

Resolution 2024 - 026

Moved by Councillor Ashford

Seconded by Councillor Keith

That Resolution 2022-157 is hereby amended to appoint the following to the Façade Improvement Program Committee:

- Kim McCormick
- Katelyn Moore
- Ryan McKeown

Carried

9.5.1 1/3 Federal-Provincial-Municipal Funding Agreements

Spokesperson: Councillor McDonald

Resolution 2024 - 027

Moved by Councillor Keith

Seconded by Councillor Ashford

That Council of the Corporation of the Town of Parry Sound hereby supports the Municipality of Tweed's resolution, attached as Schedule A to advocate for a return of 1/3 funding agreements between the federal, provincial and municipal governments to finance infrastructure; and

That this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, MP Scott Aitchison, MPP Graydon Smith, and the Municipality of Tweed.

Carried

9.5.2 Amendment to Residential Tenancies Act to Ensure Affordability

Spokesperson: Councillor McDonald

Resolution 2024 - 028

Moved by Councillor McCann

Seconded by Councillor Borneman

That Council of the Corporation of the Town of Parry Sound hereby supports the Town of Aylmer's resolution, attached as Schedule A to advocate for provincial consideration for amendments to the Residential Tenancies Act, 2006, to ensure that all tenants benefit from protections intended to preserve affordability; and

That a copy of this Resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, the Honourable Rob Flack, Associate Minister of Housing, The Association of Municipalities of Ontario (AMO), and the Town of Aylmer, Parry Sound-Muskoka MPP Graydon Smith.

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Carried

9.5.3 Opposition to TC Energy Pumped Storage Project

Spokesperson: Councillor McDonald

Resolution 2024 - 029

Moved by Councillor McCann

Seconded by Councillor Borneman

That Council of the Corporation of the Town of Parry Sound hereby supports the Township of The Archipelago's resolution, attached as Schedule A, opposing the TC Energy Pumped Storage Project on Georgian Bay and urges Department of National Defense (DND) to immediately implement measures to remediate the military base to ensure that the area is fit for human and animal habitation; and

That the Ministry of Environment cease their support of the Project, accept the Independent Electricity System Operator (IESO) recommendations that the Project should not be approved, and therefore avoid placing an unnecessary financial burden on Ontario taxpayers; and

That this resolution be forwarded to the Township of The Archipelago, and to the IESO, DND, the Honourable Andre Khanjin Minister of the Environment, Conservation and Parks, the Honourable Graydon Smith Minister of Natural Resources and Forestry, Scott Aitchison, M.P. Parry Sound-Muskoka, Diane Lebouthillier Minister of Fisheries, Oceans and the Canadian Coast Guard to request their co-operation in preventing this project from proceeding.

Carried

9.5.4 Proclamation of March, 2024 as Amyloidosis Awareness Month

Spokesperson: Mayor McGarvey

Resolution 2024 - 030

Moved by Councillor Borneman Seconded by Councillor McCann

WHEREAS amyloidosis is a group of diseases that occurs when an abnormal protein, known as amyloid, builds up in the tissues and organs of the body and if left untreated, can result in organ failure and can be fatal; and

WHEREAS amyloidosis can mimic the signs and symptoms of more common medical conditions and the disease can be challenging to diagnose; and

WHEREAS amyloidosis often affects people who are older or middle aged; however, younger people have been diagnosed with this disease; and

WHEREAS some of the signs and symptoms of amyloidosis can include shortness of breath, weight loss, fatigue, swelling in the ankles and legs, numbness in the hands and feet, foamy urine, carpal tunnel syndrome, bruising around the eyes, and an enlarged tongue; and

WHEREAS early diagnosis can lead to better outcomes for both patients and their families; and

WHEREAS, raising awareness about all the amyloidosis diseases, including hereditary and non-hereditary forms of the disease, can contribute to the building of healthier communities across Canada.

Now Therefore the Council of the Corporation of the Town of Parry Sound hereby proclaims March, 2024 as Amyloidosis Awareness Month, a month dedicated to raising awareness, funding research, and supporting those living with amyloidosis and their loved ones.

Carried

9.5.5 Modernizing VIA Rail Long Distance Remote & Regional Fleet

Spokesperson: Mayor McGarvey

Resolution 2024 - 031

Moved by Councillor Borneman Seconded by Councillor McCann

That Council of the Town of Parry Sound hereby authorizes the Mayor to sign the letter to federal Ministers, substantially in the form attached expressing support for the modernization of VIA Rail's long distance, remote and regional (LDRR) rail fleet.

Carried

9.5.6 Appointment to Parry Sound Police Services Board

Spokesperson: Mayor McGarvey

Resolution 2024 - 032

Moved by Councillor Keith Seconded by Councillor Ashford

That Councillor Keith is hereby appointed to the Parry Sound Police Services Board, effective immediately, for a term ending November 14, 2026, or until a successor is appointed.

9.5.7 Request Province to Develop Policy on Location for Provincial In-Person Services

Spokesperson: Mayor McGarvey

Prior to voting on the Resolution, and in response to an inquiry from a member of council, Director of Development & Protective Services Dave Thompson noted that this issue will also be considered through the Official Plan and subsequent zoning process.

Resolution 2024 - 033

Moved by Councillor Ashford Seconded by Councillor Keith

Whereas the vibrancy of downtowns continues to be a challenge and a priority for municipal councils across Ontario;

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Whereas the vibrancy and attraction of downtowns is driven by the variety and boutique nature of the shopping experience;

Whereas some provincially funded services such as the Childrens Aid Society are not compatible with downtowns and main street businesses;

Whereas there is a concern that main street service locations do not provide clients with appropriate privacy and level of discretion that may in fact deter individuals from accessing needed services;

Whereas the location of provincial service offices from a practical perspective is beyond the control of local municipalities;

Whereas the location of provincial service offices is a local office decision not requiring Ministry approval;

Now therefore be it Resolved that the provincial government be requested to develop a policy with criteria for determining the appropriate location for the provision of in person services;

That the policy should include consultation with the local municipality; and

That this resolution be forwarded to the Honourable Michael Parsa, Minister of Children, Community and Social Services, the Honourable Graydon Smith, Minister of Natural Resources and Forestry, and the Ontario Business Improvement Area Association (OBIAA).

Carried

10. By-laws

10.1.1 Tax Ratio By-law

Spokesperson: Rob Beaumont

By-law 2024 - 7396

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Being a by-law to set Tax Ratios for Municipal purposes for the year 2024.

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

10.5.1 Confirming By-law

By-law 2024 - 7398

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 8:50 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