

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Minutes

April 18, 2017

Time:

7:00 p.m. (Closed 6:30 p.m.)

Location:

52 Seguin Street, Parry Sound, Council Chambers - Gibson Street Entrance

Members Present:

Mayor Jamie McGarvey, Clr. Paul Borneman, Clr. Brad Horne, Clr. Bonnie Keith, Clr. Jim Marshall, Clr. Doug McCann, Clr. Keith Saulnier

Staff Present:

Rob Mens, Jackie Boggs, Peter Brown, Lynn Middaugh, Trevor Pinn, Taylor Elgie, John Este, Rob Beaumont

Presentations:

n/a

The Mayor called the meeting to order at 7:00 p.m. Prior to the Open Meeting of Council, Council adjourned to a Closed Meeting pursuant to the following resolution:

Resolution 2017 - 064

Moved by Councillor McCann

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Seconded by Councillor Marshall

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. **(Property Purchase)**
- d) labour relations or employee negotiations. **(Performance Review)**

Carried

1. Agenda

1.1 Additions to Agenda/Notice of Motion

Withdrawn at applicant's request: Item 10.1.1 Request for Deeming By-law - 22 Victoria Avenue

Addition to Agenda: Item 8.6 - Permission to Busk in the downtown area.

Addition to Agenda: Item 9.6.1 - Installation of portable washroom facilities - Seguin St.

1.2 Prioritization of Agenda

1.3 Adoption of Agenda

Moved by Councillor Borneman

Seconded by Councillor Marshall

That the Council agenda for April 18, 2017 be approved as amended.

Carried

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

1.4 Disclosure of Pecuniary Interest and the General Nature Thereof

Councillor Horne declared a pecuniary interest regarding Item 8.2 - Community Living proclamation, as Community Living is his employer. Councillor Horne left the room during deliberation and the vote.

2. Public Meeting

3. Minutes and Matters Arising from Minutes

3.1 Adoption of Minutes

Moved by Councillor McCann

Seconded by Councillor Saulnier

That the Minutes from the Council meetings held April 4, 2017 be approved as circulated.

Carried

3.2 Questions of Staff

Councillor McCann asked about the concerns people had about the charge to drop off brush at the transfer station. Mr. Brown answered that due to the high cost of chipping and the MOE requirements to get rid of all the brush we receive we determined that a cost should be levied. This would help with the cost of renting a chipper to get rid of all the brush. This cost was indicated in the blue and green box pick up calendar that goes out every year to all residents. As of to-day's date there is a notice on the web site that brush will be no charge if dropped off at the transfer station.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Councillor Keith complimented Mr. Brown on the new shopping docks. They look great. He asked what happened to the old docks. Mr. Brown indicated that once the new docks were installed the old docks were tied to the new docks in anticipation of selling them. We did have an interested party however, a few days later they were stolen. Mr. Brown commended staff in Operations who purchased the lumber and built the new shopping docks in the shop. They did a great job.

Councillor Marshall asked about the CNR work commencing tomorrow. Could Mr. Brown let the public know what's happening? Mr. Brown replied that CN staff, equipment and trucks will be arriving in Parry Sound to replace railroad ties from Pefferlaw to Capriol. The Church street railroad crossing will be rebuilt. There will be a road closure on Church Street on Wednesday the 25 and Thursday 26th of April. There will be over 350 crew members in our area while the work is being done. Mr. Brown noted that the Cascade St. generation project expects to have both lanes of Cascade Street open by tomorrow (Wednesday).

Councillor Borneman asked Mr. Pinn about the materials he circulated to council for their information regarding unpaid provincial offences fines. Mr. Pinn explained that the Province of Ontario has agreed to expand plate denial for vehicles. As of May 1st, 2017, if your licence is suspended for certain unpaid provincial offences fine(s) all the way back to May 1, 2010, all fines have to be repaid before you can get your plate stickers for any vehicles you own. Currently, suspended drivers can renew their plate(s) to maintain vehicle validation. Mr. Pinn identified the Acts affected including Highway Traffic Act, Motorized Snow Vehicles Act, Compulsory Automobile Insurance Act, Off-Road Vehicles Act, Dangerous Goods Transportation and Public Vehicles Act. As well specific sections of the Criminal Code of Canada, Fish and Wildlife Conservation Act and the Liquor Licence Act are also affected by the expanded plate denial for vehicles.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Starting May 1st people can now go to MTO to pay their outstanding provincial offences fines that deal licences suspensions.

The Mayor asked if the municipalities still gets the fine portion? Mr. Pinn confirmed that the MTO is only taking the administration fee.

Councillor Horne asked about the readiness of the boat launches in town? Mr. Brown replied that staff have been preparing all the boat launches and all will be ready for use by May 1st this year.

The Mayor asked Mr. Brown about whether the railroad crews are going to be working on the safety arms at St. Charles (Isabella Street) crossing? Mr. Brown replied that regardless, CP can still install the arms however, we are in a queue with CP. Mr. Brown anticipates that the tracks and the arms will be completed this year.

4. Correspondence

4.1 Jo-Anne Demick, Executive Director - Community Living

Re: Request for Council to participate in Community Living month (May) by proclamation and raising the flag.

(Circulated to Mayor and Council and forwarded to Clerk for follow-up – Item 8.2 on to-night's agenda)

4.2 Gail Burrows, President, Parry Sound Area Chamber of Commerce

Re: Invitation to Mayor and Council to attend their annual gala evening to celebrate the winners of the 2016 Business Achievement Awards.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

(Circulated to Mayor and Council and forwarded to Clerk for follow-up)

4.3 David Pearce, Supply Chain Officer, Stewardship Ontario

Re: Industry funding for the Municipal Blue Box Recycling for the fourth quarter of the 2016 program year.

(Circulated to Mayor and Council and forwarded to the Director of Public Works for follow-up)

4.4 Kathy Morris, Manager, Navigation Protection Program, Transport Canada

Re: Declined the invitation by The Archipelago, Seguin and Parry Sound to have a Town Hall meeting to discuss the new operational restrictions with respect to the use of the Swing Bridge.

(Circulated to Mayor and Council and forwarded to the Chief Administrative Officer for follow-up)

4.5 Dereck George, Chair, West Parry Sound Refugee Program

Re: Request for support for MTO to allow Mr. Qais Abboud, a Syrian citizen, and arrived here in Canada in November 2016, to advance to his G2 vehicle licence test before the required year is up. This would allow Mr. Abboud to drive independently to work and provide reliable transportation for his family.

(Circulated to Mayor and Council and forwarded to the Clerk for follow-up - Item 8.4 on to-night's agenda)

4.6 Media Release - FONOM Board of Directors Tours House of Kin

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Re: Tour of updated House of Kin facilities providing accommodations to people travelling to Sudbury for medical care.

(Circulated to Mayor and Council and forwarded to the Clerk for the e-agenda)

4.7 Media Release - FONOM Board of Directors' Hold March Meeting in Sudbury

Re: Meeting place and issues discussed.

(Circulated to Mayor and Council and forwarded to the Clerk for e-agenda)

4.8 AMO Watchfile Issues - March 30 and April 6, 2017

Re: Municipal Industry News

(Circulated to Mayor and Council and forwarded to the Clerk for e-agenda)

4.9 Susan Hrycyna, Parry Sound Downtown Business Association Administrator

Re: Provision of Busking Policy and request to delegate authority to approve Buskers to the Parry Sound Downtown Business Association.

(Circulated to Mayor and Council and forwarded to the Clerk for follow-up – Item 10.4.1 on to-night's agenda)

4.10 Susan Hrycyna, Parry Sound Downtown Business Association Administrator

Re: Lack of public washrooms during the construction stage of the new public washrooms on Seguin Street. Requesting to have either a porta pottie installed by the Information Kiosk or for the public washrooms at the town dock to be open with a sign directing people there.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

(Circulated to Mayor and Council and forwarded to the Director of Public Works for follow-up)

4.11 Susan Hrycyna, Parry Sound Downtown Business Association Administrator

Re: Requesting approval for Kathryn Nemcsok to busk in the downtown area during the upcoming summer months.

(Circulated to Mayor and Council and forwarded to the Clerk for follow-up – Item 8.6 on to-night's agenda)

5. Deputations

None scheduled.

6. Mayor & Councillors' Reports

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

7. Ratification of Matters from Closed Agenda

7.1 Performance Review - Lynn Middaugh, Director of Development and Leisure Services

Spokesperson: Rob Mens, C.A.O.

Resolution 2017 - 065

Moved by Councillor Keith

Seconded by Councillor Horne

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

That the April 2017 Performance Review of Lynn Middaugh, Director of Development and Leisure Services be accepted.

Carried

8. Consent Agenda

8.1 Human Values Day, April 24th 2017

Resolution 2017 - 066

Moved by Councillor McCann

Seconded by Councillor Borneman

Whereas raising and increasing the **awareness** of the basic Human Values of truth, right conduct, peace, love and non-violence, as well as all the multiple sub values like honesty, integrity, kindness and caring in the Town of Parry Sound is a primary goal of this wonderful town; and

Whereas these values are inherent in all creeds, countries, cultures and communities, making these values truly “Values without Borders”; and

Whereas reducing and even erasing the incidents of violence of all types in our communities and our Town will bring **Peace** and **Progress** in all aspects and activities of this town; and

Whereas unlike other walks, Walk for Values is not a fund-raiser, but a way to make the town richer and healthier by pledging our commitment to practice these human values, and be motivated to serve our community through volunteer work, or by donating blood or food for the needy; and

Whereas Walk for Values is designed to raise the awareness of Human Values and to promote individual responsibility towards the collective future of Humanity, Walk for Values is a platform to educate people on the importance of practicing these five

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Human Values in daily life and the awareness it creates in the making of enlightened citizens for universal peace;

Now, Therefore Be It Resolved that, Mayor McGarvey and Council, on behalf of Town of Parry Sound, do hereby proclaim April 24th, 2017 as "Human Values Day" in the Town of Parry Sound.

Carried

8.2 Community Living Month - May 2017

Resolution 2017 - 067

Moved by Councillor Keith

Seconded by Councillor Saulnier

Whereas Community Living Parry Sound has worked to bring people and their communities together for the last 55 years; and

Whereas Community Living Parry Sound supports individuals as they develop their capacity to live, learn, work and participate in all aspects of living in the community; and

Whereas Community Living Parry Sound helps the community develop its capacity to welcome and support people who have not always had the same opportunities as the rest of us, to participate in their community in meaningful, productive ways; and

Whereas the Council of the Town of Parry Sound wishes to urge its citizens to celebrate the inclusion in our community of people who have a developmental disability;

Now, Therefore Be It Resolved that Mayor and Council declare the month of May Community Living Month in the Town of Parry Sound.

Carried

8.3 Rail Safety Week - April 24 to April 30, 2017

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Resolution 2017 - 068

Moved by Councillor Borneman

Seconded by Councillor McCann

Whereas Public - Rail Safety Week is to be held across Canada from April 24 to April 30, 2017;

Whereas it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage caused by collisions at level crossings or incidents involving trains and citizens;

Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness;

Whereas Operation Lifesaver, Canadian Pacific and the Canadian Pacific Police Service have requested Town Council adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities, including our municipality;

Therefore, Be It Resolved that Mayor and Council proclaim April 24 to April 30, 2017 as National Rail Safety Week.

Carried

The following direction was proposed:

Direction Approved (For Direct Staff Follow-up)

That staff write a letter to Operation Lifesaver, the Canadian Pacific and the Canadian Pacific Police asking what their plans are for Rail Safety week in Parry Sound; and

Further what is the time frame for installation of the crossing arms at the St. Charles (Isabella Street) railroad crossing.

Carried

8.4. Support for Mr. Qais Abboud - Drivers Licence Waiting Period

Resolution 2017 - 069

Moved by Councillor Keith

Seconded by Councillor Horne

Whereas with the assistance of the West Parry Sound Refugee Program and the Federal Government, Mr. Qais Abboud and his family arrived in Parry Sound from Syria in November 2016; and

Whereas Mr. Abboud is now a permanent resident of Canada and works full-time for Kropf Industrial in Seguin Township and lives in Parry Sound where there is no public transportation that links the two locations; and

Whereas Mr. Abboud has a documented driving history dated back to 2005; and

Whereas Mr. Abboud was unable to renew his driver's licence in Syria due to the ongoing civil war and arrived in Canada with an expired licence; and

Whereas he has successfully passed the MTO's Knowledge Test and currently holds a G1 licence, along with all the prohibitions accompanying it that are designed for new drivers, not experienced drivers; and

Whereas Mr. Abboud has to wait 1 year to test for his G2 and is taking taxis to work and relying of the generosity of Parry Sounders to assist him and his family;

Now therefore be it resolved that Council for the Town of Parry Sound supports the MLA for Parry Sound-Muskoka Mr. Norm Miller's intention to approach the Ministry of Transportation on Mr. Abboud's behalf to allow him to take the G2 driving test immediately.

Carried

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

8.5 Appointment to the Parry Sound Library Board

Resolution 2017 - 070

Moved by Councillor Marshall

Seconded by Councillor Borneman

That Council accept, with regret, the resignation of Merry Bridges from the Parry Sound Public Library Board along with Council's thanks; and

That Council for the Town of Parry Sound appoint Trevor Hill as a Parry Sound representative on the Parry Sound Public Library Board.

Carried

8.6 Busking Request from the Parry Sound DBA

Resolution 2017 - 086

Moved by Councillor Keith

Seconded by Councillor Saulnier

That upon the recommendation of the Parry Sound Downtown Business Association, Council provides permission for Kathryn Nemcsok to busk in the downtown area this upcoming summer.

Carried

9. Resolutions and Direction to Staff

9.1 Public Works

9.1.1 Ontario Community Infrastructure Fund (OCIF) - Parry Sound Drive Paving and Trail Extension

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Spokesperson: Peter Brown, Director of Public Works

Resolution 2017 - 072

Moved by Councillor Borneman

Seconded by Councillor Marshall

That Council approves utilizing the Town's annual OCIF to fund the cost of paving Parry Sound Drive between Bay Area Electric and north Smith Crescent including paving a wide shoulder section which will link the Town's trail with McDougall's trail.

Carried

9.2 Development and Leisure Services

9.2.1 Council Approved Sign Application - Downing - x2

Spokesperson: John Este, Chief Building Official

Resolution 2017 - 073

Moved by Councillor Saulnier

Seconded by Councillor Keith

That pursuant to section 3.(4) of the Sign By-law, the Chief Building Official is authorized to issue permits for 2017 for two portable signs on Town Property (Bowes / Louisa W and Bowes / Louisa E) , and subject to the following conditions:

- a) the signs are displayed only on Saturday and/or Sunday,
- b) the signs shall not be installed unless a sale event is being carried out at the auction premise,
- c) Town staff may give other users of road allowances priority over these signs and remove them temporarily,

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

d) The Chief Building Official is authorized to renew these permits upon payment of the sandwich board sign permit fee in 2018, 2019, 2020 and 2021,

e) except as authorized by this resolution, the rules for sandwich board signs shall apply.

Carried

9.2.2 Council Approved Sign Application - Barker

Spokesperson: John Este, Chief Building Official

Resolution 2017 - 074

Moved by Councillor Marshall

Seconded by Councillor McCann

That pursuant to section 3.(4) of the Sign By-law, the Chief Building Official is authorized to issue a single permit for five flag/ground signs and one sandwich board sign, as shown in the application, to serve the business known as Kate's Kart located on the premises known at 30 Pine Drive, subject to the following conditions:

a) display not permitted after the Thanksgiving weekend of any year and March 31 of the year following,

b) the permit is to expire after Thanksgiving weekend of 2021,

c) except as authorized by this resolution, the general rules in the sign by-law continue to apply, and,

d) the signs shall be essentially as represented in the application.

Carried

9.2.3 Consent Application - B 7/2017 (PS) (Fuller/Bush)

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Spokesperson: Taylor Elgie, Principal Planner

Resolution 2017 - 075

Moved by Councillor Keith

Seconded by Councillor Saulnier

That Consent Application No. B 7/2017 (PS) (Fuller/Bush) 30 Hanna Road, be supported.

Carried

9.3 Emergency and Protective Services

9.4 Administration

9.5 Finance and POA Court Services

9.5.1 Motorized Mobile Ice Cream Truck

Spokesperson: Rob Beaumont, AMCT - Revenue and Taxation Supervisor

Resolution 2017 - 076

Moved by Councillor Borneman

Seconded by Councillor McCann

That Council for the Corporation of the Town of Parry Sound hereby grants permission for Mr. J Athanasiou to operate one motorized mobile ice cream truck for the time period of May 1, 2017 to September 30, 2017 on municipally owned roads and lands of the Town of Parry Sound subject to the following conditions:

1. No parking/stopping or selling of products on any Class 3 road (Bowes, Seguin, Church, Joseph).
2. No parking/stopping or selling of products along any Class 4, Class 5 or Class 6 roadway without a shoulder or marked parking spaces.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

3. No parking/stopping or selling of products in any municipally owned parking lot.
4. The operator will take necessary steps to ensure that public sidewalks are not obstructed.
5. No parking/stopping or selling within the prescribed distance (23 metres) of any eating establishment or seller of foodstuffs.
6. \$3,000,000 public liability coverage for a refreshment vehicle is required as this is a motorized mobile vehicle.
7. The hours of operation will be from 11:00 am to 8:00 pm from Monday to Sunday.
8. Selling from any one location will be limited to 20 minutes.
9. Must receive owners written consent to park and sell on private property and a copy of the letter submitted to the Town' s Licensing Officer.
10. That every employee who operates or works out of the motorized mobile ice cream truck must submit to a criminal record check.

That all other requirements under By-law 2006-49 Schedule I be met.

Carried

9.5.2 Elimination of Vacant Unit Tax Rebate Program

Spokesperson: Rob Beaumont, AMCT - Revenue and Taxation Supervisor

Resolution 2017 - 077

Moved by Councillor Keith

Seconded by Councillor Saulnier

Whereas, Section 364 of the Municipal Act, 2001 requires a municipality to have a Vacant Unit Tax Rebate for commercial and industrial tax classes;

And Whereas, this program provides a tax rebate to commercial and industrial properties only;

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

And Whereas, these properties are privately owned by individuals or corporations and for an investment for these parties;

And Whereas, the Province of Ontario has provided flexibility for the municipality to tailor the program to reflect community needs and circumstances, while considering the interests of local businesses;

And Whereas, the Town of Parry Sound engaged the public to seek feedback on the potential elimination of the rebate program;

And Whereas, the majority of feedback received supports the elimination of the program;

And Whereas, Council for the Town of Parry Sound feels that the economic interests of the Town are best served through the elimination of the program;

Now hereby be it resolved that the Town of Parry Sound asks the Minister of Finance for the Province of Ontario to pass the required regulations to eliminate the Vacant Unit Tax Rebate Program for the Town of Parry Sound.

Carried

9.6 Other Business

9.6.1 Portable Accessible Washrooms - Seguin Street

Spokesperson: Councillor Bonnie Keith

Resolution 2017 - 078

Moved by Councillor Borneman

Seconded by Councillor McCann

Whereas the Town has begun construction of the new public washrooms on Seguin Street; and

Whereas the summer tourist season is coming up quickly; and

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Whereas the visiting public should have a temporary accessible public washroom available;

Now Therefore Be It Resolved that the Director of Public works be authorized to set up a temporary, accessible, portable washroom until the new public washroom facilities are ready for use by the public.

Carried

10. By-laws

10.1 Public Works

10.2 Development and Leisure Services

10.1.1 Request for Deeming By-law - 22 Victoria Avenue and Lot 12 of Plan 123

Spokesperson: Taylor Elgie, Principal Planner

By-law 2017 - 6729

Being a By-law to deem certain lots in the Town of Parry Sound not to be part of a registered Plan of Subdivision (MacDonald - 22 Victoria Avenue).

Withdrawn at the request of the applicant.

10.1.2 Property Purchase - Oastler Park Drive

Spokesperson: Lynn Middaugh, Director of Development and Leisure Services

By-law 2017 - 6730

Being a By-law authorize the execution of an Offer to Purchase agreement with Ministry of Transportation Ontario.

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Read a First, Second and Third time, Passed, Signed and Sealed, this 18th day of April, 2017.

10.3 Emergency and Protective Services

10.4 Administration

10.4.1 Delegation of Authority for Permission to Busk Downtown

Spokesperson: Jackie Boggs, Clerk

By-law 2017 - 6731

Being a by-law to delegate Council authority to approve busking in the Parry Sound downtown area to the Director of Public Works.

Read a First, Second and Third time, Passed, Signed and Sealed, this 18th day of April, 2017.

10.5 Finance and POA Court Services

10.6 Other Business

10.6.1 Memorandum of Understanding - Town and Downtown Business Association (DBA)

Spokesperson: Councillor Keith Saulnier

By-law 2017 - 6732

Being a By-law to authorize the execution of a Memorandum of Understanding between the Town and the Parry Sound Downtown Business Association.

Read a First, Second time,

The following amendment to the agreement was proposed:

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Moved by Councillor Keith

Seconded by Councillor Marshall

That Section 14.2 of the agreement, which reads as follows:

"The DBA will be responsible for the maintenance of the sign including plantings and landscaping",

be removed.

Carried

Read a Third time, Passed, Signed and Sealed, this 18th day of April, 2017.

10.6.2 Confirming By-law

By-law 2017 - 6733

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

Read a First, Second and Third time, Passed, Signed and Sealed, this 18th day of April, 2017.

11. Adjournment

The Mayor adjourned the meeting at 8:20 p.m.

Mayor Jamie McGarvey

The Corporation of The Town of Parry Sound

Council Meeting Minutes April 18, 2017

Jackie Johnston Boggs, Clerk

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