

## Staff Report

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**Report To:** Community Services Committee  
**Report From:** Pamela Coulter, Director of Community Services  
**Meeting Date:** February 17, 2021  
**Report Code:** CS-21-013  
**Subject:** Donation of an Arbour for Harrison Park – Boley Family

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### Recommendations:

THAT in consideration of Staff Report CS-21-013 respecting the donation of an arbour in Harrison Park by the Boley Family, the Community Services Committee recommends that City Council:

1. Approves the donation;
2. Requests that staff work with the family to undertake the steps outlined in table one of report CS-21-013; and
3. Requests that staff report back with the approvals, final design and Memorandum of Understanding (MOU) as outlined in table one.

### Highlights:

- The City received correspondence from the Boley family outlining the offer of a donation of an arbour at Harrison Park in the meadow area on the east side of the river.
- Approval in principle is requested to allow the design to be finalized and approvals including the Niagara Escarpment Commission (NEC) and Grey Sauble Conservation Authority (GSCA) to be obtained.
- An administrative MOU would be established with the City and the final design would be brought back to Committee.

### Strategic Plan Alignment:

3. Leverage our City's assets in order to enhance tourism opportunities.

7. Encourage and promote participation in cultural activities and active lifestyles.
8. Support community safety and social inclusion
14. Maintain, improve and promote the use of our local parks and trails.

## **Background:**

In January 2021, the City received correspondence from the Boley family (Attachment 1) respecting a donation for Harrison Park. In short, the donation proposes:

*We would like to put forth a proposal to build an arbor in Harrison Park as a place where people can gather which could act as a 'frame' for photos to be taken with the beauty of the park as a backdrop.*

Harrison Park is classified as a City park with more than 40 hectares of streams, trails, gardens, playgrounds, forest and green space in the heart of Owen Sound. The park has several distinct areas that offer varying amenities and features including: west park entrance and meadow, the Pleasure grounds (island), the Inn, band shell and rink area, pool area, Weaver Creek boardwalk, community hall, tennis court and open area, campground, waterfowl area, mile drive, toboggan hill and Harrison Park extension.

Harrison Park is one of the area's greatest attractions, retaining the natural beauty and rustic charm that have drawn generations of people to its gates.

Harrison Park is a designated cultural heritage landscape under Part IV of the *Ontario Heritage Act*. The area of the proposed arbour is outside of the area covered by the designation. The Park is classified as a "City Park" in the Recreation, Parks & Facilities Master Plan by definition providing unique, specialized recreational facilities and services, serving users from throughout the City.

Based on an initial meeting with the family, a location has been selected as potential locations for an arbour (see Attachment 2).

The area identified as a potential suitable location is in the area to the west of the fitness trail in the area of the toboggan hill. Coincidentally, the City's Licensing and Marriage Coordinator had identified a need for another location at Harrison Park where people could choose to be married. A location on the

east side of the river is quieter than the island where there is already the Black History Cairn, Putt n Paddle, playground, picnic shelter, and washroom. The area proposed for the placement of the structure is shown generally in Attachment 2. The Boleys and staff concur that the area west and slightly north of the ski hill at Harrison Park would be an ideal location for the proposed feature.

The purpose of this report is to:

1. Present the request and overall concept;
2. Provide context to the request in terms of approvals; and
3. Request approval in principle subject to certain criteria.

## **Analysis:**

### **The Request and Overall Concept**

The letter received from the Boley family provides an excellent summary of the vision of the proposal.

In short, the family (with support from extended family) and teachers and students from Owen Sound District Secondary School wish to construct an arbour in Harrison Park in tribute to Mr. Barry Boley (d. December 19, 2020).

The project may be a partnership with the School and the nature and extent of this partnership will be further explored.

Based on the proposal and an initial meeting between staff and Teresa Boley, it is clear that it is the family's wish to make a donation to a project that honours Barry's memory as a dad, husband, part of a larger extended family, teaching colleague, educator, and coach. While the family has made a suggestion, they have also made it clear that they are flexible and also that it is their wish that the donation has a broad public benefit and can be used by all those who enjoy Harrison Park. The family also recognize the importance of accessibility in the design.

### **Approvals Required**

The area is owned by the City of Owen Sound.

The lands are within the geographic boundary of the Township of Georgian Bluffs and fall within the NEC Area of Development Control and are designated Escarpment Protection Area. The lands are also regulated by the GSCA (see Attachment 2).

## **City Planning**

No approvals required.

## **GSCA – Regulated Area**

The GSCA has advised that a minor permit would be required.

An application form and site plan and sketch of the proposed structure would be required. The GSCA does waive permit fees where the municipality is the applicant. Upon receipt of an application, GSCA staff will do a site visit to confirm conditions but may require a specified setback from the top of the river bank.

## **Niagara Escarpment Commission**

As noted, the lands are subject to Niagara Escarpment Development Control.

NEC staff have advised that the proposal will require a Development Permit Application (DPA) in order to fully assess the proposal. There is no fee for the application itself.

Depending upon the dimensions/specifications for the structure (i.e. height, ft<sup>2</sup>, design, etc.) the harbour may be exempt from requiring a permit; however, if the proposal does require a permit from the NEC, staff do not anticipate the review to identify any concerns or require a significant amount of time. City staff would project at least two months for the NEC to process a DPA for the proposed structure.

Staff will confirm that the NEC circulates DPAs to our indigenous partners.

## **Municipality of Georgian Bluffs**

Staff expect that a building permit will be required for the structure from the Township of Georgian Bluffs. It would be the responsibility of the donor to pay for the application and prepare and submit plans sufficient to obtain a permit. The Township will also have an opportunity to comment on a NEC DPA. Township planning policy (e.g. Zoning By-law) does not apply within the NEC Area of Development Control.

## **City of Owen Sound**

The City's role is to consider the donation in the context of the City Park and to ensure that the donation is compatible with the context of the location.

Benefits of the proposed location include:

- Provides an alternative picturesque location for weddings and natural back drop for photos;
- Provides excellent views of the Sydenham River and the Escarpment to the east;
- Is in an area of several memorial trees with a well worn footpath along the river's edge where many choose to walk and run;
- Is proximate to the parking area at the base of the toboggan hill;
- Is proximate to the "fitness" trail and a trail extension to the structure would be relatively simple;
- The area to the south and east of the structure is a relatively flat grassy area that could accommodate seating for a number of attendees at a celebration or event.

As noted, Harrison Park is a cultural heritage landscape under Part IV of the *Ontario Heritage Act*. The harbour is actually outside of the area covered by the Designation By-law (2012-103).

As the role of the school is clarified, a donation agreement, outlining the conditions and responsibilities of the City, and cover matters such as volunteer waivers and insurance during construction.

### **Approvals and Next Steps**

It is recommended that Community Services Committee recommend that Council approve the donation of the harbour for Harrison Park by the Boley family in principle. This would enable the following next steps:

**Table One**

<b>Step</b>	<b>City</b>	<b>Donor</b>
Develop harbour design and prepare drawings. The detail design would come back to Committee for consideration.		x
The detailed design would be brought back to Committee with input from the agency partners as well as the City's Heritage Division to ensure that the proposed design is consistent with the natural and heritage character of the Park.	x	

<b>Step</b>	<b>City</b>	<b>Donor</b>
Explore the relationship with OSDSS or the Bluewater School Board and their participation in the project.		x
Develop an MOU between the donor and the City outlining approvals and the responsibilities of the parties.  The MOU will come back to Committee with the detailed design.	x	x
The donor to seek approval from the GSCA and NEC of the project.		x
Obtain building permit from Georgian Bluffs (if required).		x

Staff acknowledge that the process to donate an arbour involves the approval and coordination between City, donor, and several agencies. If approved in principle by Committee, staff will appoint a staff ambassador to work with the family to assist in navigating the necessary approvals.

### **Financial Implications:**

City staff time which is included in the City's operating budget.

Maintenance of the structure and landscaped area in the long term asset replacement.

There is no fee for the NEC permit and the GSCA does not charge a fee for a municipal application.

### **Communication Strategy:**

This report to Committee.

### **Consultation:**

Several approvals are required including GSCA and NEC.

Senior Manager of Property and Parks & Open Space, Manager of Parks & Open Space, Manager of Planning & Heritage, Junior Planner.

## **Attachments:**

1. Request from the Boley Family
2. Potential Location of Arbour
3. Map of Geographic Boundary

### **Prepared by:**

Pamela Coulter  
Director of Community Services

Signature on File

### **Submission approved by:**

Tim Simmonds  
City Manager

Signature on File

For more information on this report, please contact. Pamela Coulter, Director of Community Services, at [pcoulter@owensound.ca](mailto:pcoulter@owensound.ca) or 519-376-4440 ext. 1252.

January 25, 2021

Owen Sound City Council – Community Services Committee

I respectfully ask the Community Services Committee to consider a proposal our family is putting forth, in memory of our husband and father, Barry Boley, who passed away Dec. 19 2020.

Barry was a respected teacher, coach, colleague, and community member who had a great impact on those who were fortunate enough to know him. (See article in The Sun Times – Dec. 23) Regardless of his legacy as a teacher and coach his family remained his priority throughout his life. He was the proud father of 6 children; one, Jodi, who predeceased him in 1994.

We would like to put forth a proposal to build an arbor in Harrison Park as a place where people can gather which could act as a 'frame' for photos to be taken with the beauty of the park as a backdrop. The rationale and connection to Harrison Park is threefold.

We were fortunate to live in a home that backed onto the park which allowed our children to explore and have access to the beauty of the park and its facilities. As a result, 2 of our children worked at the Harrison Park Inn and another at the Putt 'n' Paddle. Aside from the many hours spent as a family using the park, it was a family tradition to go tobogganing every year, late on Christmas Eve...from the top of the hill.

Professionally, as a phys ed teacher, Barry utilized the park with his classes exposing them to the activities the park offered and gave them an appreciation for the outdoors. These included hiking, playing broomball on the ice pad, mini-putt and camping. But the signature activity was the grade 12 annual orienteering and adventure race, which garnered great competition, much laughter and fond memories (and a few lost students).

Our thought in suggesting an arbor comes from a walk we recently took in the park with our daughter and new fiancé in which we were looking for a scenic spot to take some engagement photos. The beauty of the surroundings was exceptional for photos but we thought if there was an accessible arbor that could act as a frame for photos, with the natural elements behind it, could be something that all users of the park could use to create their own family and friend memories.



Being a well-respected man there are many people who have already demonstrated interest in such a project, if approved, either through financial donations or part of the design and build. If permitted, and respecting and adhering to city protocol, permits and codes the construction teachers at OSDSS have offered their talents to be part of the project, as well as including students as a learning experience as they contribute to their community.

Based on the donations we have already received I believe we will raise around \$10,000. I do not know how much a structure like this would cost. If this exceeds what the memorial project would cost, our family will gladly donate the rest to local charities in Owen Sound or back into the park where needed. If the cost exceeds the donations, our family will cover the difference.

We whole-heartedly would like to provide a place for all visitors, family, and friends to enjoy in the park. We are open to other suggestions or ideas that might be needed in the park. We appreciate your time and consideration in such a proposal and look forward to working with you to discuss this or other options that might be suitable.

I look forward to your response and working together towards a suitable addition to the park.

Respectfully,

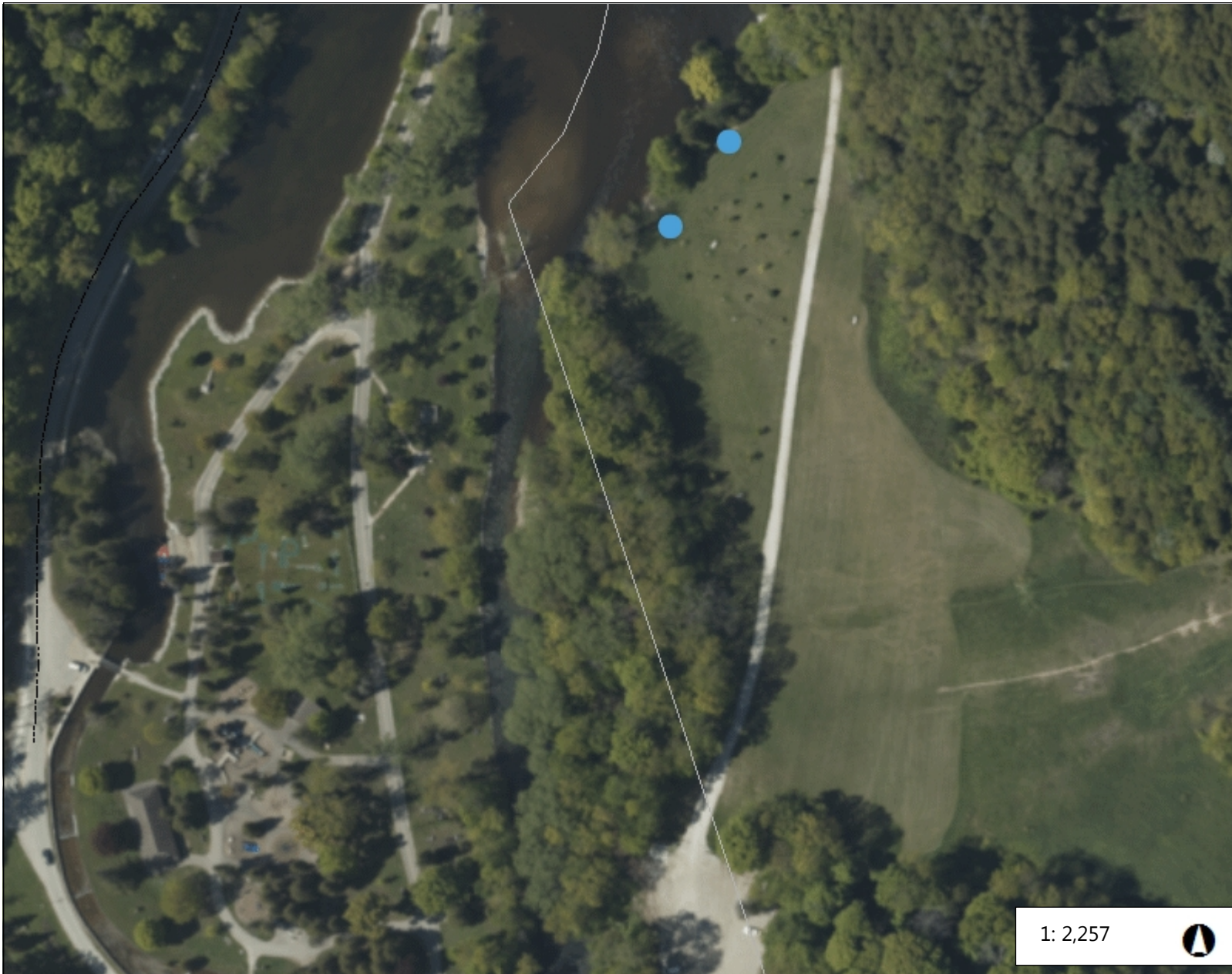
Teresa Boley and Family (Jocelyn, Jamison, Dustin, Braden and Molly)

[Redacted Signature]

## Potential Arbour Location

### Legend

☐ Assessment Parcels



1: 2,257



114.7 0 57.33 114.7 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Notes









917.2 0 458.62 917.2 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

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Notes





## Area Subject to NEC Development Control

