



**Minutes**

**Owen Sound City Council**

**July 24, 2023**

**City Hall - 808 2nd Avenue East - Council Chambers**

**5:30 p.m. - Open Session - Council Chambers**

**No Closed Session**

**MEMBERS**

**PRESENT:**

Mayor Ian Boddy  
Deputy Mayor Scott Greig  
Councillor Travis Dodd  
Councillor Jon Farmer  
Councillor Brock Hamley  
Councillor Marion Koepke  
Councillor Suneet Kukreja  
Councillor Carol Merton  
Councillor Melanie Middlebro'

**STAFF PRESENT:**

Tim Simmonds, City Manager  
Kate Allan, Director of Corporate Services  
Pam Coulter, Director of Community Services  
Lara Widdifield, Director of Public Works and Engineering  
Michelle Palmer, Senior Manager, Strategic Initiatives and Operational Effectiveness  
Sabine Robart, Manager of Planning and Heritage  
Briana Bloomfield, City Clerk  
Staci Landry, Deputy Clerk

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**1. CALL TO ORDER**

Mayor Boddy called the meeting to order at 5:30 p.m.

**2. CALL FOR ADDITIONAL BUSINESS**

2.a Deputy Mayor Greig Re: Fulfilling the Dream Signage Project at the Arboretum Alliance

2.b Mayor Boddy Re: Mayor's Update

**3. DECLARATIONS OF INTEREST**

3.a Mayor Boddy - Report CS-23-085 from the Manager of Planning and Heritage Re: Appeal of Council's Approval of Zoning By-law Amendment No. 48 by Sydenham Square Inc. and Thompson Centres under Section 34 of the *Planning Act*

Mayor Boddy declared a conflict of interest with Item 10.b due to him being the solicitor for a party with an interest in part of the lands being considered.

**4. CONFIRMATION OF THE COUNCIL MINUTES**

4.a Minutes of the Closed Session of the Regular Council meeting held on June 12, 2023

4.b Minutes of the Regular Council meeting held on July 10, 2023

4.c Minutes of the Closed Session of the Special Council meeting held on July 17, 2023

4.d Minutes of the Special Council meeting held on July 17, 2023

R-230724-001

Moved by Councillor Hamley

Seconded by Councillor Koepke

**"THAT the minutes of the following meetings be adopted as printed:**

- a. Closed Session of the Regular Council meeting held on June 12, 2023;**
- b. Regular Council meeting held on July 10, 2023;**
- c. Closed Session of the Special Council meeting held on July 17, 2023; and**
- d. Special Council meeting held on July 17, 2023."**

Carried.

## **5. MOTION TO MOVE COUNCIL INTO COMMITTEE OF THE WHOLE**

R-230724-002

Moved by Councillor Hamley

Seconded by Councillor Koepke

**"THAT City Council now move into Committee of the Whole to consider public meetings, deputations and presentations, public question period, matters arising from correspondence, reports of City staff, consent agenda, committee minutes, matters postponed, motions for which notice was previously given and additional business."**

Carried.

## **COMMITTEE OF THE WHOLE**

## **6. PUBLIC MEETINGS**

6.a Zoning By-law Amendment No. 50 - 1580 20th Street East (Wakeford)

Mayor Boddy declared the Public Meeting open at 5:33 p.m. and read the following announcement:

- Every person who attends a statutory public meeting required under the Planning Act shall be given an opportunity to make representations in respect of the proposed by-law.
- All submission materials for this application are available on the City's website and at the Planning Division, City Hall during regular business hours.
- If a person or public body would otherwise have an ability to appeal the decision of the Council of The Corporation of the City of Owen Sound to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the City of Owen Sound before the Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision.
- If a person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the City of Owen Sound before the Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal

before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The City Clerk explained that notice of the Public Meeting was posted on the subject property, circulated to the prescribed persons and bodies, and placed on the City's website on July 4, 2023. All comments received prior to the agenda being published were attached to the agenda. Two comments were received after the publication of the agenda and will be added to the agenda when it is republished. The City Clerk encouraged those present for the public meeting to sign the sign-in sheet located on the table outside of Council Chambers.

The City Clerk advised that personal information is collected under the authority of the *Planning Act*, and that the information collected will be used to complete the Zoning By-law Amendment process and will form part of the public record. Questions about this collection should be addressed to the City Clerk.

The City Clerk advised that any person wishing to receive notice of the decision of The Corporation of the City of Owen Sound on the proposed Zoning By-law Amendment application must make a written request to the City of Owen Sound.

The Manager of Planning and Heritage provided a presentation on Zoning By-law Amendment (ZBA) No. 50 put forward by Albert Wakeford on behalf of 845377 Ontario Limited for a rock-climbing bouldering gym in the existing Industrial Mall located at 1580 20th Street East. Ms. Robart highlighted the location of the subject lands, noting that the lands are designated Employment and Hazard Lands in the City's Official Plan. The lands are zoned as Heavy Industrial (M2) and Hazard Lands (ZH) in the City's Zoning By-law.

Ms. Robart highlighted the ZBA process to date and advised that a recommendation report and enacting by-law are scheduled to be presented to Council on September 11, 2023.

Applicant, Bert Wakeford, noted that the ZBA is good for Owen Sound, both in the short-term and long-term, as it will allow the City to add a rock climbing gym to its attractions, create additional employment, and provide a natural separation between the nearby residential areas to the west and the heavy industrial areas to the east. Mr. Wakeford advised that the ZBA is consistent with the surrounding zoning designations to the north, west and south, and is an appropriate use for the existing Industrial Mall.

Mr. Wakeford noted that one comment was received in opposition to the ZBA and this individual suggested that the property be rezoned to MU (Mixed Use Commercial) instead of M1 as it is a more appropriate use. Mr. Wakeford advised that his building is an industrial mall and this is not a permitted use within the MU zone. Additionally, the property located to the south is zoned M1 and an MU designation would be inconsistent with the surrounding properties. Permitted uses within the MU zone include a retail store, restaurants, hotels, and heavy industrial. Rezoning his property to MU would continue to allow heavy industrial uses and defeat the purpose of the separations from the residential areas to the west. In closing, Mr. Wakeford noted that the MU zoning is incongruent with his building, contrary to an industrial mall, and out of step with prudent urban planning.

Mayor Boddy invited members of the public to ask questions or provide comments on the ZBA.

Tyler Stoddart, Owen Sound resident, spoke in favour of the ZBA application, highlighting that there is a need for this type of facility within the City and it would help bring people together.

Carlin Val, Owen Sound resident, spoke in favour of the ZBA application, noting that he operates At Last Adventures and At Last Forest Schools. Mr. Val advised that he is passionate about bringing opportunities to the community and believes

that a climbing gym can do great things for the City and provide recreational options during the winter months, as well as throughout the rest of the year.

Sam Kessaram, Owen Sound resident, spoke in favour of the ZBA application, noting that he moved to the City two years ago and is an avid rock climber. Currently, he has to travel quite a distance to go to a rock-climbing gym or an outdoor location. Mr. Kessaram believes that this facility would provide numerous benefits to the community, bring revenue to the area, and allow new residents to integrate into the community.

Kat Scott, Owen Sound resident, spoke in favour of the ZBA application, noting that she moved to the City one year ago because of the close access to the outdoors. She indicated that there is something special about being able to get outside and participate in various types of activities. Indoor facilities create that next step, such as building physical strength, new relationships, and new skills.

Courtney Fernandez, Town of Saugeen Shores resident, spoke in favour of the ZBA application, noting that many of her friends who live in Port Elgin would love to have this type of facility in Owen Sound as they currently need to travel over an hour to an indoor climbing gym in Goderich.

Mr. Val spoke again to inform Council that he is the individual who is trying to start this business and has been looking for a suitable location for over four years. He is looking to build a community and rock climbing is a healthy exercise for mental health.

There being no other comments, Mayor Boddy declared the Public Meeting closed at 5:56 p.m.

In response to a question from Council, Mr. Wakeford advised that this is the perfect location for a rock-climbing gym because his building has a 25 foot ceiling, whereas no other buildings in the area with appropriate zoning have this feature.

## **7. DEPUTATIONS AND PRESENTATIONS**

### **7.a Deputation from Sarah Durrer, CMHA Grey Bruce Re: 9th Annual Ride Don't Hide**

Sarah Durrer of the Canadian Mental Health Association (CMHA) Grey Bruce provided a deputation on the 9th Annual Ride Don't Hide event scheduled for Sunday, September 17, 2023, and advised that Ride Don't Hide is a national CMHA fundraiser happening in communities across Canada to raise awareness about mental health. Ms. Durrer noted that the CMHA has raised over \$450,000 for local mental health initiatives over the past nine years.

Ms. Durrer noted that the event will be hosted at the Owen Sound Kiwanis Soccer Complex and there will be routes for all riding levels, including 80 km, 40 km, 20 km, and 10 km, as well as a 5 km family friendly route along the trail system to the Bayshore Community Centre.

Ms. Durrer advised that Ride Don't Hide Grey Bruce's mission is to raise mental health awareness, celebrate the participation of our community, and raise critically needed funds for local mental health programs.

Ms. Durrer noted that in the event of a weather watch for the area, the ride will be cancelled.

Ms. Durrer noted that the CMHA is requesting support for cross promotion through social media, support from municipal staff for safety planning, Council attendance on the day of the event to give greetings and provide Owen Sound swag and information to hand out to promote Owen Sound to out of town participants.

In response to a question from Council, Ms. Durrer noted that individuals can register for the event through [ridedonthide.com](http://ridedonthide.com) and then select the Grey Bruce area.

7.b Presentation from the City Manager Re: Monthly Update

The City Manager provided an overview of the key highlights since his last update.

Mr. Simmonds noted that:

- Tickets went on sale last week for "*A Deadly Pairing*", a major fundraising event at Coffin Ridge Winery on September 8 to support the Tom Thomson Art Gallery;
- The Sound Waterfront Festival saw record attendance at both the Owen Sound Visitor Centre and Kelso Beach at Nawash Park;
- Summerfolk and the Salmon Spectacular were issued tent permits for their respective events;
- Removal of Ash trees is underway;
- City and County staff met with MPP Rick Byers to discuss affordable/attainable housing;
- Service Review Recommendations and Actions are moving forward; and
- The Harrison Park Cabin has successfully launched for weekly rentals offering a new campground opportunity.

Lastly, Mr. Simmonds noted the reports that will be presented to the Corporate Services Committee, Operations Committee, Community Services Committee, and Community Development, Tourism and Culture Advisory Committee in September.

**8. PUBLIC QUESTION PERIOD**

8.a Jim Hutton, Owen Sound resident, emailed the following questions to the City Clerk prior to the meeting respecting preparation time for Council meetings and the MNP Service Review Final Report:

Will Council direct staff to provide Councillors with the Council meeting agenda materials and post these materials to the City website one week in advance of Council meetings? Will Council direct staff to provide the final MNP Report to the public by posting it on the City website so taxpayers can see exactly what they received for their \$108,000?

The City Manager advised that the final MNP Report has been posted to the City's website under the Reports, Studies and Plans section. The City Clerk noted that the Procedural By-law provides the minimum notice requirements for agendas, and should Council wish to change the notice provisions, this could be done through amending the by-law.

**9. CORRESPONDENCE RECEIVED FOR WHICH DIRECTION OF COUNCIL IS REQUIRED**

There were no correspondence items presented for consideration.

**10. REPORTS OF CITY STAFF**

10.a Report CS-23-086 from the Senior Planner Re: Technical Report - Zoning By-law Amendment (ZBA 50) - 1580 20th Street East (Wakeford)

The Director of Community Services provided an overview of the report.

R-230724-003

Moved by Councillor Koepke

**"THAT in consideration of Staff Report CS-23-086 respecting the proposed Zoning By-law Amendment No. 50 by 845377 Ontario Limited at 1580 20<sup>th</sup> Street East, City Council directs staff to continue to process the application in accordance with the *Planning Act*, as outlined under the next steps in the report."**

Carried.

Having declared a conflict of interest with Item 10.b, Mayor Boddy left the Council Chambers at this time and Deputy Mayor Greig assumed the position of Chair.

- 10.b Report CS-23-085 from the Manager of Planning and Heritage Re: Appeal of Council's Approval of Zoning By-law Amendment No. 48 by Sydenham Square Inc. and Thompson Centres under Section 34 of the Planning Act

The Manager of Planning and Heritage provided an overview of the report.

R-230724-004

Moved by Councillor Merton

**"THAT in consideration of Staff Report CS-23-085 respecting an Appeal of Council's Approval of Zoning By-law Amendment No. 48 by Sydenham Square Inc. and Thompson Centres under Section 34 of the *Planning Act*, City Council:**

- 1. Directs staff to advise the Ontario Land Tribunal that:
  - a. Council, having considered the grounds for the Appeals, and having considered the staff technical reports, recommendations, and oral and written submissions from the public and agencies, confirms its support and approval of Zoning By-law Amendment No. 48 as being consistent with the Provincial Policy Statement, conforming to the goals, objectives and policies of the City's Official Plan and representing good planning; and**
  - b. The City of Owen Sound requests party status in the matter; and****
- 2. Directs staff and/or the City's planning consultant to prepare for and represent the City as a party at the Hearing, together with legal counsel."**

Carried.

The Manager of Planning and Heritage left the meeting.

Mayor Boddy returned to Council Chambers and resumed the position of Chair.

- 10.c Verbal Report from the Deputy Mayor Re: Grey County Council

Deputy Mayor Greig advised that on July 13, 2023, County Council discussed an amendment to increase the upset limit on the Rockwood Terrace rebuild to \$96.7 million from \$92 million. It is estimated that project costs for the 128 long-term care bed facility will require borrowing \$77.6 million with an anticipated net levy of \$4,330,000. Beyond this project, the County would have \$2.9 million available annually to finance other projects.

Deputy Mayor Greig noted that resolutions were endorsed by Committee of the Whole to continue work within the County for supportive outreach services funding the program through the Ontario Cannabis Legalization Implementation Fund and the Safe Restart Fund until March 2024. A resolution was endorsed to advance solutions to homelessness prevention which, depending on projects undertaken, could have a net levy cost of \$133,662 beyond the current system of \$1 million approved for motel rooms and damages sustained. Grey County is

revisiting the Transportation Master Plan and evaluating urban roads and roads rationalization.

R-230724-005

Moved by Deputy Mayor Greig

**"THAT in consideration of the Verbal Report provided July 24, 2023 from Deputy Mayor Greig respecting Grey County Council, City Council receives the Verbal Report for information purposes."**

Carried.

## 11. CONSENT AGENDA

- 11.a Report CM-23-013 from the Manager of Community and Business Development Re: Mobile Food Business - Burger Chief Inc.
- 11.b Minutes of Boards and Committees for Receipt Re: Bruce Grey Poverty Task Force meeting held on June 16, 2023
- 11.c Minutes of Boards and Committees for Receipt Re: Owen Sound Police Services Board meeting held on May 24, 2023
- 11.d Minutes of Boards and Committees for Receipt Re: River District Board of Management meeting held on May 10, 2023
- 11.e Final approvals issued for the following Business Licences:
  - Minh's Kitchen, a restaurant located at 2501 3rd Avenue West
  - Hawker and Peddler Licence issued to M'Wikwedong Indigenous Friendship Club for The Georgian Bay Two Spirit Pow Wow on August 5, 2023
  - Dragon's Magical Creations, a home occupation located at 1321 7th Avenue West, offering swag bags, loot bags, and craft bags
  - Sarah Miller is the new owner of The Milk Maid located at 947 2nd Avenue East
  - Rideout North Construction, a home occupation located at 1 - 309 13th Street East
  - Hawker and Peddler Licence issued to The Emancipation Festival for The Annual Emancipation Festival 2023 at Harrison Park from August 4-6, 2023
- 11.f Correspondence received which is presented for the information of Council

R-230724-006

Moved by Councillor Hamley

**"THAT City Council receives Items 11.a to 11.f on the Consent Agenda dated July 24, 2023, and further**

**THAT the recommendation contained in Item 11.a be approved."**

Carried.

## 12. COMMITTEE MINUTES WITH RECOMMENDATIONS FOR APPROVAL

Council discussed Item 12.e at this time.

12.e Minutes of the Tom Thomson Art Gallery Advisory Committee meeting held on July 5, 2023

R-230724-007

Moved by Councillor Middlebro'

**"THAT the minutes of the Tom Thomson Art Gallery Advisory Committee meeting held on July 5, 2023 be received and the recommendations contained therein be approved."**

Carried.

12.a Minutes of the Community Services Committee meeting held on July 19, 2023

R-230724-008

Moved by Councillor Dodd

**"THAT the minutes of the Community Services Committee meeting held on July 19, 2023 be received and the recommendations contained therein be approved, save and except Item 8.a.1."**

Carried.

R-230724-009d

Moved by Councillor Farmer

**"THAT Item 8.a.1 contained in the Community Services Committee minutes from the meeting held on July 19, 2023 be received and the recommendation contained therein be approved."**

Defeated.

R-230724-010

Moved by Councillor Dodd

**"THAT in consideration of Item 8.a.1 - Staff Report CS-23-081 presented to the Community Services Committee on July 19, 2023 respecting the update to the Building By-law, City Council directs staff to:**

- 1. Bring forward the revised Building By-law for approval in the form attached to the report; and**
- 2. Repeal Building By-law No. 2007-102."**

Carried.

Councillor Middlebro' left the meeting.

12.b Minutes of the Corporate Services Committee meeting held on July 13, 2023

R-230724-011

Moved by Councillor Hamley

**"THAT the minutes of the Corporate Services Committee meeting held on July 13, 2023 be received and the recommendations contained therein be approved, save and except Item 10.g.1."**

Carried.



R-230724-012

Moved by Councillor Hamley

**“THAT Item 10.g.1 contained in the Corporate Services Committee minutes from the meeting held on July 13, 2023 be received and the recommendation contained therein be approved.”**

Prior to a vote on the motion, Councillor Hamley requested a recorded vote:

	In Favour	Opposed
Councillor Dodd	X	
Councillor Farmer		X
Councillor Hamley	X	
Councillor Koepke	X	
Councillor Kukreja	X	
Councillor Merton	X	
Deputy Mayor Greig	X	
Mayor Boddy	X	

The resolution was carried with seven (7) votes in favour and one (1) vote opposed.

- 12.c Minutes of the Closed Session of the Corporate Services Committee meeting held on July 13, 2023

R-230724-013

Moved by Councillor Hamley

**"THAT the minutes of the Closed Session of the Corporate Services Committee meeting held on July 13, 2023 be received and the recommendations contained therein be approved."**

Carried.

- 12.d Minutes of the Operations Committee meeting held on July 20, 2023

R-230724-014

Moved by Deputy Mayor Greig

**"THAT the minutes of the Operations Committee meeting held on July 20, 2023 be received and the recommendations contained therein be approved."**

Carried.

- 12.e Minutes of the Tom Thomson Art Gallery Advisory Committee meeting held on July 5, 2023

Council dealt with Item 12.e prior to Item 12.a.

**13. MATTERS POSTPONED**

There were no postponed matters.

**14. MOTIONS FOR WHICH NOTICE WAS PREVIOUSLY GIVEN**

There were no motions for which notice was previously given.

## 15. DISCUSSION OF ADDITIONAL BUSINESS

### 15.a Fulfilling the Dream Signage Project at the Arboretum Alliance

Deputy Mayor Greig advised that 2,021 acres of land was added to the Grey Sauble Conservation Authority Administration Centre property. This property is the Arboretum and consists of the meadow and the Trees of the World. On July 18, an event was held to acknowledge and celebrate the completion of the Fulfilling the Dream Signage Project. The project was made possible through funding from the TD Friends of the Environment Foundation and fulfilled a 60-year-old dream to fully label the Arboretum, identifying the 165 different species of wooden plants found native to Grey Bruce and some from around the world. Deputy Mayor Greig congratulated the Grey Sauble Committee and the Arboretum Alliance and thanked the TD Friends of the Environment Foundation for their sponsorship.

### 15.b Mayor's Update

Mayor Boddy discussed the following events:

- He attended the 9th Annual Metis Fish Fry at Hibou Conservation Area. There were approximately 100 to 150 people in attendance. Hibou and down the eastern shoreline are traditional Metis lands.
- The 161<sup>st</sup> Emancipation Festival will be held at Harrison Park on Saturday, August 5.
- He attended the One Can Challenge at Seasons Retirement Home last week. Residents and staff challenged each other to collect cans of food for the Food Bank. They collected over 350 cans of food and Seasons donated \$2,100.
- He attended MP Alex Ruff's picnic on Sunday, July 24 where MP Ruff presented King Charles coronation pins for merit and contribution to the community to several individuals, including Stew Patterson, Bill King, Bev Wilkins, and Krista Linthorne.

## 16. MOTION THAT COMMITTEE OF THE WHOLE RISE AND REPORT

R-230724-015

Moved by Councillor Hamley

**"THAT the Committee of the Whole rise and report."**

Carried.

### FORMAL SESSION

## 17. MOTION TO ADOPT PROCEEDINGS IN COMMITTEE OF THE WHOLE

R-230724-016

Moved by Councillor Hamley

Seconded by Councillor Koepke

**"THAT the action taken in Committee of the Whole in considering public meetings, deputations and presentations, public question period, matters arising from correspondence, reports of City staff, consent agenda, committee minutes, matters postponed, motions for which notice was previously given and additional business be confirmed by this Council."**

Carried.

## **18. NOTICES OF MOTION**

### **18.a Councillor Farmer Re: Strong Mayor Powers**

Councillor Farmer presented the following Notice of Motion that was supported by Deputy Mayor Greig:

"WHEREAS strong mayor powers make it possible for some votes to pass with a minority of support from a given municipal council;

AND WHEREAS municipal governance is otherwise structured to ensure that motions passed on behalf of a community have the support of the majority of the members of that elected council;

AND WHEREAS strong mayor powers also give mayors the ability to hire and fire senior municipal staff, which could create an environment where the independence and professional input of senior staff is influenced by this power dynamic;

AND WHEREAS the independence of municipal staff is essential for the effective and transparent working relationship between staff and councils as a whole;

AND WHEREAS the precedent of strong mayor powers in some Ontario municipalities might justify the extension of those powers to all municipal councils;

NOW THEREFORE BE IT RESOLVED THAT City Council:

1. Formally express concern with the creation and expansion of these powers and highlight that they are not compatible with a democratic process through a letter to Premier Doug Ford, Minister of Municipal Affairs and Housing, Steve Clark, Bruce-Grey-Owen Sound MPP Rick Byers, the leaders of the Ontario Liberal, NDP, and Green Parties, as well as the other municipalities in Ontario; and
2. Request staff to monitor the expansion of these powers and report back should opportunities for consultation on the issue become available."

## **19. MOTION TO MOVE INTO CLOSED SESSION**

There was no Closed Session.

## **20. REPORTING OUT OF CLOSED SESSION**

There was no Closed Session.

## **21. BY-LAWS**

### **21.a By-law No. 2023-088**

"A By-law to confirm the proceedings of the Regular Meeting of the Council of The Corporation of the City of Owen Sound held on the 24th day of July, 2023"

### **21.b By-law No. 2023-089**

"A By-law to authorize the Mayor and Clerk to execute an Amending Agreement with the municipalities of Chatsworth and Wellington North as well as the Northern Credit Union and the 6 & 10 Mini Mart, respecting bus stops for the Guelph Owen Sound Transportation (GOST) bus service"

### **21.c By-law No. 2023-090**

"A By-law to authorize the Mayor and Clerk to execute an Encroachment Agreement with Ashlar Holdings Inc. respecting property located at 1000 6th Street East (ENC2023-001)"

21.d By-law No. 2023-091

"A By-law to provide for the administration and enforcement of the Building Code Act, respecting construction, renovation and change of use of buildings and designated structures"

21.e By-law No. 2023-092

"A By-law to amend Traffic By-law No. 2009-075 to add no parking on 3rd Street West, no stopping on 25th Street East and various school zones with speed limits of 30 km/hr"

R-230724-017

Moved by Councillor Hamley

Seconded by Councillor Koepke

**"THAT By-law Numbers 2023-088, 2023-089, 2023-090, 2023-091, and 2023-092 be passed and enacted."**

Carried.

## 22. ADJOURNMENT

The business contained on the agenda having been completed, Mayor Boddy adjourned the meeting at 7:23 p.m.

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Mayor Ian C. Boddy

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Briana M. Bloomfield, City Clerk