



**Minutes**

**Owen Sound City Council**

**December 4, 2023**

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

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

**MEMBERS**

**PRESENT:**

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

**MEMBERS**

**ABSENT/REGRETS:** Councillor Brock Hamley

**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  
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**

There was no additional business.

**3. DECLARATIONS OF INTEREST**

3.a Councillor Farmer - Closed Session Agenda Item

Councillor Farmer declared a conflict of interest with an item on the Closed Session agenda.

**4. CONFIRMATION OF THE COUNCIL MINUTES**

4.a Minutes of the Regular Council meeting held on November 20, 2023

R-231204-001

Moved by Councillor Koepke

Seconded by Councillor Kukreja

**"THAT the minutes of the Regular Council meeting held on November 20, 2023 be adopted as printed."**

Carried.

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

R-231204-002

Moved by Councillor Koepke

Seconded by Councillor Kukreja

**"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. 51 - Housekeeping (Short-Term Rentals)

Mayor Boddy declared the Public Meeting open at 5:32 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 published in The Sun Times, circulated to the prescribed persons and bodies, and placed on the City's website on November 9, 2023. No comments have been received. 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. 51 put forward by the City of Owen Sound to implement housekeeping changes to support the implementation of a Short-Term Rental Licensing By-law by clarifying where in the City Short-Term Rentals (STRs) are

permitted and providing associated definitions. The ZBA is City-wide and impacts several zones. Ms. Robart advised that STRs will be permitted in any zone where a 'Residential Use' is a permitted use and will be permitted in any dwelling type including single family, semi-detached, duplex, townhouses, and apartments. STRs will also be required to comply with the parking provisions of Section 5 of Zoning By-law 2010-078, as amended.

Ms. Robart explained that the definition of a 'Bed & Breakfast' in the Zoning By-law will be refined to clarify that a 'Bed & Breakfast' is operated as a home business by the resident operator, the accommodations do not include cooking facilities, and meals, services and facilities are offered exclusively to the guests and are not available to the general public. Ms. Robart advised that Home Occupation will be deleted as a specific permitted use in Section 6 Residential zones and Section 5.17 will be amended so that home businesses are permitted anywhere a Residential Use is permitted in the Zoning By-law, including in the commercial zones where residential uses are permitted.

Ms. Robart highlighted the ZBA process to date and advised that a recommendation report and enacting by-law are tentatively scheduled to be presented to Council on December 18, 2023.

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

Linda Perks, Owen Sound resident, noted that the Zoning By-law includes a definition for dwelling and dwelling unit. The definition of a dwelling unit makes it sound like it is not intended for transient occupancy which seems to be the definition of a short-term rental, and thus, would not be compatible in residential zones. Ms. Perks advised that the average occupancy for Owen Sound as per the 2021 census is 2.1 people per household, and thus, short-term rentals would not be compatible in residential zones where a maximum of eight (8) people are being permitted to stay in one dwelling unit. Ms. Perks cited concerns with nuisance and the police response time for responding to these types of calls in the evenings. Ms. Perks noted that the federal government has announced \$50 million in funding to support municipal enforcement of short-term rentals and wondered if perhaps the City could use this funding to assist with having a By-law Enforcement Officer available after hours to respond to complaints as most of the nuisance issues with short-term rentals occur after hours. Ms. Perks inquired as to the parking requirements for short-term rentals and if additional requirements are required for properties that are located in hazard zones.

The Director of Community Services advised that responses to these comments and questions will be brought back to Council on December 18th through the recommendation report.

There being no other comments, Mayor Boddy declared the Public Meeting closed at 5:48 p.m.

## **7. DEPUTATIONS AND PRESENTATIONS**

### **7.a Deputation from Joachim Ostertag, Violence Prevention Grey Bruce Re: National Day of Remembrance and Action on Violence Against Women**

Joachim Ostertag from Violence Prevention Grey Bruce provided a deputation to Council respecting the National Day of Remembrance and Action on Violence Against Women on December 6, noting that this year marks the 34th anniversary of the murders of 14 young women at École Polytechnique de Montréal. This is a day of remembrance and a time to take concrete action on Violence Against Women in our families, communities, places of work, schools, and places of worship. Mr. Ostertag provided statistics on the number of femicide victims in Canada and Ontario, the number of women who were supported by the Women's

Centre Grey Bruce so far this year and noted that violence against 2SLGBTQ+ members is on the rise in Canada and locally in Grey Bruce.

Mr. Ostertag noted that on December 6, an outdoor vigil will be held at the Owen Sound Farmers' Market to recognize the National Day of Remembrance and Action on Violence Against Women and to remember the victims of the 1989 Montreal Massacre.

Mr. Ostertag advised that Violence Prevention Grey Bruce is requesting that the flags be lowered to half mast on December 6 and that City Council be represented at the commemoration event at the Farmers' Market.

## **8. PUBLIC QUESTION PERIOD**

- 8.a Grant McKinnon, Owen Sound resident, emailed the City Clerk prior to the meeting with the following questions respecting the Tom Thomson Art Gallery:

To date in 2023, how many people did the Art Gallery record visiting the Gallery? What is the City provided subsidy on a per person visit basis?

The Director of Community Services advised that the Art Gallery tracks in person attendance as well as attendance under the category of Arts, Education and Learning, and Community Project Outreach, along with digital engagement. As of August 2023, the in-person attendance is trending higher than the pre-pandemic years of 2018 and 2019. The estimate to year end based on the planned exhibits for the remainder of the year is 25,000 in-person visitors. There are an additional 3,000 visitors under the category of Arts, Education and Learning, and 10,000 visitors under the category of Community Project Outreach, with a digital engagement reach of 300,000 people. The City subsidy on a per person basis is \$9.

In response to a question from Council, the Director of Community Services noted that there are currently 10,597 people with an OPEN Card.

## **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-23-126 from the Senior Planner Re: Request for Withdrawal of Draft Plan of Subdivision Approval 42T-16501 - 3195 East Bayshore Road

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

R-231204-003

Moved by Councillor Farmer

**"THAT in consideration of Staff Report CS-23-126 respecting a request for withdrawal of Draft Plan of Subdivision Approval 42T-16501 applying to lands municipally known as 3195 East Bayshore Road, City Council:**

- 1. Approves the request by GSP Group Inc., on behalf of SkyDev Bayshore Owen Sound LP dated December 22, 2022;**
- 2. Withdraws the draft plan approval pursuant to Section 51(44) of the *Planning Act*; and**
- 3. Directs staff to issue notice of the approval withdrawal in accordance with Section 51 of the *Planning Act* and Ontario Regulation 544/06."**

Carried.

- 10.b Report CS-23-129 from the Director of Community Services Re: Agreement of Purchase and Sale - Courthouse and Jail - Royal Rose Court

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

R-231204-004

Moved by Deputy Mayor Greig

**"THAT in consideration of Staff Report CS-23-129 respecting the Agreement of Purchase and Sale for the former Courthouse and Jail 1235 and 1259 3<sup>rd</sup> Avenue East, City Council directs the City solicitor to amend the Option to Purchase Agreement (redevelopment timeline) with Nick Ainis in Trust for the former Courthouse and Jail – Royal Rose Court to include the updated timelines as outlined in the report."**

Carried.

The Manager of Planning and Heritage left the meeting.

- 10.c Report CS-23-128 from the Director of Community Services Re: Climate Resilient Coastal Communities Grant - Potential Partnership with Grey Sauble Conservation Authority (GSCA)

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

R-231204-005

Moved by Councillor Merton

**"THAT in consideration of Staff Report CS-23-128 respecting a request from the Grey Sauble Conservation Authority to support an application to Natural Resources Canada (NRCan) under the Climate Resilient Coastal Communities Grant, City Council directs staff to:**

- 1. Prepare a letter of support for the application;**
- 2. Allocate \$15,000 from the City's climate reserve as the City's share of the financial support for the project; and**
- 3. Confirm the City's support to provide City staff to support the project as outlined in the report."**

Carried.

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

Deputy Mayor Greig advised that he had nothing to report from Grey County Council.

## **11. CONSENT AGENDA**

- 11.a Report CR-23-116 from the Manager of Corporate Services Re: Award of RFP-23-029 Non-Profit Corporation to Administer Municipal Accommodation Tax (MAT)
- 11.b Report OP-23-049 from the Supervisor of Environmental Services Re: Product Care Ontario Lighting 2023 Municipal Agreement
- 11.c Minutes of Boards and Committees for Receipt Re: Grey Sauble Conservation Authority Board meeting held on October 25, 2023
- 11.d Minutes of Boards and Committees for Receipt Re: Owen Sound Housing Company annual meeting held on October 24, 2023
- 11.e Minutes of Boards and Committees for Receipt Re: Owen Sound Municipal Non-Profit Housing Corporation annual meeting held on October 24, 2023
- 11.f Minutes of Boards and Committees for Receipt Re: Owen Sound Municipal Non-Profit Housing Corporation meeting held on October 24, 2023

11.g Final approvals issued for the following Business Licences:

- Melissa Warren is the new owner of Luvabloom Skin Oasis, located at 1350 16th Street East
- Beautiful Pain Piercing & Waxing, a personal service setting located at 1350 16th Street East
- Foxx Ink, a tattoo artist located at 953 2nd Avenue East
- Body Edit - by Heather & Kristy, a non-invasive body contouring service located at 925 2nd Avenue East
- Summit Place Salon, a hair salon located at 850 4th Street East
- Precision Cuts, a hair salon located at 281 9th Street East
- HearCANADA, a hearing testing and hearing aid sales store located at 1979 16th Street East
- AM 2 PM Cabs, a taxi and delivery service located at 1051 2nd Avenue East
- Lash Studio by Mabes, a home occupation located at 463 7th Street East
- Polished Elegance by Rachel, a home occupation located at 2619 7th Avenue East
- Kash Cares, a home occupation located at 157 8th Street East
- Hawker and Peddler Licence issued to Shawna Harvey for The Artisans Holiday Show & Sale at the Bayshore Community Centre from December 1-3, 2023

11.h Correspondence received which is presented for the information of Council

R-231204-006

Moved by Councillor Koepke

**"THAT City Council receives Items 11.a to 11.h on the Consent Agenda dated December 4, 2023, and further**

**THAT the recommendations contained in Items 11.a and 11.b be approved."**

Carried.

R-231204-007

Moved by Deputy Mayor Greig

**"THAT in consideration of correspondence received on the December 4, 2023 Consent Agenda respecting the Multi-Municipal Energy Working Group, City Council refers this item to the Community Services Committee for review."**

Carried.

**12. COMMITTEE MINUTES WITH RECOMMENDATIONS FOR APPROVAL**

12.a Minutes of the Community Services Committee meeting held on November 15, 2023

R-231204-008  
Moved by Councillor Dodd

**"THAT the minutes of the Community Services Committee meeting held on November 15, 2023 be received and the recommendations contained therein be approved."**

Carried.

12.b Minutes of the Operations Committee meeting held on November 16, 2023

R-231204-009  
Moved by Deputy Mayor Greig

**"THAT the minutes of the Operations Committee meeting held on November 16, 2023 be received and the recommendations contained therein be approved."**

Carried.

**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**

There was no additional business.

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

R-231204-010  
Moved by Councillor Koepke

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

Carried.

**FORMAL SESSION**

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

R-231204-011  
Moved by Councillor Koepke  
Seconded by Councillor Kukreja

**"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 Deputy Mayor Greig Re: Garbage Bag Tags

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

**"WHEREAS at the December 1, 2023, Special Council Meeting respecting the 2024 operating budget, City Council approved an increase to the cost of garbage bag tags to \$3.50 effective January 1, 2024; and**

WHEREAS City Council may benefit from further consideration of items not discussed, to formulate the decision-making process, including but not limited to:

- the impacts on quantity sold known as the quantity impact on a demand curve demonstrated by the 2011 price increase; and
- the subsequent number of years required before realizing the same number of units sold; and

WHEREAS there was no discussion on potential alternatives for reducing future expenditures for waste collection including utilization of existing reserve balances to support consideration of moving collection in house; and

WHEREAS the original intent of bag tags was waste diversion;

NOW THEREFORE BE IT RESOLVED THAT I move at the next Regular Council meeting that City Council reconsider Resolution No. S-231201-007 from the Special Council meeting respecting an increase to the garbage bag tag fee."

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

Prior to moving into Closed Session, Mayor Boddy advised that for those who are watching the meeting live on Rogers Cable TV or the Rogers TV website, the Rogers feed will not reconnect to the meeting upon Council returning to the open session to report out of the Closed Session and review the by-laws. If anyone would like to view the remainder of the open session, they can watch the livestream on the City's Council and Committees webpage at [www.owensound.ca/meetings](http://www.owensound.ca/meetings). The video recording of the meeting will also be posted on this webpage following the meeting.

R-231204-012

Moved by Councillor Koepke

Seconded by Councillor Kukreja

**"THAT City Council now move into 'Closed Session' to consider:**

- a. Minutes of the Closed Session Council meeting held on November 6, 2023;**
- b. One matter regarding labour relations or employee negotiations and advice that is subject to solicitor-client privilege, including communications necessary for that purpose respecting the Fire Department;**
- c. One matter regarding a position, plan, procedure, criteria, or instruction to be applied to negotiations respecting the Owen Sound Attack; and**
- d. One matter regarding personal matters about identifiable individuals respecting board and committee public appointments."**

Carried.

Council moved into the Closed Session at 6:36 p.m.

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

Mayor Boddy advised that Council returned to the open session at 7:50 p.m.

Mayor Boddy advised that in Closed Session, City Council:

- Reviewed minutes of the Closed Session of the Regular Council meeting held on November 6, 2023;
- Discussed one matter regarding labour relations or employee negotiations and advice that is subject to solicitor-client privilege, including communications necessary for that purpose respecting the Fire Department, and no direction was provided to staff;
- Discussed one matter regarding a position, plan, procedure, criteria, or instruction to be applied to negotiations respecting the Owen Sound Attack, and direction was provided to staff; and



- Discussed one matter regarding personal matters about identifiable individuals respecting board and committee public appointments, and direction was provided to staff.

**21. BY-LAWS**

21.a By-law No. 2023-126

"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 4th day of December, 2023"

21.b By-law No. 2023-127

"A By-law to establish a Municipal Accommodation Tax (MAT) in the City of Owen Sound"

21.c By-law No. 2023-128

"A By-law to Provide for the Licence and Regulation of Businesses in the City of Owen Sound"

21.d By-law No. 2023-129

"A By-law to authorize the Mayor and Clerk to execute an agreement with Product Care Association of Canada respecting municipal lighting materials services"

21.e By-law No. 2023-130

"A By-law to amend Delegation of Powers and Duties By-law No. 2014-109 to update the delegation of powers and duties respecting Business Licensing, Municipal Accommodation Tax and Short-Term Rentals"

21.f By-law No. 2023-115

"A By-law to licence, regulate and govern the operation of short-term rentals (STRs)"

R-231204-013

Moved by Councillor Koepke

Seconded by Councillor Kukreja

**"THAT By-law Numbers 2023-126, 2023-127, 2023-128, 2023-129, 2023-130, and 2023-115 be passed and enacted."**

Carried.

**22. ADJOURNMENT**

The business contained on the agenda having been completed, Mayor Boddy adjourned the meeting at 7:54 p.m.

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Mayor Ian C. Boddy

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Briana M. Bloomfield, City Clerk