



The Corporation of the Township of Perry

MINUTES

REGULAR MEETING

Wednesday, September 5th, 2018

7:00 p.m.

Council Chambers

(1695 Emsdale Road, Emsdale, ON)

Any and all Minutes are to be considered Draft until approved by Council at a Regular Meeting of Council

In Attendance:

Council Members:

Mayor Norm Hofstetter
Councillors: Margaret Ann MacPhail,
Jim Cushman, Jeff Marshall, Les Rowley

Municipal Staff:

Beth Morton, Clerk-Administrator
Melinda Torrance, Deputy Clerk
Kim Seguin, Treasurer
Mike Wilmon, CBCO/By-Law Enforcement

Members of the Public:

See sign in sheet

Declaration of Pecuniary Interest

No pecuniary interest was declared.

Resolution No. 2018-314

Moved by: Jim Cushman

Seconded by: Les Rowley

Be it resolved that the Council of the Township of Perry approves the Minutes of the following Meeting(s) as presented:

- 3.1. Public Meeting of Council on Wednesday, August 15th, 2018 – Zoning By-law Amendment – 1416 Bay Lake Road
- 3.2 Regular Meeting of Council on Wednesday, August 15th, 2018.

Carried

Delegation

Mr. Dominic Maio attended the Council meeting seeking permission to build a garage closer to a watercourse that runs through his property. Mr. Maio addressed a culvert that was moved by the Township resulting in a 6 ft difference and ultimately altering the watercourse further onto his property. Mr. Maio was advised that no matter where the water was flowing, buildings are required to be a 15m setback from a watercourse as per the Township's Zoning By-law.

Mr. Maio is requesting that the municipality move the culvert. Mayor Hofstetter suggested to Council that the Working Roads Supervisor and CBO review the placement of the culvert, advised Mr. Maio that if he wants to put the garage closer to the water course he will require a zoning by-law amendment and that the Township look further into the *Drainage Act* with solicitor advice.

Resolution No. 2018-315

Moved by: Jeff Marshall

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry has received the Minutes and/or Reports from the following Municipal Boards and Committees:

- 5.1 **Perry Township Public Library**
 - 5.1.1 CEO Report – July 2018
- 5.2 **Burk's Falls and Area Community Economic Development Committee (BACED)**
 - 5.2.1 July 2018 Minutes
- 5.3 **Novar Community Centre Committee**
 - 5.3.1 June 2018 Minutes

Carried

Resolution No. 2018-316

Moved by: Les Rowley

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry has received the Monthly Reports, as circulated, from the following Municipal Departments:

- 6.1 **Fire Department**
- 6.2 **Building Department**
- 6.3 **By-law Enforcement**
- 6.4 **Finance Department – Year to Date Budget**
- 6.5 **Transfer Station**
 - 6.5.1 July Tipping Fees
 - 6.5.2 YTD Tipping Fees

Carried

Resolution No. 2018-317

Moved by: Jim Cushman

Seconded by: Jeff Marshall

Be it resolved that By-law No. 2018-55 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry during August 2018 meetings" be given first and second reading.

Carried

Resolution No. 2018-318

Moved by: Jeff Marshall

Seconded by: Les Rowley

Be it resolved that By-law No. 2018-55 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry during August 2018 meetings" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2018-319

Moved by: Margaret Ann MacPhail

Seconded by: Jeff Marshall

Be it resolved that By-law No. 2018-56 "Being a By-law to amend By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands located at Lot 33, Concession 4, Plan M393, REM Lot 4, 42R-14691 Parts 1 and 2" be given first and second reading.

Carried

Resolution No. 2018-320

Moved by: Jim Cushman

Seconded by: Les Rowley

Be it resolved that By-law No. 2018-56 "Being a By-law to amend By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands located at Lot 33, Concession 4, Plan M393, REM Lot 4, 42R-14691 Parts 1 and 2" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2018-321

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2018-57 "Being a By-law to authorize an Agreement between the Corporation of the Township of Perry and Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services on behalf of the Ontario Provincial Police for the provision of 9 1 1 primary PSAP services" be given first and second reading.

Carried

Resolution No. 2018-322

Moved by: Jeff Marshall

Seconded by: Jim Cushman

Be it resolved that By-law No. 2018-57 "Being a By-law to authorize an Agreement between the Corporation of the Township of Perry and Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services on behalf of the Ontario Provincial Police for the provision of 9 1 1 primary PSAP services" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2018-323

Moved by: Jeff Marshall

Seconded by: Les Rowley

Be it resolved that By-law No. 2018-58 "Being a By-law to authorize an Agreement between the Corporation of the Township of Perry and Nipissing-Parry Sound Student Transportation Services" be given first and second reading.

Carried

Resolution No. 2018-324

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2018-58 "Being a By-law to authorize an Agreement between the Corporation of the Township of Perry and Nipissing-Parry Sound Student Transportation Services" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2018-325

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that By-law No. 2018-59 "Being a By-law to authorize the Township of Perry to enter into an Agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Natural Resources and Forestry and the Corporation of the Township of Perry for high resolution aerial imagery of the geographic area of Perry Township" be given first and second reading.

Carried

Resolution No. 2018-326

Moved by: Jeff Marshall

Seconded by: Jim Cushman

Be it resolved that By-law No. 2018-59 "Being a By-law to authorize the Township of Perry to enter into an Agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Natural Resources and Forestry and the Corporation of the Township of Perry for high resolution aerial imagery of the geographic area of Perry Township" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2018-327

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry hereby receive the September 5th, 2018 Health and Safety Administration Report.

Carried

Resolution No. 2018-328

Moved by: Les Rowley

Seconded by: Jeff Marshall

Be it resolved that the Council of the Township of Perry have no objection to Consent Application B-024/18 (Simioni), subject to the following conditions:

1. The Township of Perry requires a "Cash-in-lieu of Parkland" payment of 5% based on the assessed value for the newly created lot from Consent Application B-024/18 as per By-Law No. 2007-33; The value determined would be based on vacant land value.
2. The Township of Perry requires four (4) copies of the new survey for Consent Application B-024/18.
3. A draft reference plan of survey shall be submitted to the Secretary-Treasurer of the District Planning Board and to the Municipality, for review, prior to registration.
 - i. If the reference plan or other evidence discloses that either the severed property or the retained property owned by the Applicant contains a deviation road maintained by the Municipality as a public road, then the Applicant shall survey and transfer such deviation road to the Municipality as a condition of severance. The area to be surveyed and transferred shall generally be sixty-six (66') feet in width and centered upon the centre line of the present travelled road. In situations where this is impractical, the Applicant should discuss how this requirement will be fulfilled with the Municipality before the reference plan is finalized.
 - ii. Prior to the finalization of consent, The District Planning Board must be advised in writing by the Municipality that the above condition has been satisfied";
4. The North Bay-Mattawa Conservation Authority provide comments that the existing septic system on the severed lot is suitable for a conventional sewage disposal system for the proposed new dwelling.
5. The applicant is required to rezone the severed lands from the Rural (RU) Zone to Rural Residential (RR) Zone
6. That the lot frontage be increased to 100 metres and the lot area to over 2.0 hectares for the newly created lot as per the recommendation of Glenn Tunnock.

Carried

Resolution No. 2018-329

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Township of Perry will be sending Beth Morton, Margaret Ann MacPhail to the District of Parry Sound Municipal Association 2018 Fall meeting being held on September 21, 2018.

Carried

Resolution No. 2018-330

Moved by: Jeff Marshall

Seconded by: Les Rowley

That the Council of the Township of Perry hereby deny the request for exclusive use (or lease) of the road allowance leading to water between Lots 8 and 9, Concession 1, Foote Lake to Pamela Tansley and Michael Williamson the owners of 315 Foote Lake Road.

Carried

Resolution No. 2018-331

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

That the Council of the Township of Perry hereby approve the request by Tony and Jane Swierkot to purchase a plaque in recognition of their father and have it placed at the natural Spring located on Rochester Lake Road.

Defeated

Resolution No. 2018-332

Moved by: Margaret Ann MacPhail

Seconded by: Jeff Marshall

Be it resolved that the following members of Council Margaret Ann MacPhail and Norm Hofstetter will be attending the "Many Villages, One Voice – An Evening in Almaguin with Roger Brooks" being held on Thursday, October 11th, 2018.

Carried

Resolution No. 2018-333

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

That the Council of the Township of Perry receive the application submitted by Simon Blakely of Marie Poirier Planning & Associates Inc. on behalf of Edgewater Park Properties Inc. for lands legally described as Part of Lot 26, Concession 10, Township of Perry, designated as Part 1 on Plan 42R-11004 located at 301 Birchdale Road and declare the application to be complete in accordance with the requirements of the Planning Act and hereby request the Clerk to schedule a Public Meeting in accordance with the Planning Act at the next available opportunity.

Carried

Resolution No. 2018-334

Moved by: Jeff Marshall

Seconded by: Les Rowley

That the Council of the Township of Perry receive the application submitted by Chris Kwiatkowski for lands legally described as Part of Lot 25, Concession 1, Township of Perry, designated as Part 2 on Plan 42R-16980 located on Lang's Lane and declare the application to be complete in accordance with the requirements of the Planning Act and hereby request the Clerk to schedule a Public Meeting in accordance with the Planning Act at the next available opportunity.

Carried

Resolution No. 2018-335

Moved by: Les Rowley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry hereby receives Correspondence Items 10.1 to 10.6 as outlined in the Agenda of September 5th, 2018.

Carried

Resolution No. 2018-336

Moved by: Jeff Marshall

Seconded by: Jim Cushman

Be it resolved that in accordance with Section 239 of the *Municipal Act, 2001*, as amended, Council shall proceed into 'Closed Session' at 8:45 p.m. in order to address matters pertaining to 2(b) personal matters about an identifiable individual, including municipal or local board employees; and (2)(d) labour relations or employee negotiations (Senior Administrative Assistant).

Carried

Resolution No. 2018-339

Moved by: Margaret Ann MacPhail

Seconded by: Les Rowley

Be it resolved that the Council of the Township of Perry hereby reconvenes the September 5th, 2018 Regular Meeting of Council at 9:05 p.m.

Carried

Report Out of Closed

Council was provided a report regarding the Senior Administrative Assistant position and were also provided an update on an employee on sick leave.

The meeting adjourned at 9:06 p.m.

Dated this 19th day of September, 2018.

Original Signed by Jim Cushman
Jim Cushman, *Deputy Mayor*

Original Signed by Beth Morton
Beth Morton, *Clerk-Administrator*