



*The Corporation of the Township of Perry*

**MINUTES**

**REGULAR MEETING**

**Wednesday, September 18, 2019**

**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: Jim Cushman, Joe Lumley,  
Margaret Ann MacPhail and Paul Sowrey

**Municipal Staff:**

Beth Morton, Clerk-Administrator;  
Kim Seguin, Treasurer-Tax Collector

**Members of the Public:**

See Sign in sheet

**Declaration of Pecuniary Interest**

None

**Resolution No. 2019-330**

**Moved by: Paul Sowrey**

**Seconded by: Margaret Ann MacPhail**

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

- 3.1. Regular Meeting of Council on Wednesday, September 4, 2019
- 3.2. Public Meeting - Zoning By-law Amendment for lands legally described as Lot 8, Plan 255 (Bailey)
- 3.3. Public Meeting - Zoning By-law Amendment for lands legally described as Lot 11, RCP 314 (Gilroy)

**Carried**

**Resolution No. 2019-331**

**Moved by: Jim Cushman**

**Seconded by: Paul Sowrey**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:03 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Part of Lots 23 and 24, Concession 6, Township of Perry located at 142 Bay Lake Road to allow for an exception to the Shoreline Residential Backlot – Exception Two (SBR-2) Zone within Zoning By-law 2014-21 (Brown).

**Carried**

**Resolution No. 2019-332**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Township of Perry receive the report prepared by Beth Morton, Clerk/Administrator for lands legally described as Part of Lots 23 and 24, Concession 6, Township of Perry located at 142 Bay Lake Road to allow for an exception to the Shoreline Residential Backlot – Exception Two (SBR-2) Zone within Zoning By-law 2014-21 (Brown).

**Carried**

**Resolution No. 2019-333**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:09 p.m. in order to recommence the Regular Council Meeting of September 18, 2019.

**Carried**

**Resolution No. 2019-334**

**Moved by: Joe Lumley**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:10 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regard to a proposed Zoning By-law Amendment for lands legally described as Lot 14, Plan M-58, Township of Perry located at 177 North Bay Lake Road to allow for an exception to Section 3.2.5(v) in order to permit a dock to be 7.31 metres in width (Kane).

**Carried**

**Resolution No. 2019-335**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry receive the report prepared by Beth Morton, Clerk/Administrator for lands legally described as Lot 14, Plan M-58, Township of Perry located at 177 North Bay Lake Road to allow for an exception to Section 3.2.5(v) in order to permit a dock to be 7.31 metres in width (Kane).

**Carried**

**Resolution No. 2019-336**

**Moved by: Paul Sowrey**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:32 p.m. in order to recommence the Regular Council Meeting of September 18, 2019.

**Carried**

**Resolution No. 2019-337**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** By-law No. 2019-52 "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 Part of Lot 15, Concession 10, Township of Perry, designated Lot 11 on RCP 314" be given first and second reading.

Carried

**Resolution No. 2019-338**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jim Cushman**

***Be it resolved that*** By-law No. 2019-52 "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 Part of Lot 15, Concession 10, Township of Perry, designated Lot 11 on RCP 314" be given third and final reading and enacted in open Council.

**Carried**

**Resolution No. 2019-339**

**Moved by: Paul Sowrey**

**Seconded by: Joe Lumley**

***Be it resolved that*** By-law No. 2019-53 "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 legally described as Lot 8, Plan 255, Township of Perry (Bailey)" be given first and second reading.

**Carried**

**Resolution No. 2019-340**

**Moved by: Joe Lumley**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** By-law No. 2019-53 "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 legally described as Lot 8, Plan 255, Township of Perry" be given third and final reading and enacted in open Council.

**Carried**

**Resolution No. 2019-341**

**Moved by: Paul Sowrey**

**Seconded by: Jim Cushman**

***Be it resolved that*** By-law No. 2019-54 "Being a By-law authorizing the Township to enter into a Site Plan Agreement with Robert Eric Rouse and Gladys Darlene Rouse for lands legally described as Lot 3, Plan 42M673 in the Township of Perry" be given first and second reading.

**Carried**

**Resolution No. 2019-342**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jim Cushman**

***Be it resolved that*** By-law No. 2019-54 "Being a By-law authorizing the Township to enter into a Site Plan Agreement with Robert Eric Rouse and Gladys Darlene Rouse for lands legally described as Lot 3, Plan 42M673 in the Township of Perry" be given third and final reading and enacted in open Council.

**Carried**

**Resolution No. 2019-343**

**Moved by: Jim Cushman**

**Seconded by: Joe Lumley**

***Be it resolved that*** By-law No. 2019-55 "Being a By-Law to Authorize the Execution of an Amending Agreement between Stewardship Ontario ("SO") and The Corporation of the Township of Perry" be given be given first and second reading.

**Carried**

**Resolution No. 2019-344**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** By-law No. 2019-55 "Being a By-Law to Authorize the Execution of an Amending Agreement between Stewardship Ontario ("SO") and The Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

**Carried**

**Resolution No. 2019-345**

**Moved by: Joe Lumley**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry hereby receive the September 18, 2019 Health and Safety Report from the Clerk-Administrator.

**Carried**

**Resolution No. 2019-346**

**Moved by: Joe Lumley**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Township of Perry have no objection to Consent Application B-021/19 (Ferrante), subject to the following conditions:

1. The Township of Perry requires four (4) copies of the new survey, together with one digital copy for our digital files.
2. The Township of Perry requires that the Applicant rezone the benefitting lot from the Rural Residential (RR) Zone to the Rural (RU) Zone.
3. The Township requires payment of \$500 as an administration fee for the Consent Application as per the Fees and Charges By-law 2017-72, as amended by By-law 2018-33.

**Carried**

**Resolution No. 2019-347**

**Moved by: Jim Cushman**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Township of Perry have no objection to Consent Application B-023/19 (Waters), 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 of the newly created lot as per By-Law No. 2007-33.
2. The Township of Perry requires four (4) copies of the new survey, together with a digital pdf copy for our records.
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.

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.

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 Township of Perry requires confirmation from the Working Road Supervisor that an entrance permit can be obtained.
5. The Township of Perry requires that the North Bay-Mattawa Conservation Authority provide comments as to the suitability to the severed lot for sewage disposal services.
6. The Township requires payment of \$500 administration fee as per the Fees and Charges By-law 2017-72, as amended by By-law 2018-33.

**Carried**

**Resolution No. 2019-348**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** the Council of the Township of Perry hereby receives the letter of resignation from Christina Middleton.

**Carried**

**Resolution No. 2019-349**

**Moved by: Joe Lumley**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry receives the resolution from the Perry Township Library Board recommending the appointment of Breanna Finch-Bettiol to the Library Board and hereby appoints Breanne Finch-Bettiol to the Perry Township Library Board for the remainder of the 2018-2022 term.

**Carried**

**Resolution No. 2019-350**

**Moved by: Joe Lumley**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** the Council of the Township of Perry have no objection to Plan of Subdivision Application S-01/19 (2152900 Ontario Inc), subject to the conditions of Draft Plan Approval attached hereto as Schedule "A".

**Carried**

**Resolution No. 2019-351**

**Moved by: Jim Cushman**

**Seconded by: Joe Lumley**

***Be it resolved that*** the Council of the Township of Perry authorize the staff to proceed with the funding application for the Community Centre/Library Project under the Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream.

**Carried**

**Resolution No. 2019-352**

**Moved by: Joe Lumley**

**Seconded by: Paul Sowrey**

***Be it resolved that*** the Council of the Township of Perry hereby receives Correspondence Items 8.1 to 8.5 as outlined in the Agenda of September 18, 2019.

**Carried**

The meeting adjourned at approximately 8:41 p.m.

Dated this 2<sup>nd</sup> day of October, 2019.

Original Signed by Norm Hofstetter

Norm Hofstetter, *Mayor*

Original Signed by Beth Morton

Beth Morton, *Clerk-Administrator*

**Township of Perry**

*Date: September 18, 2019 to Resolution No. 2019-350*

**Draft Plan Conditions**

*File Number: S-01/19*

**Conditions of Draft Plan Approval**

1.	That, prior to any site alteration and final approval, the Owner shall enter into a Subdivision Agreement with the Township of Perry in which the Owner agrees to satisfy all conditions, financial and otherwise of the Township.
2.	That the Subdivision Agreement between the Owner and the Township shall be registered by the Township against the land to which it applies once the Plan of Subdivision has been registered.
3.	Approval of the Draft Plan is contingent upon the owner satisfying all conditions of approval, such conditions being inter-related and inter-dependent and upon which the municipality has relied to significant extent in making its decision of approval. Therefore, in the event of any request (including appeal) for alteration to a single condition, the municipality reserves the right to alter or add to these conditions, or withdraw its approval.
4.	All taxes, utilities and charges outstanding against the lands are to be paid prior to the registration of any plan of subdivision.
5.	The Township will require that the Owner provide a payment of cash, in lieu of the required 5% parkland dedication pursuant to Section 51.1 of the Planning Act, R.S.O. 1990, c.P.13, as amended.
6.	That, prior to any site alteration and final approval, the Owner shall prepare a vegetative buffer and shown on a Development Envelope Plan.
7.	The development of the lots shall be subject to Site Plan Control. A Site Plan Agreement must be entered into with the Township prior to a building permit being issued on the lot.  The Site Plan Agreement shall contain the recommendations from the Wall Rural Servicing Study and the Scoped Ecological Site Assessment.  The Site Plan Agreement for Lots 6, 7 and 8 shall address vegetation management within the priority zones to reduce or eliminate the wildland fire risk.
8.	The Owner shall agree, in the Subdivision Agreement, to include appendices of the Scoped Ecological Site Assessment and the Hydrogeologic Assessment Report. The Owner shall also agree to provide such appendices to the purchaser of each individual lot and recommendations within those reports shall be included in a Site Plan Agreement which will be required to be entered into prior to a building permit being issued on the lot.
9.	The Township requires that the lands be rezoned from the Rural (RU) Zone to the Rural Residential (RR) Zone and Environmental Protection (EP) Zone based on the findings from the Scoped Ecological Site Assessment.
10.	The Township requires that the Public Works Manager confirm that an entrance can be properly constructed to municipal standards for culvert installation and storm management for the lots to be created.

**Township of Perry**

**Draft Plan Conditions**

*Date: September 18, 2019 to Resolution No. 2019-350*

*File Number: S-01/19*

11.	The Township requires that the lands shown as Parts 2 and 3 on the draft Plan provided to the Township contains a deviation road maintained by the Township as a public road. The Applicant shall survey and transfer such deviation road to the Township as a condition. 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 Township before the M-Plan is finalized. Prior to the finalization, The Planning Board must be advised in writing by the Township that the above condition has been satisfied.”
12.	That a copy of the proposed final M-Plan is to be forwarded to the Township and the Approval Authority for review and approval.