



The Corporation of the Township of Perry

MINUTES

REGULAR MEETING

Wednesday, August 4th, 2021

7:00 p.m.

**Council Chambers and Electronic Attendance
(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 Chambers:

Mayor Norm Hofstetter
Beth Morton, Clerk-Administrator

Electronic Attendance:

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

Staff: Kim Seguin, Treasurer-Tax Collector
Mike Wilmon, Chief Building Official, Dan
Marshall, Fire Chief

Members of the Public:

Ken Core, George Turner, Jaime Brown,
Hailey Bender, Bill Reynolds, John Kirby,
Catherine Dallas Boudreau

Declaration of Pecuniary Interest

None

Resolution No. 2021-283

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry approves the Minutes of the following Meetings as presented:

3.1 Regular Meeting of Council on Wednesday, July 7th, 2021

Carried

Resolution No. 2021-284

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:06 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 Lot 30, Concession 2, Township of Perry located on Savage Settlement Road (Corbeil)

Carried

Resolution No. 2021-285

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry receives the Planning Report prepared by Beth Morton, Clerk-Administrator for proposed Zoning By-law Amendment for lands legally described as Part of Lot 30, Concession 2, Township of Perry, located on Savage Settlement Road (Corbeil)

Carried

Resolution No. 2021-286

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry does hereby now adjourn from this Public Meeting at 7:14 p.m. in order to recommence the Regular Meeting of Council of August 4th, 2021.

Carried

Resolution No. 2021-287

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry does hereby now adjourn from this Regular Meeting at 7:15 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 Lot 25, Concession 6, Township of Perry, designated as Part 2 on Plan 42R-12257 (Core)

Carried

Resolution No. 2021-288

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry receives the Planning Report prepared by Beth Morton, Clerk-Administrator for proposed Zoning By-law Amendment for lands legally described as Part of Lot 25, Concession 6, Township of Perry, designated as Part 2 on Plan 42R-12257 (Core)

Carried

Resolution No. 2021-289

Moved by: Jim Cushman

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry does hereby now adjourn from this Public Meeting at 7:54 p.m. in order to recommence the Regular Meeting of Council of August 4th, 2021.

Carried

Resolution No. 2021-290

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry have no objection to Consent Application B-024/21 (Edelkoort), 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.

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 of Perry requires that the lot to be created be rezoned to the Rural Residential (RR) Zone.

7. The Township requires payment of \$500 administration fee as per the Fees and Charges By-law.

Carried

Resolution No. 2021-291

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Whereas it has been determined that a deeming by-law is required for 1173 So Ho Mish Road (Roll No. 4914 000 003 42400 – Mirrlees and Bellehumeur) as part of the purchase of the Township-owned Shore Road Allowance abutting 1173 So Ho Mish Road;

Be it resolved that the Council of the Corporation of the Township of Perry hereby waives the application fee for a Deeming By-law of \$500 and deposit of \$1,000 with Jeffrey Mirrlees and Colleen Bellehumeur (owners of 1173 So Ho Mish Road) being solely responsible for all legal costs and any other costs associated with the deeming process;

And further that Jeffrey Mirrlees and Colleen Bellehumeur enter into a second Cost Acknowledgement Agreement to recognize that all legal costs and other costs associated with the deeming process are their responsibility.

Carried

Resolution No. 2021-292

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

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

5.1 Perry Township Recreation and Culture Committee

- 5.1.1. Minutes – January 2021
- 5.1.2. Minutes – March 2021
- 5.1.3. Minutes – May 2021
- 5.1.4. Minutes – June 2021
- 5.1.5. Draft Minutes – July 2021

Carried

Resolution No. 2021-293

Moved by: Joe Lumley

Seconded by: Jim Cushman

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

6.1. Fire Department

- 6.1.1. Fire Training & Chiefs Meeting Report
- 6.1.2. 2022 Budget Request: Burn Unit
- 6.1.3. Request to Amend By-law 2019-65 (Establish and Regulate Fire Department) to Include Firefighters Entering Motor Vehicles to Rescue and Remove Animals in Distress

6.2. By-law Enforcement

6.3. Transfer Station

6.4. Public Works

6.5. Building Department

6.6. Finance Department

Carried

Resolution No. 2021-294

Moved by: Margaret Ann MacPhail

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry support in principle to place \$70,000 in the 2022 Budget for the burn unit, on the condition that all 5 municipal Councils agree to each invest \$70,000 into the burn unit and include the cost in their 2022 budgets.

Carried

Resolution No. 2021-295

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry direct the Clerk/Administrator to prepare an amendment to Schedule 'B' of By-law 2019-65 being the By-law to Establish and Regulate a Fire Department in order to include firefighters entering motor vehicles to rescue and remove animals in distress as an approved service provided by the Fire Department and to bring it forward at a future Meeting of Council.

Carried

Resolution No. 2021-296

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that By-law No. 2021-65 "Being a By-law to confirm the proceedings of Council at their July 2021 meeting" be given first and second reading.

Carried

Resolution No. 2021-297

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2021-65 "Being a By-law to confirm the proceedings of Council at their July 2021 meeting" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2021-298

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry hereby declares the lands described as part of the Original Shore Road Allowance lying in front of Lot 2, Concession 14, designated as Part 3, Plan 42R-21621; Township of Perry; District of Parry Sound to be surplus and that it be sold by direct sale to Jeffrey Robert Mirrlees and Colleen Michele Bellehumeur, for the sum of \$4,084.90 plus HST and any and all Township administrative and legal costs.

Carried

Resolution No. 2021-299

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2021-66 "Being a By-law to close and sell part of the original shore road allowance lying in front of Lot 2, Concession 14, Township of Perry (Mirrlees/Bellehumeur)" be given first and second reading.

Carried

Resolution No. 2021-300

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2021-66 "Being a By-law to close and sell part of the original shore road allowance lying in front of Lot 2, Concession 14, Township

of Perry (Mirrlees/Bellehumeur)" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2021-301

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that By-law No. 2021-67 "Being a By-law to authorize the execution of an Agreement between Automotive Materials Stewardship Inc. and The Corporation of the Township of Perry" be given first and second reading.

Carried

Resolution No. 2021-302

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2021-67 "Being a By-law to authorize the execution of an Agreement between Automotive Materials Stewardship Inc. and The Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2021-303

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that By-law No. 2021-68 "Being a By-law authorizing the execution of RFP 2021-014 for the Services for the Development of an Asset Management Plan between SLBC Inc. and The Corporation of the Township of Perry" be given first and second reading.

Carried

Resolution No. 2021-304

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that By-law No. 2021-68 "Being a By-law authorizing the execution of RFP 2021-014 for the Services for the Development of an Asset Management Plan between SLBC Inc. and The Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2021-305

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2021-69 "Being a By-law authorizing the execution of RFP 2021-015 for the Provision of Asset Management Software between Marmak Information Technologies and The Corporation of the Township of Perry" be given first and second reading.

Carried

Resolution No. 2021-306

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2021-69 "Being a By-law authorizing the execution of RFP 2021-015 for the Provision of Asset Management Software between Marmak

Information Technologies and The Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2021-307

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2021-70 "Being a By-law authorizing the execution of a Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP) COVID-19 Resilience Infrastructure Stream - Local Government Intake between Her Majesty the Queen in right of Ontario, as represented by the Minister of Infrastructure and The Corporation of the Township of Perry" be given first and second reading.

Carried

Resolution No. 2021-308

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2021-70 "Being a By-law authorizing the execution of a Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP) COVID-19 Resilience Infrastructure Stream - Local Government Intake between Her Majesty the Queen in right of Ontario, as represented by the Minister of Infrastructure and The Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2021-309

Moved by: Jim Cushman

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry hereby defers Item 7.7 on the August 4th 2021 agenda, being the request for a Licence of Occupation Agreement for the Township-owned road allowance between 419 and 423 North Bay Lake Road (access to Bucktooth Island)(Ruhl-Elliott) to a future Council meeting;

And further that Council directs Township staff to determine how best to proceed with the request as both Bucktooth Island and Buckskin Island utilize this road allowance to access their respective Island property.

Carried

Resolution No. 2021-310

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry hereby receive the August 4th, 2021 Health and Safety Report from the Clerk-Administrator.

Carried

Resolution No. 2021-311

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry hereby authorize staff to contract Mark Lane Construction to carry out the work to install the supplied steel and insulation on the Transfer Station Recycling Building ceiling.

Carried

Resolution No. 2021-312

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry authorize the renewal of the Township of Perry Sun Life Financial Benefit Plan under contract number 175763 effective September 1, 2021.

Carried

Resolution No. 2021-313

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry hereby pre-qualify the following Proponents for the Community Centre – Library RFP process:

WS Morgan Construction LTD
Fortis Construction Group
Greystone Construction
DaviCor Construction Inc.
Buttcon Limited
Venasse Building Group
Prime Design Build
Ball Construction

Carried

Resolution No. 2021-314

Moved by: Margaret Ann MacPhail

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry accept the report on Gas Tax Top Up Funding and authorize the funds to be set aside in a separate interest-bearing account.

Carried

Resolution No. 2021-315

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry are committed to moving the Emsdale Community Centre/Library Project forward with the RFP process to begin in August 2021.

Carried

Resolution No. 2021-316

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Corporation of the Township of Perry support the application to FedNor under the Canada Community Recovery Fund in the amount of \$750,000.

Carried

Resolution No. 2021-317

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry support the application to NOHFC under the Community Enhancement Program – Enhance Your Community Stream in the amount of \$2,000,000.

Carried

Resolution No. 2021-318

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry agrees to commit \$500,000 to the project which includes the \$30,000 committed by the Perry Public Library Board; and Whereas the Township of Perry has secured debt financing for the project through Infrastructure Ontario and any costs over runs will be covered by the Township through reserve funds and/or debt financing.

Carried

Resolution No. 2021-319

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Whereas the Council of the Corporation of the Township of Perry receives the draft by-law to Regulate the Sale and Use of Fireworks in the Township of Perry (revisions to By-law 2013-35) for review and comment, on August 4, 2021;

Be it resolved that the Council of the Corporation of the Township of Perry directs staff to bring the draft by-law to Regulate the Sale and Use of Fireworks in the Township of Perry, as amended where applicable, for further consideration and approval at a future meeting of Council.

Carried

Resolution No. 2021-320

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Whereas it has been determined that a deeming by-law is required for 1464 Bay Lake Road (Roll No. 4914 000 001 69100 – Richard and Gloria Wunderlich) as part of the purchase of Township-owned Road Allowance abutting 1464 Bay Lake Road;

Be it resolved that the Council of the Corporation of the Township of Perry hereby waives the application fee for a Deeming By-law of \$500 and deposit of \$1,000 with Richard and Gloria Wunderlich (owners of 1464 Bay Lake Road) being solely responsible for all legal costs and any other costs associated with the deeming process;

And further that Richard and Gloria Wunderlich enter into a second Cost Acknowledgement Agreement to recognize that all legal costs and other costs associated with the deeming process are their responsibility.

Carried

Resolution No. 2021-321

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Whereas the Council of the Corporation of the Township of Perry hereby receives the report prepared by Beth Morton, Clerk-Administrator, titled "Update on the Emsdale Community Centre/Library Project" dated August 4, 2021;

Be it resolved that the Council of the Corporation of the Township of Perry hereby supports that the Emsdale Community Centre be demolished, and the Outdoor Rink and Washrooms, Museum and Ball Field be closed at the onset of construction;

And further that the hydro and water services be routed to service the Library only;

And further that the entrance for the public be Joseph Street for the Library and Playground;

And further that the Hwy 592 access be closed to the public and be for construction use only;

And further that a pump test be completed on the existing well to confirm it meets the capacity for the new building;

And further that Township Staff prepare the ball field at Novar Park in 2021 to prepare for the 2022 season.

Carried

Resolution No. 2021-322

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Whereas the water levels of Doe Lake fluctuate more than other lakes in the area and is a growing concern to businesses and property owners on Doe Lake;

And Whereas Doe Lake lies in the jurisdiction of four different municipalities making it difficult for a Lake Association to be established;

Be it resolved that the Council of the Corporation of the Township of Perry hereby supports the creation of a municipal coalition between the Township of Perry, the Township of Ryerson, the Township of McMurrich/Monteith, and the Township of Armour, to study the uniqueness of Doe Lake and bring forward to the Ministry of Natural Resources and Forestry a proposal on how to manage the dams feeding Doe Lake;

And further that Council directs the Clerk-Administrator to coordinate with the Township of Armour in the creation of this Municipal Coalition.

Carried

Resolution No. 2021-323

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry support in principle entering into an Agreement with Lakeland Energy Ltd. for the installation of a telecommunication cabinet at the Perry Township Fire Department in exchange for a credit of \$200 a month for services, on the condition that there is a suitable location and hydro utilities at the Perry Township Fire Department.

Carried

Resolution No. 2021-324

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry hereby receives Correspondence Items 10.1 to 10.15 as outlined in the Agenda of August 4th, 2021.

Carried

Resolution No. 2021-325

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that in accordance with Section 239 of the *Municipal Act, 2001, as amended*, Council shall proceed into 'Closed Session' at 8:58 p.m. in order to address matters relating to Section 239 (2)(b) personal matters about an identifiable individual, including municipal or local board employees (Library matter)

Carried

Resolution No. 2021-326

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry adjourns this 'Closed Session' Meeting of Wednesday, August 4th, 2021 at 9:18 p.m.

Carried

Resolution No. 2021-327

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry reconvenes to its Regular Meeting of Wednesday, August 4th, 2021 at 9:19 p.m.

Carried

The Meeting adjourned at approximately 9:20 p.m.

Dated this 1st day of September, 2021.

Norm Hofstetter, Mayor

Beth Morton, Clerk-Administrator