



The Corporation of the Township of Perry

MINUTES

REGULAR MEETING

Wednesday, January 19th, 2022

7:00 p.m.

**Municipal Office 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:

Municipal Office:

Mayor Norm Hofstetter
Beth Morton, Clerk-Administrator
Kim Seguin, Treasurer-Tax Collector

Electronic Attendance:

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

Staff: Mike Wilmon, Chief Building Official

Members of the Public:

Ron Edelkoort

Declaration of Pecuniary Interest

None

Resolution No. 2022-01

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

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

- 3.1. Regular Meeting of Council on Wednesday, December 15th, 2021
- 3.2 Special Meeting of Council on Monday, December 20th, 2021

Carried

Resolution No. 2022-02

Moved by: Joe Lumley

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 Lot 26, Concession 9 (Edelkoort)

Carried

Resolution No. 2022-03

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

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 Lot 26, Concession 9, located at 419 Hall's Road (Edelkoort)

Carried

Resolution No. 2022-04

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry does hereby now adjourn from this Public Meeting at 7:11 p.m. in order to recommence the Regular Meeting of Council of January 19th, 2022

Carried

Resolution No. 2022-05

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-01 "Being a By-law to provide for an interim tax levy" be given first and second reading.

Carried

Resolution No. 2022-06

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-01 "Being a By-law to provide for an interim tax levy" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-07

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that By-law No. 2022-02 "Being a By-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2022" be given first and second reading.

Carried

Resolution No. 2022-08

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-02 "Being a By-law to authorize borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2022" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-09

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-03 "Being a By-law to set reductions for prescribed subclasses for municipal purposes for the Year 2022" be given first and second reading.

Carried

Resolution No. 2022-10

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-03 "Being a By-law to set reductions for prescribed subclasses for municipal purposes for the Year 2022" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-11

Moved by: Margaret Ann MacPhail

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-04 "Being a By-law to set the rate of interest and penalty on outstanding, current and arrears taxes for February 2022 to December 2022" be given first and second reading.

Carried

Resolution No. 2022-12

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2022-04 "Being a By-law to set the rate of interest and penalty on outstanding, current and arrears taxes for February 2022 to December 2022" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-13

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-05 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry (December 2021 Meetings)" be given first and second reading.

Carried

Resolution No. 2022-14

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that By-law No. 2022-05 "Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Perry (December 2021 Meetings)" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-15

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-06 "Being a By-law to establish a "Workplace Smoking Policy" be given first and second reading.

Carried

Resolution No. 2022-16

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-06 "Being a By-law to establish a "Workplace Smoking Policy" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-17

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-07 "Being a By-law to authorize the Execution of a Conditional Contribution Agreement between Northern Ontario Heritage Fund Corporation (NOHFC) and The Corporation of the Township of Perry" being given a first and second reading.

Carried

Resolution No. 2022-18

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2022-07 "Being a By-law to authorize the Execution of a Conditional Contribution Agreement between Northern Ontario Heritage Fund Corporation (NOHFC) and The Corporation of the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-19

Moved by: Jim Cushman

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-08 "Being a By-law to establish certain lands as a public highway" be given first and second reading.

Carried

Resolution No. 2022-20

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-08 "Being a By-law to establish certain lands as a public highway" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-21

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-09 "Being a By-law under the provisions of Section 34 of the *Planning Act*, 1990, to amend Zoning By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands within the Rural (RU) Zone, Rural Residential (RR) Zone, Residential Type One (R1) Zone, Residential Type Two (R2) Zone, and Residential Type Three (R3) Zone" be given first and second reading.

Carried

Resolution No. 2022-22

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Be it resolved that By-law No. 2022-09 "Being a By-law under the provisions of Section 34 of the *Planning Act*, 1990, to amend Zoning By-law No. 2014-21, as amended, the Zoning By-law for the Township of Perry with respect to lands within the Rural (RU) Zone, Rural Residential (RR) Zone, Residential Type One (R1) Zone, Residential Type Two (R2) Zone, and Residential Type Three (R3) Zone" be given

third and final reading and enacted in open Council.

Carried

Resolution No. 2022-23

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law No. 2022-10 "Being a By-law to authorize the acquisition of part of Pine Grove Road located within Part of Lots 31 and 32, Concession 9, in the Township of Perry, designated as Parts 2 to 6 on Plan 42R-21785" be given first and second reading.

Carried

Resolution No. 2022-24

Moved by: Joe Lumley

Seconded by: Paul Sowrey

Be it resolved that By-law No. 2022-10 "Being a By-law to authorize the acquisition of part of Pine Grove Road located within Part of Lots 31 and 32, Concession 9, in the Township of Perry, designated as Parts 2 to 6 on Plan 42R-21785" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-25

Moved by: Paul Sowrey

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law No. 2022-11 "Being a By-law to authorize the Corporation of the Township of Perry to enter into a Site Plan Agreement with Ryan Matthew Blackburn and Brittney Dawn Blackburn on lands legally described as Part of Lots 31 and 32, Concession 9, in the Township of Perry, designated as Part 1 on Plan 42R-21785" be given first and second reading.

Carried

Resolution No. 2022-26

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that By-law No. 2022-11 "Being a By-law to authorize the Corporation of the Township of Perry to enter into a Site Plan Agreement with Ryan Matthew Blackburn and Brittney Dawn Blackburn on lands legally described as Part of Lots 31 and 32, Concession 9, in the Township of Perry, designated as Part 1 on Plan 42R-21785" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-27

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry hereby receive the January 19th, 2022, Health and Safety report from the Clerk-Administrator.

Carried

Resolution No. 2022-28

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry hereby implement mandatory face coverings at all municipal buildings and facilities and that those not wearing face coverings be denied access/use of the facility/service.

Carried

Council discussed the proposed *FoodCycler Municipal Solutions: Residential In-Home Food Waste Diversion Pilot Project* and directed staff that the Township does not move forward with the Pilot Project.

Resolution No. 2022-29

Moved by: Paul Sowrey

Seconded by: Joe Lumley

Be it resolved that Council provide direction to staff on the request for participating in the "*FoodCycler Municipal Solutions: Residential In-Home Food Waste Diversion Pilot Project*".

Defeated

Resolution No. 2022-30

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Corporation of the Township of Perry have no objection to Consent Applications B-058/21 (Stetler), 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 confirmation from the Working Roads Supervisor that an entrance permit(s) can be obtained on the lot to be created.
3. 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.
4. The Township of Perry requires payment of \$500 administration fee as per the Fees and Charges By-law.

Carried

Resolution No. 2022-31

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that the Council of the Township of Perry have no objection to Consent Application B-060/21 (Sommer), 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 Roads 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 be created be rezoned to the Rural Residential (RR) Zone, with an exception to recognize a reduced lot frontage of 59 metres.
7. The Township requires payment of \$500 administration fee as per the Fees and Charges By-law.

Carried

Resolution No. 2022-32

Moved by: Jim Cushman

Seconded by: Paul Sowrey

Whereas municipal governments provide essential services to the residents and businesses in their communities; and

Whereas the ability to provide those services is negatively impacted by exponentially rising insurance costs; and

Whereas one driver of rising insurance costs is the legal principle of 'joint and

several liability’, which assigns disproportionate liability to municipalities for an incident relative to their responsibility for it; and

Whereas the Government of Ontario has the authority and responsibility for the legal framework of ‘joint and several liability’; and

Whereas the Premier of Ontario committed to review the issue in 2018 with a view to helping municipal governments manage their risks and costs; and

Whereas the Association of Municipalities of Ontario (AMO) on behalf of municipal governments has provided recommendation in this source document to align municipal liability with the proportionate responsibility for incidents and capping awards;

Be it resolved that the Corporation of the Township of Perry does hereby support AMO’s recommendations; and

Further be it resolved that the Corporation of the Township of Perry does hereby call on the Attorney General of Ontario to work with municipal governments to put forward a plan of action to address ‘joint and several liability’ before the end of the government’s current term so that municipalities can continue to offer high quality services to their communities.

Carried

Resolution No. 2022-33

Moved by: Joe Lumley

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry hereby receives Correspondence Items 8.1 to 8.9 as outlined in the Agenda of January 19th, 2022.

Carried

The Meeting adjourned at approximately 8:29 p.m.

Dated this 2nd day of February, 2022.

“Originally Signed”

Norm Hofstetter, Mayor

“Originally Signed”

Beth Morton, Clerk-Administrator