



The Corporation of the Township of Perry

MINUTES

REGULAR MEETING

Wednesday, April 20th, 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:

Acting Mayor Paul Sowrey
Beth Morton, Clerk-Administrator
Kim Seguin, Treasurer-Tax Collector
Erica Cole, Deputy Clerk

Electronic Attendance:

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

Staff: Mike Wilmon, Chief Building Official

Absent:

Mayor Norm Hofstetter

Members of the Public:

Nicole Benn, John Jackson, Andrew Meier,
Herb Schellhorn, Debbie McAlpine, Randy Smart

Declaration of Pecuniary Interest

Acting Mayor Sowrey declared pecuniary interest on Agenda Item 3 and Item 5.1, due to being the property owner and applicant for the proposed Zoning By-law Amendment for lands legally described as Part of Lot 18, Concession 13, Township of Perry.

Resolution No. 2022-140

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that the Council of the Township of Perry hereby appoints Joe Lumley as Acting Mayor to address the following items on the April 20th, 2022, Agenda:

- Item 3 – Adoption of Minutes
- Item 5.1 By-law 2022-36 – Zoning By-law Amendment (Sowrey)

Carried

As previously declared, Acting Mayor Sowrey did not participate or vote on Item 3 below.

Acting Mayor Lumley acted as chair of the meeting and brought forward the motion for consideration.

Resolution No. 2022-141

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

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, April 6th, 2022;
- 3.2 Public Meeting Minutes on Wednesday, April 6th, 2022 – Zoning By-law Amendment for Part of Lot 18, Concession 13, Township of Perry (Sowrey)
- 3.3 Public Meeting Minutes on Wednesday, April 6th, 2022 – Zoning By-law Amendment for Part of Lot 19, Plan 169, and Part of Lot 24, Concession 6 (King)

Carried

Acting Mayor Sowrey resumed chairing the meeting.

Resolution No. 2022-142

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry does now adjourn from this Regular Meeting at 7:07 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regards to a proposed Zoning By-law Amendment for lands legally described as Part of Lot 22, Concession 7, Township of Perry, designated as Parts 6, 7, and 8 on Plan 42R-18201, located at 554 Homeland Drive (Smart)

Carried

Resolution No. 2022-143

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry receives the report prepared by Beth Morton, Clerk-Administrator, for lands legally described as Part of Lot 22, Concession 7, Township of Perry, designated as Parts 6, 7, and 8 on Plan 42R-18201, located at 554 Homeland Drive (Smart)

Carried

Resolution No. 2022-144

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry does hereby now adjourn from this Public Meeting at 7:18 p.m. in order to recommence the Regular Meeting of Council of April 20th, 2022.

Carried

Resolution No. 2022- 145

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry does now adjourn from this Regular Meeting at 7:19 p.m. to commence a 'Public Meeting' for the purpose of hearing comments from members of the public with regards to a proposed Zoning By-law Amendment for lands legally described as Part of Lot 24, Concession 14, Township of Perry, located on Deer Lake Road (Meier)

Carried

Resolution No. 2022-146

Moved by: Jim Cushman

Seconded by: Joe Lumley

Be it resolved that the Council of the Corporation of the Township of Perry receives the report prepared by Beth Morton, Clerk-Administrator, for lands legally described as Part of Lot 24, Concession 14, Township of Perry, located on Deer Lake Road (Meier)

Carried

Resolution No. 2022-147

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 Public Meeting at 7:40 p.m. in order to recommence the Regular Meeting of Council of April 20th, 2022.

Carried

As previously declared, Acting Mayor Sowrey did not participate or vote on Item 4.1 below.

Acting Mayor Lumley acted as chair of the meeting and brought forward the motions for consideration.

Resolution No. 2022-148

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law 2022-36 "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 Part of Lot 18, Concession 13, in the Township of Perry" be given first and second reading.

Carried

Resolution No. 2022-149

Moved by: Margaret Ann MacPhail

Seconded by: Jim Cushman

Be it resolved that By-law 2022-36 "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 Part of Lot 18, Concession 13, in the Township of Perry" be

given third and final reading and enacted in open Council.

Carried

Acting Mayor Sowrey resumed chairing the meeting.

Resolution No. 2022-150

Moved by: Jim Cushman

Seconded by: Margaret Ann MacPhail

Be it resolved that By-law 2022-37 "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 Part of Lot 19, Plan 169, and Part of Lot 24, Concession 6, in the Township of Perry" be given first and second reading.

Carried

Resolution No. 2022-151

Moved by: Margaret Ann MacPhail

Seconded by: Joe Lumley

Be it resolved that By-law 2022-37 "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 Part of Lot 19, Plan 169, and Part of Lot 24, Concession 6, in the Township of Perry" be given third and final reading and enacted in open Council.

Carried

Resolution No. 2022-152

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry hereby receive the Health and Safety Report prepared by the Clerk-Administrator dated April 20th, 2022, and hereby provides direction to staff on the COVID-19 Vaccination Policy.

Carried

Resolution No. 2022-153

Moved by: Jim Cushman

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-005/22 (Benn/Smith) and B-006/22 (Smith), subject to the following conditions:

1. The Township of Perry requires four (4) copies of the new survey, together with a digital pdf copy for our records.
2. 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.

3. The Township of Perry requires that the proposed retained lots be rezoned to the Rural Residential (RR) Zone; and the benefitting lands be rezoned to the Rural (RU) Zone.
4. The Township of Perry requires confirmation from the MTO with respect to the entrances on Highway 518 W.
5. The Township requires payment of \$500 administration fee for each application as per the Fees and Charges By-law.

Carried

Resolution No. 2022-154

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 Application B-011/22 (Ballantine), 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 that the proposed severed lot be rezoned to the Rural Residential (RR) Zone.
5. The Township of Perry requires confirmation from the Working Road Supervisor that an entrance permit can be obtained.
6. 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.
7. The Township requires payment of \$500 administration fee as per the Fees and Charges By-law.

Carried

Item 7.3 Annual Repayment Limit {Information Only}

Item 7.4 NECO – Community Futures Development {Information Only}

Resolution No. 2022-155

Moved by: Joe Lumley

Seconded by: Jim Cushman

Be it resolved that the Council of the Corporation of the Township of Perry hereby receives Correspondence Items 8.1 to 8.6 as outlined in the Agenda of April 20th, 2022.

Carried

The Meeting adjourned at approximately 8:06 p.m.

Dated this 4th day of May, 2022.

Paul Sowrey, Acting Mayor

Beth Morton, Clerk-Administrator