



# The Corporation of the Township of Perry

## **MINUTES** **REGULAR MEETING** **Wednesday, April 1<sup>st</sup>, 2015** **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: Les Rowley, Jim Cushman, Margaret Ann MacPhail,  
Jeff Marshall

**Municipal Staff:** Beth Morton, Clerk-Administrator

**Members of the Public:** Sign-In Sheet on File

Mayor Norm Hofstetter called the meeting to order at 7:00 p.m.

### **Resolution No. 2015-140**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

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

- 3.1 Regular Meeting of Council on Wednesday, March 18<sup>th</sup>, 2015

**Carried.**

### **Resolution No. 2015-141**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

***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 **Township of Perry Public Library Board**
  - 5.1.1 Minutes – February 11, 2015
  - 5.1.2 CEO Report – February 2015
- 5.2 **Novar Community Centre Committee**
  - 5.2.1 Minutes – March 9, 2015
- 5.3 **Southeast Parry Sound District Planning Board**
  - 5.3.1 Minutes – November 10, 2014
  - 5.3.2 Hearing Minutes – November 10, 2014
  - 5.3.3 Minutes – January 12, 2015
- 5.4 **Joint Waste Management Committee**
  - 5.4.1 Minutes – January 28, 2015

**Carried.**

**Resolution No. 2015-142**

**Moved by: Les Rowley**

**Seconded by: Jeff Marshall**

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

**6.1 Canine Control** – March 2015

**6.2 Building Department** – March 2015

**Carried.**

**Resolution No. 2015-143**

**Moved by: Les Rowley**

**Seconded by: Jim Cushman**

***Be it resolved that*** the Council of the Township of Perry has received the March 2015 Health and Safety Update from Administration.

**Carried.**

**Resolution No. 2015-144**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved that*** By-law No. 2015 – 11, “Being a By-law to Adopt the Comprehensive Occupational Health and Safety Program” be given first and second reading.

**Carried.**

**Resolution No. 2015-145**

**Moved by: Jim Cushman**

**Seconded by: Les Rowley**

***Be it resolved that*** By-law No. 2015 – 11, “Being a By-law to Adopt the Comprehensive Occupational Health and Safety Program” be given third and final reading and enacted in open Council.

**Carried.**

**Resolution No. 2015-146**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jeff Marshall**

***Whereas*** the Council of the Township of Perry has received the DRAFT Building By-law for the Township of Perry; and

***Whereas*** a Public Meeting was held on April 1<sup>st</sup> to receive comments on the proposed by-law;

***Now therefore be it resolved*** that Council hereby directs administration to bring forth the Building By-law for consideration at the next Regular Meeting of Council

**Carried.**

**Resolution No. 2015-147**

**Moved by: Les Rowley**

**Seconded by: Jim Cushman**

*Whereas* the Cowden's entered into an Agreement with the Township of Perry to exchange a portion of Bay Lake Road with the Shore Road Allowance in front of their property; and

*Whereas* an outlet is located on a portion of the Shore Road Allowance to be transferred to Cowden's, which was being maintained by the Bay Lake Property Owners Association (BLPOA); and

*Whereas* during negotiations with the Cowden's, and in conjunction with the BLPOA, it was established that it would be in the Township's best interest to retain the portion of the Shore Road Allowance that occupied the outlet; and

*Whereas* the Township is required to obtain an easement from the Cowden's property to provide the Township land access to the outlet; and

*Whereas* the Township has been provided with estimated costs of \$3,440 plus HST for survey costs and \$7,500 plus HST for legal costs associated with finalizing the easement on the Cowden's lands; and

*Whereas* the Cowden's will complete the necessary construction of a path and parking area within the easement area for the benefit of the Township;

*Now therefore be it resolved that* the Council of the Township of Perry hereby accepts the estimated legal and survey costs associated with the easement and hereby directs the Treasurer to include these costs in the 2015 Budget.

**Carried.**

**Resolution No. 2015-148**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

*Whereas* at the Public Meeting for lands located at 172 Churchill Gardens Road, the public was advised that the Zoning By-law Amendment would be considered by Council at their Regular Meeting of Council on April 1<sup>st</sup>, 2015; and

*Whereas* Lanny Dennis, Planner for the applicants, has made a request to defer the matter until the Regular Meeting of Council on April 15<sup>th</sup>, 2015;

*Now therefore be it resolved that* the Council of the Township of Perry hereby defers consideration of the Zoning By-law Amendment Application until a later date, to be determined by Council.

**Carried.**

**Resolution No. 2015-149**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Jeff Marshall**

*Be it resolved that* the Council of the Township of Perry hereby receives the Planner's Report submitted by Jim Dymont of MHBC Planning for the proposed Zoning By-law Amendment to facilitate the construction of a deck at 49A Silver Birch Lane.

**Carried.**

**Resolution No. 2015-150**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

***Be it resolved*** that the Council of the Township of Perry has no objection to Consent Application B-004/15 (Hall), subject to the following conditions:

- 1) The Township of Perry requests a copy of the SEPSDPB decision;
- 2) The Township of Perry requires a “Cash-in-lieu of Parkland” payment of 5% based on the assessed value of each of the newly created lots as per By-Law No. 2007-33;
- 3) The Township of Perry requires four (4) copies of the new survey;
- 4) 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.”;
- 5) The Township of Perry requires confirmation from the Manager of Public Works and Facilities that an entrance permit(s) could be obtained for the new lot created on Old Muskoka Road and that the stream crossing can be accommodated with the culvert design;
- 6) That the Township receive confirmation from a licensed sewage hauler that there is adequate capacity for hauled sewage from the subject lands;
- 7) The Township of Perry requires that the lots be rezoned to the Residential Type Two (R2) Zone, with the severed lot requiring an exception to allow for a reduced lot area of 0.31 hectares;
- 8) The Township of Perry receive confirmation from a licensed well driller that it is possible to locate a water well on the severed lands that is properly distanced from any sewage disposal system and that, based on an analysis of nearby well records, it is likely that an adequate supply of water would be available if a water well was installed on the severed lands;
- 9) The Township requires that the North Bay-Mattawa Conservation Authority provide comments as to the suitability to the severed lot for sewage disposal services; and
- 10) The Township requires that the applicant enter into a Site Plan Agreement which will specify items such as building envelopes, location of water wells and septic systems, among other matters.

***And further that*** the Township has reviewed the recommendations from CN and hereby recommends that they not be included as conditions.

**Carried.**

**Resolution No. 2015-151**

**Moved by: Les Rowley**

**Seconded by: Jeff Marshall**

*Be it resolved that* the Council of the Township of Perry receive the application submitted by Larry Ross on behalf of Keith and Donna Collins for a Zoning By-law Amendment, a condition for Consent Application B-015/14 for lands legally described as Part of Lots 29 and 30, Concessions 7 & 8, Township of Perry, 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. 2015-152**

**Moved by: Margaret Ann MacPhail**

**Seconded by: Les Rowley**

*Whereas*, as per the Muskoka Algonquin Healthcare By-law, elected representatives of any municipal, regional, county, or township government located in the catchment area of Muskoka Algonquin Healthcare are not eligible on the Board of Directors or as a Community Representative on a Standing Committee:

*Now therefore be it resolved* that Council request that MAHC review and amend said by-law to allow for elected officials to represent taxpayers;

*And that* this resolution be forwarded to Muskoka-Parry Sound Municipalities, the Premier, Minister of Health, and MPP Norm Miller.

**Carried.**

**Resolution No. 2015-153**

**Moved by: Jeff Marshall**

**Seconded by: Margaret Ann MacPhail**

*Be it resolved that* the Council of the Township of Perry hereby supports the resolution brought forward by the Township of Gillies relating to the Chicken Farmers of Ontario Exempt Flock Limit and hereby requests that the current exempt flock limit be increased from 300 broiler birds to 4,000 broiler birds;

*And that* this resolution be forwarded to the Township of Gillies, the Chicken Farmers of Ontario, the Association of Chicken Processors, the Ontario Farm Products Marketing Commission and Norm Miller, MPP Parry Sound-Muskoka.

**Carried.**

**Resolution No. 2015-154**

**Moved by: Les Rowley**

**Seconded by: Jeff Marshall**

*Be it resolved that* the Council of the Township of Perry hereby supports the Municipality of Magnetawan's Resolution No. 2015-95 and urges the Ministry of Natural Resources to enter into a long term agreement addressing the reinstatement of a fish hatchery stocking program with the Almaguin Fish Improvement Association;

*And that* this resolution be forwarded to the Municipality of Magnetawan, the Ministry of Natural Resources and Norm Miller, MPP Parry Sound-Muskoka.

**Carried.**

**Resolution No. 2015-155**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

*Whereas* Council has received correspondence from a resident requesting that Council consider implementing a Firearms By-law;

*Now therefore be it resolved that* the Council of the Township of Perry hereby directs administration that no further action be taken on the matter at this time.

**Carried.**

**Resolution No. 2015-156**

**Moved by: Jeff Marshall**

**Seconded by: Les Rowley**

*Whereas* the Council of the Township of Perry has received a request from the Algonquin Lodge in regards to using the Emsdale Community Centre for the purpose of holding their Annual Meeting;

*Now be it resolved that* Council of the Township of Perry hereby waives the rental fee for the use of the Community Centre.

**Carried.**

**Resolution No. 2015-157**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

*Be it resolved that* the Council of the Township of Perry hereby approves the attendance of Brian Gilmer, Beth Morton and the following Members of Council: Norm Hofstetter, Margaret Ann MacPhail, and Les Rowley at the District of Parry Sound Municipal Association to be held in Callander, Ontario on Friday, April 24<sup>th</sup>, 2015.

**Carried.**

**Resolution No. 2015-158**

**Moved by: Jeff Marshall**

**Seconded by: Jim Cushman**

*Be it resolved that* Council hereby directs the Manager of Public Works and Facilities to complete an application for accessibility funding for the Novar Community Centre, with power doors at the main and side entrance with an accessible covered path to the side entrance.

**Carried.**

**Resolution No. 2015-159**

**Moved by: Jim Cushman**

**Seconded by: Margaret Ann MacPhail**

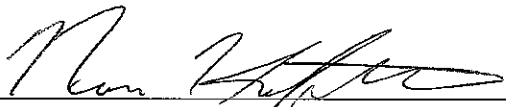
*Be it resolved that* the Council of the Township of Perry hereby receives Correspondence 10.1 to 10.8, as outlined in the Agenda of April 1<sup>st</sup>, 2015.


**Carried.**

**Adjournment**

The meeting was adjourned at 8:20 p.m.

Dated this 15<sup>th</sup> day of April, 2015.

  
Norm Hofstetter, Mayor

  
Beth Morton, Clerk/Administrator