



## **COUNCIL MEETING MINUTES**

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**Tuesday, May 24<sup>th</sup>, 2022**

**6:00 p.m.**

**Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario  
Council Chambers**

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### **ATTENDANCE:**

**Members Present:** Chair, Reeve, Brian Campbell  
Deputy Reeve Barrie Crampton  
Councillor Fred Dobbie  
Councillor Rob Rainer  
Councillor Beverley Phillips  
Councillor Mick Wicklum  
Councillor RoxAnne Darling

**Staff Present:** Amanda Mabo, Acting CAO/Clerk  
Janie Laidlaw, Deputy Clerk  
Noelle Reeve, Planner  
Ashley Liznick, Treasurer

**Regrets:** Councillor Gene Richardson

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### **1. CALL TO ORDER**

The meeting was called to order at 6:00 p.m.  
A quorum was present.

### **2. AMENDMENTS/APPROVAL OF AGENDA**

- i) Under Motions: Report #C-2022-15 – River House Vineyard and Winery – Endorsement By-the-Glass.
- ii) Under New/Other Business: Storm Update.

The Agenda was adopted as amended.

### **3. DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**

None at this time.

#### **4. APPROVAL OF MINUTES**

**i) Council Meeting – April 26<sup>th</sup>, 2022.**

**RESOLUTION #C-2022-05-01**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** RoxAnne Darling

**“THAT**, the last paragraph of item 5 ii) in the Council Meeting Minutes of April 26<sup>th</sup>, 2022 be amended by adding “The Planner informed Council that” Mike Yee from RVCA....”.

**ADOPTED**

**RESOLUTION #C-2022-05-02**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Mick Wicklum

**“THAT**, the minutes of the Council Meeting held on April 26<sup>th</sup>, 2022, be approved as amended.”

**ADOPTED**

**ii) Council Meeting (Closed Session – Identifiable Individual – Staffing Update) – April 26<sup>th</sup>, 2022.**

**RESOLUTION #C-2022-05-03**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** RoxAnne Darling

**“THAT**, the minutes of the Council Meeting (Closed Session – Identifiable Individual – Staffing Update) held on April 26<sup>th</sup>, 2022, be approved as circulated.”

**ADOPTED**

**iii) “Special” Committee of the Whole Meeting – May 3<sup>rd</sup>, 2022.**

**RESOLUTION #C-2022-05-04**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Beverley Phillips

**“THAT**, the minutes of the “Special” Committee of the Whole Meeting held on May 3<sup>rd</sup>, 2022, be approved as circulated.”

**ADOPTED**

- iv) **Committee of the Whole Meeting – May 10<sup>th</sup>, 2022.**

**RESOLUTION #C-2022-05-05**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

**“THAT**, the minutes of the Committee of the Whole Meeting held on May 10<sup>th</sup>, 2022, be approved as circulated.”

**ADOPTED**

**5. DELEGATIONS & PRESENTATIONS**

- i) **Public Meeting - Request to Close Unopened Road Allowance – Pearson.**

a. CLERK REVIEW OF FILE

The Acting CAO/clerk gave a PowerPoint presentation – *attached, page 13.*

b. APPLICANT COMMENTS

None.

c. PUBLIC COMMENTS

None.

**6. CORRESPONDENCE**

None.

**7. MOTIONS**

- i) **Report #C-2022-15 – River House Vineyard and Winery – Endorsement By-the-Glass – *attached, page 18.***  
Amanda Mabo, Acting CAO/Clerk.

**RESOLUTION #C-2022-05-06**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Beverley Phillips

**“THAT**, Council of the Corporation of Tay Valley Township support the By-the-Glass Endorsement for the River House Vineyard and Winery located at 221 Davern Lane, Maberly, Ontario.”

**ADOPTED**

ii) **Report #PD-2022-24 – Severance Application – McDougall.**

**RESOLUTION #C-2022-05-07**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

**“THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for B22/10 (Pt Lot 5 Con 4 S geographic Township of Bathurst, Roll #091191601020900) known as 140 Tysick Road for a new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for the severance, both hard copy and electronically;

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the applicant shall obtain an Entrance Permit and Civic Address Number for the severed lot from the Township;

That, sufficient lands shall be dedicated to the Township along the frontage of the lot to be severed and the lot to be retained in order to meet the Township’s road widening requirements at no cost to the Township, if required.”

**ADOPTED**

iii) **Report #PD-2022-25 – Removal of 0.3m Reserve on Ernest Way.**

**RESOLUTION #C-2022-05-08**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Beverley Phillips

**“THAT**, Council approve the lifting of the 0.3m reserve on the cul de sac of Ernest Way and the transfer of the land to the owners of the large parcel to the east (Roll #091191601512603) Part Lots 21,22 Con 2 Geographic Township of Bathurst (132 Ernest Way).”

**ADOPTED**

- iv) **Report #PD-2022-26 – Condominium Declaration – Whyte.**

**RESOLUTION #C-2022-05-09**

**MOVED BY:** RoxAnne Darling  
**SECONDED BY:** Mick Wicklum

**“THAT**, the Condominium Declaration for Whyte, file 09-CD-21001, be approved as a condition of completion of severance B19/068.”

**ADOPTED**

- v) **Report #CBO-2022-05 – Building Department Report – January – April 2022.**

**RESOLUTION #C-2022-05-10**

**MOVED BY:** Mick Wicklum  
**SECONDED BY:** RoxAnne Darling

**“THAT**, Report #CBO-2022-05 – Building Department Report – January - April 2022 be received as information.”

**ADOPTED**

- vi) **Report #PW-2022-11 – Two (2) Heavy-Duty Motor Graders – RFP Award – *deferred to a future meeting.***

The Acting CAO/Clerk explained that Local Authority Services (LAS) has partnerships with various supplies and service providers, and they can offer discounts to LAS members. Staff have discovered that the bidders for the Heavy-Duty Motor Graders are partnered with LAS and staff would like to look into what discounts are available prior to making capital investments into the 2008 Volvo. Staff will bring an update back to Council once this information is obtained and recommended that this item be deferred until then.

- vii) **Report #C-2022-12 – Election – Compliance Audit Committee – Appointments.**

**RESOLUTION #C-2022-05-11**

**MOVED BY:** Barrie Crampton  
**SECONDED BY:** Beverley Phillips

**“THAT**, Phil Hogan, Paul Howard and Richard Bennett be appointed to the Joint Lanark County Compliance Audit Committee for the term November 15, 2022 to November 14, 2026 to deal with applications from the 2022 Election and any by-elections during the next Council term.”

**ADOPTED**

viii) **Integrity Commissioner Services Annual Report – 2021.**

**RESOLUTION #C-2022-05-12**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Beverley Phillips

“**THAT**, the Integrity Commissioner Service Annual Report – 2021 be received for information.”

**ADOPTED**

ix) **Appointment of Re-Use Centre Volunteer.**

Council would like to review the status of the COVID-19 Vaccination Policy and asked Staff to bring a report to the August Committee of the Whole meeting.

**RESOLUTION #C-2022-05-13**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following as a volunteer for the ReUse Centre, subject to the Criminal Records Check and Vaccination Policy:

- Haidee White.”

**ADOPTED**

x) **22-04-21 and 22-05-04 – Council Communication Packages.**

**RESOLUTION #C-2022-05-14**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Beverley Phillips

“**WHEREAS**, the cost of municipal insurance in the Province of Ontario has continued to increase with especially large increases going into 2022;

**AND WHEREAS**, Joint and Several Liability continues to ask property taxpayers to carry the lion’s share of a damage award when a municipality is found at minimum fault;

**AND WHEREAS**, these increases are unsustainable and unfair and eat at critical municipal services;

**AND WHEREAS**, the Association of Municipalities of Ontario outlined seven recommendations to address insurance issues including:

1. That the Provincial Government adopt a model of full proportionate liability to replace joint and several liability.

2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims and deductible limit changes which support its own and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

**NOW THEREFORE BE IT RESOLVED**, that the Council for the Corporation of Tay Valley Township call on the Province of Ontario to immediately review these recommendations despite COVID-19 delays, as insurance premiums will soon be out of reach for many communities;

**AND BE IT FURTHER RESOLVED THAT**, this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Peter Bethlenfalvy, Minister of Finance, the Honourable Doug Downey, and Attorney General of Ontario.”

**ADOPTED**

**RESOLUTION #C-2022-05-15**

**MOVED BY:** RoxAnne Darling  
**SECONDED BY:** Mick Wicklum

“**THAT**, the 22-04-21 except item 5 and 22-05-04 Council Communication Packages be received for information.”

**ADOPTED**

**8. BY-LAWS**

- i) **By-Law No. 2022-008: Appointment of Deputy Chief Building Officials and Building Inspectors By-Law Amendment.**

**RESOLUTION #C-2022-05-16**

**MOVED BY:** Mick Wicklum  
**SECONDED BY:** RoxAnne Darling

“**THAT**, By-Law No. 2022-008, being a by-law to Amend the Appointment of Deputy Chief Building Officials and Building Inspectors for Tay Valley Township

be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

ii) **By-Law No. 2022-009: 2022 Tax Rates.**

**RESOLUTION #C-2022-05-17**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Mick Wicklum

“**THAT**, By-Law No. 2022-009, being a by-law to Set the Tax Rates for the Year 2022, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

iii) **By-Law No. 2022-010: Road Closing – Cameron.**

**RESOLUTION #C-2022-05-18**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Beverley Phillips

“**THAT**, By-Law No. 2022-010, being a by-law to Stop Up, Close and Sell a portion of an Unopened Road Allowance between Concession 5 & 6, geographic Township of North Burgess, north of Brooks Corners Road on Adam Lake (Cameron), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

iv) **By-Law No. 2022-011: Zoning By-Law Amendment – 2865539 Ontario Inc.**

**RESOLUTION #C-2022-05-19**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, By-Law No. 2022-011, being a by-law to Amend Zoning By-Law No. 2002-121 (Stanley Road, Pt E 1/2 Lot 13, Concession 8, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

v) **By-Law No. 2022-012: Road Naming – Patterson Road, Patterson Road A, Patterson Road B, Patterson Road C, Patterson Road D.**

**RESOLUTION #C-2022-05-20**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, By-Law No. 2022-012, being a by-law to amend By-Law No. 98-87 being a Road Naming By-Law (Patterson Road, Patterson Road A, Patterson



Road B, Patterson Road C, Patterson Road D), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- vi) **By-Law No. 2022-013: Road Naming – Brandelle Lane.**

**RESOLUTION #C-2022-05-21**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Beverley Phillips

“**THAT**, By-Law No. 2022-013, being a by-law to amend By-Law No. 98-87 being a Road Naming By-Law (Brandelle Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**10. NEW/OTHER BUSINESS**

- i) **Report #FIN-2022-07 – Federation of Canadian Municipalities Grant Application Asset Management Continuation for O.Reg 58/2017.**

**RESOLUTION #C-2022-05-22**

**MOVED BY:** RoxAnne Darling

**SECONDED BY:** Mick Wicklum

“**THAT**, staff be authorized to apply for a grant opportunity from the Federation of Canadian Municipalities’ (FCM) Municipal Asset Management Program (MAMP) for Asset Management Program Development and Data Enhancements in Tay Valley Township;

**THAT**, Tay Valley Township commits to conducting the following activities in its proposed project submitted to the FCM MAMP to advance the Township’s Asset Management Program:

- condition and data enhancements;
- lifecycle framework development; and
- risk analysis and management;

**AND THAT**, Tay Valley Township commits to \$18,500 (of the \$68,500 project budget) from its budget towards the costs of this initiative.”

**ADOPTED**

- ii) **Storm Update.**

The Acting CAO/Clerk provided Council with an update on the storm that occurred on May 21, 2022. The brunt of the damage was downed trees in the Bathurst Ward, the roads crew were out, and things were cleaned up by Saturday evening. The power is still out for the northern part of the Township that borders with Lanark Highlands and in Maberly, the estimated time for power being restored is Thursday, May 26. Since Sunday evening the outdoor hose at the South Sherbrooke Fire Hall has been available for residents to get

water. Lanark Highlands has the arena open for showering and phone charging, the Town of Perth is waiving fees at the pool for showering and water bottle refilling. The Fire Department went door to door in Maberly to see if anyone needed anything.

The Public Works Manager and Fire Chief provided updates to the Acting CAO and those updates were provided to the Reeve and Deputy Reeve, once email was accessible an email went to Council members.

A member felt it might be helpful for Council and the public to know what was happening, even if it was nothing, just hearing from the Township would be reassuring.

## 11. CALENDARING

Meeting	Date	Time	Location
Bolingbroke Cemetery Board Meeting	May 25 <sup>th</sup>	2:00 p.m.	Municipal Office
History Scholarship Selection Committee Meeting	May 30 <sup>th</sup>	200 p.m.	Municipal Office
Committee of Adjustment Hearing	May 30 <sup>th</sup>	5:00 p.m.	Municipal Office
Green Energy and Climate Change Working Group Meeting	June 3 <sup>rd</sup>	10:00 a.m.	Municipal Office
Public Meeting – Zoning By-Law Amendment	June 7 <sup>th</sup>	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	June 7 <sup>th</sup>	Following	Municipal Office
Open House – Official Plan 5 Year Review	June 9 <sup>th</sup>	3:00 p.m.	Municipal Office
Open House – Official Plan 5 Year Review	June 14 <sup>th</sup>	5:30 p.m.	Virtual
Ontario Association of Police Services Board Zone 2 Meeting	June 17 <sup>th</sup>	9:30 a.m.	Napanee
Committee of Adjustment Hearing	June 20 <sup>th</sup>	5:00 p.m.	Municipal Office
Public Meeting – Official Plan 5 Year Review	June 21 <sup>st</sup>	5:30 p.m.	Municipal Office
Council Meeting	June 21 <sup>st</sup>	6:30 p.m.	Municipal Office

## 12. CLOSED SESSIONS

None.

**13. CONFIRMATION BY-LAW**

- i) **By-Law No. 2022-014 - Confirmation By-Law – May 24<sup>th</sup>, 2022.**

**RESOLUTION #C-2022-05-23**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** RoxAnne Darling

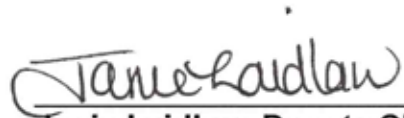
**“THAT**, By-Law No. 2022-014, being a by-law to confirm the proceedings of the Council meeting held on May 24<sup>th</sup>, 2022, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**14. ADJOURNMENT**

Council adjourned at 6:58 p.m.

  
\_\_\_\_\_  
Brian Campbell, Reeve

  
\_\_\_\_\_  
Janie Laidlaw, Deputy Clerk

# **DELEGATIONS & PRESENTATIONS**

# **PUBLIC MEETING**

## **ROAD CLOSING Between, Lots 18 & 19, Concessions 5 geographical Township of North Burgess**

Council  
May 24<sup>th</sup>, 2022



1

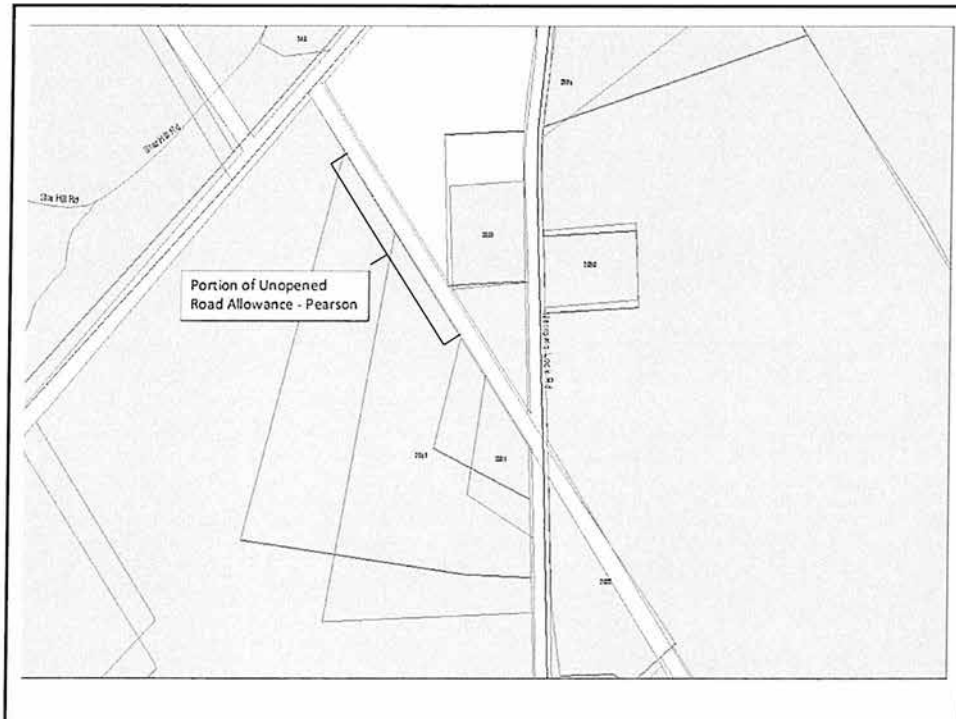
## **Road Closing - Pearson**

Committee and Council have considered a request to stop up, close and sell the portion of the unopened road allowance (approximately 800 feet) between Lots 18 & 19, Concession 5, North Burgess, north of Narrows Lock Road.

A resolution was passed on March 22<sup>nd</sup>, 2022 declaring the land surplus to the Township's needs and agreeing to a purchase price of \$0.12 per square foot, should the sale be finalized.



2



3

## Road Closing Policy

Pursuant to the Road Closing and Sale Policy:

- public notice was posted on site and in the general vicinity of the portion of the unopened road allowance to be closed
- mailed to the adjacent property owners
- published in the newspaper
- published on the Township website and Facebook page
- provided publicly via the agenda for the Committee of the Whole Meeting on March 8<sup>th</sup>, 2022



4

## Purpose of Public Meeting

The purpose of the public meeting is to solicit public feedback regarding the proposed road closing.

The Road Closing policy provides that notice be given in order to allow opportunity for any person to address concerns related to the closing.



5

## Agency - Objections or Concerns

- There were no objections from the agencies that were circulated.

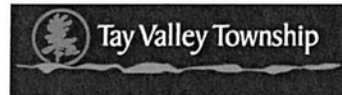


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## Landowner – Objections or Concerns

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- There were no objections from the adjacent landowners that were circulated.



7

## NEXT STEPS

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- Once the required survey has been received, Council can then proceed to pass a by-law to stop up, close and sell the portion of the unopened road allowance to the Applicants. The land will then be transferred upon all applicable easements being in place and payment of the required costs.



8



# MOTIONS

**COUNCIL**  
**May 24<sup>th</sup>, 2022**

**Report #C-2022-15**  
**Amanda Mabo, Acting Chief Administrative Officer/Clerk**

**RIVER HOUSE VINEYARD AND WINERY – ENDORSEMENT BY-THE-GLASS**

**STAFF RECOMMENDATION(S)**

It is recommended:

**“THAT**, Council of the Corporation of Tay Valley Township support the By-the-Glass Endorsement for the River House Vineyard and Winery located at 221 Davern Lane, Maberly, Ontario.”

**BACKGROUND**

In August 2018, Council amended the Zoning By-Law to permit a winery and associated uses including a wine tasting area, retail space, a restaurant and indoor or outdoor event space at 221 Davern Lane.

**DISCUSSION**

The applicant is in the process of applying for a liquor licence. There are Municipal approval requirements for a liquor sales licence including Manufacturer’s “Tied House”.

One of the requirements is By-the-Glass Endorsement.

Wineries, breweries and distilleries that hold a manufacturer’s licence under the *Liquor Licence and Control Act* may make an application to the Alcohol and Gaming Commission of Ontario (AGCO) for a By-the-Glass Endorsement to sell and serve their products for consumption on their production site(s) and immediate adjacent licensed area where the sale is primarily aimed at promoting the manufacturer’s product and either providing an enhanced tourist experience or fulfilling an educational purpose.

Under a By-the-Glass Endorsement, guests are allowed to carry and consume wine, beer and spirits on the production site(s) and immediately adjacent licensed areas that are under the sole control of the manufacturer and approved under the endorsement. Note that wine, beer and spirits are not permitted in such areas as public roads, thoroughfares, driveways and parking lots, or in other areas that may raise public safety concerns.

To apply to the AGCO for a By-the-Glass Endorsement, written notice must be received from the council of the municipality within which the applicant's production site(s) and immediately adjacent licensed areas are located confirming that it has passed a resolution in support of the endorsement.

Passing a resolution in support of the endorsement will allow their guests to carry and consume wine on the production site(s) and adjacent the licenced area that are under the control of the manufacturer and as approved under the endorsement.

## **OPTIONS TO BE CONSIDERED**

### **Option #1 – Council approves the resolution in support of the endorsement.**

### **Option #2 – Council does not approve the resolution in support of the endorsement**

Not recommended as the purpose of the zoning by-law amendment was to permit a winery and associated uses including a wine tasting area, retail space, a restaurant and indoor or outdoor event space.

## **FINANCIAL CONSIDERATIONS**

None at this time.

## **STRATEGIC PLAN LINK**

**Economic Development and Tourism:** The Township has thriving home-based and local businesses, resulting in lots of sustainable jobs. The Township is an attractive tourist destination.

## **CLIMATE CONSIDERATIONS**

Not applicable.

## **CONCLUSIONS**

Staff recommends supporting the application for a liquor license by approving a resolution in support of the endorsement.

## **ATTACHMENTS**

None.

## **Prepared and Submitted By:**

*Original Signed*

**Amanda Mabo,  
Acting Chief Administrative Officer/Clerk**