



COUNCIL MEETING MINUTES

Tuesday, December 13th, 2022

Immediately Following the Public Meeting – 2023 Budget and Fees at 5:30 p.m.
Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario
Council Chambers

ATTENDANCE:

Members Present: Chair, Reeve, Rob Rainer
Deputy Reeve Fred Dobbie
Councillor Andrew Kendrick
Councillor Greg Hallam
Councillor Korrine Affleck
Councillor Marilyn Thomas
Councillor Angela Pierman
Councillor Wayne Baker

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

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 6:39 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

- i) Under Motions: Appointment of Hockey Volunteer.
- ii) Under Motions: Appointment of Karate Volunteer.
- iii) Under Motions: Bill 23: Mississippi Valley Conservation Authority Request for Working Group of Conservation Authorities.

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) **“Special” Council Meeting – November 7th, 2022.**

RESOLUTION #C-2022-12-03

MOVED BY: Andrew Kendrick
SECONDED BY: Wayne Baker

“THAT, the minutes of the “Special” Council Meeting held on November 7th, 2022, be approved as circulated.”

ADOPTED

- ii) **“Special” Council Meeting (Closed Session – Potential Litigation – Judicial Review) – November 7th, 2022.**

RESOLUTION #C-2022-12-04

MOVED BY: Greg Hallam
SECONDED BY: Korrine Affleck

“THAT, the minutes of the “Special” Council Meeting (Closed Session – Potential Litigation – Judicial Review) held on November 7th, 2022, be approved as circulated.”

ADOPTED

- iii) **Inaugural Meeting – November 15th, 2022.**

RESOLUTION #C-2022-12-05

MOVED BY: Korrine Affleck
SECONDED BY: Greg Hallam

“THAT, the minutes of the Inaugural Meeting held on November 15th, 2022, be approved as circulated.”

ADOPTED

- iv) **“Special” Council Meeting – November 17th, 2022.**

RESOLUTION #C-2022-12-06

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“THAT, the minutes of the “Special” Council Meeting held on November 17th, 2022, be approved as circulated.”

ADOPTED

- v) **“Special” Committee of the Whole Meeting – November 22nd, 2022.**

RESOLUTION #C-2022-12-07

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“THAT, the minutes of the “Special” Committee of the Whole Meeting held on November 22nd, 2022, be approved as circulated.”

ADOPTED

- vi) **“Special” Committee of the Whole Meeting – November 29th, 2022.**

RESOLUTION #C-2022-12-08

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“THAT, the minutes of the “Special” Committee of the Whole Meeting held on November 29th, 2022, be approved as circulated.”

ADOPTED

- vii) **“Special” Committee of the Whole Meeting (Closed Session – Identifiable Individual – Contract Obligations) – November 29th, 2022.**

RESOLUTION #C-2022-12-09

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“THAT, the minutes of the “Special” Committee of the Whole Meeting (Closed Session – Identifiable Individual – Contract Obligation) held on November 29th, 2022, be approved as circulated.”

ADOPTED

- viii) **“Special” Committee of the Whole Meeting – December 6th, 2022.**

RESOLUTION #C-2022-12-10

MOVED BY: Andrew Kendrick
SECONDED BY: Angela Pierman

“THAT, the minutes of the “Special” Committee of the Whole Meeting held on December 6th, 2022, be approved as circulated.”

ADOPTED

- ix) **Committee of the Whole Meeting – December 6th, 2022.**

RESOLUTION #C-2022-12-11

MOVED BY: Greg Hallam
SECONDED BY: Korrine Affleck

“**THAT**, the minutes of the Committee of the Whole Meeting held on December 6th, 2022, be approved as circulated.”

ADOPTED

- x) **“Special” Council Meeting – December 8th, 2022.**

RESOLUTION #C-2022-12-12

MOVED BY: Korrine Affleck
SECONDED BY: Greg Hallam

“**THAT**, the minutes of the “Special” Council Meeting held on December 8th, 2022, be approved as circulated.”

ADOPTED

- xi) **“Special” Council Meeting (Closed Session – Position or Instruction Applied to Negotiations – Water and Sewer Service Agreement – New Long Term Care Facility) – December 8th, 2022.**

RESOLUTION #C-2022-12-13

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“**THAT**, the minutes of the “Special” Council Meeting (Closed Session – Position or Instruction Applied to Negotiations – Water and Sewer Service Agreement – New Long Term Care Facility) held on December 8th, 2022, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. CORRESPONDENCE

None.

7. MOTIONS

i) 2021 Audited Financial Statements.

RESOLUTION #C-2022-12-14

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“**THAT**, the Council of the Corporation of Tay Valley Township adopt the 2021 Audited Financial Statements as presented.”

ADOPTED

ii) Report #PD-2022-47 – Nordlaw Plan of Condominium – Draft Plan Extension.

The Planner explained that the Lanark County Report is going to County Council on December 14th and the County Planner is saying that it is not possible to have a caveat that they demonstrate financing. The County Planner has also changed the timing from 6 months to a year. The Planner and CAO/Clerk are having a conversation with the County Planner tomorrow to see if that can be changed.

RESOLUTION #C-2022-12-15

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, Council approve a six-month extension of the draft approval for the Nordlaw Cottages Inc. Plan of Condominium 09-CD 16002 if the applicant provides adequate confirmation of financing for the project by December 15, 2022 to the Township, with the understanding that a further six-month extension for approval shall only be granted if all outstanding taxes and fees due to Tay Valley Township have been paid and the remaining conditions have been significantly completed, to the satisfaction of the Township.”

ADOPTED

iii) Report #PD-2022-48 – Bill 23 More Homes Built Faster Act, 2022 and Related Legislation.

RESOLUTION #C-2022-12-16

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, the Planning Department be authorized to submit the Municipality’s response to the Environmental Registry of Ontario (ERO) with respect to Bill 23, More Homes Built Faster Act, 2022, and other related ERO comment opportunities as detailed in Report #PD-2022-48 – Bill 23 More Homes Built Faster Act, 2022, that are specific to Tay Valley Township;

AND THAT, the Planning Department be authorized to submit the comments to the Minister of Municipal Affairs and Housing, Steve Clark, and the Minister of Natural Resources and Forestry, Graydon Smith, the local MPP, John Jordan, and the Rural Ontario Municipal Association (ROMA), as detailed in Report #PD-2022-48 – Bill 23 More Homes Built Faster Act, 2022, that are specific to Tay Valley Township.”

ADOPTED

- iv) **Eastern Ontario Conservation Authorities Letter - Loss of Local Decision-Making: Bill 23 Does Not Work for Eastern Ontario.**

RESOLUTION #C-2022-12-17

MOVED BY: Andrew Kendrick

SECONDED BY: Marilyn Thomas

“**THAT**, Council endorse the positions expressed in the letter sent by Eastern Ontario Conservation Authorities to the Provincial Government on November 15th, 2022 regarding the Loss of Local Decision-Making: Bill 23 Does Not Work for Eastern Ontario.”

ADOPTED

- v) **Report #PD-2022-49 – Removal of Holding Zone for Maberly Pines Subdivision.**

The CAO/Clerk suggested an amendment to the motion to add “**AND THAT**, the necessary By-Law be brought forward to the January 31st, 2023 Council meeting” so that the process is clear.

RESOLUTION #C-2022-12-18

MOVED BY: Greg Hallam

SECONDED BY: Korrine Affleck

“**THAT**, By-Law #2021-033 - Holding Zone for Plan 21 Lakeside Living (Maberly Pines) be lifted as the Rideau Valley Conservation Authority has indicated they are satisfied with the revised Lot Servicing Report and Plan for the Maberly Pines Subdivision by BluMetric consultants.”

(SEE RESOLUTION #C-2022-12-19)

RESOLUTION #C-2022-12-19

MOVED BY: Marilyn Thomas

SECONDED BY: Korrine Affleck

“**THAT**, Resolution #C-2022-12-18 be amended to add “***AND THAT**, the necessary By-Law be brought forward to the January 31st, 2023 Council meeting.*”

ADOPTED

A Member asked why the report presented to Council did not address the recommendation in the BluMetric report indicating what should be done in Maberly Pines and asked the Planner what will be done with those recommendations other than lifting the holding zone.

The Planner explained that applicable law must be met to issue a Building Permit, the requirements of the subdivision agreement are applicable law, and they must be met to get a building permit. The previous Council removed the permitted use of a Bed & Breakfast. The Township has processes for how to deal with what is required by the BluMetric Report and the Rideau Valley Conservation Authority.

A Member asked about the recommendations other than then requirements of law, the report addresses other considerations, for example, wells and how they are drilled and monitored and wastewater disposal. Is Tay Valley capable to implement those.

The Planner explained that Development Agreements can be put in place and can include some of those recommendations. The Member would like to know what the Township is planning to do as he feels some of the recommendations are serious in regard to the adequacy of the water supply and the impact of new wells on existing wells. Is concerned about lifting the holding without anything out to the public with how new development could impact them.

The Chair feels that the report is very technical, and that the Township has more information about Maberly Pines than they did before. Staff can ensure appropriate development is met. Council needs to trust that staff can implement things going forward. Does not want to see things held up any longer and the Township and staff have more to work with than ever before. This has been looked at for a long time and care must be given for development approval.

The CAO/Clerk explained that the subdivision agreement and the BluMetric report are looked at as part of the process for a planning application, there is a checklist for developing in a subdivision.

A Member believes that the recommendations in the report are not related to individual development they are recommendations for the Township to do and would like a report on how they will be done and paid for.

Council agreed that staff will bring a report to address the recommendations in the BluMetric report forward before the by-law is passed.

A Member asked if once the holding is lifted can property owners build. The Planner confirmed that they will be able to with a Road Access Agreement.

RESOLUTION #C-2022-12-18

MOVED BY: Greg Hallam

SECONDED BY: Korrine Affleck

“**THAT**, By-Law #2021-033 - Holding Zone for Plan 21 Lakeside Living (Maberly Pines) be lifted as the Rideau Valley Conservation Authority has indicated they are satisfied with the revised Lot Servicing Report and Plan for the Maberly Pines Subdivision by BluMetric consultants;

AND THAT, the necessary By-Law be brought forward to the January 31st, 2023 Council meeting.”

ADOPTED

- vi) **Report #CBO-2022-10 – Building Department Report – January – November 2022.**

RESOLUTION #C-2022-12-20

MOVED BY: Korrine Affleck

SECONDED BY: Greg Hallam

“**THAT**, Report #CBO-2022-10 – Building Department Report – January – November 2022 be received as information.”

ADOPTED

- vii) **2023 Council/Committee Meeting Calendar.**

RESOLUTION #C-2022-12-21

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, the 2023 Council/Committee Calendar be approved.”

ADOPTED

- viii) **Appointments to Boards and Committees.**

RESOLUTION #C-2022-12-22

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following persons for a term ending November 17, 2026, unless otherwise noted, with such persons serving at the pleasure of Council;

THAT, such appointments may be amended, extended or terminated, within the term by motion of Council;

THAT, such appointments are subject to the Criminal Records Check Policy;

AND THAT, such persons shall represent the Township's best interests in the activities of the named body and shall, at the request of Council or as per the terms of reference, communicate the status of such activities to the public through presentation at an open meeting of Council scheduled at a time convenient to the appointee and/or via a report from the Senior Manager assigned to the named body:

Bolingbroke Cemetery Board

- Councillor Wayne Baker, Chair
- Doug Boyd
- Betty Anne Gillespie
- Darla Kilpatrick

Committee of Adjustment

- Richard Schooley
- Peter Siemons
- Larry Sparks

Fence Viewers

- Bill Avery
- John Conboy
- Greg Ellis
- Philip Jones (alternate)

Fire Rescue Board

- Councillor Wayne Baker
- Councillor Greg Hallam
- Councillor Marilyn Thomas

Library Board

- Councillor Andrew Kendrick
- Tara Langford
- Dawn Palmer

Pinehurst Cemetery Board

- Councillor Fred Dobbie, Chair
- Bill Avery
- Jay Playfair

Police Services Board

- Reeve Rob Rainer
- Neil Fennell

Green Energy & Climate Change Working Group

- Councillor Greg Hallam
- Councillor Angela Pierman
- Bob Argue
- Doug Barr
- Jennifer Dickson
- Peter Nelson
- David Poch
- Gilbert Rossignol

Heritage Property Selection Committee

- Susan Code McDougall
- Brenda Kennett
- Ted Parkinson
- Karen Prytula
- David Taylor

History Scholarship Selection Committee

- Susan Code McDougall
- David Poole
- Kay Rogers

Labour Management Committee

- Reeve Rob Rainer
- Councillor Greg Hallam

Community Emergency Management Program Committee

- Reeve Rob Rainer
- Deputy Reeve Fred Dobbie, alternate

Mississippi Valley Conservation Authority

- Councillor Andrew Kendrick

Municipal Drug Strategy Committee

- Councillor Korrine Affleck

Rideau Valley Conservation Authority

- Councillor Angela Pierman.”

ADOPTED

- ix) **Ministry of Municipal Affairs and Housing – Letter from Minister Steve Clark.**

RESOLUTION #C-2022-12-23

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, staff compose a letter of response to the Ministry of Municipal Affairs and Housing, as requested by Minister Steve Clark in his letter to the Township dated November 15, 2022, to note any ongoing areas of concern for Tay Valley Township.”

ADOPTED

- x) **22-12-01 – Council Communication Package.**

RESOLUTION #C-2022-12-24

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, the 22-12-01 Council Communication Package, excluding item 1, be received for information.”

ADOPTED

- xi) **Appointment of Hockey Volunteer.**

RESOLUTION #C-2022-12-25

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Affleck

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer for the Tay Valley Hockey Program, subject to the Criminal Records Check Policy:

- Gary Schmid.”

ADOPTED

- xii) **Appointment of Karate Volunteer.**

RESOLUTION #C-2022-12-26

MOVED BY: Greg Hallam
SECONDED BY: Andrew Kendrick

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer for the Tay Valley Karate Program, subject to the Criminal Records Check Policy:

- Nicole Greenstreet.”

ADOPTED

- xiii) **Bill 23: Mississippi Valley Conservation Authority Request Working Group for Conservation Authorities – attached, page 17.**

A Member asked about the various letters the Township has sent to a number of associations, does the Township need to keep letting the government know we are not happy? The Conservation Authorities have asked to be an advisory and if the Ministry wants that they will reply to them.

The CAO/Clerk explained that this is how the system works, you provide support or disapproval of a request. The first was to provide comments on how Bill 23 impacts Tay Valley, now recognizing that the legislation has passed, this is showing support for the Conservation Authorities who are asking to be part of the Working Group that has input to the regulations that will be coming out.

RESOLUTION #C-2022-12-27

MOVED BY: Korrine Affleck
SECONDED BY: Greg Hallam

“**THAT**, the Council of the Corporation of Tay Valley Township supports the Mississippi Valley Conservation Authority letter dated December 12, 2022 to the Minister of Natural Resources and Forestry requesting the establishment of a working group of conservation authorities to advise MNRF staff in the drafting of regulations in order facilitate a productive and smooth transition with regards to the implementation of Bill 23.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2022-037: Committee of Adjustment.**

RESOLUTION #C-2022-12-28

MOVED BY: Andrew Kendrick
SECONDED BY: Fred Dobbie

“**THAT**, By-Law No. 2022-037, being a by-law to Constitute and Appoint a Committee of Adjustment, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ii) **By-Law No. 2022-038: Repeal COVID-19 Vaccination Policy.**

RESOLUTION #C-2022-12-29

MOVED BY: Greg Hallam

SECONDED BY: Andrew Kendrick

“**THAT**, By-Law No. 2022-038, being a by-law to Repeal By-Law No. 2021-063, being a by-law to adopt a COVID-19 Vaccination Policy, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iii) **By-Law No. 2022-039: Assume Portion of Unopened Road Allowance (Zibi Way).**

A Member confirmed that the Public Works Manager oversaw the construction of the road. He has a concern that at the end of the road there is a steep drop off and wondered if that should be signed or marked.

The CAO/Clerk explained the process for a road assumption. The Public Works Manger inspects at various stages as it is constructed, the comment about the drop off at the end will be passed on to the Public Works Manager.

RESOLUTION #C-2022-12-30

MOVED BY: Korrine Affleck

SECONDED BY: Greg Hallam

“**THAT**, By-Law No. 2022-039, being a by-law to Assume a Portion of an Unopened Road Allowance for Public Use (Zibi Way), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iv) **By-Law No. 2022-040: Road Naming - Zibi Way.**

RESOLUTION #C-2022-12-31

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2022-040, being a by-law to Amend By-Law No. 98-87, being a Road Naming By-Law (Zibi Way), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- v) **By-Law No. 2022-041: Zoning By-Law Amendment – Whyte.**

RESOLUTION #C-2022-12-32

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“**THAT**, By-Law No. 2022-041, being a by-law to Amend Zoning By-Law No. 2002-121 (30 Highway 511, Part Lot 27, Concession 3, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- vi) **By-Law No. 2022-042: Tariff of Fees.**

RESOLUTION #C-2022-12-33

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, By-Law No. 2022-042, being a by-law to Adopt a Tariff of Fees, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- vii) **By-Law No. 2022-043: Waste, Recycling and Composting Fees Amendment.**

RESOLUTION #C-2022-12-34

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, By-Law No. 2022-043, being a by-law to Amend By-Law No. 2019-047, being a Waste Disposal, Composting and Recycling By-Law, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- viii) **By-Law No. 2022-044: Hall Rental Policy.**

RESOLUTION #C-2022-12-35

MOVED BY: Andrew Kendrick
SECONDED BY: Greg Hallam

“**THAT**, By-Law No. 2022-044, being a by-law to Adopt a Hall Rental Policy, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

10. NEW/OTHER BUSINESS

None.

11. CALENDARING

Meeting	Date	Time	Location
AMO New Councillor Training	January 5 th	9:00 a.m.	Virtual
Council Orientation	January 14 th	10:30 a.m.	Municipal Office
Public Meeting – Zoning By-Law Amendment	January 17 th	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	January 17 th	Following	Municipal Office
Lanark County Association of Police Services Boards	January 18 th	10:00 a.m.	Carleton Place
ROMA Conference	January 22 nd – 24 th		Toronto
“Special” Council Meeting	January 26 th	5:30 p.m.	Municipal Office
Committee of Adjustment Orientation and Meeting	January 30 th	4:00 p.m.	Municipal Office
Council Meeting	January 31 st	6:00 p.m.	Municipal Office

12. CLOSED SESSIONS

None.

13. CONFIRMATION BY-LAW

- i) **By-Law No. 2022-045 - Confirmation By-Law – November 7th, 15th, 17th and December 13th, 2022.**

RESOLUTION #C-2022-12-36

MOVED BY: Greg Hallam

SECONDED BY: Andrew Kendrick

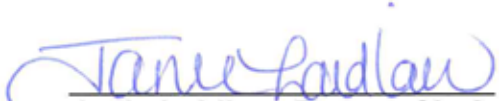
“**THAT**, By-Law No. 2022-045, being a by-law to confirm the proceedings of the Council meetings held on November 7th, 15th, 17th and December 13th, 2022, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

14. ADJOURNMENT

Council adjourned at 7:33 p.m.


Rob Rainer, Reeve


Janie Laidlaw, Deputy Clerk

MOTIONS



December 12, 2022

I-04

Hon. Graydon Smith
Minister of Natural Resources and Forestry
Whitney Block, 99 Wellesley St W,
Toronto, ON M7A 1W3

minister.mnrf@ontario.ca

Dear Minister Smith,

Re: Working Group to support implementation of Bill 23

Mississippi Valley Conservation Authority supports the intent of Bill 23 and will work with our member municipalities to implement measures affecting conservation authorities.

In order to facilitate a productive and smooth transition, our Board of Directors officially requests that the Minister establish a Working Group of conservation authorities to advise MNR staff in the drafting of regulations. Your consideration of this matter is greatly appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads 'Sally McIntyre'.

Sally McIntyre, MCIP, RPP
General Manager

c. MVCA Board of Directors
Conservation Ontario

10970 Highway 7, Carleton Place ON, K7C 3P1 | (613) 253-0006 | info@mvc.on.ca

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