



COUNCIL MEETING MINUTES

Tuesday, April 23rd, 2024

6:00 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 Wayne Baker
Councillor Greg Hallam
Councillor Korrine Jordan
Councillor Andrew Kendrick
Councillor Angela Pierman
Councillor Marilyn Thomas

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Aaron Watt, Deputy Clerk
Noelle Reeve, Planner

Regrets: None

1. CALL TO ORDER

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

2. AMENDMENTS/APPROVAL OF AGENDA

The agenda was adopted as presented.

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

None at this time.

4. APPROVAL OF MINUTES

- i) **“Emergency” Council Meeting – March 21st, 2024.**

RESOLUTION #C-2024-04-01

MOVED BY: Greg Hallam
SECONDED BY: Korrine Jordan

“THAT, the minutes of the “Emergency” Council Meeting held on March 21st, 2024, be approved as circulated.”

ADOPTED

- ii) **“Emergency” Council Meeting (Closed Session – Litigation – Ontario Land Tribunal Mediation) – March 21st, 2024.**

RESOLUTION #C-2024-04-02

MOVED BY: Korrine Jordan
SECONDED BY: Andrew Kendrick

“THAT, the minutes of the “Emergency” Council Meeting (Closed Session – Litigation – Ontario Land Tribunal Mediation) held on March 21st, 2024, be approved as circulated.”

ADOPTED

- iii) **Council Meeting – March 26th, 2024.**

RESOLUTION #C-2024-04-03

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“THAT, the minutes of the Council Meeting held on March 26th, 2024, be approved as circulated.”

ADOPTED

- iv) **Committee of the Whole Meeting – April 9th, 2024.**

RESOLUTION #C-2024-04-04

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“THAT, the minutes of the Committee of the Whole Meeting held on April 9th, 2024, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

i) Public Meeting – Request to Close Unopened Road Allowance – Illman

a. CLERK REVIEW OF FILE

The Chief Administrative Officer/Clerk presented the PowerPoint presentation that was attached to the agenda.

b. APPLICANT COMMENTS

The applicant Christian and Courtney Illman were in attendance and were available to answer questions.

c. PUBLIC COMMENTS

Bill Avery, agent for adjacent land owner

- asked by a neighbour to talk to this
- the concern is that when a building is wanted, the Chief Building Official (CBO) asks where the survey is
- no survey was asked for, concerned that the CBO did not do due diligence
- there is a hydro line buried under the unopened road allowance
- there are a lot of problems with this
- do not think that the applicant is the one who made the problem
- thinks Council and the CBO should look carefully at how this house got built there
- there is also an entrance on the unopened road allowance

Deputy Reeve Dobbie

- where does the road at the back go?
- is the new hydro pole is on the side of the unopened road allowance that is to be stopped up and closed?

Bill Avery

- it is the 12th concession, it is not a road, it is an unopened road allowance
- yes, the hydro pole is on the unopened road allowance

Deputy Reeve Dobbie

- is anything built over hydro line?
- is the house taking hydro off the line?

Christian Illman

- no, nothing is built over the hydro line it is above ground
- yes, the house is taking hydro off of that pole

The Chief Administrative Officer/Clerk reiterated that it is not the building porting being spoken to at this time, only the road closing portion.

The Planner explained how the Township has never required a survey in order to get a building permit. To require one now would require a change in policy.

Bill Avery

- only ever applied for one building permit
- did not require a survey but one was done and showed to the CBO
- that was historically the way it was done

Planner

- the Township requires a site drawing, a hand drawn sketch, as part of the building permit application
- the Building and Planning Department reviews that drawing for setbacks
- the Township was supplied with the drawing
- the drawing was not based on the locations of the actual lot lines, which was unknown to the Township
- the Building Official would have seen what was required based on the site sketch
- it is up to the property owner to know where their lot lines are

Bill Avery

- maintains the building official did not do due diligence

The Planner explained that if the unassumed road allowance (URA) can not be sold to the applicant, it is possible that the applicants would be asked to move the garage as it can not stay on the URA. It was also noted that the applicants are responsible to ensure that the sketch provided with building permit application is correct and that builders adhere to building what was applied for.

The Chief Administrative Officer/Clerk, noting no objections to taking next steps, indicated that the applicants will be receiving a request for a survey from the Township.

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Municipal Drains, the Drainage Act, and Maintenance Plan Overview for the H. Mather Drain.**

RESOLUTION #C-2024-04-05

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, a Public Information Session with the Riparian Landowners for the H. Mather Drain be held to determine the full scope of maintenance and eliminate any works not requested by the respective landowners.”

ADOPTED

- ii) **Report #PW-2024-10 – Municipal Office LED Lighting Upgrade – Tender Award.**

RESOLUTION #C-2024-04-06

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, Tender #2024-MO-001 – Municipal Office LED Lighting Upgrades be awarded to CLI Electric Inc. in the amount of \$12,724.80 plus H.S.T.;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

ADOPTED

- iii) **Report #PW-2024-11 – 2024 Maintenance Gravel Program.**

RESOLUTION #C-2024-04-07

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“**THAT**, the revised 2024 Maintenance Gravel Program be approved as outlined in Report #PW-2024-11 – 2024 Maintenance Gravel Program;

AND THAT, the work on Long Lake Road be deferred and replaced with road base improvements on Old Brooke Road.”

ADOPTED

- iv) **Report #PW-2024-12 – Engineering Services for the Bowes Side Road Bridge – RFP Award.**

RESOLUTION #C-2024-04-08

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“**THAT**, Request for Proposal #2024-PW-005 – Engineering Services for the Bowes Side Road Bridge, be awarded to Safe Roads Engineering;

AND THAT, the Reeve and Clerk be authorized to sign the necessary documentation.”

ADOPTED

- v) **Report #FIN-2024-08 – 2024 Tax Rates.**

RESOLUTION #C-2024-04-09

MOVED BY: Korrine Jordan

SECONDED BY: Andrew Kendrick

“**THAT**, Report #FIN-2024-08 – 2024 Tax Rates, be received for information.”

ADOPTED

- vi) **Report #CAO-2024-07 – Proposed New Road Name – Buoy View Lane.**

RESOLUTION #C-2024-04-10

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, the necessary by-law to name an existing Private Road to Buoy View Lane as outlined in Report #CAO-2024-07 – Proposed New Road Name – Buoy View Lane, be brought forward for approval.”

ADOPTED

- vii) **Recreation in Tay Valley Township.**

RESOLUTION #C-2024-04-11

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“**THAT**, the overview of Recreation in Tay Valley Township be received for information.”

ADOPTED

viii) **Strategic Plan Update.**

RESOLUTION #C-2024-04-12

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, the Tay Valley Township Strategic Plan Update, dated April 9th, 2024 be received for information.”

ADOPTED

ix) **Appointment of Bird Watcher Volunteer.**

RESOLUTION #C-2024-04-13

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer to lead a community bird watching group, subject to the Criminal Records Check Policy:

- Rémy Poulin.”

ADOPTED

x) **24-02-28 and 24-04-03 – Council Communication Packages.**

RESOLUTION #C-2024-04-14

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“**THAT**, the 24-02-28 and 24-04-03 Council Communication Packages be received for information.”

ADOPTED

xi) **Green Energy and Climate Change Working Group - Resignation.**

RESOLUTION #C-2024-04-15

MOVED BY: Greg Hallam
SECONDED BY: Korrine Jordan

“**THAT**, Peter Nelson be removed from the Green Energy and Climate Change Working Group.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2024-015 – Zoning By-Law Amendment – McIntyre.**

RESOLUTION #C-2024-04-16

MOVED BY: Korrine Jordan
SECONDED BY: Andrew Kendrick

“**THAT**, By-Law No. 2024-015, being a by-law to amend Zoning By-Law No. 2002-121 (206 and 208 Patterson Road, Part Lot 19, Concession 3, geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ii) **By-Law No. 2024-016 – Zoning By-Law Amendment – Rennick.**

RESOLUTION #C-2024-04-17

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2024-016, being a by-law to amend Zoning By-Law No. 2002-121 (700 Bathurst 6th Concession, Part Lot 22, Concession 6, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iii) **By-Law No. 2024-017 – Road Naming – Buoy View Lane.**

RESOLUTION #C-2024-04-18

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“**THAT**, By-Law No. 2024-017, being a by-law to amend By-Law No. 98-87, being a Road Naming By-Law (Buoy View Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iv) **By-Law No. 2024-018 – Set Tax Rates – 2024**

RESOLUTION #C-2024-04-19

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, By-Law No. 2024-018, being a by-law to set the Tax Rates for the Year 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

9. NEW/OTHER BUSINESS

None.

10. CALENDARING

Meeting	Date	Time	Location
RVCA Board of Directors Meeting	April 25 th	6:30 p.m.	RVCA Offices
Committee of the Whole Meeting	May 7 th	6:00 p.m.	Municipal Office
Council Meeting	May 21 st	6:00 p.m.	Municipal Office
Committee of Adjustment Hearing	May 27 th	5:00 p.m.	Municipal Office

11. CLOSED SESSIONS

i) **CONFIDENTIAL: Litigation - Building Permit #115-2017.**

RESOLUTION #C-2024-04-20

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, Council move “in camera” at 6:27 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding Building Permit #115-2017;

AND THAT, the Chief Administrative Officer/Clerk, Planner, Deputy Clerk and Legal Counsel remain in the room.”

ADOPTED

RESOLUTION #C-2024-04-21

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, Council return to open session at 7:30 p.m.”

ADOPTED

The Chair rose and reported that Council received advice from legal counsel and provided direction to staff and legal counsel.

Council recessed at 7:30 p.m.
The Planner left at 7:30 p.m.
Council returned to session at 7:36 p.m.

ii) **CONFIDENTIAL: Receiving Advice – Road Access Agreements.**

RESOLUTION #C-2024-04-22

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“**THAT**, Council move “in camera” at 7:38 p.m. to address a matter pertaining to the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose regarding Road Access Agreements;

AND THAT, the Chief Administrative Officer/Clerk and Deputy Clerk remain in the room.”

ADOPTED

RESOLUTION #C-2024-04-23

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“**THAT**, Council return to open session at 8:25 p.m.”

ADOPTED

The Chair rose and reported that Council deliberated on the Road Access Agreement and provided direction to staff.

12. CONFIRMATION BY-LAW

i) **By-Law No. 2024-019 - Confirmation By-Law – April 23rd, 2024.**

RESOLUTION #C-2024-04-24

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“**THAT**, By-Law No. 2024-019 being a by-law to confirm the proceedings of the Council meeting held on April 23rd, 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

13. ADJOURNMENT

Council adjourned at 8:26 p.m.


Rob Rainer, Reeve


Aaron Watt, Deputy Clerk