



COMMITTEE OF THE WHOLE MINUTES

Tuesday, August 13th, 2024

**Immediately following the Public Meeting – Zoning By-Law Amendment(s) at 5:30 p.m.
Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario
Council Chambers**

ATTENDANCE:

Members Present: Chair, Councillor Korrine Jordan
Reeve Rob Rainer
Deputy Reeve Fred Dobbie
Councillor Wayne Baker
Councillor Greg Hallam
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 5:42 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

i) Addition under Priority Issues: Livestreaming 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 OF PUBLIC MEETINGS

i) **Public Meeting: Zoning By-Law Amendment(s) – June 4th, 2024.**

The minutes of the Public Meeting – Zoning By-Law Amendment(s) held on June 4th, 2024, were approved.

5. DELEGATIONS & PRESENTATIONS

i) **Presentation: Perth and District Union Library Update.**

Erika Heesen gave the PowerPoint presentation attached to the agenda.

E. Heesen also informed the Committee of the goals for the library:

- to work with the library's Indigenous Advisory Circle to provide library services for the Indigenous communities in our area and provide education for non-Indigenous peoples to actively engage in reconciliation
- offer programs and services virtually or off-site for our rural residents, such as Babytime at a community hall, satellite pickup/drop off locations, etc. and promote these to our community
- this past November, the Library launched a new satellite library service at the Maberly Hall in Tay Valley Township. This new library service offers pickup and drop-off of library materials and Babytime and Book Club programs. Programs have been well-received and we will be working to promote the service with a marketing push in September
- continuing to track attendance and improving our other statistics to make evidence-based decisions about the library's program offerings
- improve library policies and procedures to improve membership retention
- ensure the library is funded to meet the current and future operational needs of our anticipated growing population, by developing a robust fundraising program to raise \$60,000 annually and advocating to the provincial government for an increase to the provincial Public Library Operating Grant
- a building condition assessment was completed in 2022, and a maintenance plan incorporated into the library's 10-year capital budget
- in the coming year, the library will undertake a community consultation and needs assessment to evaluate its future needs, which may include an expanded or new space to serve our growing community
- we will be updating one of our meeting rooms, thanks to donations from our community; and we will be abating the tile on the second floor and replacing it with carpet tile.

Members raised questions regarding provincial funding, E. Heeson indicated that provincial grant funding has been frozen, remaining at the same dollar amount since the 1990's.

A Member asked if the library had sought support through additional government funding or support.

E. Heeson explained that the Perth & District Union Public Library is a registered charity, able to take donations and issue receipts, they do also benefit from regular donors and various grants. It was explained that it is typical that much of a library's funds are dedicated to staffing costs.

Recommendation to Council:

“THAT, the Council of Tay Valley Township direct the Reeve to write a letter to Ontario Premier Doug Ford with copy to Lanark- Frontenac-Kingston MPP John Jordan, calling on the provincial government to increase annual funding to Ontario libraries.”

Recommendation to Council:

“THAT, the Perth and District Union Library Update presentation be received for information.”

6. PRIORITY ISSUES

i) **Report #PD-2024-09 – Severance Application – Ennis.**

The Planner explained that

- this is the Township's first application for a site-specific Official Plan amendment
- it is being brought forward because the applicant does not want to incur the cost of a full Official Plan application if there is no indication that Council would support one
- the issue is that the owner of the property in question was told by the County that one severance was left on the property
- the owners did the associated studies in applying for a severance; archeological study, environmental impact, surveying was undertaken
- approximately one and one-half (1^{1/2}) years into the process it was discovered by County staff that there were no severances left available on this property
- the application was changed to a condominium road application
- as that process continued the applicant was informed by their lawyer that the condominium process costs approximately \$60,000 as opposed to the \$2,000 normal severance application
- the applicant met with the new County Planning Manager and worked out that a condominium road application would not be necessary if the Township did a one-time Official Plan amendment to allow one (1) additional severance on the property

The Planner explained being in support of the one-time Official Plan amendment because of the length of time it took for it to be discovered that no severances were available. The applicant proceeded in good faith undertaking the steps and costs of studies on incorrect information. While there is no planning rationale to grant additional severances when all applicable severances have been used on a property, in this case there was an error at

the County level that went undiscovered for a long period of time. This would not be setting a precedent.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township support, in principle, a site-specific Official Plan Amendment for 1551 Ennis Road to allow for one additional severance to reflect the information initially provided by Lanark County to the property owners as outlined in Report #PD-2024-09 – Severance Applications - Ennis”.

ii) **Report #PD-2024-10 – Report #PD-2024-10 - Province Removes Wetlands Protection for Eastern Ontario.**

The Planner explained that in circumstances where the status of a wetland is questioned, the designated Conservation Authority will visit the site to assess wetland status. The Planner highlighted that in June 2024, three (3) Eastern Ontario Conservation Authorities were ordered to stop implementing plans regarding wetlands policy. Contrary to 29 other Conservation districts in Ontario, this change leaves Tay Valley’s wetlands unprotected.

A Member raised a concern about local Conservation Authorities having such powers to suddenly declare a portion of owned land a wetland, immediately causing restrictions to that land without compensation to the landowner.

Recommendation to Council:

“**THAT**, the Council of the Corporation of Tay Valley Township urge the Provincial Government to reopen the wetlands regulation consultation for the Rideau Valley Conservation Authority (RVCA) to:

- allow Tay Valley’s wetlands to receive the same protections as wetlands in the other 29 Conservation Districts in Ontario; and
- ensure Tay Valley’s \$1.3 Billion Tax Assessment is protected from degradation.

THAT, landowners be compensated by the Province when wetlands are designated on their property,

AND THAT, this resolution and a copy of Report #PD-2024-10 – Province Removes Wetlands Protection for Eastern Ontario, be provided to the Minister of Natural Resources, to area Members of Provincial Parliament (MPPs), the Rural Ontario Municipal Association (ROMA), and to all Ontario Municipalities.”

iii) **Report #FIN-2024-10 – 2022 Development Charges Statement – Amended.**

The Chief Administrative Officer/Clerk explained that the legislation has changed and now requires reporting to be done in a different format, plus a municipality must provide an explanation when funds have not been spent as to why they have not been spent, and then also allocating unspent funds to future projects. As a result, both previous reports had to be updated. There is also now the requirement to post them on the website.

Recommendation to Council:

“THAT, Report #FIN-2024-10 - 2022 Development Charges Statement - Amended be received as information.”

iv) **Report #FIN-2024-11 – 2023 Development Charges Statement – Amended.**

Recommendation to Council:

“THAT, Report #FIN-2024-11 - 2023 Development Charges Statement - Amended be received as information.”

v) **Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery.**

Recommendation to Council:

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

THAT, Council agrees to proceed with purchasing the portion of lands as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

THAT, the requirements to advertise and hold a Public Meeting be waived;

THAT, the Applicant and Township split the legal costs 50/50;

THAT, the land sale and land purchase costs be waived;

AND THAT, the necessary by-law be brought forward once the survey is complete.”

vi) **Report #CAO-2024-15 - Request to Close a Portion of an Unopened Road Allowance – Kennedy.**

Recommendation to Council:

“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-15 – Request to Close a Portion of an Unopened Road Allowance – Kennedy;

THAT, the requirements to advertise and hold a Public Meeting be waived;

AND THAT, the necessary by-law be brought forward once the survey is complete.”

vii) **Report #CAO-2024-16 - Request to Close a Portion of an Unopened Road Allowance – Snyder.**

Recommendation to Council:

“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-16 – Request to Close a Portion of an Unopened Road Allowance – Snyder, as per the Road Closing and Sale Policy and call a Public Meeting.”

viii) **Report #CAO-2024-18 - Request to Close a Portion of an Unopened Road Allowance – Ratcliffe.**

The Chief Administrative Officer/Clerk provided an update that on page Two (2) of the report, page 68 of the agenda, the last paragraph under the DISCUSSION section be amended to read:

“As a neighbour stopped up and closed a portion of the unopened road allowance to the east, there are no future anticipated municipal uses.”

Recommendation to Council:

“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-18 – Request to Close a Portion of an Unopened Road Allowance – Ratcliffe;

THAT, the requirements to advertise and hold a Public Meeting be waived;

AND THAT, the necessary By-Law be brought forward.”

ix) **Report #CAO-2024-17 - Proposed New Road Name Deletion - Lakebreeze Lane.**

Recommendation to Council:

“**THAT**, once the right-of-way (Private Road) currently known as Lakebreeze Lane is physically removed and legally extinguished that the necessary by-law to repeal the Road Naming By-Law for Lakebreeze Lane, outlined in Report #CAO-2024-17 – Proposed Deletion of Road Name – Lakebreeze Lane, be brought forward for approval.”

The Committee recessed at 7:11 p.m.

The Committee returned to session at 7:16 p.m.

x) **Report #CAO-2024-19 - Options to Fill Vacancy on Council.**

Members raised questions about:

- the process of appointment
- the requirement of a public vote on applicants versus a private one
- the anticipated costs of both processes
- the upholding of the democratic process if a Member is replaced by Appointment rather than By-Election

The Chief Administrative Officer/Clerk explained that:

- the replacement by Application process is common and has recently been used by neighbouring municipalities
- Council could discuss and modify certain aspects of the process, such as the requirement to hold a public or private vote of applicants

It was generally agreed that being halfway through this term of Council, and that the Province does allow the Appointment process as a legitimate way to replace a Member of Council, and that the democratic process is upheld as any eligible member of Tay Valley Township may submit an application, that the process of Application be the chosen method to fill the vacancy on Township Council.

Recommendation to Council:

“**THAT**, one of the two Sherbrooke ward Councillor positions on Tay Valley Township Council be declared vacant.”

Recommendation to Council:

“**THAT**, the vacant Sherbrooke ward Councillor position be filled by the process of Appointment.”

Recommendation to Council:

“**THAT**, a requirement for 25 endorsements for Applicants be added as a requirement to fill the vacant Sherbrooke ward Councillor position application submission process.”

xi) **Report #CAO-2024-20 - Establish the Pinehurst Cemetery Board.**

Recommendation to Council:

“**THAT**, the Pinehurst Cemetery Board be established;

AND THAT, the necessary by-law be brought forward at the next Council meeting.”

xii) **Report #CAO-2024-21 - Pinehurst Cemetery By-Law.**

Recommendation to Council:

“**THAT**, the proposed Pinehurst Cemetery By-Law be brought forward to the next Council meeting for approval in order to be submitted to the Bereavement Authority of Ontario (BAO) for final approval.”

xiii) **Appointment to the Heritage Property Selection Committee.**

Recommendation to Council:

“**THAT**, The Council of the Corporation of Tay Valley Township appoint Peter Siemons to the Tay Valley Township Heritage Property Selection Committee.”

Councillor Jordan stepped down as Chair in order to discuss the next two items on the Agenda.

Reeve Rainer assumed the Chair.

xiv) **Council Appointment to the Mississippi Valley Conservation Authority Board.**

xv) **Council Appointment to the Library Board.**

The Chief Administrative Officer/Clerk explained that Councillor Kendrick’s resignation requires two (2) Board positions be filled.

Councillor Baker and Councillor Jordan submitted self nominations to the Library Board.

The Chair asked both Councillors if they wished their name to stand for the Library Board.

Both Councillors wished their names to stand.

Recommendation to Council:

“**THAT**, the Council of the Corporation of Tay Valley Township appoint Korrine Jordan to the Library Board for a term ending November 17, 2026.”

The Chair asked both Councillors if they were interested in the Mississippi Valley Conservation Authority Board appointment.

Councillor Jordan wished to be considered for the appointment, Councillor Baker declined.

Recommendation to Council:

“**THAT**, the Council of the Corporation of Tay Valley Township appoint Korrine Jordan to the Mississippi Valley Conservation Authority Board for a term ending November 17, 2026.”

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Reeve Rainer stepped down as Chair.
Councillor Jordan resumed the Chair.

xvi) **Closed Meeting Investigation – Final Report.**

Recommendation to Council:

“**THAT**, the Closed Meeting Investigation #2024-01 – Final Report be received for information.”

xvii) **Livestreaming Update.**

A Member questioned the status of the Township’s progress on livestreaming Committee and Council meetings.

The Chief Administrative Officer/Clerk reported that as outlined in last week’s update to Council, this report is anticipated to come forward to Council at the October or November Committee of the Whole meeting. Staff are beginning to research the various options, the logistics that go with those options and costing.

7. **CORRESPONDENCE**

i) **Jurisdiction of Ontario’s Ombudsman.**

Recommendation to Council:

“**WHEREAS**, the Council of the Corporation of Tay Valley Township support the request from the City of Peterborough that a Bill be introduced to amend the Ombudsman Act;

THAT, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, be requested to introduce a Bill to amend the Ombudsman Act to require the Ontario Ombudsman to provide to each municipality, if requested by the municipality, sufficient particulars of each investigation, matter or case respecting the municipality that is referred to in each of the Ombudsman's Annual Reports to permit the municipality to fully understand and address the subject matter of each such investigation, matter or case including:

- i) a copy of each complaint, as applicable, redacted only to the extent of individuals' personal information contained therein;
- ii) the identities of the municipality's employees, officers and members of Council with whom the Ombudsman was consulting in respect of the investigation, matter or case; and
- iii) particulars of the outcome of the investigation, matter or case including the Ombudsman's findings, conclusions and recommendations, if any.

AND THAT, staff forward Council's resolutions resulting from Council's approval of these recommendations to Minister Calandra, MPP John Jordan, the Association of Municipalities of Ontario (AMO) and to all Ontario municipalities.”

- ii) **Eastern Ontario Wardens’ Caucus – Municipal Infrastructure Policy Paper Calling for Investment in Municipal Infrastructure for Eastern Ontario’s Small and Rural Communities.**

Recommendation to Council:

WHEREAS, Eastern Ontario’s small rural municipalities face insurmountable challenges to fund both new growth related infrastructure and ongoing maintenance of their capital assets including local roads and bridges, clean water, wastewater, waste facilities, and municipally owned buildings including recreational facilities and libraries; and

WHEREAS, the [Federation of Canadian Municipalities](#) has calculated that Municipal Governments across Canada are responsible for approximately 60 percent of public infrastructure that supports our economy and quality of life, but only receive 10 cents of every tax dollar; and

WHEREAS, the Eastern Ontario Wardens’ Caucus (EOWC) region’s capital infrastructure deficit has increased by 58 percent since 2011 and is now at \$6 billion, and growing; and

WHEREAS, in 2018, the Ontario Government mandated all Ontario municipalities to develop and fully fund capital asset management plans by July 2025; and

WHEREAS, the EOWC has released a regional [Municipal Infrastructure Policy Paper](#) showing key infrastructure data, opportunities and challenges in small rural municipalities across Eastern Ontario; and

WHEREAS, Eastern Ontario is a growing economy that can grow more with sustainable, innovative infrastructure partnership and investment from the Federal and Ontario Governments; and

WHEREAS, the infrastructure deficit for small rural municipalities cannot be adequately addressed through property tax revenue, restricted municipal borrowing capacity, and municipalities limited ability to generate revenue; and

WHEREAS, small rural taxpayers cannot afford dramatic increases to pay for the current and future infrastructure.

NOW THEREFORE BE IT RESOLVED THAT, Tay Valley Township joins the Eastern Ontario Wardens' Caucus, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities in calling on the Federal and Ontario Governments to immediately and sustainably partner with Municipal Governments by investing in both the new and ongoing maintenance and repairs of municipal infrastructure in Eastern Ontario's small rural municipalities;

AND THAT the Federal and Ontario Governments immediately review data and work together to implement solutions based on the [EOWC's Municipal Infrastructure Policy Paper](#) in partnership with small rural municipalities; and

FINALLY THAT this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; The Honourable Lisa Thompson, Ontario Minister of Rural Affairs; The Honourable Peter Bethlenfalvy, Ontario Minister of Finance; The Honourable Prabmeet Sakaria, Ontario Minister of Transportation; The Honourable Victor Fedeli, Ontario Minister of Economic Development, Job Creation and Trade; The Honourable Scott Reid, Member of Parliament Lanark-Frontenac-Kingston; The Honourable John Jordan, Member of Provincial Parliament Lanark-Frontenac-Kingston; Federation of Canadian Municipalities; Association of Municipalities of Ontario; Canada Mortgage and Housing Corporation; Rural Ontario Municipal Association; Eastern Ontario Wardens' Caucus."

iii) **Association of Municipalities of Ontario – Joint Health Resolution Campaign.**

Recommendation to Council:

“WHEREAS, the state of health care in Ontario is in crisis, with 2.3 million Ontarians lacking access to a family doctor, emergency room closures across the province, patients being de-rostered and 40% of family doctors considering retirement over the next five years; and

WHEREAS, it has becoming increasingly challenging to attract and retain an adequate healthcare workforce throughout the health sector across Ontario; and

WHEREAS, the Northern Ontario School of Medicine University says communities in northern Ontario are short more than 350 physicians, including more than 200 family doctors; and half of the physicians working in northern Ontario expected to retire in the next five years; and (Northern Ontario only)

WHEREAS, Ontario municipal governments play an integral role in the health care system through responsibilities in public health, long-term care, and paramedicine.

WHEREAS, the percentage of family physicians practicing comprehensive family medicine has declined from 77 in 2008 to 65 percent in 2022; and

WHEREAS, per capita health-care spending in Ontario is the lowest of all provinces in Canada, and

WHEREAS, a robust workforce developed through a provincial, sector-wide health human resources strategy would significantly improve access to health services across the province;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Corporation of Tay Valley Township urge the Province of Ontario to recognize the physician shortage in Tay Valley Township and Ontario, to fund health care appropriately and ensure every Ontarian has access to physician care.”

iv) **Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act.**

Recommendation to Council:

“**WHEREAS**, the Council of the Corporation of Tay Valley Township supports Lake of Bays’ request for Royal Assent of the Administrative Monetary Policy System (AMPS) in the Ontario Building Code Act;

AND WHEREAS, the AMPS was written into the Building Code Act in December 2017;

AND WHEREAS, the AMPS has proven to be a valuable tool for education and enforcement of other municipal By-Laws;

AND WHEREAS, the AMPS frees up valuable Provincial Offences Court time saving the province and municipalities valuable resources and funds;

NOW THEREFORE BE IT RESOLVED THAT, a copy of this resolution be sent to The Honorable Paul Calandra, Minister of Municipal Affairs and Housing; The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); the Association of Ontario Municipalities (AMO); and all Ontario municipalities.”

v) **24-07-03 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 24-07-03 Council Communication Package be received for information.”

- vi) **24-08-07 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 24-08-07 Council Communication Package be received for information.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board.**

The Committee reviewed the minutes that were attached to the agenda.

- ii) **Committee of Adjustment – *deferred to the next meeting.***

- iii) **Fire Board.**

The Committee reviewed the minutes that were attached to the agenda.

- iv) **Library Board.**

The Committee reviewed the minutes that were attached to the agenda.

- v) **Pinehurst Cemetery Board – *deferred to the next meeting.***

- vi) **Lanark County OPP Detachment Board – *deferred to the next meeting.***

- vii) **Green Energy and Climate Change Working Group.**

The Committee reviewed the minutes that were attached to the agenda.

- viii) **Mississippi Valley Conservation Authority Board.**

The Committee reviewed the report and minutes that were attached to the agenda.

- ix) **Rideau Valley Conservation Authority Board.**

The Committee reviewed the minutes and summary that were attached to the agenda.

- x) **Lanark County Traffic Advisory Working Group – *deferred to the next meeting.***

xi) **County of Lanark**

Deputy Reeve Dobbie reported that

- Lanark Lodge applied for international Personal Service Workers (PSW) three (3) months ago, the first of which arrived this week.
- It is expected that three (3) more international PSW's will arrive in the coming months
- the County came in under budget and was able to move approximately \$3M of a \$120M budget to reserves

Reeve Rainer had nothing of note to report at this time.

9. CLOSED SESSION

i) **CONFIDENTIAL: Litigation – Severance File #B23/146.**

The Committee moved “in camera” at 8:01 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding the Severance File #B23-146 and The Chief Administrative Officer/Clerk, Deputy Clerk, and Planner remain in the room.

The Committee returned to open session at 8:03 p.m.

The Chair rose and reported that the Reeve and Chief Administrative Officer/Clerk were provided direction.

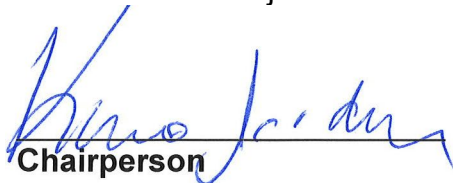
10. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

- *None.*

11. ADJOURNMENT

The Committee adjourned at 8:04 p.m.


Chairperson


Deputy Clerk