

Regular Council Meeting – November 18, 2024
Municipality of North Perth Council Chambers

Members Present	Mayor Todd Kasenberg Deputy Mayor Doug Kellum Councillor Lee Anne Andriessen Councillor Neil Anstett Councillor Sarah Blazek Councillor Matt Duncan Councillor Dave Johnston Councillor Marc Noordam Councillor Matt Richardson Councillor Allan Rothwell
Staff Present	CAO Kriss Snell Clerk/Legislative Services Supervisor Lindsay Cline Manager of Environmental Services Mark Hackett Treasurer Ashton Romany Manager of Operations Matt Ropp Deputy Clerk/Committee Coordinator Sarah Carter Chief Operator Scott Brooks Perth County Planner Nathan Garland Technology Services Technician Simon DeWeerd
Others Present	Caroline Baker, Baker Planning Don De Jong, Baker Planning Kelly Vader, BM Ross Steve Jackson, BM Ross

1. CALL TO ORDER

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

2. O CANADA

3. LAND ACKNOWLEDGEMENT STATEMENT

Mayor Kasenberg stated, “We acknowledge that we are on the traditional land of the Anishnaabe people. We wish to recognize the long history of Indigenous People of Canada and show our respect to them today. We recognize their stewardship of the land, may we all live with respect on this land and live in peace and friendship.”

4. COUNCIL RECOGNITIONS

5. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

- 5.1 Dave Johnston declared pecuniary interest on 9.2.1 and 17.1 because he is an officer of a corporation that is an adjoining landowner.

6. CONFIRMATION OF THE AGENDA

Resolution No. 402.11.24

Moved By Neil Anstett **Seconded By** Lee Anne Andriessen

THAT: The Agenda for tonight's meeting be approved.

CARRIED

7. CONSENT AGENDA

- 7.1 November 4, 2024 Regular Council Meeting Minutes
- 7.2 September 11, 2024 Listowel BIA Meeting Minutes
- 7.3 September 11, 2024 North Perth Economic Development Advisory Committee Meeting Minutes
- 7.4 October 15, 2024 North Perth Committee of Adjustment Meeting Minutes
- 7.5 2024 Well Inspection Reports
- 7.6 September 2024 Forestry Inspector's Report
- 7.7 County of Wellington Notice of Adoption - Official Plan Amendment No. 123
- 7.8 Township of North Glengarry Resolution re: Updates to Municipal Elections Act
- 7.9 Town of Pelham Resolution re: Establishment of an Ontario Rural Road Safety Program
- 7.10 Town of Parry Sound Resolution re: Establishment of an Ontario Rural Road Safety Program
- 7.11 Municipality of Wawa Resolution re: Green Roads Pilot Project
- 7.12 Township of Puslinch Resolution re: Provincial Projects and Excess Soil Management Practices
- 7.13 Town of Midland Resolution re: Sustainable Funding for Small Urban Municipalities

- 7.14 Municipality of St. Charles Resolution re: Funding for OPP
- 7.15 Town of Petawawa Resolution re: OPP Costs 2025

Resolution No. 403.11.24

Moved By Matt Richardson **Seconded By** Lee Anne Andriessen

THAT: The Council of the Municipality of North Perth supports the Town of Midland Resolution regarding Sustainable Funding for Small Urban Municipalities, and that the resolution be forwarded to all relevant stakeholders.

CARRIED

Resolution No. 404.11.24

Moved By Allan Rothwell **Seconded By** Sarah Blazek

THAT: Consent Items 7.1 to 7.15 be received for information and the minutes of the November 4, 2024 Regular Council Meeting be adopted.

CARRIED

8. PUBLIC MEETINGS/PUBLIC HEARINGS/DELEGATIONS

9. REPORTS

9.1 Manager of Environmental Services

9.1.1 Presentation - Sustainable Waterloo Region

Manager of Environmental Services Mark Hackett introduced Tova Davidson Executive Director, Sustainable Waterloo Region.

9.2 Manager of Development & Protective Services

9.2.1 Application for Draft Plan of Subdivision Approval and Zoning By-law Amendment NP24-01 & Z06-2024

Councillor Johnston exited the Council Chambers in accordance with his previously declared pecuniary interest.

Resolution No. 405.11.24

Moved By Sarah Blazek **Seconded By** Allan Rothwell

THAT: The Council received the report dated November 18th, 2024 entitled Draft Plan of Subdivision NP24-01 & Zoning By-law Amendment Z06-2024; and

THAT: The Council of the Municipality of North Perth APPROVES IN PRINCIPLE Zoning By-law Amendment Z06-2024 as recommended by Planning staff to rezone the subject lands from an Agricultural Zone (A) and Natural Resources /Environmental Zone Two (NRE2) to Special Residential Zone Threes (R3-4 and R3-5), Special Residential Zone Fives (R5-22, R5-23, R5-24, R5-25), Special Highway Commercial Zone (C3-H-12) with a holding provision, revised Natural Resources/Environment Zone Two (NRE2) and Institutional Zone (IN); and

THAT: The North Perth Council recommends to County Council that the application for Draft Plan of Subdivision (No. NP 24-01) by Tridon Group Ltd. affecting the lands described as Part Lots 27 and 28, Concession 1, Elma Ward be APPROVED subject to the following conditions:

1. That this approval applies to the draft plan prepared by GRIT Engineering, File GE067-21, dated October 1st, 2024 showing a total of 107 Lots, 21 townhouse blocks, 1 medium density block, 2 High Density Blocks, 1 Commercial Block, a walkway, a storm water management block, three natural environment blocks, two 0.3 m reserve blocks and 10 streets (internal and connecting) with a total area of 31.84 hectares as per the following:

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Lots 1 through 107	Low Density Residential (Singles and Semi's)
Blocks 110-114, 116-123, 125-127, 129-131, 136, 137	Townhouse Dwellings
Block 115	Medium Residential
Block 124 and 134	High Density Residential
Block 133	Stormwater Pond
Block 138, 140 and 143	Future Right of Way
Block 141	Walkway
Block 132	Parkland
Block 128, 135 and 139	Natural Areas
Block 108	Commercial
Right of Ways	

2. That this approval applies to the draft plan prepared by GRIT Engineering, File GE067-21, dated October 1st, 2024 showing a total of 107 Lots, 21 townhouse blocks, 1 medium density block, 2 High Density Blocks, 1 Commercial Block, a walkway, a storm water management block, three natural environment blocks, two 0.3 m reserve blocks and 10 streets (internal and connecting) with a total area of 31.84 hectares as per the following:
3. That the owner/developer enter into a Subdivision Agreement with the Municipality of North Perth, and that the terms of the Agreement be satisfactory to the Municipality of North Perth, including, but not limited to:
 - a. Provision for any phases;
 - b. Provisions for the construction of the streets to a standard acceptable to the Municipality;

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- c. Provisions for the installation of sidewalks and pedestrian walkways to a standard acceptable to the Municipality;
 - d. Provision for the installation of and connection to potable water services, sanitary and storm sewage systems, fire protection, storm water management and conveyance of facilities;
 - e. Provision for lot grading and drainage plans and related installations;
 - f. Provision for trees and landscaping including topsoil and sod on streets and any other public areas;
 - g. Provision for street lighting;
 - h. Financial securities and requirements;
 - i. Provision for the assignment of municipal addresses;
 - j. Provisions to implement the recommendations of the Environmental Impact Study prepared by Natural Resources Solutions Inc. revised date May 2024;
 - k. Other such matters as determined by the Municipality of North Perth. All development standards will be as specified by the Municipality. The Subdivision Agreement shall also contain satisfactory provisions to address requirements as determined necessary by other review agencies.
4. That a copy of the Subdivision Agreement shall be provided to the County of Perth Planning Department prior to final approval.
 5. That the required Subdivision Agreement shall be registered against the land to which it applies once the Plan of Subdivision has been registered.
 6. That the owner/developer enter into an agreement with the appropriate service providers for the installation of underground utility services to enable, at a minimum, the effective delivery of communication/telecommunication services for 911 Emergency Services;
 7. That the street(s) shown and any reserves in this draft plan shall be dedicated to the North Perth. They shall be named to the satisfaction of North Perth and where those streets are not extensions of existing streets that such new street names shall not be duplicates in spelling or phonetic sounding of street names elsewhere in the County of Perth.

8. That the owner/developer satisfy any outstanding financial charges to the Municipality of North Perth prior to final approval.
9. The owner/developer constructs and installs fencing and/or appropriate property demarcation between the adjacent properties of any or all-Natural Heritage or Natural Hazard features and any or all constructed hazards (stormwater ponds) to the satisfaction of the Municipality of North Perth.
 - a. Fencing may be chain link to a suitable size and quality to the satisfaction of the Municipality of North Perth
 - b. Property demarcation may be the installation of a Natural Buffers such as Native Trees or Shrubs
 - c. Property demarcation may be the installation of signage such as trail, Natural area, Agricultural area, No Trespassing, etc.
 - d. Some combination of the above to the satisfaction of the Municipality of North Perth.
10. That prior to final approval, the North Perth shall confirm that the Plan of Subdivision and proposed development conforms to the Municipality of North Perth Zoning By-law.
11. That a preliminary grading and drainage plan for the proposed development to the satisfaction and approval of the Municipality of North Perth, and that the developer has provided securities for the works to the satisfaction of the Municipality of North Perth.
11. The Owner/Developer shall construct, install and maintain erosion and sediment control facilities satisfactory to the Municipality of North Perth, in accordance with a plan that has been submitted to and approved by the Municipality.
12. That a parkland dedication arrangement be made in accordance with the Planning Act and consistent with the Municipality's Parkland Dedication By-law, to the satisfaction of the Municipality of North Perth.
13. That the road allowances shown on the draft Plan shall be dedicated to the Municipality of North Perth.
14. That prior to final approval, the owner shall receive confirmation from the Municipality of North Perth that there is sufficient capacity in the water and sanitary sewer systems to the service the plan of subdivision and that

such services have been appropriately allocated through the execution of the Subdivision Agreement. Prior to final approval of any phase the Municipality of North Perth will confirm the servicing allocation for such phase.

15. That prior to final approval, the owner/developer shall submit for the review and approval of the Municipality of North Perth, a detailed (Final) stormwater management plan for the area to the satisfaction of the Municipality.
16. That the owner/developer completes the Abandonment (as per the requirements set out in the *Drainage Act*) of any and all Municipal Drains on the subject lands to the satisfaction of the Municipality of North Perth.
17. That any easements required for municipal services will be provided by the Subdivider to the satisfaction of the Municipality of North Perth.
18. That such easements as may be required for utilities, but not limited to telephone, television cable, gas, hydro, internet or stormwater drainage purposes shall be granted gratuitously to the appropriate utility provider, agency or authorities to the satisfaction of the communication provider.
19. That the owner/developer shall enter into all necessary easements and/or agreements required for utility services.
20. That prior to site alteration the owner/developer provide the County of Perth and the Municipality of North Perth a clearance letter from the from the Ministry of Cultural Tourism and Sport and/or Ministry of Citizenship and Multiculturalism stating the report has been entered into the Ontario Public Registry of Archaeology Reports and that a response has been provided that no further archaeology assessment is required.
21. That the owner/developer installation of one Second Order Geodetic Benchmark within the proposed subdivision to the satisfaction of the Municipality of North Perth.
22. That any dead ends and open sides of road allowances created by the draft plan be terminated in 0.3 metre reserves, and that any road widenings created which shall be conveyed to the Municipality of North Perth and County of Perth.

Agency Conditions

23. That the owner/developer agrees to satisfy the requirements of Canada Post with respect to the delivery of mail including the suitable location for

Community Mail Boxes, if necessary, and that the Subdivision Agreement include any clauses required by Canada Post.

24. That prior to any grading or construction on the site within the Maitland Valley Conservation Authority regulated area and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the Maitland Valley Conservation Authority:
- i. A Final storm water management report. In addition, a storm servicing plan for the site should be included.
 - ii. An erosion and siltation control plan in accordance to the requirements of the Maitland Valley Conservation Authority (MVCA) and silt maintained on site throughout all phases of grading and construction.
 - iii. Detailed lot grading and drainage plans showing existing and proposed grades within the MVCA regulated areas.
 - iv. A Final Environmental Impact Memo (EIS) to the satisfaction of the Maitland Valley Conservation Authority be provided. The Final EIS memo should include the above noted reports, monitoring and mitigation outlined in the original Environmental Impact Study.
 - v. A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit for any proposed works within the regulated area.

Final Clearance

25. That the appropriate party, agency or organization submit a final clearance letter to the County of Perth stating that all conditions have been cleared with respect to their applicable conditions as noted below.

Municipality of North Perth
330 Wallace Avenue North
Listowel, Ontario
N4W 1L3

Conditions 2, 4 – 22, 25

County of Perth
1 Huron Street
Stratford, ON
N5A 5S4

Condition 3, 20, 22, 25

Maitland Valley Conservation Authority
1093 Marietta Street, Box 127
Wroxeter, ON N0G 2X0

Condition 24, 25

Delivery Planning
Canada Post Corporation
300 Wellington Street
LONDON, Ontario
N6B 3P2
519-808-9661

Condition 23, 25

Bell Canada or Wightman Communications
Bell Canada
Right of Way
Floor 5, 100 Borough Drive
SCARBOROUGH, Ontario
M1P 4W2
1-800-748-6284

Conditions 18, 19, 25

Enbridge Gas
Lands Department
50 Keil Drive North
CHATHAM, Ontario N7M 5M1
519-436-5292

Conditions 18, 19, 25

Hydro One
420 Welham Rd.
Barrie, ON
L4N 8Z2

Conditions 18, 19

26. The Developer will make reasonable efforts to accept the overland storm flows from the rear yards of Lots 56 to 62, Plan 44M-74, Listowel, subject to the following conditions:

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- The legal owners of Lots 56 to 62, Plan 44M-72 shall be required to re-grade their properties to direct the overland storm flows to the rear lot line of Lots 27 and 28, Concession 1, Elma Ward, Municipality of North Perth;
- The Developer will only accept overland flows from the rear yards of the seven (7) lots described above;
- The Developer will only accept the overland flows from the seven (7) lots described above, if all seven (7) property owners agree to pay the full cost to regrade their respective rear yards, as required by the Detailed Engineering Design completed by the Developer's Professional Engineer;
- Upon notice by the Developer to the seven (7) property owners to proceed with re-routing the overland storm flows, the seven (7) property owners have 30 days to confirm written agreement to the revised design and associated grading works;
- Should confirmation not be received by all seven (7) property owners within 30 days, the Developer shall not be required to accept any storm flows from of Lots 56 to 62, Plan 44M-74.

NOTES TO DRAFT APPROVAL

Prior to final approval, the Perth County Planning Department has been advised in writing that conditions have been met by the agencies below as listed:

1. It is the owner/developer's responsibility to fulfill the conditions of draft approval. **The Planning Department requires that the owner/developer provide one complete package with clearance letters from all agencies listed to the County of Perth Planning and Development Department, quoting the File No. NP 24-01.** The County of Perth Planning and Development Department will require a minimum of thirty days to review the clearing letters prior to approving the subdivision.
2. The County suggests that you make yourself aware of the following subsections of the Land Titles Act:
 - a. Subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a lands titles division; and
 - b. Subsection 144(2) allows certain exceptions.

3. All measurements in subdivision final plans must be presented in metric units.
4. The County's draft plan approval for this development is for a period of 3 years. If an extension is required, the owner/developer must apply in writing to the County for any extension at least 60 days prior to the lapsing date. **There is no authority to reactivate the County's draft plan approval after the lapsing date.** Where an extension is applied for, it is the owner/developer's responsibility to obtain a resolution from the local municipal Council in support of the extension request and such is to be included with the written extension request. The County is under no obligation to grant an extension of draft plan approval (Note: Section 50(33) of the Planning Act provides that the approval authority may extend and approval time period).
5. It is understood that Draft Approval does not constitute a commitment for Municipal water and wastewater. Commitment for Municipal water and wastewater will be made through the Subdivision Agreement on a phased basis.
6. That all required municipal services/works provided as a part of the subject development be designed and constructed in accordance with the Municipality of North Perth Municipal Design Criteria & Standard Specifications for Municipal Services.

Registration:

7. The final plan approved by the County of Perth must be registered within (30) thirty days or the County may withdraw the approval under Section 51(59) of the Planning Act.

CARRIED

Councillor Johnston returned to the Council Chambers.

9.2.2 Application for Part Lot Control Exemption PLC 03-2024

Resolution No. 406.11.24

Moved By Doug Kellum **Seconded By** Dave Johnston

THAT: The Council of the Municipality of North Perth APPROVES the application submitted by Kevin Gottfried for the exemption of part lot control on lands legally

described as Lot 16, Registered Plan 161, Listowel Ward, Municipality of North Perth; and

THAT: The approved by-law be provided to the Municipality of North Perth to be registered on title.

CARRIED

9.3 Manager of Operations

9.3.1 Presentation - Municipality of North Perth Servicing Master Plan

Manager of Operations Matt Ropp introduced consulting team from BM Ross; Kelly Vader, Andrew Garland and Steve Jackson.

10. COUNCIL REPORT REQUESTS

11. CORRESPONDENCE

11.1 Listowel BIA - Request for Parking Lot Closure and Noise By-law Exemption

Resolution No. 407.11.24

Moved By Marc Noordam **Seconded By** Sarah Blazek

THAT: The Council of the Municipality of North Perth APPROVES the request from the Listowel BIA to close a portion of the municipal parking lot at 169 Main St. E. as outlined in the request letter from 6:00 a.m. on Friday, November 29th to 2:00 p.m. on Saturday, November 30th for the BIA's Deck the Halls event;

AND THAT: The Council of the Municipality of North Perth grants an exemption to any timing regulations found in Noise By-law 32-AD-2001 to accommodate live music from 4:00 to 8:00 p.m. on November 29th;

AND THAT: North Perth Public Works, Fire, OPP and Perth County EMS be advised of the event.

CARRIED

11.2 Listowel Farm & Maker Market - Request for Parking Lot Usage

Resolution No. 408.11.24

Moved By Neil Anstett **Seconded By** Sarah Blazek

THAT: The Council of the Municipality of North Perth APPROVES the request from the Listowel Farm & Maker Market to close a portion of the municipal

parking lot at 169 Main St. E. as outlined in the request letter from 8:00 a.m. to 1:00 p.m. every Saturday from June 28th to October 4th;

AND THAT: North Perth Public Works, Fire, OPP and Perth County EMS be advised of this series of events.

CARRIED

11.3 North Perth Chamber of Commerce - Road Closure Request

Resolution No. 409.11.24

Moved By Allan Rothwell **Seconded By** Matt Richardson

THAT: The Council of the Municipality of North Perth APPROVES the road closure request from the North Perth Chamber of Commerce for the 2024 Christmas Parade to be held on Saturday, November 30th at 5:00 p.m. for the following route:

- Begin on Main St. E. at Maitland Ave.
- West on Main Street to Albert Ave. N.
- North on Albert Ave. to Binning St. W.
- West on Binning St. to the Steve Kerr Memorial Complex;

AND THAT: North Perth Public Works, Fire, OPP and Perth County EMS be advised of the event.

CARRIED

12. BY-LAWS

12.1 69-2024 Harold-Good Municipal Drain

12.2 91-2024 Atkin Municipal Drain

12.3 92-2024 Minto #2 Municipal Drain

12.4 93-2024 Silver Corners Municipal Drain

12.5 94-2024 Soden Municipal Drain

12.6 95-2024 Stege Municipal Drain

12.7 101-2024 Amendment to Board & Committee Appointments

Police Services Board - Juanita Kerr, not a member of Council

12.8 102-2024 Extension Agreement with Xplore Inc.

12.9 104-2024 Exemption from Part Lot Control (755 John Street West, Listowel)

Resolution No. 410.11.24

Moved By Matt Richardson **Seconded By** Marc Noordam

THAT: The following By-laws are hereby passed:

- 69-2024, being a by-law to authorize the repair and maintenance of the Harold-Good Municipal Drain;
- 91-2024, being a by-law to authorize the repair and maintenance of the Atkin Municipal Drain;
- 92-2024, being a by-law to authorize the repair and maintenance of the Minto #2 Municipal Drain, as amended;
- 93-2024, being a by-law to authorize the repair and maintenance of the Silver Corners Municipal Drain;
- 94-2024, being a by-law to authorize the repair and maintenance of the Soden Municipal Drain;
- 95-2024, being a by-law to authorize the repair and maintenance of the Stege Municipal Drain;
- 101-2024, being a by-law to amend the Boards & Committees Appointments By-law 147-2022, as amended;
- 102-2024, being a by-law to authorize the signing of an extension agreement with Xplore Inc.; and
- 104-2024, being a by-law to exempt from part lot control.

CARRIED

13. NOTICE OF MOTION

14. ANNOUNCEMENTS

15. CLOSED SESSION MEETING

Resolution No. 411.11.24

Moved By Matt Duncan **Seconded By** Matt Richardson

THAT: Council proceeds "In Camera" at 8:54 p.m. to address a matter pertaining to the following:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; **regarding Ontario Land Tribunal Case OLT-24-000792 (1020 Walton Ave N).**

CARRIED

Resolution No. 412.11.24

Resolution No. 413.11.24

Moved By Allan Rothwell **Seconded By** Matt Duncan

THAT: The "In Camera" session is now adjourned at 9:24 p.m. and that Council reconvenes into regular open Council.

CARRIED

16. REPORTING OUT

Mayor Kasenberg advised that Council did discuss the matter identified in the enabling resolution and gave staff direction, the essence of which will remain confidential at this time.

17. CONFIRMATORY BY-LAW

Councillor Johnston exited the Council Chambers in accordance with his previously declared pecuniary interest.

17.1 105-2024 Confirmatory By-law

Resolution No. 414.11.24

Moved By Sarah Blazek **Seconded By** Doug Kellum

THAT: By-law 105-2024, being a by-law to confirm generally previous actions of the Council of the Municipality of North Perth, is hereby passed.

CARRIED

Councillor Johnston returned to the Council Chambers.

18. ADJOURNMENT

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Resolution No. 415.11.24

Moved By Neil Anstett **Seconded By** Matt Duncan

THAT: The Council meeting adjourns at 9:27 p.m. to meet again for general Council business on Monday, December 2, 2024 at 7:00 p.m.

CARRIED

Mayor

Clerk