



## **COUNCIL MEETING AGENDA**

Tuesday, September 21<sup>st</sup>, 2021  
Following the "Special" Council Meeting at 6:00 p.m.  
Via GoToMeeting

GoToMeeting: <https://global.gotomeeting.com/join/779852085>

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### **Members of the Public:**

Meetings are now being held using GoToMeeting - Video Conferencing. By clicking the link above (allow extra time for downloading the program if it is the first time you have used GoToMeeting on your device), you will be able to see the agenda, see Members of Council and hear the proceedings of the meeting. Please ensure the volume on your device is **on** and **turned up** to hear the meeting. The Public is asked to ensure that their mic and camera buttons are off for the entire meeting.

### **Video Conference Participation Etiquette**

- a meeting via video conference shall never be treated differently than a meeting in person, whereby all attendees shall abide by proper meeting procedure and etiquette;
  - we ask that all public attendees mute their cameras and mics; doing so will eliminate any background noise and create a much more seamless process (for Members only - if/when you wish to speak during the meeting, you will simply unmute your mic and upon completion of your thought, please re-mute)
  - the Chair will call the meeting to order at the time indicated on the agenda;
  - roll call will be completed visually by the Chair;
  - the Chair will then remind all attendees to place their devices on mute
  - as the Chair moves through the agenda, he will call on the appropriate staff person to speak to their reports;
  - we request that you retain your questions until the end of the report, at which time the Chair will ask if anyone has questions;
  - just as during an in-person meeting, members will be required to raise their hand and the Chair will call on you to speak;
  - when the Chair calls a vote, you will raise your hand for the vote in favour and then in opposition, if necessary.
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6:00 p.m. "Special" Council Meeting  
Following. Council Meeting

**Chair, Deputy Reeve Barrie Crampton**

**1. CALL TO ORDER**

- i) Roll Call

**2. AMENDMENTS/APPROVAL OF AGENDA**

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

**4. APPROVAL OF MINUTES**

- i) **Council Meeting – August 24<sup>th</sup>, 2021 – attached, page 11.**

*Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips:  
"THAT, the minutes of the Council Meeting held on August 24<sup>th</sup>, 2021, be approved as circulated."*

- ii) **"Special" Council Meeting – August 30<sup>th</sup>, 2021 – attached, page 32.**

*Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer:  
"THAT, the minutes of the "Special" Council Meeting held on August 30<sup>th</sup>, 2021, be approved as circulated."*

- iii) **Committee of the Whole Meeting – September 7<sup>th</sup>, 2021 – attached, page 34.**

*Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:  
"THAT, the minutes of the Committee of the Whole Meeting held on September 7<sup>th</sup>, 2021, be approved as circulated."*

- iv) **"Special" Council Meeting – September 7<sup>th</sup>, 2021 – attached, page 49.**

*Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:  
"THAT, the minutes of the "Special" Council Meeting held on September 7<sup>th</sup>, 2021, be approved as circulated."*

**5. DELEGATIONS & PRESENTATIONS**

None.

**6. CORRESPONDENCE**

None.

## 7. MOTIONS

- i) **Report #FIN-2021-15 – 10 Year Capital Plan (2021-2031).**  
Richard Bennett, Acting Treasurer.

*Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie:  
“THAT, the 10 Year Capital Plan (2021-2031) be adopted.”*

- ii) **Report #PD-2021-33 - Severance Application – Briggs.**  
Noelle Reeve, Planner.

*Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson:  
“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Diane Briggs B21/072 (Concession 3, Part Lot 21, geographic Township of South Sherbrooke) 750 Christie Lake Lane 32D to create a lot addition to lands at 767 Christie Lake Lane 32D, owned by Penny Nault, 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 of the severances.*

*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.”*

- iii) **Report #PD-2021-34 - Severance Application – Malloy.**  
Noelle Reeve, Planner.

*Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips:  
“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Lisa and Paul Malloy B21/119 (Concession 9, Part Lot 16, geographic Township of North Burgess) 4180 Scotch Line to create 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 of the severances.*

*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 for the severed lot shall be made to the Township representing Cash-in-Lieu of Parklands.*

*That, the applicant obtains a civic address number along the Scotch Line.”*

iv) **Report #PD-2021-35 - Severance Application – VanAlstine.**  
Noelle Reeve, Planner.

*Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer:  
“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Mark and Kathy VanAlstine B21/106 (Concession 9, Lot 14, geographic Township of South Sherbrooke) 472 Maberly Elphin Road to create one 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 of the severances.*

*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 for the severed lot shall be made to the Township representing Cash-in-Lieu of Parklands.*

*That the applicant confirm with the Township Public Works Manager that 45m of road frontage along Cohen Way is available for access to the lot as is required for a lot in a Hamlet. If the full 45m is not available, the applicant will bring the remaining required frontage up to Township standards for assumption.*

*That, the applicant obtain an entrance permit and Civic Address Number along Cohen Way, for the severed lot.*

*That, sufficient lands shall be dedicated to the Township along the frontage of the lots 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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3-metre reserve along the frontage of the severed and/or retained parcel.”*

- v) **Report #PD-2021-36 - Severance Application – Warwick.**  
Noelle Reeve, Planner.

*Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:  
“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Blake and Julia Warwick B21/091-093 (Concession 6, Lot 1-2, geographic Township of Bathurst) 555 Kirkham Road to create three new lots, 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 of the severances.*

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

*That, payment for the severed lots shall be made to the Township representing Cash-in-Lieu of Parklands.*

*That a Development Agreement is entered into for the severed lots to retain the trees along Kirkham Road to screen the houses so that strip development is not created.*

*That, the applicant obtain entrance permits and Civic Address Numbers along Kirkham Road for the severed lots.*

*That, sufficient lands shall be dedicated to the Township along the frontage of the lots 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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel.”*

- vi) **Report #PD-2021-32 – Official Plan Amendments No. 5 & 6 Farren and Adam Lake.**  
Noelle Reeve, Planner.

*Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:  
“THAT, Council at its next meeting adopt Official Plan Amendment No. 5 for Farren Lake and Official Plan Amendment No. 6 for Adam Lake in order to update the date of passage of the by-laws;*

**THAT, the Planner be authorized to resubmit the Official Plan Amendments to Lanark County for final approval;**

**AND THAT**, upon approval of Official Plan Amendments 5 and 6 by the County of Lanark, Council amend Zoning By-law No. 2002-121 to implement Official Plan Amendments No. 5 and No. 6.”

- vii) **Report #C-2021-29 – Request to Close Forced Road - Doxey**  
Amanda Mabo, Acting CAO/Clerk.

*Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson:*  
**“THAT**, Council declares the forced road (approximately 300 feet) at Lot 11, Concession 5, Bathurst, south of Highway 7, surplus to the Township’s needs;

**THAT**, Council agrees to proceed with the application to stop up, close and sell the said forced road as per the Road Closing and Sale Policy and call a Public Meeting;

**THAT**, the purchase price of \$0.06 per square foot be accepted should the sale be finalized.”

- viii) **Report #C-2021-30 – Animal Control and Pound Service.**  
Amanda Mabo, Acting CAO/Clerk.

*Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips:*  
**“THAT**, the agreement with Frontenac Municipal Law Enforcement Services Inc. be amended to include animal control services;

**THAT**, staff be authorized to enter an agreement with Andrew Parent to provide animal pound services;

**AND THAT**, the necessary by-laws be brought forward to the September Council meeting.”

- ix) **Report #C-2021-31 – Proposed Forest Trail.**  
Amanda Mabo, Acting CAO/Clerk.

*Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer:*  
**“THAT**, the Park Plan (Forest Trail) be received for information;

**THAT**, the Township proceed with Phase 1 of the Forest Trail beginning in the Fall of 2021 with completion in the Summer of 2022 which will provide a fully functioning park that includes:

- installation of an entrance and parking area (10 parking spaces)
- an accessible primary trail
- an accessible fitness trail
- fitness equipment
- benches, picnic tables, a bike rack, a waste/recycling receptacle
- a site identification sign
- a site map/orientation sign and
- fencing between the adjacent residential properties;

***THAT**, Phase 1 be funded from the COVID-19 Resiliency Infrastructure Stream Grant, COVID Funds, Development Charges, Cash in Lieu of Parkland and Accessibility Reserve;*

***AND THAT**, ongoing maintenance costs be funded from the Northland Solar Farm Reserve.”*

x) **Report #CBO-2021-06 – Building Department Report – January to August 2021.**

Noelle Reeve, Planner.

*Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:  
“**THAT**, Report #CBO-2021-06 – Building Department Report – January to August 2021 be received as information.”*

xiii) **21-08-26 – Council Communication Package.**

*Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:  
“**THAT**, the 21-08-26 Council Communication Package be received for information.”*

xiv) **Notice of Study Commencement – Replacement of Blueberry Creek Culvert.**

*Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie:  
“**THAT**, the Notice of Commencement – Detail Design and Environmental Assessment for the Replacement of Blueberry Creek Culvert in the Township of Tay Valley, Lanark County dated August 26, 2021, be received for information.”*

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

*Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson:  
“**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 Policy:*

- *James Beckett.”*

## **8. BY-LAWS**

i) **By-Law No. 2021-040: Appoint Chief Building Official (Shane Atkinson) – attached, page 52.**

*Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips:  
“**THAT**, By-Law No. 2021-040, being a by-law to appoint a Chief Building Official (Shane Atkinson) be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- ii) **By-Law No. 2021-046: Appointment of Deputy Chief Building Officials and Building Inspectors – attached, page 54.**

*Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer:  
“THAT, By-Law No. 2021-046, 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.”*

- iv) **By-Law No. 2021-047: Official Plan Amendment – No. 6 – attached, page 56.**

*Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:  
“THAT, By-Law No. 2021-047, being a by-law to adopt Official Plan Amendment – No. 6 (Adam Lake), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- v) **By-Law No. 2021-048: Official Plan Amendment – No. 5 – attached, page 94.**

*Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:  
“THAT, By-Law No. 2021-048, being a by-law to adopt Official Plan Amendment – No. 5 (Farren Lake), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- vi) **By-Law No. 2021-049: Maximum Rate of Speed – Stanley Road – attached, page 114.**

*Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie:  
“THAT, By-Law No. 2021-049, being a by-law to Amend the Maximum Rate of Speed By-Law No. 2018-035 to reduce the rate of speed on Stanley Road, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- vii) **By-Law No. 2021-050: Animal Pound Services Agreement – attached, page 116.**

*Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson:  
“THAT, By-Law No. 2021-050, being a by-law to Authorize the Execution of an Animal Pound Services Agreement with Andrew Parent, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”*

## 9. NEW/OTHER BUSINESS

None.



## 10. CALENDARING

Meeting	Date	Time	Location
Library Board Meeting	September 20 <sup>th</sup>	5:30 p.m.	Perth Library
“Special” Council Meeting	September 21 <sup>st</sup>	6:00 p.m.	Virtual
Council Meeting	September 21 <sup>st</sup>	Following	Virtual
Green Energy and Climate Change Working Group Meeting	September 24 <sup>th</sup>	10:00 a.m.	Virtual
Committee of the Whole Meeting	October 5 <sup>th</sup>	5:30 p.m.	Virtual
Committee of Adjustment Hearing	October 18 <sup>th</sup>	5:00 p.m.	Virtual
Library Board Meeting	October 18 <sup>th</sup>	5:30 p.m.	Virtual
Council	October 19 <sup>th</sup>	5:30 p.m.	Virtual

## 11. CLOSED SESSIONS

None.

## 12. CONFIRMATION BY-LAW

- i) **By-Law No. 2021-051 - Confirmation By-Law – August 30<sup>th</sup> and September 7<sup>th</sup> and 21<sup>st</sup>, 2021 – attached, page 122.**  
*Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips: “THAT, By-Law No. 2021-051, being a by-law to confirm the proceedings of the Council meetings held on August 30<sup>th</sup> and September 7<sup>th</sup> and 21<sup>st</sup>, 2021, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

## 13. ADJOURNMENT

# MINUTES

# COUNCIL MEETING MINUTES

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Tuesday, August 24<sup>th</sup>, 2021  
5:30 p.m.  
GotoMeeting

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## ATTENDANCE:

**Members Present:** Chair, Reeve Brian Campbell  
Deputy Reeve Barrie Crampton  
Councillor Fred Dobbie  
Councillor Rob Rainer  
Councillor Beverley Phillips (arrived at 5:46 p.m.)  
Councillor Mick Wicklum  
Councillor RoxAnne Darling (left at 6:06 p.m. and returned at 6:34 p.m.)  
Councillor Gene Richardson

**Staff Present:** Amanda Mabo, Acting CAO/Clerk  
Janie Laidlaw, Deputy Clerk  
Richard Bennett, Acting Treasurer  
Noelle Reeve, Planner  
Sean Ervin, Public Works Manager (left at 6:18 p.m.)

**Regrets:** None

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## 1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.  
The Reeve conducted Roll Call.  
A quorum was present.

The Reeve overviewed the Video Conference Participation Etiquette that was outlined in the Agenda.

## 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**

Councillor Darling declared a conflict of interest on item 8iii) because she was the acting agent on the application.

**4. APPROVAL OF MINUTES**

i) **Council Meeting – June 22<sup>nd</sup>, 2021.**

**RESOLUTION #C-2021-08-17**

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

“**THAT**, the minutes of the Council Meeting held on June 22<sup>nd</sup>, 2021, be approved as circulated.”

**ADOPTED**

ii) **“Special” Council Meeting – July 20<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-18**

**MOVED BY:** Mick Wicklum  
**SECONDED BY:** Fred Dobbie

“**THAT**, the minutes of the “Special” Council Meeting held on July 20<sup>th</sup>, 2021, be approved as circulated.”

**ADOPTED**

iii) **Committee of the Whole Meeting – August 10<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-19**

**MOVED BY:** Fred Dobbie  
**SECONDED BY:** Barrie Crampton

“**THAT**, the minutes of the Committee of the Whole Meeting held on August 10<sup>th</sup>, 2021, be approved as circulated.”

**ADOPTED**

iv) **“Special” Council Meeting – August 18<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-20**

**MOVED BY:** Barrie Crampton  
**SECONDED BY:** Gene Richardson

“**THAT**, the minutes of the “Special” Council Meeting held on August 18<sup>th</sup>, 2021, be approved as circulated.”

**ADOPTED**

**5. DELEGATIONS & PRESENTATIONS**

**Presentation - Heritage Property Recognition Program.**

D. Taylor gave the PowerPoint Presentation that was attached to the agenda.

**6. CORRESPONDENCE**

None.

**7. MOTIONS**

Councilor Phillips arrived at 5:46 p.m.

i) **2021 History Scholarship Selection Committee Report.**

**RESOLUTION #C-2021-08-21**

**MOVED BY:** Gene Richardson  
**SECONDED BY:** Beverley Phillips

“**THAT**, the 2021 History Scholarship Selection Committee Report be received for information.”

**ADOPTED**

ii) **Report #PD-2021-28 - Severance Application – 12368838 Canada Inc.**

**RESOLUTION #C-2021-08-22**

**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 Applications for 12368838 Canada Inc. B21/045/046 (Con 6, Part Lots 11 and 12, geographic Township of North Burgess) to create two new lots, 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 for legal searches, etc. 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 severances, both hard copy and electronically.

That, payment for the lots shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands.

That, the applicant obtains entrance permits and Civic Address Numbers along Long Lake Road for the severed lots.

That, the lot proposed in B21/045 shall be the subject of a Development Agreement to specify a development envelope outside of the Provincially Significant Wetland buffer.

That, the lot proposed in B21/46 shall be the subject of a Development Agreement to specify a development envelope outside the unevaluated wetland buffer.

That the shallow abandoned mine hazards be identified on the severed lot(s) as part of the Development Agreement(s).

That the applicant undertakes to fence, or fill in, or otherwise make safe, the hazardous abandoned mine site on the retained parcel identified by the Ministry of Energy Mines and Northern Development.

That, sufficient lands shall be dedicated to the Township along the frontage of the lots 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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel."

**ADOPTED**

iii) **Report #PD-2021-29 - Severance Application – Bout and Johnson.**

**RESOLUTION #C-2021-08-23**

**MOVED BY:** Rob Rainer

**SECONDED BY:** RoxAnne Darling

**“THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Dave Bout and Jan Johnson B21/044 (Concession 6 and 7, Part Lots 18 and 19, geographic Township of South Sherbrooke) 2374 Old Brooke Road to create one 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 for the severed lot shall be made to the Township representing Cash-in-Lieu of Parklands.

That, the applicant obtain an entrance permit and Civic Address Number along Old Brooke Road for the severed lot.

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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel."

**ADOPTED**

iv) **Report #PD-2021-30 - Severance Application – Brown.**

**RESOLUTION #C-2021-08-24**

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

**“THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for B21/068 (Concession 5, Part Lot 17, geographic Township of Bathurst) 1300 Bathurst 5<sup>th</sup> Concession to create one 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 for the lot shall be made to the Township representing Cash-in-Lieu of Parklands.

That, the applicant obtain an entrance permit and Civic Address Number along the Bathurst 5<sup>th</sup> Concession for the severed lot.

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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3-metre reserve along the frontage of the severed and/or retained parcel."

**ADOPTED**

v) **Report #PD-2021-31 – Maberly Pines Holding Zone Options.**

Deputy Reeve Crampton had emailed an amendment to the suggested motion.

The Acting CAO/Clerk explained that since there is currently no motion on the floor, if Council wishes to move the suggested motion from Deputy Reeve Crampton then that would be the original motion.

Councillor Darling indicated that she was happy with the suggested motion as it is on the agenda.

Councillor Rainer asked about the amount of work that the amended motion involves for staff and asked if Deputy Reeve Crampton could explain the rationale behind the amendment and if staff could advise if they are able to accommodate the additional work being asked of them.

Deputy Reeve Crampton explained that he supports the original motion but the subdivision and its future does not solely rely on the water issues, there are other issues that need to be addressed, the information that will be collected should be presented to Council and in a report from staff as to how many of the lots are viable, each lot would need an approved entrance and electricity brought in to each lot.

The Acting CAO/Clerk explained that other than the hydro information, the other items in the resolution were going to be gathered and presented in the final report already. At the Committee of the Whole meeting on September 7<sup>th</sup> the consultant for the Development Charges Review is presenting an update and amendment to the Development Charges By-Law that ties into the roads within the subdivision. The amendment to the motion was discussed with staff and does not require additional work as it was already going to be done.

Councillor Darling left at 6:05 p.m.

**RESOLUTION #C-2021-08-25**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Fred Dobbie

**“THAT**, staff retain a hydrogeologist at an upset limit of \$20,000 funded from the contingency reserve to:

- obtain groundwater samples from the existing wells for laboratory analysis; and
  - research well records in the area for flow data;
- to determine a private servicing layout which would identify the location of the dwelling, well and septic for each vacant lot in the Maberly Pines Subdivision, based on Water and Earth Sciences Associates (WESA's) recommendations in comparison with a private servicing layout based on constrained development (ex. incinerating toilets, importing potable water) for Council's consideration;



**AND THAT**, the Treasurer conduct a return-on-investment assessment for the subdivision.”

**(SEE RESOLUTION #C-2021-08-26)**

**RESOLUTION #C-2021-08-26**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Rob Rainer

“**THAT**, Resolution #C-2021-08-25 be deleted in its entirety and replaced with:

“**THAT**, staff retain a hydrogeologist at an upset limit of \$20,000 funded from the contingency reserve to:

- Provide a high-level review of the hydrological features of the area contained within the Maberly Pines Subdivision
- obtain groundwater samples from the existing wells for laboratory analysis; and
- research well records in the area for flow data; to determine a private servicing layout which would identify the location of the dwelling, well and septic for each vacant lot in the Maberly Pines Subdivision, based on Water and Earth Sciences Associates (WESA’s) recommendations in comparison with a private servicing layout based on constrained development (ex. incinerating toilets, importing potable water) for Council’s consideration;

**THAT**, staff prepare a summary of the property ownership (ex. multiple lots owned by the same owner) of the existing lots in the Maberly Pines subdivision;

**THAT**, staff details the number of viable lots identified in the private servicing layout;

**THAT**, staff submits a report including cost estimates on the requirements to provide road access to service all the viable lots indicated by the private servicing layout;

**THAT**, staff determine Ontario Hydro criteria for providing electrical services to the undeveloped lots in a subdivision such as Maberly Pines;

**AND THAT**, staff conduct a return-on-investment assessment for the subdivision.”

**(SEE RECORDED VOTE)**

Councillor Wicklum called a recorded vote on Resolution #C-2021-08-26:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{5}$
Against:	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{2}$
Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
Total:		8

**ADOPTED**

**RESOLUTION #C-2021-08-25**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Rob Rainer

**“THAT**, staff retain a hydrogeologist at an upset limit of \$20,000 funded from the contingency reserve to:

- Provide a high-level review of the hydrological features of the area contained within the Maberly Pines Subdivision
- obtain groundwater samples from the existing wells for laboratory analysis; and
- research well records in the area for flow data; to determine a private servicing layout which would identify the location of the dwelling, well and septic for each vacant lot in the Maberly Pines Subdivision, based on Water and Earth Sciences Associates (WESA’s) recommendations in comparison with a private servicing layout based on constrained development (ex. incinerating toilets, importing potable water) for Council’s consideration;

**THAT**, staff prepare a summary of the property ownership (ex. multiple lots owned by the same owner) of the existing lots in the Maberly Pines subdivision;

**THAT**, staff details the number of viable lots identified in the private servicing layout;

**THAT**, staff submits a report including cost estimates on the requirements to provide road access to service all the viable lots indicated by the private servicing layout;

**THAT**, staff determine Ontario Hydro criteria for providing electrical services to the undeveloped lots in a subdivision such as Maberly Pines;

**AND THAT**, staff conduct a return-on-investment assessment for the subdivision.”

**(SEE RECORDED VOTE)**

Councillor Wicklum called a recorded vote on Resolution #C-2021-08-25:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{5}$
		5
Against:	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{2}$
		2
Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
		1
Total:		8

**ADOPTED**

vi) **Report #C-2021-25 – Establish the Bolingbroke Cemetery Board.**

**RESOLUTION #C-2021-08-27**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

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

**THAT**, the necessary by-law be brought forward at the next Council meeting;

**AND THAT**, a call for Members go out once the by-law is adopted.”

**ADOPTED**

vii) **Report #C-2021-26 – Revised Noise By-Law.**

**RESOLUTION #C-2021-08-28**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Gene Richardson

“**THAT**, a Noise By-Law for the Township not be pursued at this time.”

**(SEE RECORDED VOTE)**

Councillor Phillips called a recorded vote on Resolution #C-2021-08-28:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Gene Richardson	$\frac{1}{4}$
		4
Against:	Councillor Beverley Philips	1
	Councillor Rob Rainer	1
	Councillor Mick Wicklum	$\frac{1}{3}$
		3
Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
		1
Total:		8

**ADOPTED**

viii) **Report #C-2021-24 – Rename Rancier Road to Dixie Colton Lane.**

**RESOLUTION #C-2021-08-29**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

“**THAT**, the necessary by-law to name an existing Private Road from Rancier Road to Dixie Colton Lane as outlined in Report #C-2021-24 – Rename Rancier Road (Dixie Colton Lane) be brought forward for approval.”

**ADOPTED**

ix) **Report #FIN-2021-13 – Northland Solar Farm Reserve.**

**RESOLUTION #C-2021-08-30**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, the balances in the Northland Solar Farm Reserve be redistributed as recommended in Report #FIN-2021-13 – Northland Solar Farm Reserve Report.”

**ADOPTED**

- x) **Report #FIN-2021-14 – Budget Review and Forecast as at June 30, 2021.**

**RESOLUTION #C-2021-08-31**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Gene Richardson

“**THAT**, Report #FIN-2021-14 - Budget Review and Forecast as at June 30, 2021, be received for information.”

**ADOPTED**

- xi) **Report #PW-2021-19 – Building Condition Assessment – RFP Award.**

**RESOLUTION #C-2021-08-32**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Mick Wicklum

“**THAT**, the Building Condition Assessment Contract #2021-EC-001, including the additional scope be awarded to McIntosh Perry;

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

**ADOPTED**

The Public Works Manger left at 6:18 p.m.

- xii) **Report #C-2021-27 – Council Composition Survey Results and Next Steps.**

The Reeve explained that there was a lengthy discussion at the Committee of the Whole meeting on this topic, the two options that were discussed are on the agenda and would like to open the floor for discussion on these options or any other options that anyone wishes to discuss.

Councillor Wicklum wanted to have a discussion then had a suggested motion to put on the table.

Councillor Rainer read the following statement:

It is a serious mistake to believe that a Council of as few as five members would translate into a more efficient municipality. Efficiency of governance has much less to do with the number of seats than it does the quality of Council leadership and the quality of Council deliberations. A 5-member Council can just as easily make ill-considered decisions, with serious cost implications for a municipality, as can an 8-member Council, or any number in between.

There has been a suggestion for a 5-member Council but a compelling rationale for this has not been provided, other than to say that other municipalities get along fine with that number. But is that really true? Do not other towns with smaller councils also have efficiency or other problems that actually have nothing to do with the number of members?

In my experience dating to 1988, the optimal number of members of a governing body is between seven and nine. I could support a reduction in this Council from eight to seven members, but only if that option would be polled with and clearly supported by our citizens. However, unless we are prepared to do the work to properly consult with the people we represent – which has not been done thus far – I will not support a change to the status quo.

I have seen in my near three years on this Council how each member has added something around the table that no one else contributed. That has shown the value of having sufficient diversity in the room. As the saying goes, two heads are better than one. And in this context, eight heads are better than five.

Councillor Phillips feels there are too many councillors, the residents can be represented by 5 members, issues can be delt with by 5 members and feels the reluctantly to reduce Council is about job security. A consultant is not required to determine the number of Councillors nor is using the guiding principles, there is no need to base the number of Councillors on anticipated growth of population, prefer to have a Council of 5 members, without using a consultant but would also agree with 7 members.

Councillor Dobbie feels the number of Councillors and the wards should be left alone, has spoken to the public about it and that is what they have told him, the public survey indicated to leave this as status quo.

The Reeve feels the survey was even and that Tay Valley is over governed.

Councillor Wicklum agrees that Tay Valley is over governed and should have a Council of 5. He did a comparison of Councillors per person in some townships and cities in the area and North Frontenac was the only one that had more, and they are now looking at reducing Council from 7 to 5. He would suggest a 7 member Council.

Councillor Rainier feels it is irresponsible to make this change without public consultation.

The Deputy Reeve feels this discussion should have been brought up earlier than now in the term, there has been no discussion about the need to reduce Council in the last three years and now it is an issue, there was a public survey that was inconclusive. There are lots of good ideas, but feels it is too important of an issue to be making a decision at this time.

The Reeve agreed with Councillor Wicklum's comparison, is not aware of any other Township having an even number of Councillors, would like to remove the possibility of a tie vote, prefers to reduce to 5 members but 7 members will also accomplish that.

Councillor Rainer explained that if one member is absent then there is a possibility of a tie vote, does not feel that should be the reason to make the decision.

**RESOLUTION #C-2021-08-33**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Beverley Phillips

“**THAT**, the current ward structure be maintained;

**AND THAT**, the composition of Council be reduced to seven people, comprised of two Councillors per ward and the Reeve elected at large.”

**(SEE RECORDED VOTE)**

Councillor Dobbie called a recorded vote on Resolution #C-2021-08-33:

For:	Reeve Brian Campbell	1
	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{3}$

Against:	Deputy Reeve Barrie Crampton	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{4}$

Absent:	Councillor RoxAnne Darling	$\frac{1}{1}$
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Total:		8
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**DEFEATED**

xiii) **Report #CBO-2021-05 – Building Department Report – January to July 2021.**

**RESOLUTION #C-2021-08-34**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Fred Dobbie

“**THAT**, Report #CBO-2021-05– Building Department Report – January to July 2021 be received as information.”

**ADOPTED**

Councillor Darling arrived at 6:34 p.m.

xiv) **Removal of Heritage Property Selection Committee Member.**

**RESOLUTION #C-2021-08-35**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

“**THAT**, Eddie Edmundson be removed as a Member of the Heritage Property Selection Committee.”

**ADOPTED**

xv) **Deputy Fire Chief Position.**

**RESOLUTION #C-2021-08-36**

**MOVED BY:** Barrie Crampton

**SECONDED BY:** Gene Richardson

“**THAT**, the Council of the Corporation of Tay Valley Township approves the creation of a new Deputy Fire Chief position in principle, subject to the approval of the Township of Drummond North Elmsley;

**THAT**, the 2021 expenses be paid for out of the Solar Farm Reserve and Covid funds;

**AND THAT**, the 2022 expenses be raised through taxation.”

**ADOPTED**

xvi) **Appointment of Re-Use Center Volunteer.**

**RESOLUTION #C-2021-08-37**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

“**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 Policy:

- Evelyn Jean Powell.”

**ADOPTED**



- xvii) **21-06-10, 21-06-23, 21-07-14, 21-07-29 and 21-08-04 – Council Communication Packages.**

**RESOLUTION #C-2021-08-38**

**MOVED BY:** Beverley Phillips  
**SECONDED BY:** Rob Rainer

“**THAT**, the 21-06-10, 21-06-23, 21-07-14, 21-07-29 and 21-08-04 Council Communication Packages be received for information.”

**ADOPTED**

- xviii) **Lottery Licensing to Assist Small Organizations.**

**RESOLUTION #C-2021-08-39**

**MOVED BY:** Rob Rainer  
**SECONDED BY:** RoxAnne Darling

“**THAT**, the Council of Tay Valley Township hereby requests Staff to contact the Ministry responsible for the Alcohol and Gaming of Ontario to seek their assistance in implementing an additional level of licensing which would permit small organizations to hold fundraisers as a method of sustaining our community and organizations;

**AND THAT**, all municipalities in Ontario are sent this resolution to seek their assistance in lobbying the Ministry.”

**ADOPTED**

- xix) **Funding for Maintenance and Preservation Repair of Abandoned Cemeteries.**

**RESOLUTION #C-2021-08-40**

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

“**WHEREAS**, municipalities in Ontario have been made responsible for abandoned cemeteries within their boundaries, and are required by the Funeral, Burial and Cremation Service Act, 2002 “to ensure that the cemetery grounds, including all lots, structures, and markers are maintained to ensure the safety of the public and to preserve the dignity of the cemetery”;

**AND WHEREAS**, cemeteries are not only symbols of respect, preserving the memory of families, prominent citizens, and local history; some cemeteries are landmarks in themselves and hold great historical value worldwide;

**AND WHEREAS**, preservation repairs to older cemeteries are very costly, requiring the specialized services of stonemasons and archeologists;

**AND WHEREAS**, the care and maintenance funds of abandoned cemeteries are generally non-existent or so small as to produce insufficient annual interest to cover even the cost of lawn care at the site;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township hereby urges the Government of Ontario to immediately provide funding sources for municipalities for the ongoing maintenance and preservation repair of abandoned cemeteries in their care;

**AND FURTHER THAT**, this resolution be forwarded to the Bereavement Authority of Ontario, the Minister of Government and Consumer Affairs, the Rural Ontario Municipal Association (ROMA) and Randy Hillier, MPP.”

**ADOPTED**

**8. BY-LAWS**

- i) **By-Law No. 2021-037: Establish Bolingbroke Cemetery Board.**

**RESOLUTION #C-2021-08-41**

**MOVED BY:** Mick Wicklum

**SECONDED BY:** Fred Dobbie

“**THAT**, By-Law No. 2021-037, being a by-law to Establish the Bolingbroke Cemetery Board, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- ii) **By-Law No. 2021-038: By-Law No. 2021-038: Road Naming – Dixie Colton Lane.**

**RESOLUTION #C-2021-08-42**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

“**THAT**, By-Law No. 2021-038, being a by-law to amend By-Law No. 98-87 being a Road Naming By-Law (Dixie Colton Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

iii) **By-Law No. 2021-039: Zoning By-Law Amendment – Sinclair and Stewart –**  
*deferred to a future meeting.*

Councillor R. Darling declared a conflict of interest as she was the agent on the application.

The Reeve explained that additional information needed to be clarified.

iv) **By-Law No. 2021-040: Zoning By-Law Amendment – The Rideau Group Inc.**

Councillor Rainer read the following statement:

Section 1.2.3(c) says, in part, that the Official Plan has the goal, in part, “to protect existing development from adverse effects which may arise from incompatible development.” I believe that the matter before us represents such incompatibility. I will therefore vote against this application because I do not believe Council should make a rezoning decision that could or almost assuredly harm one or more adjoining property owners, if there would be alternatives to choose from. In this case, we have been informed that rezoning to industrial would result in a drop in the value of the Berry property. That should be an unacceptable consequence, and all the more so considering the Berry family are first-time homeowners, that they searched hard for a property they could afford, and that they represent the kind of young family TVT should be trying to attract – not repel. Putting ourselves in their shoes, who among us would find it acceptable for the Township to rezone land next to where we live, such that our own enjoyment of our property and also the monetary value of our property could be diminished.

That said, if Council approves the rezoning, it should be with the required condition that the applicant install the most effective visual and sound barrier, so that whatever impact is experienced by the Berry family would be substantially less than what it would be in the absence of sufficient controls. A privacy fence, in my view, would not be enough. There should also be some kind of robust sound barrier to help block the unwanted noise from an adjacent industrial site.

Councillor Phillips agrees that commercial and/or industrial businesses are good for Tay Valley and the area is a commercial/industrial area of the Township, the property was purchased last year, and the owners knew they were in a commercial/industrial area, the use of the lot behind them when they purchased was okay. Understands that the Site Plan Control Agreement will help mitigate the incompatibility of the residential and industrial uses, but who is going to enforce it, will be voting against it.

The Planner explained that the process for appealing a decision of Council is read at each public meeting, either party or any member of the public can appeal, but the appeal needs to indicate what Planning Act sections have been violated by the decision. If Council does not support the application, they need

to provide a reason, if it is appealed and goes to the Tribunal, the Township will need to hire another Planner to defend the decision of Council and they will want some rationale as to why Council denied it. Incompatible development has a specific meaning under certain provincial guidelines that regulate odour, dust, noise, etc. That D-series of guidelines have thresholds and those thresholds come nowhere near being breached by the proposal to store supplies outside on that lot. Not sure what the case law in Canada would say about potentially devaluing a property. Feels the rezoning is supportable and the concern regarding protecting the residential property is done through the Site Plan Control Agreement, the Township has gone to court over Site Plan Control Agreements being violated and have won those decisions.

Councillor Dobbie explained that he does not like going against the Planner's recommendation, but industrial and residential uses are incompatible. The lot had been previously rezoned to allow a duplex, and now want it to become an industrial use, have spoken to a Real Estate Agent and they indicated that the industrial use would affect the value of the house for resale purposes.

The Acting CAO/Clerk reminded Council that there was another suggested motion regarding the conditions in the Site Plan Control Agreement, that can be brought up on the screen and discussed if Council wishes. The Site Plan Control Agreement would come back to Council for discussion on what conditions would be in the agreement.

The Reeve feels there should have been more discussion two weeks ago and has been lots of discussion since. The Planner has given the planning rationale for supporting it and to not approve it based on sympathetic grounds will not stand up in court.

The Deputy Reeve stated that the fact that the applicant is committing to mitigating measures should not go unnoticed, the property is on commercial stretch and has been for a long time, this is one of the only business areas in Tay Valley, while he has sympathy for the residential property owners, he needs to look at the practical side of things.

**RESOLUTION #C-2021-08-43**

**MOVED BY:** Gene Richardson

**SECONDED BY:** Beverley Phillips

**“THAT,** By-Law No. 2021-040, being a by-law to Amend Zoning By-Law No. 2002-121 (Sproule Road, 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.”

**(SEE RECORDED VOTE)**

The Reeve called a recorded vote on Resolution #C-2021-08-44:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor RoxAnne Darling	1
	Councillor Gene Richardson	$\frac{1}{4}$
		4

Against:	Councillor Fred Dobbie	1
	Councillor Beverley Philips	1
	Councillor Rob Rainer	1
	Councillor Mick Wicklum	$\frac{1}{4}$
		4

Absent: 0

Total: 8

**DEFEATED**

v) **By-Law No. 2021-041: Zoning By-Law Amendment – Beange.**

**RESOLUTION #C-2021-08-44**

**MOVED BY:** Beverley Phillips

**SECONDED BY:** Rob Rainer

“**THAT**, By-Law No. 2021-041, being a by-law to Amend Zoning By-Law No. 2002-121 (954 Pike Lake Route 9, Part Lot 21, 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**

vi) **By-Law No. 2021-042: Zoning By-Law Amendment – Scheuneman.**

**RESOLUTION #C-2021-08-45**

**MOVED BY:** Rob Rainer

**SECONDED BY:** RoxAnne Darling

“**THAT**, By-Law No. 2021-042, being a by-law to Amend Zoning By-Law No. 2002-121 (1776 Old Brooke Road, Parts Lot 2 and 3, Concession 6, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

vii) **By-Law No. 2021-043: Zoning By-Law Amendment – Whyte.**

**RESOLUTION #C-2021-08-46**

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

“**THAT**, By-Law No. 2021-043, being a by-law to Amend Zoning By-Law No. 2002-121 (4177 Bolingbroke Road, Part Lot 12, Concession 5, geographic Township of South Sherbrooke), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

viii) **By-Law No. 2021-044: Zoning By-Law Amendment – Ennis.**

**RESOLUTION #C-2021-08-47**

**MOVED BY:** Mick Wicklum  
**SECONDED BY:** Fred Dobbie

“**THAT**, By-Law No. 2021-044, being a by-law to Amend Zoning By-Law No. 2002-121 (2022 Beach Road, Part Lot 10, Concession 10, geographic Township of Bathurst), 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**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
<b>Private Unassumed Road Working Group Meeting</b>	August 25 <sup>th</sup>	5:30 p.m.	Virtual
<b>“Special” Council Meeting</b>	August 30 <sup>th</sup>	5:30 p.m.	Municipal Office
<b>Public Meeting – Proposed Forest Trail</b>	August 31 <sup>st</sup>	5:30 p.m.	Virtual
<b>Committee of the Whole Meeting</b>	September 7 <sup>th</sup>	5:30 p.m.	Municipal Office
<b>Special Council Meeting</b>	September 7 <sup>th</sup>	Following Committee of the Whole	Municipal Office
<b>Public Meeting – Development Charges</b>	September 14 <sup>th</sup>	5:30 p.m.	Virtual
<b>Ontario Association of Police Services Board Zone 2 Meeting</b>	September 17 <sup>th</sup>	9:00 a.m.	Picton
<b>Library Board Meeting</b>	September 20 <sup>th</sup>	5:30 p.m.	Virtual

<b>Police Services Board Meeting</b>	September 21 <sup>st</sup>	2:00 p.m.	Municipal Office
<b>“Special” Council Meeting</b>	September 21 <sup>st</sup>	5:30 p.m.	Virtual
<b>Council Meeting</b>	September 21 <sup>st</sup>	Following	Virtual

**11. CLOSED SESSIONS**

None.

**12. CONFIRMATION BY-LAW**

- i) **By-Law No. 2021-045 - Confirmation By-Law – July 20<sup>th</sup>, August 18<sup>th</sup> and 24<sup>th</sup>, 2021.**

**RESOLUTION #C-2021-08-48**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Barrie Crampton

“**THAT**, By-Law No. 2021-045, being a by-law to confirm the proceedings of the Council meetings held on July 20<sup>th</sup>, August 18<sup>th</sup> and 24<sup>th</sup>, 2021, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**13. ADJOURNMENT**

Council adjourned at 7:09 p.m.

# “SPECIAL” COUNCIL MEETING MINUTES

Monday, August 30<sup>th</sup>, 2021

5:30 p.m.

Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario

## ATTENDANCE:

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

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

**Regrets:** Councillor RoxAnne Darling

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## 1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.  
A quorum was present.

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

None at this time.

## 3. BY-LAWS

i) **By-Law No. 2021-039: Zoning By-Law Amendment – Sinclair and Stewart.**

### **RESOLUTION #C-2021-08-49**

**MOVED BY:** Mick Wicklum  
**SECONDED BY:** Fred Dobbie

“**THAT**, By-Law No. 2021-039, being a by-law to Amend Zoning By-Law No. 2002-121 (480 Star Hill Road, Part Lot 21, Concession 6, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**



#### 4. CLOSED SESSIONS

- i) **CONFIDENTIAL: Identifiable Individual – Building and Planning Department.**

**RESOLUTION #C-2021-08-50**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Mick Wicklum

**“THAT**, Council move “in camera” at 5:32 p.m. to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, regarding the Building and Planning Department;

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

**ADOPTED**

**RESOLUTION #C-2021-08-51**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Mick Wicklum

**“THAT**, Council return to open session at 5:42 p.m.”

**ADOPTED**

The Chair rose and reported that Council received an update on the Building and Planning Department.

The Reeve asked when the item would come back to a Council Meeting, the Acting CAO/Clerk explained that it would likely be at the Council Meeting at the end of September.

#### 5. ADJOURNMENT

Council adjourned at 5:43 p.m.

## COMMITTEE OF THE WHOLE MINUTES

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Tuesday, September 7<sup>th</sup>, 2021  
5:30 p.m.  
GoToMeeting

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### ATTENDANCE:

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

**Staff Present:** Amanda Mabo, Acting CAO/Clerk  
Janie Laidlaw, Deputy Clerk  
Noelle Reeve, Planner  
Sean Ervin, Public Works Manager  
Richard Bennett, Acting Treasurer

**Regrets:** Reeve Brian Campbell

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### 1. CALL TO ORDER

The meeting was called to order at 5:31 p.m.  
The Deputy Reeve conducted Roll Call.  
A quorum was present.

The Deputy Reeve asked Council to take a moment in remembrance of Paul McShane who passed away last week, Paul was the longest serving employee in Tay Valley with 43 years of service.

### 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**

Councillor Darling was absent at the last Council meeting and therefore needed to declare a conflict of interest on item 3.1 - Zoning By-Law Amendment for Sinclair & Stewart because she was the agent for the applicant.

### **4. APPROVAL OF MINUTES OF PUBLIC MEETINGS**

#### **i) Public Meeting: Zoning By-Law Amendment – August 12<sup>th</sup>, 2021.**

A Member mentioned that on the Zoning By-Law Amendment for the Rideau Group Inc., the third paragraph has incorrect tense which makes it sound like the applicant is using the property for what they are seeking the zoning amendment for.

Council agreed to amending the minutes.

The minutes of the Public Meeting – Zoning By-Law Amendment held on August 12<sup>th</sup>, 2021, were approved as amended.

#### **ii) Open House: Official Plan Five Year Review and Update – August 17<sup>th</sup>, 2021.**

The minutes of the Open House – Official Plan Five Year Review and Update held on August 17<sup>th</sup>, 2021, were approved.

#### **iii) Public Meeting: Proposed Forest Trail – August 31<sup>st</sup>, 2021.**

Councillor Phillips mentioned that the minutes show her arriving at 6:37 p.m. but she was there at 5:30 p.m.

The minutes of the Public Meeting – Proposed Forest Trail held on August 31<sup>th</sup>, 2021, were approved as amended.

### **5. DELEGATIONS & PRESENTATIONS**

#### **i) Delegation – Glen Tay Swimming Area. Mary Stewart, Resident.**

M. Stewart gave a PowerPoint Presentation – *attached, page 17.*

Council discussed the principle of dogs not being permitted where people are swimming, if that rule is to apply at the Glen Tay Swimming Area, then it needs to apply to all other Township owned lands that have swimming areas. It was felt that staff should look into dogs at swimming areas and what other options are available with dogs swimming.

Recommendation to Council:

“**THAT**, staff bring back a report on whether to permit dogs at the three swimming areas that the Township is responsible for.”

ii) **Presentation – 2021 Development Charges Update.**

Andrew Grunda and Matt Bouroukis, Watson & Associates Economists Ltd.

A. Grunda gave a PowerPoint Presentation – *attached, page 19.*

Councillor Rainer clarified the total amount of the 2 tiers being proposed for the properties in the Maberly Pines Subdivision, the total would be \$12,735 and asked if the consultant had any experience with a subdivision situation comparable to Maberly Pines.

A. Grunda has experience with Townships using the area specific charge for roads in a subdivision, water and sewer in subdivisions, typically these things are done by the developer, in this case they were not.

A Member asked about the different charges for an apartment being less than a single-family dwelling. A. Grunda explained that it is based on occupants, an apartment would have less occupants than a house has potential for, and it is based on bedrooms and not the size of the dwelling.

The Acting CAO/Clerk explained that there are two separate considerations to be made, one for the increase to the Township wide charge and one for the area specific charge for the Maberly Pines Subdivision.

There is a Public Meeting on September 14<sup>th</sup> and then Council will have an opportunity to discuss further.

The Acting CAO/Clerk and Treasurer presented a Development Charges scenario for Maberly Pines Subdivision – *attached, page 26.*

## 6. PRIORITY ISSUES

i) **Report #FIN-2021-15 – 10 Year Capital Plan (2021-2031).**

Richard Bennett, Acting Treasurer.

A Member commented that it seems like a significant increase to the reserves for them to hold there own and will the surface treatment program be based on the highest volume roads? The Treasurer explained that the plan is for a 2% increase to the reserves and yes, the Public Works Manager is obtaining traffic counts to determine which order roads would be in priority.

Another Member mentioned that the building page is blank and does that mean no buildings would see a capital expenditure in the next 10 years? The Treasurer explained that staff is waiting on the Building Condition Assessment Report, rather than staff trying to estimate what will be required and the costs

for the gravel to surface treatment summary table shows no increase to the levy but in the report, it is 1% to the road construction reserve. The Treasurer explained that it is a suggested option but would wait to see if there are grants available, for the program to go forward there will be cost, one option to handle that is a one time increase to cover it and the 10 years would be covered by the 2% inflation.

The Treasurer explained that the costs showing in the 10-year plan still required approval in each budget year.

Recommendation to Council:

“**THAT**, the 10 Year Capital Plan (2021-2031) be adopted.”

- ii) **Report #PD-2021-33 - Severance Application – Briggs.**  
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Diane Briggs B21/072 (Concession 3, Part Lot 21, geographic Township of South Sherbrooke) 750 Christie Lake Lane 32D to create a lot addition to lands at 767 Christie Lake Lane 32D, owned by Penny Nault, 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 of the severances.

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.”

- iii) **Report #PD-2021-34 - Severance Application – Malloy.**  
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Lisa and Paul Malloy B21/119 (Concession 9, Part Lot 16, geographic Township of North Burgess) 4180 Scotch Line to create 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 of the severances.

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 for the severed lot shall be made to the Township representing Cash-in-Lieu of Parklands.

That, the applicant obtains a civic address number along the Scotch Line.”

iv) **Report #PD-2021-35 - Severance Application – VanAlstine.**  
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Mark and Kathy VanAlstine B21/106 (Concession 9, Lot 14, geographic Township of South Sherbrooke) 472 Maberly Elphin Road to create one 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 of the severances.

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 for the severed lot shall be made to the Township representing Cash-in-Lieu of Parklands.

That the applicant confirm with the Township Public Works Manager that 45m of road frontage along Cohen Way is available for access to the lot as is required for a lot in a Hamlet. If the full 45m is not available, the applicant will bring the remaining required frontage up to Township standards for assumption.

That, the applicant obtain an entrance permit and Civic Address Number along Cohen Way, for the severed lot.

That, sufficient lands shall be dedicated to the Township along the frontage of the lots 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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3-metre reserve along the frontage of the severed and/or retained parcel.”

- v) **Report #PD-2021-36 - Severance Application – Warwick.**  
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Blake and Julia Warwick B21/091-093 (Concession 6, Lot 1-2, geographic Township of Bathurst) 555 Kirkham Road to create three new lots, 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 of the severances.

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

That, payment for the severed lots shall be made to the Township representing Cash-in-Lieu of Parklands.

That a Development Agreement is entered into for the severed lots to retain the trees along Kirkham Road to screen the houses so that strip development is not created.

That, the applicant obtain entrance permits and Civic Address Numbers along Kirkham Road for the severed lots.

That, sufficient lands shall be dedicated to the Township along the frontage of the lots 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. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel.”

- vi) **Report #PD-2021-32 – Official Plan Amendments No. 5 & 6 Farren and Adam Lake.**  
Noelle Reeve, Planner.

The Committee asked why it was held up for so long. The Planner explained that there were several reasons, the Planning Administrative Assistant position was vacant and when the position was filled again there was a backlog and training, when it was submitted to the County five months ago, they were overloaded and have just hired more staff. Once they reviewed the documents it was determined that the by-laws were passed the deadline submission.

Recommendation to Council:

**“THAT**, Council at its next meeting adopt Official Plan Amendment No. 5 for Farren Lake and Official Plan Amendment No. 6 for Adam Lake in order to update the date of passage of the by-laws;

**THAT**, the Planner be authorized to resubmit the Official Plan Amendments to Lanark County for final approval;

**AND THAT**, upon approval of Official Plan Amendments 5 and 6 by the County of Lanark, Council amend Zoning By-law No. 2002-121 to implement Official Plan Amendments No. 5 and No. 6.”

- vii) **Report #PW-2021-20 – Speed Limit on Stanley Road.**  
Sean Ervin, Public Works Manager.

Councillor Wicklum understands that by using the manual the speed comes out to 60km/hr, but what is the downfall to reducing it to 50km/hr. The Public Works Manager explained that he is giving his professional opinion by using the manual to determine the speed of the road is similar to using the tools available to review a planning application, if the speed is lowered to 50km/hr it may generate complaints of people going over 50km/hr.

Councillor Dobbie feels the Township will have more of these requests if Council reduces the speed based on a request, the traffic counter shows what speed people are driving and the manual also determines the appropriate speed based on many things, feels it should be left at 80km/hr.

Councill Rainer is fine with dropping to 50km/hr, he drove the road last week and it feels narrow so anyone going 80km/hr seems excessive for the short stretch of road, feel it is a good opportunity to slow traffic and there is a petition asking for it. There also may be people walking to the forest trail once it is built and people always drive faster than the speed limit.

Recommendation to Council:

**“THAT**, the speed limit on Stanleyville Road between Narrows Lock Road and the east limit of the Hamlet be posted at 50 km/hr and signed according to the Ontario Traffic Manual- Book 6;

**AND THAT**, By-Law No. 2018-035 - Maximum Rate of Speed be amended.”



- viii) **Report #PW-2021-21 – Waste Management Master Plan – RFP Award.**  
Sean Ervin, Public Works Manager.

Councillor Rainer has an issue calling it a Master Plan because with the timeline so tight it does not seem like it will be a comprehensive report regarding the waste stream but will be more based on the operations of the waste sites.

The Public Works Manager agreed the timelines are tight due to the grant, but it is hoped that the Township will get the most out of it within those timelines. In addition to the review there is also a waste audit being conducted that will contribute to the plan. The term master plan was used under the application for the grant.

Recommendation to Council:

**“THAT**, the Waste Management Master Plan RFP #2021-WM-001, be awarded to Cambium Inc.;

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

- ix) **Report #C-2021-29 – Request to Close Forced Road - Doxey**  
Amanda Mabo, Acting CAO/Clerk.

Recommendation to Council:

**“THAT**, Council declares the forced road (approximately 300 feet) at Lot 11, Concession 5, Bathurst, south of Highway 7, surplus to the Township’s needs;

**THAT**, Council agrees to proceed with the application to stop up, close and sell the said forced road as per the Road Closing and Sale Policy and call a Public Meeting;

**THAT**, the purchase price of \$0.06 per square foot be accepted should the sale be finalized.”

- x) **Report #C-2021-30 – Animal Control and Pound Service.**  
Amanda Mabo, Acting CAO/Clerk.

Council expressed the need to give the public notice regarding the change to this service as a dog picked up by animal control would now need to be retrieved from a different location.

Recommendation to Council:

**“THAT**, the agreement with Frontenac Municipal Law Enforcement Services Inc. be amended to include animal control services;

**THAT**, staff be authorized to enter an agreement with Andrew Parent to provide animal pound services;

**AND THAT**, the necessary by-laws be brought forward to the September Council meeting.”

xi) **Report #C-2021-31 – Proposed Forest Trail.**

Amanda Mabo, Acting CAO/Clerk.

Councillor Phillips read the following statement:

- read all drafts of proposal plan
- visited location - spent 2 hrs. wandering around to get first hand feel for forest
- met with residents both in Stanleyville & beyond
- considered emails received
- considered comments from the Public Meeting
- considered petition
- considered on-line survey.
- Cost: spending a lot of \$\$ on park that majority citizens do not want
- said that all the financing in place, no taxpayers money used
- any money that comes from any level of government is taxpayers money DC, cash-in-lieu is taxpayers money - both fees paid by a taxpayer
- therefore taxpayers money being used !!
- expensive, very expensive - \$212k plus for a 1 kilometre trail
- 1 Km trail hardly workout for anybody
- said to be located on a major cycling route - Narrows Lock Road
- NLR high traffic - no dedicated cycle lane - unsafe shoulders - speed 80km - cars travel 90 - 100 km. I've cycled it - unsafe
- apparently designed as accessible to persons with disabilities ie. people using walkers / wheelchairs / canes
- how many people with mobility challenges will use this trail - cannot convince myself will be large number - do we know how many use wheelchairs / walkers in TVT? - have we asked them if they want / need / would use a forest trail?
- surface / terrain compacted earth - pushing wheelchair / manoeuvring walker on such surface difficult / impossible
- experience 11 yrs. with Mother - know limitations
- many seniors in TVT fit / active - proposal presented sounds like seniors sitting in their homes, looking out window, waiting for someone to make it possible for them to get outside - not like that - I'm a senior - walk / ski / snowshoe 3 - 5 km daily - 12 m/yr. - many other seniors like me - I use Rideau Trail. RT accessible - some parts more challenging - but many kilometres easy to navigate - RT is here - don't have to build it - don't have to destroy a natural undisturbed green space - building trail will have major impact on this forest - forest has struggled to come back after what happened nearly 10 years ago - went through a huge transformation - has almost come back - encroaching again not right thing
- residents of Stanley Road accused on NIMBY - unfounded - not in favour because know this forest better than any in township - know it has struggled back to life after the devastation 10 yrs ago - still fragile - realize negative impact trail will once again have

- final draft of proposal - Northland Power provided 3 comments - these still on the table?? One, concern on their end of possible vandalism both to fencing & panels - buffer between but NP still expressed concern
- another comment: “ensuring that the parking lot is secured overnight to ensure against unwarranted gathering outside of park operating hours”
- seems Northland wants park to be off-limits after a certain time of day. Where are we on this?
- Northland, as adjacent property owner deserve that these concerns are addressed
- visit to the park -did not see any obvious places where trail could go - guessing fair amount of preparation - means disturbing the environment
- different comments I’ve heard: “very little of the forest will be disturbed”, “selective removals particularly of invasive species” “undergrowth will need to be cleared”
- undergrowth is habitat. dead trees are habitat. prickly ash is habitat. Could go on. Should not interfere with the ecosystem diversity of this forest
- parking lot reduced in size but appears to apply only Stage 1
- if ever get to stage 2, 3, 4, 5, clearing will be substantial & damaging, intrude further into forest
- Plan states “that park should include features that can be integrated ‘gently’ to minimize interruption to drainage patterns, vegetation and wildlife movement.” Says (to me) that there could very possibly be interruption to drainage patterns, vegetation and wildlife movement
- number who said they would use the park is low - most who responded to on-line survey from Glen Tay / Stanleyville - total 264 who responded 101 would never or rarely use
- Zoning. Presented with 2 opinions (two planners) what is allowed in rural zone
- Official Plan Section 2.12 - Parks & Recreational Facilities, “Parks shall generally be permitted in all land use designations”
- Back-up info. attached to Agenda, states Section 2.12.2 Parks and Recreational Facilities specifically permits parks in all land use designations” Word generally not there. For me, word “generally” is a important word - needs to be explained.
- Zoning issue has not been adequately addressed / explained.
- Township cannot risk another legal battle.
- Summarize, this is a great park plan but not for a rural community like Tay Valley. Would be appropriate in a city where citizens don’t have open space & can’t enjoy nature
- Tay Valley citizens blessed with many options to enjoy nature
- No need to provide countryside to those who live in the country
- Residents don’t have to walk on the road. Many trails available - w/n suggest Murphy’s Point as fee for use - no fee to use Rideau Trail - many points to access Rideau Trail. Rideau Trail very enjoyable place to walk
- Other Concerns: liability, especially entrance / exit - need current EIS
- listened to residents of Burgess Ward & beyond - overwhelming majority not in favour.
- Citizens should not simply be told, “we are the government and we know what’s good for you”

Councillor Wicklum expressed that he is against the park based on overwhelming resident opposition, a 10-year-old environmental impact study, inadequate consultant reports, the Tay Valley Climate Change By-Law and the fitness equipment. The Official Plan indicates a need for parks, but he has never received any calls, emails or requests from the public in the last three years. The study that was done in 2012 for the solar farm project indicated that the 25-acre woodlot would not be disturbed, this is habitat destruction at its best. The plan mentioned approximately \$30,000 in exercise equipment, in a forest, what is the equipment? There is nothing about what it is in the Park Plan and what does the Township insurer say about having unsupervised exercise equipment there? The Plan also violates the Climate Change Plan that Council has adopted. Council needs more information otherwise is going forward blindly.

Councillor Rainer thanked staff for their report, it was good and thorough and he is in favour of the park and thanked the consultant for their work it was well thought out. Does have some concern regarding the fitness equipment and if there is a need for it, is there evidence of other trails that use them? The park land is an eco fragmented landscape but not in a pristine state, can hear the traffic from both roads and feels that is a deterrent for wildlife.

Councillor Rainer read the following statement:

The question before Council is whether the proposed 'Forest Trail' municipal park is in the public interest. I believe the answer is "yes," and that in fact the proposed park is very strongly in the public interest.

I do not find any of the stated reasons for opposing the park to be compelling. In fact, I believe each of the concerns, including all of those voiced tonight by councillors Phillips and Wicklum, can be well addressed through ongoing park planning, sensitive park development and operation, and other measures.

As many citizens have voiced to Council, there is an array of positive reasons for creating what would be, to date, the largest municipally owned and operated park in the Township. These positive reasons include the desire for more off-road walking opportunities in the Township, and the need for accessible parkland that would be free of charge, thus providing an outdoor recreation and nature experience opportunity for those in lower income who might not visit provincial parks or conservation areas because of the charges that apply at those places.

As well, in creating the park the Township would be fulfilling the understanding reached in writing in 2013 when the solar farm development was approved, that is, that the greenspace adjacent to the solar farm would be made available for future public use.

Just 0.01% of total Township land is presently dedicated to municipally owned and operated parkland. Even including the two provincial parks and a handful of other sites, only 2.64% of total Township land is set aside as parkland. This

suggests that our community is greatly underserved by parkland, obliging some residents here to have to travel considerable distances to access public land. Yet, our population is going to grow as the years progress, and quite possibly very significantly, and the demand for outdoor recreation on public land – already evident during the pandemic – will grow along with it. Thus, the timing for creating this park is optimal. Council should thus get behind it, for multiple benefits of present and future generations.

Councillor Dobbie needs more information on the equipment costs, does not feel the trail will impact the wildlife the imprint on the forest floor will be small and cutting some trees will not hurt the forest. Most of the complaints he gets is about vehicles on the road and they need a place to walk, has received lots of support for it.

Deputy Reeve Crampton acknowledged the presenters that provided their input to the public meeting of August 31. Their passion for protecting this land and environment at this time where the climate is under constant threat was well founded and to be commended. These presenters truly understand and have a knowledge and appreciation for protecting the lands, trees, flora and fauna for future generations. Most likely this came from their life learnings and exposure to our natural landscapes. One speaker talked about his long established and well-informed knowledge of all aspects of this specific property.

I believe that here in lies an opportunity for this nature trail park to be made available to other people that have not yet had the opportunity to experience the natural environment as had the presenters. While we have received petitions opposing the parks development, we have also had local residents that are seeking this opportunity to enjoy the natural environment. This property is now Township Property, the people's property and they should not be denied the opportunity to experience and learn from being able to walk through this low impact, well managed and educational experience.

The Acting CAO/Clerk explained that the fitness equipment was part of the grant, in the Town of Smiths Falls in Lower Reach Park there is 10-12 pieces of equipment and its easy to use with signs posted for how to use each piece and the statement to use at own risk. The number of pieces could be reduced to see how well they are used. If there are any other concerns or question it was requested for them to be sent to staff and the information can be sent to all Council members in time for the Council meeting on September 21.

Recommendation to Council:

“**THAT**, the Park Plan (Forest Trail) be received for information;

**THAT**, the Township proceed with Phase 1 of the Forest Trail beginning in the Fall of 2021 with completion in the Summer of 2022 which will provide a fully functioning park that includes:

- installation of an entrance and parking area (10 parking spaces)
- an accessible primary trail
- an accessible fitness trail
- fitness equipment
- benches, picnic tables, a bike rack, a waste/recycling receptacle
- a site identification sign
- a site map/orientation sign and
- fencing between the adjacent residential properties;

**THAT**, Phase 1 be funded from the COVID-19 Resiliency Infrastructure Stream Grant, COVID Funds, Development Charges, Cash in Lieu of Parkland and Accessibility Reserve;

**AND THAT**, ongoing maintenance costs be funded from the Northland Solar Farm Reserve.”

xii) **Report #CBO-2021-06 – Building Department Report – January to August 2021.**

Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, Report #CBO-2021-06 – Building Department Report – January to August 2021 be received as information.”

xiii) **In Person Meetings vs Virtual.**

The Deputy Reeve explained the need for input on this whether Council wants to keep meeting virtually or to return to Council Chambers.

Council asked if a combination of having some attend in person and some virtual is feasible and given the climate change report that recommends that staff ride bikes or carpool, feels Council should step up and continue to meet virtually in order to help meet the targets set by the Township.

The Acting CAO/Clerk explained that a combination is possible with some ground rules as to how many should be in attendance in person versus virtual, will staff be in person or virtual, it would require an amendment to the Procedural By-Law which requires a public meeting.

Council agreed that they would rather meet virtually until it is safe to meet in person.

## 7. CORRESPONDENCE

- i) **21-08-26 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 21-08-26 Council Communication Package be received for information.”

- ii) **Notice of Study Commencement – Replacement of Blueberry Creek Culvert.**

Recommendation to Council:

“**THAT**, the Notice of Commencement – Detail Design and Environmental Assessment for the Replacement of Blueberry Creek Culvert in the Township of Tay Valley, Lanark County dated August 26, 2021, be received for information.”

## 8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

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

Deputy Reeve Barrie Crampton and Councillor Rob Rainer.

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

- ii) **Recreation Working Group – *deferred to the next meeting.***

Councillor Fred Dobbie and Councillor Beverley Phillips.

- iii) **Fire Board.**

Councillor RoxAnne Darling, Councillor Fred Dobbie, Councillor Mick Wicklum.

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

- iv) **Library Board**

Councillor Rob Rainer.

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

- v) **Police Services Board – *deferred to the next meeting.***

Reeve Brian Campbell.

- vi) **County of Lanark – *deferred to the next meeting.***

Reeve Brian Campbell and Deputy Reeve Barrie Crampton.

- vii) **Mississippi Valley Conservation Authority Board**

Councillor RoxAnne Darling.

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

- viii) **Rideau Valley Conservation Authority Board.**  
Councillor Gene Richardson.

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

- ix) **Rideau Corridor Landscape Strategy – deferred to the next meeting.**  
Reeve Brian Campbell.

- x) **Municipal Drug Strategy Committee – deferred to the next meeting.**  
Councillor Gene Richardson.

- xi) **Committee of Adjustment.**

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

## 9. **CLOSED SESSION**

None.

## 10. **DEFERRED ITEMS**

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

- ***See Township Action Plan – distributed separately to Council***

## 11. **ADJOURNMENT**

The Committee adjourned at 8:24 p.m.



## **“SPECIAL” COUNCIL MEETING MINUTES**

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**Tuesday, September 7<sup>th</sup>, 2021**  
**Following the Committee of the Whole Meeting at 5:30 p.m.**  
**Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario**

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### **ATTENDANCE:**

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

**Staff Present:** Amanda Mabo, Acting CAO/Clerk  
Janie Laidlaw, Deputy Clerk  
Sean Ervin, Public Works Manager

**Regrets:** Reeve Brian Campbell

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

The meeting was called to order at 8:25 p.m.  
A quorum was present.

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

None at this time.

**3. MOTIONS**

- i) **Report #PW-2021-21 – Waste Management Plan RFP Award.**

**RESOLUTION #C-2021-09-01**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Gene Richardson

“**THAT**, the Waste Management Master Plan RFP #2021-WM-001, be awarded to Cambium Inc.;

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

**ADOPTED**

**4. ADJOURNMENT**

Council adjourned at 8:27 p.m.

# **BY-LAWS**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-040

### APPOINTMENT OF CHIEF BUILDING OFFICIAL (SHANE ATKINSON)

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**WHEREAS**, Subsection 3(2) of the *Building Code Act*, S.O. 1992, Chapter 23, as amended, requires the council of each municipality to appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the Act in the areas in which the municipality has jurisdiction;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. CHIEF BUILDING OFFICIAL

- 1.1 **THAT**, Shane Atkinson be appointed as Chief Building Official for Tay Valley Township.
- 1.2 **THAT**, the duties, responsibilities and authority of the Chief Building Official shall be as set out in the Employment Agreement between Shane Atkinson and the Corporation of Tay Valley Township, dated September 7<sup>th</sup>, 2021.
- 1.3 **THAT**, the Chief Building Official named above shall have the powers and authority provided in the *Building Code Act* for Chief Building Officials respecting enforcement of the *Building Code Act*, the Regulations and by-laws.

#### 2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

#### 3. BY-LAW REPEALED

- 3.1 By-Law No. 2018-028 and 2021-021 are hereby repealed.
- 3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-040**

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 21<sup>st</sup> day of September, 2021.

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**Barrie Crampton, Deputy Reeve**

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**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-046

### APPOINTMENT OF DEPUTY CHIEF BUILDING OFFICIALS AND BUILDING INSPECTORS BY-LAW AMENDMENT

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**WHEREAS**, Subsection 3(2) of the *Building Code Act*, S.O. 1992, Chapter 23, as amended, requires the council of each municipality to appoint a Chief Building Official and such inspectors as are necessary for the enforcement of the Act in the areas in which the municipality has jurisdiction;

**AND WHEREAS**, to ensure continuity of service to residents and businesses when the Chief Building Official requires assistance during special circumstances or is unable to perform his or her duties;

**AND WHEREAS**, Council deems it expedient to amend Section 1.1 of By-Law No. 2018-020 as hereinafter set out;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

1.1 **THAT**, Section 1.1 of By-Law No. 2018-020, be amended to add:

- Kyle McRae

#### 2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

#### 3. BY-LAWS AMENDED

3.1 By-Law No. 2018-020 is hereby amended.

3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-046**

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 21<sup>st</sup> day of September, 2021.

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**Barrie Crampton, Deputy Reeve**

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**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-047

### OFFICIAL PLAN - AMENDMENT NO. 6 ADAM LAKE

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**WHEREAS**, *Section 26 (1) of the Planning Act, R.S.O. 1990, Chapter P.13*, provides that if an Official Plan is in effect in a municipality, the Council of the municipality that adopted the official plan shall, in accordance with subsection (1.1), revise the official plan as required to ensure that it;

- a) conforms with provincial plans or does not conflict with them, as the case may be;
- b) has regard to the matters of provincial interest listed in section 2; and
- c) is consistent with policy statements issued under subsection 3 (1).

**AND WHEREAS**, *Section 17 (22) of the Planning Act, R.S.O. 1990, Chapter P.13*, states that when the requirements of subsections (15) to (21), as appropriate, have been met and the Council is satisfied that the plan as finally prepared is suitable for adoption, the Council may by By-Law adopt all or part of the plan and, unless the plan is exempt from approval, submit for approval;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, Official Plan Amendment No. 6, attached hereto as Schedule "A", be adopted.

#### 2. BY-LAWS TO BE AMENDED

- 2.1 **THAT**, By-Law No. 2014-039 is hereby amended.
- 2.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

#### 3. BY-LAW REPEALED

- 3.1 By-Law No. 2019-024 is hereby repealed.
- 3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-047**

**4. ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**5. EFFECTIVE DATE**

**5.1 THAT**, this By-Law shall come into force and take effect upon the approval of Tay Valley Township Official Plan Amendment No. 6, dated September 21<sup>st</sup>, 2021, by the County of Lanark.

**5.2 ENACTED AND PASSED** this 21<sup>st</sup> day of September, 2021.

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**Barrie Crampton, Deputy Reeve**

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**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-047**

**SCHEDULE "A"**

**AMENDMENT No. 6**

**to the**

**TAY VALLEY TOWNSHIP OFFICIAL PLAN**

- PART A THE PREAMBLE does not constitute part of this Amendment.
- PART B THE AMENDMENT consisting of the following explanatory text constitutes Amendment No. 6 to the Tay Valley Township Official Plan.

## **PART A - THE PREAMBLE**

### **LOCATION**

The Official Plan Amendment affects all properties which abut the shorelines of:

- Adam Lake (southeast portion of the geographic Township of North Burgess).

### **PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT**

The Official Plan Amendment was initiated by the Township in response to lake modelling analyses conducted by the Ministry of Environment, Conservation and Parks which identified both Farren and Adam Lakes as being “overcapacity” in terms of phosphorus loading, based on the Ministry’s modelling criteria.

This Amendment responds to the findings on Adam Lake by reinforcing existing Official Plan policies and introducing new policies that are aimed at reducing phosphorous loading from existing and future development on these lakes. The Amendment has been prepared in consultation with various public agencies, property owner associations, and interested residents through an Inter-Agency Working Group which was established by the Township for this purpose.

## **BASIS OF OFFICIAL PLAN AMENDMENT**

### **1. Background**

The Ministry of Environment, Conservation and Parks (MOECP) conducted the above noted modelling on various lakes throughout the Township in 2011 at the request of Lake Associations in Tay Valley Township. In response to the Ministry's findings, the Township passed an Interim Control By-law in 2012, for a period of one year, on all properties abutting the shorelines of both lakes, and initiated a planning study to determine how to address the problem of phosphorus over-loading in Farren and Adam Lakes. The intent of the study was to identify planning mechanisms to improve existing conditions arising from previous development and to prevent further deterioration arising from future development. The Interim Control By-law was subsequently extended for an additional one-year period.

The Township initially formed an Inter-Agency Working Group to consider available planning mechanisms/measures that could be introduced to address the phosphorus overcapacity of the lakes. The Group met on October 12, 2012. This meeting was followed by:

- 1) collecting existing lot data for each lake, including total number of lots, number of seasonal dwellings, number of permanent dwellings and number of vacant lots; and,
- 2) further consultations with MOECP. Ultimately, no clearly defined, comprehensive solution to the phosphorous overcapacity of the lakes was identified as at that time MOECP had not tested its Lake Capacity Model at the Ontario Municipal Board. (It has subsequently and been successful.)

Recommendations from the Inter-Agency Working Group were to continue the Site Plan Control Agreement requirements; continue the mandatory septic re-inspection program; and, continue to educate lake residents about the importance of shoreline buffers and reducing phosphorus loading.

Following the foregoing initial process, the Township instituted an Official Plan Review to update its Plan to be consistent with the Provincial Policy Statement 2014, and to conform to the first approved Official Plan for Lanark County (Lanark County Sustainable Communities Official Plan – Lanark County SCOP). The issue of the phosphorous overcapacity in Farren and Adam Lakes was again raised as an important planning issue during the Official Plan Review process and wording was inserted into the new Official Plan requiring planning staff to have regard for Lake Association Management Plans listed in a new Appendix to the Official Plan (Farren and Adam Lakes requested to be listed in that Appendix).

The Township's new Official Plan was approved in February 2016. MOECP's Handbook on Lake Capacity was now part of the updated Provincial Policy Statement, 2014 and the Township's Official Plan referenced both it and Farren and Adam Lake's Management Plans. A new policy context was, therefore, in play.

Township staff had additional consultations with MOECP staff and the Township's lawyer, and a staff report was submitted to Council recommending that a new Interim Control By-law be passed. The staff report included a review of the legislative tools that are available under the Planning Act (as provided by the Township's lawyer), and alternative development control restrictions related to new lot creation (as provided by the MOECP representative on the Inter-Agency Working Group).

Council passed a new Interim Control By-law in June 2017 (pursuant to the legislative advice provided by the Township's lawyer), and initiated a new planning study on which this Official Plan Amendment is based.

## **2. Planning Rationale**

This Official Plan Amendment is based on:

- a review of the recommendations/suggestions and discussions of the Inter-Agency Working Group, including follow-up discussions with MOECP staff regarding septic systems with capacity for phosphorus removal;
- an overview review of existing development and future development on Adam Lake; and,
- a detailed review of the Township's new Official Plan to determine if it includes the appropriate policies to implement development and re-development approval processes which mitigate potential adverse impacts on Adam Lake.

### **2.1 Overview of Current Policy and Regulatory Regime**

It has been approximately twenty five years since the current policy and regulatory regime for waterfront development was first introduced throughout Eastern Ontario as the means to protect the natural heritage features of lakes and rivers. This policy and regulatory regime was meant to mitigate the potential adverse impacts of such development, based on the recommendations of the "Michalski" report. More recently, in 2014, the "Hutchison" peer review of the original "Michalski" report concluded that this policy and regulatory regime has been effective in mitigating the potential adverse impacts of new shoreline development for most warm water lakes.

Adam Lake is very sensitive to phosphorous loading. Therefore, changes to protect the lake are warranted.

## **2.2 Existing Development and Future Development Potential**

The shoreline of Adam Lake is primarily developed in seasonal dwellings, with some past conversions (re-development) to permanent occupancy, and a small number of relatively new permanent dwellings. There is a commercial cabin rental use on the east side of the lake. There are also a small number of existing vacant lots which could be developed.

Many of the existing shoreline lots, including both developed and vacant lots, are legal non-conforming (undersized) lots under current zoning regulations. As a consequence, existing uses often do not meet all of the regulatory requirements of the Zoning By-law. Additionally, potential future uses on existing vacant lots are also not likely to meet all the regulatory requirements of the Zoning By-law and will, therefore, require minor variances in order to be developed.

There is opportunity for new lot creation, with some existing properties large enough to be severed as infill lots in conformity with existing zoning regulations.

Based on the foregoing, it has been determined that there is opportunity for new development along the shorelines of both lakes, either by developing existing vacant lots or by creating new lots through the consent process. It has also been determined that re-development of existing uses (alterations, extensions and/or replacements) will predominate along the shoreline of Adam Lake in terms of future development activity.

## **2.3 Review of Current Official Plan Policies**

A detailed review of the new Official Plan was undertaken based on the foregoing in order to identify any policy shortcomings that potentially inhibit implementation measures designed to mitigate against phosphorus over-loading in the lakes, both for new development and for re-development.

This review confirmed that two planning tools suited to addressing the phosphorus overcapacity issue are contained in the Official Plan policies related to: Site Plan Control (Section 5.4) and Environmental Impact Assessment (Section 2.22.7). However, these tools have not protected Adam Lake from becoming over capacity for phosphorus.

The Interagency Working Group recommended four actions to protect Adam Lake. Of the four actions listed below, Council approved the first two for consultation with residents of Adam Lake.

- 1) Increase lot area,
- 2) Add a phosphorus removal adjunct to new or replacement septic systems,
- 3) Require an Environmental Impact Assessment for development or redevelopment, and
- 4) Encourage voluntary Site Plan Control Agreements by waiving their fee.

## **OVERALL CONCLUSIONS**

In order to protect Adam Lake, Official Plan policies need to provide the policy regime to address the issue of phosphorus overcapacity in Adam Lake. Therefore, the Official Plan should be amended, as described in Part B of this Amendment, to explicitly require that this policy regime be applied to Adam Lake, without precluding that this policy regime can also be applied to all other waterfront properties in the Township.

It is further concluded that this Amendment is consistent with the Provincial Policy Statement 2014 (PPS), and that it conforms to the Lanark County Sustainable Communities Official Plan.

Based on the foregoing conclusions, Council has deemed it advisable to amend the Official Plan as described in Part B of this Amendment.

## **PART B - THE AMENDMENT**

All of this part of the document entitled PART B - THE AMENDMENT, consisting of the following map and explanatory text constitutes Amendment No. 6 to the Tay Valley Township Official Plan.

### Details of the Amendment

Section 2.24.1 Lake Capacity, is hereby amended by adding new subsection “e”, as follows:

- e) Adam Lake has been identified as being sensitive to phosphorus loading, based on modelling conducted by the Ministry of Environment, Conservation and Parks using the Ministry’s *Lake Capacity Handbook* criteria, although likely to be stable in terms of future phosphorus loading so long as redevelopment and new development are conducted in a manner mindful of this sensitivity.

This Plan contains a comprehensive policy regime intended to protect the natural heritage features of all lakes in the Township, and the application of these policies to future development and redevelopment proposals on Adam Lake are considered important in terms of mitigating the phosphorus loading caused by existing development, and of reducing or eliminating additional phosphorus loading from future development and redevelopment.

The following additional policies apply to all future development and re-development on all properties abutting the shoreline, or within 30 m of the shoreline, of Adam Lake. These additional policies are meant primarily to establish the processes by which the Plan’s existing policy regime is to be implemented, and are not meant to be interpreted such that they are not also applicable to other lakes in the Township.

1. Where re-development is proposed, including extensions to, or replacement of existing buildings, septic system re-inspection shall be required. Where alterations (adding one or more runs or increasing size) are required to existing septic systems or where replacement systems are required, and they are not able to be located at least 30 m from the shoreline, phosphorus removal systems or soil attenuation through acidic non-calcareous soils shall be required to achieve Phosphorus – 1.0mg/L as per the standards of CAN/BNQ 3680-600. The required Site Plan Control Agreement shall show the location of the repaired or replaced septic system.
2. Where development is proposed on an existing vacant lot of record and where the 30 m setback for septic systems cannot be met, phosphorous removal systems or soil attenuation using imported acidic non-calcareous soils shall be required to achieve Phosphorus – 1.0mg/L as per the standards of CAN/BNQ 3680-600.



3. Where a new lot is to be created by consent (severance), in addition to existing By-law requirements for all new severances in the Township, the proposed minimum area for new lots on Adam Lake is 0.8-ha (2 acres).
4. Stewardship practices are considered to be an extremely important component in protecting and improving the natural heritage features of Farren Lake, including practices to reduce phosphorous migration into the lakes. Stewardship often includes property maintenance and management practices that are not directly regulated under Official Plan policies or Zoning By-law regulations, particularly in those circumstances where development or re-development approvals are not required. Stewardship practices are especially important on these lakes since much of the shorelines are already developed. Accordingly, the Township encourages property owner associations and individual land owners to consult with the Conservation Authority in order to identify shoreline vegetation replanting or retention management practices that can be implemented to improve the natural heritage features.
5. Other Best Management Practices that landowners are encouraged to follow include using a septic system with nitrogen as well as phosphorous removal, re-naturalizing hardened surfaces, using Low Impact Development stormwater management tools such as rain gardens, etc.

## **PART C - APPENDICES**

### **APPENDIX A**

- Letter to property owners on Adam Lake – brief explanation of the proposed changes to the Official Plan
- Creation of municipal webpage – explanation of proposed changes to the Official Plan
- Report #PD-2018-039 – Proposed Official Plan Amendment for Farren and Adam Lake – Provided on municipal website
- Report #PD-2018-034 – Proposed Official Plan Amendment for Farren and Adam Lake – Provided on municipal website
- Report #PD-2018-09 – Interim Control By-Law Extension – Farren & Adam Lakes – Provided on municipal website
- Report #PD-2017-18 – Options for Severances on Farren and Adam Lakes – Provided on municipal website
- By-Law No. 2017-043 – Interim Control By-Law – Provided on municipal website
- By-Law No. 2018-024 – Interim Control By-Law Amendment – Farren and Adam Lakes – Provided on municipal website
- By-Law No. 2018-057 – Interim Control By-Law Amendment – Farren and Adam Lakes – Provided on municipal website
- PowerPoint with explanation of proposed changes to Official Plan and Zoning By-Law as presented at the Public Information Centre held on May 25, 2019
- Adam Lake – Potential Severances – Before and After Official Plan Amendment – Map (available at Public Information Centre and on municipal website)

**PART C - APPENDICES**

APPENDIX B

Fred Godard – President, Adam Lake Property Owners Association

## **PART C - APPENDICES**

### **APPENDIX C**

## **COMMITTEE OF THE WHOLE MINUTES**

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**Tuesday, August 6<sup>th</sup>, 2019**

**6:00 p.m.**

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

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### **ATTENDANCE:**

**Members Present:** Chair, Deputy Reeve Barrie Crampton  
Reeve Brian Campbell  
Councillor Beverley Phillips (left at 9:55 p.m.)  
Councillor Gene Richardson  
Councillor Rob Rainer  
Councillor RoxAnne Darling  
Councillor Fred Dobbie (left at 9:00 p.m.)  
Councillor Mick Wicklum

**Staff Present:** Larry Donaldson, Chief Administrative Officer  
Amanda Mabo, Clerk  
Sean Ervin, Public Works Manager  
Noelle Reeve, Planner

**Regrets:** None

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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) Addition under Correspondence: 19-07-26 Council Communication Package.

The agenda was adopted as amended.

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

None at this time.

#### 4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

- i) **Public Meeting: Official Plan & Zoning By-Law Amendment – June 25<sup>th</sup>, 2019.**

The minutes of the Public Meeting – Official Plan & Zoning By-Law Amendment held on June 25<sup>th</sup>, 2019 were approved.

#### 5. DELEGATIONS & PRESENTATIONS

- i) **Presentation – Mental Health Nurse at the Lanark County OPP Detachment.**

Derek Needham, Detachment Commander.

The Detachment Commander gave a Power Point presentation – *attached, page 11.*

- ii) **Delegation - Leeds, Grenville and Lanark District Health Unit**

Dr. Paula Stewart, Medical Officer of Health and Alexis Green, Public Health Nurse.

P. Stewart and A. Green gave a PowerPoint Presentation – *attached, page 25.*

- iii) **Delegation - OUR Turtles Tay Valley**

Tammy MacKenzie, Resident.

T. MacKenzie reviewed the documents that were attached to the agenda and previewed a video.

Recommendation to Council:

“**THAT**, the following request from OUR Turtles Tay Valley be referred to staff to bring back a report to Council with recommendations:

- the Township grant permission to OUR Turtles Tay Valley to place nest protectors, as outlined in a delegation to Council on August 6, 2019, on top of turtle nests at the edge of Township owned roads;
- the Township install signage posts for the installation of signage by OUR Turtles Tay Valley where they have identified hot spots;
- work with the Public Works Department to use best management practices to schedule grading, mowing, etc. so as not to destroy nests during their ninety-day hatching period;
- the Township assist with education by distributing any pamphlets or have available the nest protectors at the Municipal Office.”

The Committee recessed at 7:10 p.m.  
The Committee returned to session 7:18 p.m.

## 6. PRIORITY ISSUES

i) **Consideration of County Road 36 Improvements – Update from Lanark County.**

The Reeve and Deputy Reeve overviewed the recommended plan for the road.

The County Report will be forwarded to those who made the delegation to the Township and they will be informed to contact the County if they wish to pursue this issue further. The Committee also suggested that the ABC Hall may wish to look at their incorporating by-law to see what would make it meet the criteria for a community safety zone.

ii) **Report #PD-2019-28 - Severance Application – McGuire.**  
Noelle Reeve, Planner.

Recommendation to Council:

**“THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Consent Application for creation of a lot for McGUIRE #B19/037 (Lot 17 and 18, Concession 11 , geographic Township of Bathurst) 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 pay 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.

That, payment of \$200.00 for the new parcel shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands.”

iii) **Moratorium on Boathouses.**

Councillor Rob Rainer gave a PowerPoint presentation – *attached, page 32*. He would like to look at instituting parameters around boathouse development. South Frontenac does not allow boathouses and they share Bob’s Lake with Tay Valley.

Councillor R. Darling informed the Committee that there have been no complaints in the last ten years with regards to boathouses and would like to

wait until the official plan and zoning by-law are up for review and to hear from the public on the matter.

The Planner informed the Committee that those boathouses that are partially on land already have restrictions in place in the zoning by-law. However, there is nothing to regulate a boathouse that is 100% over the water. Boathouses 100% over the water also have to be permitted by the Ministry of Natural Resources. The Planner suggested referring this to the Priority Setting Session to determine what Council sees as the top Planning Department priorities.

Recommendation to Council:

**“THAT**, the discussion of potential changes to the boathouse provisions in the Zoning By-Law be referred to the Priority Setting Session – Round 2 so that Council can determine the priority of this item in relation to all of the other priorities for the Township.”

iv) **Report #CAO-2019-03 – Acceptance of Contaminated Soil at Glen Tay Waste.**

Larry Donaldson, Chief Administrative Officer.

The owner addressed the Committee and indicated that a condition of the sale is to have a remediated site; removal of the contaminated soil and replaced with clean fill.

Recommendation to Council:

**“THAT**, Council approve the acceptance of “contaminated soil” from the property located at 17562 Highway #7, to be used as cover material at the Glen Tay Waste Site subject to the following conditions:

**THAT**, the material be tested by a qualified laboratory and the results be within acceptable limits based on the results of a Toxicity Characteristics Leaching Procedure;

**THAT**, petroleum hydrocarbon and metal results of the most contaminated soils also be provided and be within acceptable levels;

**THAT**, the volume of material be approximately 800m<sup>3</sup>, subject to the approval of the Township Public Works Manager;

**THAT**, the material be deposited at the Glen Tay Waste Site, as directed by the Township Public Works Manager;

**THAT**, applicable tipping fees be waived;

**THAT**, all costs of transporting the material to, and all costs associated with depositing and stockpiling the material at, the Glen Tay Waste Site be the responsibility of the owner of the subject property;

**AND THAT**, this approval be subject to a one (1) year time limit.”

v) **Report #CAO-2019-02 – Hospital Funding.**

Larry Donaldson, Chief Administrative Officer.

A couple of letters of support were received – *attached, page 29.*

Recommendation to Council:

“**THAT**, Resolution #C-2019-02-04, regarding funding of the Perth and Smiths Falls District Hospitals be brought forward and approved by Council;

**AND THAT**, the letter forming Attachment #1 to this Report dated June 28, 2019, from the Perth and Smiths Falls District Hospital be referred to the 2020 budget.”

The Committee recessed at 9:00 p.m.

Councillor Fred Dobbie left at 9:00 p.m.

The Committee returned to session at 9:08 p.m.

vi) **Report #CBO-2019-05 - Building Department Report – January to June 2019.**

Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, Report #CBO-2019-05– Building Department Report – January to June 2019 be received as information.”

vii) **Report #PD-2019-027 – Official Plan Amendment No. 6 and Zoning By-Law Amendment.**

Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, Official Plan Amendment No. 6 for Adam Lake be adopted;

**THAT**, the necessary by-law come forward at the next Council meeting;

**THAT**, the Planner be authorized to submit the Official Plan Amendment to Lanark County for final approval;

**AND THAT**, upon approval of Official Plan Amendment No. 6 by the County of Lanark, Council amend Zoning By-law No. 2002-121 to implement the Official Plan Amendment No. 6.”



- viii) **Report #PD-2019-029 – Federation of Canadian Municipalities Climate Change Grant Update.**  
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the dates for the first round of public consultation on a target for reducing the Township and community Greenhouse Gas emissions be set for September 18 and 21, 2019.”

- ix) **Report #FIN-2019-08 – 2019 Budget Review and Forecast as at June 30, 2019.**  
Larry Donaldson, Chief Administrative Officer.

The Committee requested a list be forwarded to Members of the items that make up the corporate legal fees.

Recommendation to Council:

“**THAT**, Report #FIN-2019-08 - 2019 Budget Review and Forecast as at JUNE 30, 2019, be received for information;

**THAT**, the \$598,304 Transition Fund Grant received from the Province be transferred into the Contingency Reserve Fund;

**AND THAT**, the extra Federal Gas Tax Grant of \$177,445 be transferred to the Federal Gas Tax Reserve Fund.”

- x) **Report #PW-2019-12 – Tender Award – Purchase of Two (2) Tandem Trucks.**  
Sean Ervin, Public Works Manager.

Recommendation to Council:

“**THAT**, Tender #2019-PW-020, a joint tender with the Township of Rideau Lakes, be awarded to Francis Canada Truck Centre Inc. for the purchase of two (2) tandem trucks with expected delivery in 2020;

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

- xi) **Report #PW-2019-13 – Tender Award – Bathurst 6<sup>th</sup> Concession Culvert Replacement .**  
Sean Ervin, Public Works Manager.

Recommendation to Council:

“**THAT**, Tender #2019-PW-009 – Bathurst 6<sup>th</sup> Concession Culvert Replacement be awarded to 2099042 Ontario Limited o/a AWD Contractors in the amount of \$75,448.00 plus H.S.T.;

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

- xii) **Report #C-2019-06 – Multi-Year Accessibility Plan – 2019-2023.**  
Amanda Mabo, Clerk.

Recommendation to Council:

“**THAT**, the 2019 – 2023 Multi-Year Accessibility Plan be adopted;

**AND THAT**, the necessary by-law be presented at the August 13<sup>th</sup>, 2019 Council meeting.”

## 8. CORRESPONDENCE

- i) **19-06-19 and 19-07-17 Council Communication Packages.**

Recommendation to Council:

“**THAT**, the 19-06-19 and 19-07-17 Council Communication Packages be received for information.”

- ii) **19-07-26 Council Communication Package – *attached, page 45.***

Councillor Darling asked that item # 6 (Town of Halton Hills: Resolution – Litter and Waste in our Communities) be pulled and voted on separately.

Recommendation to Council:

“**THAT**, the 19-07-26 Council Communication Package, excluding item 6, be received for information.”

- iii) **Town of Halton Hills: Resolution – Litter and Waste in our Communities**  
*attached, page 46.*

Recommendation to Council:

“**THAT**, the Council of the Corporation of Tay Valley Township support the resolution from the Town of Halton Hills regarding Litter and Waste in our Communities.”

- iv) **Storm Internet & Fibre Project.**

Councillor B. Phillips left at 9:55 p.m.

The Committee agreed to extend the meeting curfew until 10:30 p.m.

Recommendation to Council:

“**THAT**, the presentation from Storm Internet be accepted as information;

**AND THAT**, Tay Valley Council support the presence of Storm Internet and the fibre project initiative in Lanark County, including applications for funding.”

## 9. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Green Energy and Climate Change Working Group.**  
Deputy Reeve Barrie Crampton and Councillor Rob Rainer.  
The Committee reviewed the minutes that were attached to the agenda.
- ii) **Recreation Working Group – *deferred to the next meeting.***  
Councillor Fred Dobbie and Councillor Beverley Phillips.
- iii) **Fire Board – *deferred to the next meeting.***  
Councillor RoxAnne Darling, Councillor Fred Dobbie, Councillor Mick Wicklum.
- iv) **Library Board – *deferred to the next meeting.***  
Councillor Rob Rainer.
- v) **Police Services Board – *deferred to the next meeting.***  
Reeve Brian Campbell.
- vi) **County of Lanark – *deferred to the next meeting.***  
Reeve Brian Campbell and Deputy Reeve Barrie Crampton.
- vii) **Mississippi Valley Conservation Authority Board – *deferred to the next meeting.***  
Councillor RoxAnne Darling.
- viii) **Rideau Valley Conservation Authority Board.**  
Councillor Gene Richardson.  
The Committee reviewed the minutes that were attached to the agenda.
- ix) **Rideau Corridor Landscape Strategy.**  
Reeve Brian Campbell.  
The Committee reviewed the minutes that were attached to the agenda.
- x) **Municipal Drug Strategy Committee – *deferred to the next meeting.***  
Councillor Gene Richardson.
- xi) **Rural Mayors Forum – *deferred to the next meeting.***

Reeve Brian Campbell.

xii) **CAO – Active Files.**

Larry Donaldson, Chief Administrative Officer.

- Bolingbroke Bridge Public Information Centre – August 26<sup>th</sup>
- John Millar Park
- RED Funding, 2 new streams
- Maberly Fair

**9. CLOSED SESSION**

None.

**10. DEFERRED ITEMS**

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

- ***Social Media Policy***
- ***Dark Skies***
- ***Dog Tags***
- ***Glen Tay Waste Site – Weigh Scales***
- ***Access to Township Roads Policy***
- ***Mutton’s Road (issues from Public Meeting)***
- ***Waste Sites - Installation of Camera’s & Policy***
- ***Northland Solar Agreement - Outstanding Items***
- ***Pavement Preservation/Pavement Lifecycle Comparison/Paving Shoulders***
- ***Norris Road***
- ***Inter-Municipal Recreation Agreement***

- *Procurement Policy*
- *Age Friendly Report Recommendations*
- *Municipal Disaster Recovery Program (Christie Lake North Shore)*

**11. ADJOURNMENT**

The Committee adjourned at 10:14 p.m.

\_\_\_\_\_  
**Chairperson**

\_\_\_\_\_  
**Clerk**

# APPLICATIONS

## Farren and Adam Lakes Official Plan & Zoning By-law Amendment

### Public Notice

Pursuant to the Planning Act, Notice of public meeting is to be provided a minimum of 20 days prior. Notice was duly given in the Perth Courier. Notice was also given to other public agencies as required.

### Local Planning Appeal Tribunal

Please be cautioned that if, at a later date, a person or public body choose to appeal Council's decision on this matter to the Local Planning Appeal Tribunal, the Tribunal may dismiss all or part of an appeal without holding a hearing if the reasons set out in the appeal do not refer to land use planning grounds offended by the decision, the appeal is not made in good faith, or is frivolous or vexatious or made only for the purpose of delay.

The Tribunal may also dismiss the appeal if the appellant did not make oral submission at the public meeting or did not make written submission before the plan or amendment were adopted.

If you choose to appeal, you must submit written reasons, the prescribed fee and any other background material requested. This notice is not intended to discourage your objection in any way. It is intended only to inform you of your rights and obligations and to encourage early participation.

1



## Farren and Adam Lakes Official Plan & Zoning By-Law Amendments

*The purpose* of the Official Plan Amendment is to adopt recommendations proposed by the Interagency Working Group and to protect Farren and Adam Lakes from phosphorus loading.

*The effect* of the Official Plan Amendment would be to implement the following:

- increase the minimum required lot frontage of new proposed lots to 91m (properties on Farren Lake only)
- increase the minimum required lot area of new proposed lots on Farren and Adam Lakes to 0.8-ha (2 acres)
- require the use of a phosphorus removing add-on in septic systems for new development, redevelopment or replacement

2



## Farren and Adam Lakes Provincial Policy Statement

- The PPS sections relevant to the Official Plan Amendment:
  - water and wastewater (Section 1.6.6.4)
  - natural heritage (Section 2.1)
  - water (Section 2.2)
  
- Section 1.6.6.4 states "individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts. Negative impacts in this case are defined as, "degradation to the quality and quantity of water, sensitive surface features... due to single, multiple or successive development".
  
- Section 2.1.2 states that, "the diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity of natural heritage systems, should be maintained, restored or where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features".

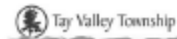
3



## Farren and Adam Lakes Provincial Policy Statement Cont'd

- Section 2.2 of the PPS, addresses how planning authorities shall protect, improve or restore the quality and quantity of water. OPA No. 5 is consistent with the PPS as it:
  - uses the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
  - minimizes potential negative impacts through restrictions on lot frontage and lot size;
  - proposes restrictions on development to protect, improve or restore vulnerable surface and ground water, sensitive surface water features and their hydrologic functions;
  - considers environmental lake capacity; and,
  - restricts development near sensitive surface water features to protect, improve or restore their related hydrologic function.

4





## Farren and Adam Lakes Lanark County SCOP

- The *Lanark County Sustainable Community Official Plan (SCOP)* contains provisions related to surface water protection.
- Section 5.4.4 states "the County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on water bodies throughout the County in order to ensure the long term viability of this important natural and economic resource".
- Section 5.3.2 states "The County's natural heritage features, including non-significant features, should be conserved and rehabilitated for the benefit of future generations according to best management practices undertaken today and as they evolve".

5



## Farren and Adam Lakes Tay Valley Township Official Plan

- provides guidance regarding:
  - water quality (2.24.1)
  - sewage disposal (Section 2.23.1.1)
  - lake capacity and water frontage (2.24.1.2); and,
  - lake management plans (Section 2.24.2)
- Section 2.24.1 states that, "...the Township has a direct concern with the issue of water quality impacts related to water-oriented development".
- Section 2.24.2.1 states that, "when considering development proposals within the Lake Management Plan areas specified in Appendix A, the Council shall have regard to the planning recommendations and policies contained in the Lake Management Plans which are consistent with the policies of the Tay Valley Township Official Plan"
  - Both Farren's and Adam's *Lake Management Plans (LMP)* are included in Appendix A of the *Official Plan*. Farren Lake's (LMP) calls for lake capacity to be considered in development decisions.

## Farren and Adam Lakes Official Plan Amendment Process

- The Official Plan Amendment must be approved by the upper-tier municipality (Lanark County)
- The lower-tier municipality must adopt the Official Plan Amendment prior to approval by the County.
- When approved by Lanark County, the Amendment will be considered to have been in full force and effect on the day it was passed by the lower-tier municipality
- As the Official Plan holds limited legal grounds on its own, a Zoning By-Law Amendment will occur following Lanark County's approval
- The required Public Meetings under the *Planning Act* are occurring concurrently.

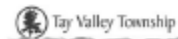
7



## Zoning By-law Amendment

- The sections of the Zoning By-law to be amended include frontage and setbacks for Adam and Farren Lakes in Sections 5.2 RS, 5.3 RLS and 10 Rural zones.
- Also Section 3.21 Sewage Disposal Systems will be amended to require phosphorus removal capacity in new or replacement septic systems.

8



## Farren and Adam Lakes Comments

- A Public Information Centre (PIC) was held at the municipal office on May 25<sup>th</sup>, 2019
- More than 30 residents attended the PIC for Farren Lake
  - More than 60 residents attended the Farren Lake Property Owner's Association (FLPOA) meeting May 19, 2019 to obtain more information
  - FLPOA created a survey for circulation to residents on Farren lake – very high response indicated residents are in favour of the Amendment.
- 6 residents attended the PIC for Adam Lake
  - The Adam Lake Property Owner's Association has collaborated in an attempt to provide formal comments at the Public Meeting
  - AGM will not take place until July

9



## Public Comments

- The Farren Lake Association survey results were shared with the Township.
- Comments from the two PICs were recorded.

10



## Farren and Adam Lakes Recommendation

- Official Plan Amendment No. 5 for Farren and Adam Lakes be adopted and that the necessary By-Law come forward at the Council meeting immediately following the Public Meeting
- The Planner be authorized to submit Official Plan Amendment No. 5 to Lanark County for Approval
- Upon Lanark County's approval of Official Plan Amendment No. 5, Council amend Zoning By-Law 2002-121 to implement the Official Plan Amendment

# TAY VALLEY TOWNSHIP OFFICIAL PLAN PROPOSED AMENDMENTS

FINAL RESULTS OF A SURVEY OF  
FARREN LAKE PROPERTY OWNERS  
JUNE 25, 2019

## ONLINE SURVEY FORM

### Farren Lake Property Owners Survey

The Tay Valley Township is proposing amendments to the Township Official Plan that will increase the protection of Farren Lake's water quality by reducing phosphorous loading in the lake.

We are looking for information on whether you agree or disagree with the proposed changes.

Please note that only one form per cottage should be submitted.

Fill in your family name and your property address. Then for each of the proposed changes to the Official Plan, please indicate whether you agree, or disagree with the proposed change. A single click on the appropriate box will indicate your choice.

The deadline for the completion of this survey is Thursday May 23, 2019.

\*Required

Email address \*

\_\_\_\_\_

Name \*

\_\_\_\_\_

Cottage/Property Address \*

\_\_\_\_\_

Change #1 - To increase the size of new lots to 0.8 ha (2 acres) \*

- Agree  
 Disagree

Change #2 - To increase the frontage of new lots to 91 m \*

- Agree  
 Disagree

Change #3 - To require the use of a phosphorous removing add-on in septic systems for new development, redevelopment or replacement \*

- Agree  
 Disagree

Comments

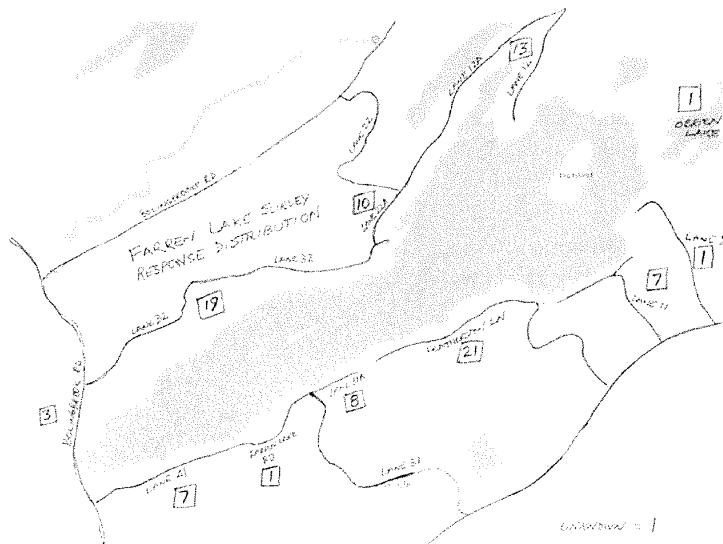
\_\_\_\_\_

Thank you for taking the time to provide your input into this important matter. Your FLPOA Executive Board

## SAMPLE RATE

- 131 ONLINE SURVEY FORMS EMAILED OUT
- 92 RESPONSES RECEIVED AS OF MAY 25, 2019
- 70 % RESPONSE RATE
- A TYPICAL RESPONSE RATE FOR A SURVEY LIKE THIS GENERALLY IN THE 30 % TO 40 % RANGE
- WITH A CONFIDENCE LEVEL OF 95% & A MARGIN OF ERROR OF +/- 5.6%

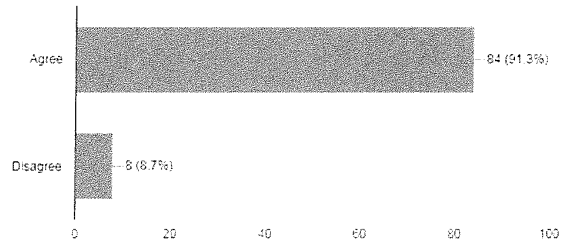
## LAKE REPRESENTATION – RESPONSES BY LANE



## PROPOSED CHANGE #1

Change #1 - To increase the size of new lots to 0.8 ha (2 acres)

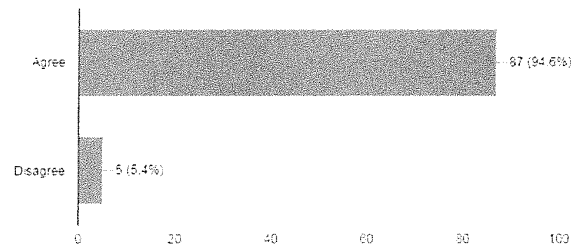
92 responses



## PROPOSED CHANGE # 2

Change # 2 - To increase the frontage of new lots to 91 m

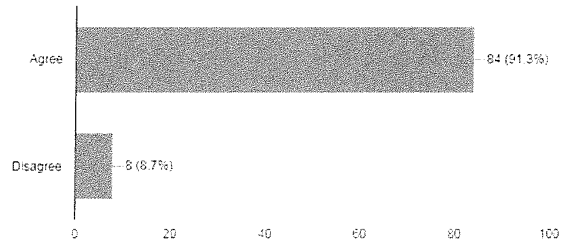
92 responses



## PROPOSED CHANGE #1

Change #1 - To increase the size of new lots to 0.8 ha (2 acres)

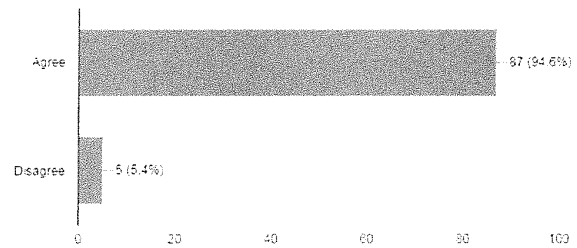
92 responses



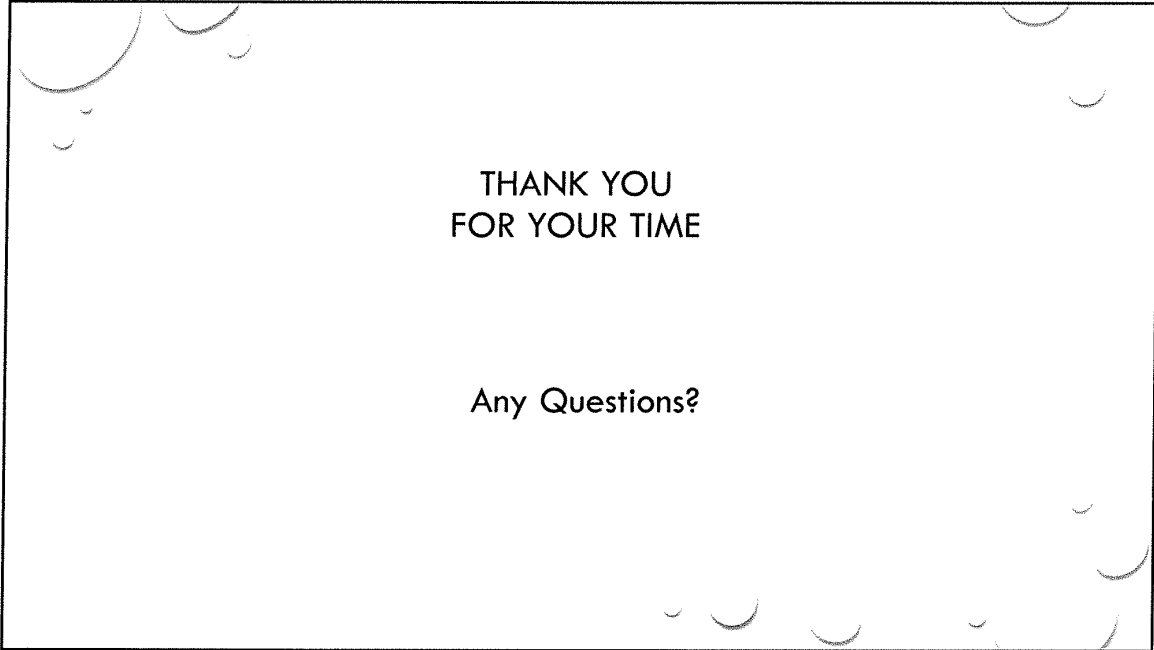
## PROPOSED CHANGE # 2

Change # 2 - To increase the frontage of new lots to 91 m

92 responses







**PART C - APPENDICES**

APPENDIX D

None

## TVT Planning Assistant

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**From:** Municipal Planning <MunicipalPlanning@enbridge.com>  
**Sent:** June 11, 2019 10:29 AM  
**To:** TVT Planning Assistant  
**Subject:** RE: Notice of Public Hearing - OPA & ZBLA

Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to [MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com).

### Casey O'Neil

Sr Analyst Municipal Planning  
Long Range Network Analysis

—  
**ENBRIDGE GAS INC.**  
TEL: 416-495-5180  
500 Consumers Rd, North York, ON, M2J 1P8  
enbridgegas.com  
**Safety. Integrity. Respect.**



3889 Rideau Valley Drive  
PO Box 599, Manotick ON K4M 1A5  
T 613-692-3571 | 1-800-267-3504  
F 613-692-0831 | www.rvca.ca

June, 14, 2019  
19-TAY-ZBA-0034 (SS & NB)

Tay Valley Township  
217 Harper Road  
Perth, Ontario  
K7H 3C6

Attention: Noelle Reeve, Planner

Subject: **Amendment to Tay Valley's Official Plan & Zoning By-law affecting:**

- Properties along Farren Lake;
- Properties along Adam Lake

---

Dear Ms. Reeve,

The Rideau Valley Conservation Authority (RVCA) has reviewed the subject application within the context of:

- Section 1.6.6 Sewage, Water and Stormwater, 2.1 Natural Heritage, 2.2 Water and 3.1 Natural Hazards of the Provincial Policy Statement under Section 3 of the Planning Act;
- The Mississippi-Rideau Source Water Protection Plan

#### **The Proposal**

The RVCA understands that the purpose and intent of this amendment is to adopt recommendations proposed by the interagency working group to protect Farren and Adam Lakes from phosphorus loading. The effect of the amendments would be to increase the minimum required frontage and area on Farren Lake to 91 metres and 0.8 hectares, respectively. In addition, phosphorus removing add-on technology would be required for new development, redevelopment or replacement along Farren Lake. Adjacent Adams Lake, the effect of the amendments would be to increase the minimum required lot area to 0.8 hectares and require phosphorus removing add-on technology would be required for new development, redevelopment or replacement along Adam Lake.

**Proudly working in partnership  
with our 18 watershed municipalities**

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,  
Drummond/North Elmsley, Elizabethtown-Ritely, Merrickville-Wolford, Montague,  
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport

## The Area

Based on our review, properties surrounding both Farren and Adam Lake are the subject of this concurrent official plan and zoning by-law amendment.

## Review Comments

### Provincial Policy Statement

With respect to the PPS, the primary area of review for conservation authorities relates to sewage, water and wastewater (Section 1.6.6), natural heritage (Section 2.1), water (Section 2.2) and natural hazards (Section 3.0).

With respect to Section 1.6.6, 2.1 and 3.0 the reviewing planner has no concerns. Although Adam Lake, specifically, does have areas of provincially significant wetland and organic soils within its vicinity, and both Farren and Adam Lake have several watercourses entering into these waterbodies, our office would comment on these features during future applications. For the purposes of the OPA/ZBA, these are simply being noted.

With respect to 2.2 of the PPS, which primarily addresses how planning authorities shall protect, improve or restore the quality and quantity of water, our office is of the opinion that the proposed amendments are consistent with it in the following ways:

- They use the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
- They minimize potential negative impacts through restrictions on lot frontage and lot size;
- They implement necessary restrictions on development to protect, improve or restore vulnerable surface and ground water, sensitive surface water features and their hydrologic functions;
- They have considered environmental lake capacity; and,
- They restrict development near sensitive surface water features to protect, improve or restore their related hydrologic function.

## Conclusions

Through participation of the interagency working group, our office has viewed the draft official plan amendment and provided pre-consultation comments to the Township. The RVCA has appreciated the opportunity to be involved during pre-consultation of these amendments.

In conclusion, our offices have no objection to either the Official Plan or Zoning By-law amendment.

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-048

### OFFICIAL PLAN – AMENDMENT NO. 5 FARREN LAKE

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**WHEREAS**, *Section 26 (1) of the Planning Act, R.S.O. 1990, Chapter P.13*, provides that if an Official Plan is in effect in a municipality, the Council of the municipality that adopted the official plan shall, in accordance with subsection (1.1), revise the official plan as required to ensure that it;

- a) conforms with provincial plans or does not conflict with them, as the case may be;
- b) has regard to the matters of provincial interest listed in section 2; and
- c) is consistent with policy statements issued under subsection 3 (1).

**AND WHEREAS**, *Section 17 (22) of the Planning Act, R.S.O. 1990, Chapter P.13*, states that when the requirements of subsections (15) to (21), as appropriate, have been met and the Council is satisfied that the plan as finally prepared is suitable for adoption, the Council may by By-Law adopt all or part of the plan and, unless the plan is exempt from approval, submit for approval;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, Official Plan Amendment No. 5 (Farren Lake), attached hereto as Schedule “A”, be adopted.

#### 2. BY-LAWS TO BE AMENDED

- 2.1 **THAT**, By-Law No. 2014-039 is hereby amended.
- 2.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

#### 3. BY-LAW REPEALED

- 3.3 By-Law No. 2019-017 is hereby repealed.
- 3.4 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-048**

**4. ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**5. EFFECTIVE DATE**

**5.1 THAT**, this By-Law shall come into force and take effect upon the approval of Tay Valley Township Official Plan Amendment No. 5, dated September 21<sup>st</sup>, 2021, by the County of Lanark.

**5.2 ENACTED AND PASSED** this 21<sup>st</sup> day of September, 2021.

---

**Barrie Crampton, Deputy Reeve**

---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-048**

**SCHEDULE "A"**

**AMENDMENT No. 5**

**to the**

**TAY VALLEY TOWNSHIP OFFICIAL PLAN**

- PART A THE PREAMBLE does not constitute part of this Amendment.
- PART B THE AMENDMENT consisting of the following explanatory text constitutes Amendment No. 5 to the Tay Valley Township Official Plan.



## **PART A - THE PREAMBLE**

### **LOCATION**

The Official Plan Amendment affects all properties which abut the shorelines of:

- Farren Lake (southwest portion of the geographic Township of South Sherbrooke).

### **PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT**

The Official Plan Amendment was initiated by the Township in response to lake modelling analyses conducted by the Ministry of Environment, Conservation and Parks which identified both Farren and Adam Lakes as being “overcapacity” in terms of phosphorus loading, based on the Ministry’s modelling criteria.

This Amendment responds to the findings on Farren Lake by reinforcing existing Official Plan policies and introducing new policies that are aimed at reducing phosphorous loading from existing and future development on these lakes. The Amendment has been prepared in consultation with various public agencies, property owner associations, and interested residents through an Inter-Agency Working Group which was established by the Township for this purpose.

### **BASIS OF OFFICIAL PLAN AMENDMENT**

#### **3. Background**

The Ministry of Environment, Conservation and Parks (MOECP) conducted the above noted modelling on various lakes throughout the Township in 2011 at the request of Lake Associations in Tay Valley Township. In response to the Ministry’s findings, the Township passed an Interim Control By-law in 2012, for a period of one year, on all properties abutting the shorelines of both lakes, and initiated a planning study to determine how to address the problem of phosphorus over-loading in the Farren and Adam Lakes. The intent of the study was to identify planning mechanisms to improve existing conditions arising from previous development and to prevent further deterioration arising from future development. The Interim Control By-law was subsequently extended for an additional one-year period.

The Township initially formed an Inter-Agency Working Group to consider available planning mechanisms/measures that could be introduced to address the phosphorus “overcapacity” of the lakes. The Group met on October 12, 2012. This meeting was followed by:

- 3) collecting existing lot data for each lake, including total number of lots, number of seasonal dwellings, number of permanent dwellings and number of vacant lots; and,
- 4) further consultations with MOECP. Ultimately, no clearly defined, comprehensive solution to the phosphorous “overcapacity” of the lakes was identified as at that time MOECP had not tested its Lake Capacity Model at the Ontario Municipal Board. (It has subsequently and been successful.)

Recommendations from the Inter-Agency Working Group were to continue the Site Plan Control Agreement requirements; continue the mandatory septic re-inspection program; and, continue to educate lake residents about the importance of shoreline buffers and reducing phosphorus loading.

Following the foregoing initial process, the Township instituted an Official Plan Review to update its Plan to be consistent with the Provincial Policy Statement 2014, and to conform to the first approved Official Plan for Lanark County (Lanark County Sustainable Communities Official Plan – Lanark County SCOP). The issue of the phosphorous “overcapacity” in Farren and Adam Lakes was again raised as an important planning issue during the Official Plan Review process and wording was inserted into the new Official Plan requiring planning staff to have regard for Lake Association Management Plans listed in a new Appendix to the Official Plan (Farren and Adam Lakes requested to be listed in that Appendix).

The Township’s new Official Plan was approved in February 2016. MOECP’s Handbook on Lake Capacity was now part of the updated Provincial Policy Statement, 2014 and the Township’s Official Plan referenced both it and Farren and Adam Lake’s Management Plans. A new policy context was, therefore, in play.

Township staff had additional consultations with MOECP staff and the Township’s lawyer, and a staff report was submitted to Council recommending that a new Interim Control By-law be passed. The staff report included a review of the legislative tools that are available under the Planning Act (as provided by the Township’s lawyer), and alternative development control restrictions related to new lot creation (as provided by the MOECP representative on the Inter-Agency Working Group).

Council passed a new Interim Control By-law in June 2017 (pursuant to the legislative advice provided by the Township’s lawyer), and initiated a new planning study on which this Official Plan Amendment is based.

## **4. Planning Rationale**

This Official Plan Amendment is based on:

- a review of the recommendations/suggestions and discussions of the Inter-Agency Working Group, including follow-up discussions with MOECP staff regarding septic systems with capacity for phosphorus removal;
- an overview review of existing development and future development on Farren Lake; and,
- a detailed review of the Township's new Official Plan to determine if it includes the appropriate policies to implement development and re-development approval processes which mitigate potential adverse impacts on Farren Lake.

### **2.1 Overview of Current Policy and Regulatory Regime**

It has been approximately twenty five years since the current policy and regulatory regime for waterfront development was first introduced throughout Eastern Ontario as the means to protect the natural heritage features of lakes and rivers. This policy and regulatory regime was meant to mitigate the potential adverse impacts of such development, based on the recommendations of the "Michalski" report. More recently, in 2014, the "Hutchison" peer review of the original "Michalski" report concluded that this policy and regulatory regime has been effective in mitigating the potential adverse impacts of new shoreline development for most warm water lakes.

Farren Lake is the most sensitive lake in the Township to phosphorous loading. Therefore, changes to protect the lake are warranted.

### **2.2 Existing Development and Future Development Potential**

The shoreline of Farren Lake is primarily developed in seasonal dwellings, with some past conversions (re-development) to permanent occupancy, and a small number of relatively new permanent dwellings. There are also a small number of existing vacant lots which could be developed.

Many of the existing shoreline lots, including both developed and vacant lots, are legal non-conforming (undersized) lots under current zoning regulations. As a consequence, existing uses often do not meet all of the regulatory requirements of the Zoning By-law. Additionally, potential future uses on existing vacant lots are also not likely to meet all the regulatory requirements of the Zoning By-law and will, therefore, require minor variances in order to be developed.

There is opportunity for new lot creation, with some existing properties large enough to be severed as infill lots in conformity with existing zoning regulations. Any remaining large properties along the shoreline which does not front on existing private roads will not likely be developed because the Official Plan policies do not permit extensions to existing private roads or new private roads. Under these policies, any future development of these large vacant properties would have to be undertaken by plan of subdivision or condominium, where the subdivision has direct access to an existing public road, and this is not considered likely in most instances.

Based on the foregoing, it has been determined that there is opportunity for new development along the shorelines of both lakes, either by developing existing vacant lots or by creating new lots through the consent process. It has also been determined that re-development of existing uses (alterations, extensions and/or replacements) will predominate along the shoreline of Farren Lake in terms of future development activity.

### **2.3 Review of Current Official Plan Policies**

A detailed review of the new Official Plan was undertaken based on the foregoing in order to identify any policy shortcomings that potentially inhibit implementation measures designed to mitigate against phosphorus over-loading in the lakes, both for new development and for re-development.

This review confirmed that two planning tools suited to addressing the phosphorus overcapacity issue are contained in the Official Plan policies related to: Site Plan Control (Section 5.4) and Environmental Impact Assessment (Section 2.22.7). However, these tools have not protected Farren Lake from becoming over capacity for phosphorus.

The Interagency Working Group recommended five actions to protect Farren Lake. Of the five actions listed below, Council approved the first three for consultation with residents of Farren Lake.

- 5) Increase lot frontages,
- 6) Increase lot area,
- 7) Add a phosphorus removal adjunct to new or replacement septic systems,
- 8) Require an Environmental Impact Assessment for development or redevelopment, and
- 9) Encourage voluntary Site Plan Control Agreements by waiving their fee.

## **OVERALL CONCLUSIONS**

In order to protect Farren Lake, Official Plan policies need to provide the policy regime to address the issue of phosphorus overcapacity in Farren Lake. Therefore, the Official Plan should be amended, as described in Part B of this Amendment, to explicitly require that this policy regime be applied to Farren Lake, without precluding that this policy regime can also be applied to all other waterfront properties in the Township.

It is further concluded that this Amendment is consistent with the Provincial Policy Statement 2014 (PPS), and that it conforms to the Lanark County Sustainable Communities Official Plan.

Based on the foregoing conclusions, Council has deemed it advisable to amend the Official Plan as described in Part B of this Amendment.

Adam Lake is expected to request Council to amend the Official Plan for their lake following their Annual General Meeting in July. However, the Farren Lake Association urged Council to not delay protection for their lake.

## **PART B - THE AMENDMENT**

All of this part of the document entitled PART B - THE AMENDMENT, consisting of the following map and explanatory text constitutes Amendment No. 5 to the Tay Valley Township Official Plan.

### Details of the Amendment

Section 2.24.1 Lake Capacity, is hereby amended by adding new subsections “d”, as follows:

- d) Farren Lake has been identified as being overcapacity for phosphorus loading, based on modelling conducted by the Ministry of Environment, Conservation and Parks (MOECP) using the Ministry’s *Lake Capacity Handbook* criteria. Of the Lakes in Tay Valley Township studied by MOECP, Farren Lake has been identified as more sensitive in terms of future phosphorus loading.

This Plan contains a comprehensive policy regime intended to protect the natural heritage features of all lakes in the Township, and the application of these policies to future development and redevelopment proposals on Farren Lake is considered important in terms of mitigating the phosphorus loading caused by existing development, and of reducing or eliminating additional phosphorus loading from future development and redevelopment.

The following additional policies apply to all future development and re-development on all properties abutting the shorelines, or within 30 m of the shoreline. These additional policies are meant primarily to establish the processes by which the Plan’s existing policy regime is to be implemented, and are not meant to be interpreted such that they are not also applicable to other lakes in the Township.

1. Where re-development is proposed, including extensions to, or replacement of existing buildings, septic system re-inspection shall be required. Where alterations (adding one or more runs or increasing size) are required to existing septic systems or where replacement systems are required, and they are not able to be located at least 30 m from the shoreline, phosphorus removal systems or soil attenuation through acidic non-calcareous soils shall be required to achieve Phosphorus – 1.0mg/L as per the standards of CAN/BNQ 3680-600. The required Site Plan Control Agreement shall show the location of the repaired or replaced septic system.
2. Where the existing lot of record is undersized to the extent that the Water Setback policy requirements below cannot be met, owners are encouraged to

obtain a lot addition consent so that the setbacks can be met, including the 30 m setback for septic systems. Where the 30 m setback for septic systems cannot be met phosphorous removal systems or soil attenuation using imported acidic non-calcareous soils shall be required to achieve Phosphorus – 1.0mg/L as per the standards of CAN/BNQ 3680-600.

3. Where a new lot is to be created by consent (severance), the lot to be created (and the retained lot) shall be capable of conforming to the Water Setback policies below. However, increased setbacks, as well as lot depths, may be required based on site conditions such as slope, soil/bedrock characteristics, proximity to shoreline wetland areas, etc. The proposed minimum area for new lots on Farren Lake is 0.8-ha (2 acres). The proposed minimum frontage for new lots on Farren Lake is 91m.
4. Stewardship practices are considered to be an extremely important component in protecting and improving the natural heritage features of Farren Lake, including practices to reduce phosphorous migration into the lakes. Stewardship often includes property maintenance and management practices that are not directly regulated under Official Plan policies or Zoning By-law regulations, particularly in those circumstances where development or re-development approvals are not required. Stewardship practices are especially important on these lakes since much of the shorelines are already developed. Accordingly, the Township encourages property owner associations and individual land owners to consult with the Conservation Authority in order to identify shoreline vegetation replanting or retention management practices that can be implemented to improve the natural heritage features.
5. Other Best Management Practices that landowners are encouraged to follow include using a septic system with nitrogen as well as phosphorous removal, re-naturalizing hardened surfaces, using Low Impact Development stormwater management tools such as rain gardens, etc.

## **PART C - APPENDICES**

### **APPENDIX A**

- Letter to property owners on Farren Lake – brief explanation of the proposed changes to the Official Plan
- Creation of municipal webpage – explanation of proposed changes to the Official Plan
- Report #PD-2018-039 – Proposed Official Plan Amendment for Farren and Adam Lake – Provided on municipal website
- Report #PD-2018-034 – Proposed Official Plan Amendment for Farren and Adam Lake – Provided on municipal website
- Report #PD-2018-09 – Interim Control By-Law Extension – Farren & Adam Lakes – Provided on municipal website
- Report #PD-2017-18 – Options for Severances on Farren and Adam Lakes – Provided on municipal website
- By-Law No. 2017-043 – Interim Control By-Law – Provided on municipal website
- By-Law No. 2018-024 – Interim Control By-Law Amendment – Farren and Adam Lakes – Provided on municipal website
- By-Law No. 2018-057 – Interim Control By-Law Amendment – Farren and Adam Lakes – Provided on municipal website
- PowerPoint with explanation of proposed changes to Official Plan and Zoning By-Law as presented at the Public Information Centre held on May 25, 2019
- Farren Lake – Potential Severances – Before and After Official Plan Amendment – Map (available at Public Information Centre and on municipal website)



## **PART C - APPENDICES**

### APPENDIX B

Paul Seidl, Landowner

George Willet, President of the Farren Lake Association

Fred Godard, President of the Adam Lake Property Owners Association

## **PART C - APPENDICES**

### **APPENDIX C**

# **PUBLIC MEETING OFFICIAL PLAN AMENDMENT ZONING BY-LAW AMENDMENT MINUTES**

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**Tuesday, June 25<sup>th</sup>, 2019**

**5:30 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 Gene Richardson  
Councillor RoxAnne Darling  
Councillor Mick Wicklum  
Councillor Fred Dobbie  
Councillor Rob Rainer

##### **Staff Present:**

Noelle Reeve, Planner  
Amanda Mabo, Acting Chief Administrative Officer/Clerk  
Janie Laidlaw, Deputy Clerk

##### **Public Present:**

Janet Bushinsky  
Alex Bushinsky  
Dawna Garber  
Paul Seidl  
Fred Godard  
Eugenia Felt  
Roy Felt  
George Willett

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

The public meeting was called to order at 5:30 p.m.

#### **2. INTRODUCTION**

The Chairman provided an overview of the Zoning By-Law application review process to be followed, including:

- the purpose of the meeting

- the process of the meeting
- all persons attending were encouraged to make comments in order to preserve their right to comment should the application(s) be referred to the Local Planning Appeal Tribunal (LPAT)
- the flow and timing of documentation and the process that follows this meeting
- any person wanting a copy of the decision regarding the applications on the agenda was advised to leave their name and mailing address on the sheet provided at the meeting

The Chairman asked if anyone had any questions regarding the meeting and the process to be followed. Given that there were no questions, the meeting proceeded.

### 3. **FILE #OPA-05 & #ZA-19-03: Official Plan Amendment No. 5. & General Amendment – OPA No. 5 - Farren and Adam Lakes**

#### a) PLANNER FILE REVIEW & PROPOSED AMENDMENT

The Planner reviewed the file – *attached, page 4.*

#### b) PUBLIC COMMENTS

Paul Seidl, landowner gave a PowerPoint on the survey results that Farren Lake conducted regarding the Official Plan changes – *attached, page 11.*

George Willet, President of the Farren Lake Association explained what the Lake Association is doing to reduce phosphates on the lake, they are promoting plant buffers to absorb phosphates, promoting using outhouses as far away as possible from the lake, providing information on soaps and cleaning products that are truly phosphate free and they have done testing on the phosphate input going into the lake from the swamp and beaver dam, if the phosphate results are high may look at filters.

Fred Godard, President of the Adam Lake Property Owners Association, stands by and recommends to the members to support the Official Plan and Zoning By-Law recommendations. The information needs to get out to the members of the association and would recommend deferring the By-law until after they have the Annual General Meeting in July.

The Reeve explained the implications of deferring the By-law on Adam Lake until August. The Adam's Lake Property Owners Association understands what those implications could be.

#### c) RECOMMENDATION

That the Official Plan Amendment By-law be approved for Farren Lake and be deferred for Adam Lake until the Council meeting in August.

**4. ADJOURNMENT**

The public meeting adjourned at 6:13 p.m.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Deputy Clerk

## PART C - APPENDICES

### APPENDIX D

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**From:** Jennifer J Foster  
**Sent:** May 3, 2019 5:20 PM  
**To:** Kristi McDonald; TVT Planner  
**Cc:** Tim O'Dacre  
**Subject:** Re: Farren Lake Health

Thank you for this message. We are on Lane 32 and had not received the meeting notification letter.

I have a few questions:

- 1) how will the septic systems be monitored, and how will replacement be enforced? This seems like the most pertinent element of the strategy in terms of reducing phosphorous levels.
- 2) are there any maps accompanying the proposed OP amendments? It would be useful to visualize the scenarios under consideration.
- 3) Is it possible for FLPOA and/or Tay Valley Township to provide updates on adherence to the proposed amendments, should they go through? We are one of the properties that will not be able to sever should the proposed amendments go through, and we are fine with that as long as there is a strong commitments to all provisions of the strategy. The severance changes should be straightforward, but how will we know whether the septic upgrades are happening? Surely the Interagency Group has considered this, and records of inspections will be filed. Will all properties be inspected? Maybe regular reports on how many upgrades are complete or pending? Again, maps and visuals would be an effective way to communicate. I am hoping that there will be some assurance that the burden of reducing phosphorus levels will be shared, and all property owners will be required to comply (not just those whose opportunities for severance are restricted).

Thanks very much,  
Jennifer Foster and Timothy O'Dacre

## TVT Planning Assistant

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**From:** Municipal Planning <MunicipalPlanning@enbridge.com>  
**Sent:** June 11, 2019 10:29 AM  
**To:** TVT Planning Assistant  
**Subject:** RE: Notice of Public Hearing - OPA & ZBLA

Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to [MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com).

### Casey O'Neil

Sr Analyst Municipal Planning  
Long Range Network Analysis

—  
**ENBRIDGE GAS INC.**  
TEL: 416-495-5180  
500 Consumers Rd, North York, ON, M2J 1P8  
enbridgegas.com  
**Safety. Integrity. Respect.**



3889 Rideau Valley Drive  
PO Box 599, Manotick ON K4M 1A5  
T 613-692-3571 | 1-800-267-3504  
F 613-692-0831 | www.rvca.ca

June, 14, 2019  
19-TAY-ZBA-0034 (SS & NB)

Tay Valley Township  
217 Harper Road  
Perth, Ontario  
K7H 3C6

Attention: Noelle Reeve, Planner

Subject: **Amendment to Tay Valley's Official Plan & Zoning By-law affecting:**

- Properties along Farren Lake;
- Properties along Adam Lake

---

Dear Ms. Reeve,

The Rideau Valley Conservation Authority (RVCA) has reviewed the subject application within the context of:

- Section 1.6.6 Sewage, Water and Stormwater, 2.1 Natural Heritage, 2.2 Water and 3.1 Natural Hazards of the Provincial Policy Statement under Section 3 of the Planning Act;
- The Mississippi-Rideau Source Water Protection Plan

#### The Proposal

The RVCA understands that the purpose and intent of this amendment is to adopt recommendations proposed by the interagency working group to protect Farren and Adam Lakes from phosphorus loading. The effect of the amendments would be to increase the minimum required frontage and area on Farren Lake to 91 metres and 0.8 hectares, respectively. In addition, phosphorus removing add-on technology would be required for new development, redevelopment or replacement along Farren Lake. Adjacent Adams Lake, the effect of the amendments would be to increase the minimum required lot area to 0.8 hectares and require phosphorus removing add-on technology would be required for new development, redevelopment or replacement along Adam Lake.

Proudly working in partnership  
with our 18 watershed municipalities

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,  
Drummond/North Elmsley, Elizabethtown-Kitley, Merrickville-Wolford, Montague,  
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport

## **The Area**

Based on our review, properties surrounding both Farren and Adam Lake are the subject of this concurrent official plan and zoning by-law amendment.

## **Review Comments**

### Provincial Policy Statement

With respect to the PPS, the primary area of review for conservation authorities relates to sewage, water and wastewater (Section 1.6.6), natural heritage (Section 2.1), water (Section 2.2) and natural hazards (Section 3.0).

With respect to Section 1.6.6, 2.1 and 3.0 the reviewing planner has no concerns. Although Adam Lake, specifically, does have areas of provincially significant wetland and organic soils within its vicinity, and both Farren and Adam Lake have several watercourses entering into these waterbodies, our office would comment on these features during future applications. For the purposes of the OPA/ZBA, these are simply being noted.

With respect to 2.2 of the PPS, which primarily addresses how planning authorities shall protect, improve or restore the quality and quantity of water, our office is of the opinion that the proposed amendments are consistent with it in the following ways:

- They use the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
- They minimize potential negative impacts through restrictions on lot frontage and lot size;
- They implement necessary restrictions on development to protect, improve or restore vulnerable surface and ground water, sensitive surface water features and their hydrologic functions;
- They have considered environmental lake capacity; and,
- They restrict development near sensitive surface water features to protect, improve or restore their related hydrologic function.

## **Conclusions**

Through participation of the interagency working group, our office has viewed the draft official plan amendment and provided pre-consultation comments to the Township. The RVCA has appreciated the opportunity to be involved during pre-consultation of these amendments.

In conclusion, our offices have no objection to either the Official Plan or Zoning By-law amendment.



Please advise us on the status of these applications following the public meeting. Please circulate our office on all future public information in relation to this file.

Thank you for the opportunity to comment and please do not hesitate to contact the undersigned at (613) 267-5353 x 131 should you have any questions.

Yours truly,

A handwritten signature in blue ink, appearing to read "Phil Mosher".

Phil Mosher  
Planner

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-049

### MAXIMUM RATE OF SPEED BY-LAW AMENDMENT (STANLEY ROAD)

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**WHEREAS**, section 128(2) of the *Highway Traffic Act, 2001*, R.S.O. 1990, c. H.8, as amended, provides that the council of a municipality may, for motor vehicles driven on a highway or portion of a highway under its jurisdiction, by by-law prescribe a rate of speed different from the rate set out in subsection (1) that is not greater than 100 kilometres per hour and may prescribe different rates of speed for different times of day;

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township enacted and passed By-Law No. 2018-035, to reduce the standard rate of speed on certain municipal roads;

**AND WHEREAS**, Council deems it expedient to amend By-Law No. 2018-035 to reduce the rate of speed on Stanleyville Road;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

1.1 **THAT**, schedule "A" be amended to include:

OUTSIDE HAMLET AREAS			
ROAD	FROM	TO	SPEED
Stanley Road	Narrows Lock Road (County Road 14)	810m east to the Hamlet of Stanleyville	50

#### 2. ULTRA VIRES

Should any sections of this by-law be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

#### 3. BY-LAW AMENDED

3.1 By-Law No. 2018-035 is hereby amended.

3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-049**

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 21<sup>st</sup> day of September, 2021.

\_\_\_\_\_  
**Barrie Crampton, Deputy Reeve**

\_\_\_\_\_  
**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2021-050

### POUND SERVICES AGREEMENT BETWEEN THE CORPORATION OF TAY VALLEY TOWNSHIP AND ANDREW PARENT

---

**WHEREAS**, Section 11(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides the municipality with the authority to pass by-laws with respect to animals;

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township has passed By-Law No. 2001-050, as amended, being an Animal Control By-Law which provides for the impoundment of animals running at large;

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township deems it expedient to enter into a Pound Services Agreement with Andrew Parent for the impoundment of animals;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

1.1 **THAT**, the Reeve and Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute a Pound Services Agreement with Andrew Parent, attached hereto as Schedule "A".

#### 2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

#### 3. BY-LAWS TO BE REPEALED

3.1 By-Law No. 2016-044 is hereby repealed.

3.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-050**

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 21<sup>st</sup> day of September, 2021.

\_\_\_\_\_  
**Barrie Crampton, Deputy Reeve**

\_\_\_\_\_  
**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-050**

**SCHEDULE "A"**

**ANIMAL POUND SERVICE AGREEMENT**

**THIS POUND SERVICE AGREEMENT** dated the \_\_\_\_ day of \_\_\_\_\_ 2021.

BETWEEN

**Andrew Parent  
Hereinafter called the "Contractor"**

AND

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
Hereinafter called "Tay Valley"**

Tay Valley wish to receive Pound Services and the Contractor offers to provide said service to Tay Valley for a term to commence on December 18, 2021 and to terminate on December 31, 2022. The agreement will automatically renew unless written notice is provided by either party within 60 days of the renewal date.

It is deemed appropriate to document the Pound service arrangements to accomplish conformity with the respective municipal Animal Control By-laws, the *Animals for Research Act* and the *Municipal Act, 2001*;

This agreement witnesses that in consideration of the premises and Pound Service provided by and the mutual covenants and agreements hereinafter contained, the parties agree as follows;

**CONDITIONS FOR SUPPLY OF POUND SERVICE TO TAY VALLEY**

**GENERAL**

1. "Animals" shall mean dogs only.
2. Tay Valley agrees to pay the monthly cost to operate the temporary pound facility as prescribed in Schedule "A" attached.
3. Tay Valley agrees to pay the cost per animal as prescribed in schedule "A" attached to house an impound animal for the impoundment period.
4. Tay Valley agrees to pay the reasonable veterinarian costs to provide an appropriate level of care during the impoundment period.

5. Tay Valley agrees to pay the reasonable veterinarian costs to euthanize an animal after the conclusion of the impoundment period.
6. Tay Valley will advertise the Pound service to the public on a regular basis.
7. The contractor agrees to provide and maintain a pound facility in accordance with standards prescribed by legislation.
8. The contractor agrees to provide adequate food and water as well as safe and humane treatment to all animals which come under the contractors care.
9. The contractor agrees to maintain reasonable access to the public to ensure animals are returned to the owner as quickly as possible.
10. The contractor agrees to provide general liability insurance coverage in an amount not less than \$2,000,000.00 with Tay Valley as a named insured in the Policy. Said Policy to be maintained for six months following the termination of this agreement.
11. The contractor agrees to indemnify and hold harmless Tay Valley and their respective elected officials, officers, employees and agents from and against all claims, losses, damages, liabilities, costs and expenses, including legal fees and disbursements, which may be made or brought against Tay Valley as a result of negligence on the part of the contractor.
12. The contractor agrees to invoice the Township for the service in accordance with Schedule "A".
13. Schedule "A" attached here to forms an integral part of this agreement and shall be read and interpreted as if it were contained in the body of this agreement.
14. Amendments to this Agreement and or its Schedule(s) may be made at any time upon mutual consent of the parties.
15. This Agreement may be terminated by either party upon 120 days notice in writing from one party to the other.
16. The parties acknowledge that upon termination of this agreement the contractor Anita Stuart will not be obligated to continue to provide the pound services that are the subject of this agreement.
17. All matters in dispute between the parties hereto in relation to this Agreement shall be referred to the arbitration of a single arbitrator if the parties hereto agree upon one, otherwise to three arbitrators, one to be appointed by each party and a third to be chosen by the first two named before they enter into the business of arbitration. If either party fails to appoint an arbitrator within seven (7) business days after service of notice on such party of the appointment of an arbitrator by the other Party, the arbitrator so appointed shall act as the sole arbitrator. The award and determination of

such arbitrator or arbitrators or any two of such arbitrators shall be binding upon the parties hereto and their respective successors and assigns.

18. Provide daily cleaning and sanitization of all shelter and kennel areas, food and water bowls.
19. Shelter services in accordance with Ontario Ministry of Agriculture, Food and Rural Affairs requirements, including feeding, boarding and exercise for animals strayed, abandoned, or otherwise deposited for care within Tay Valley.
20. The humane destruction as required in conjunction with a licensed veterinarian in a manner that conforms to the OVMA requirements.
21. Disposition of any animal carcasses as required in accordance with the minimum requirements outlined in Regulation 23 of the *Animals for Research Act*.
22. Contractor shall be responsible for complying with all applicable federal, provincial and municipal laws, codes and regulations in connection with the provision of the services herein.

Signed

\_\_\_\_\_  
Andrew Parent

\_\_\_\_\_  
Date

Tay Valley Township

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date



Schedule A

Monthly Cost \$ 150.00

Per animal impound Cost \$ 150.00

Per animal Health Cost as invoiced by the Veterinarian

Per animal Euthanization Cost as invoiced.

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2021-051

### A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETINGS HELD ON AUGUST 30<sup>th</sup>, SEPTEMBER 7 and 21, 2021

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**WHEREAS**, Section 5 of *the Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be exercised by its council;

**AND WHEREAS**, Section 9 of *the Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

**AND WHEREAS**, Section 5(3), provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS**, it is deemed expedient that the proceedings of the Council of the Corporation of Tay Valley Township at its meeting be confirmed and adopted by By-Law;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township enacts as follows:

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, the actions of the Council of the Corporation of Tay Valley Township at its meetings held on the 30<sup>th</sup> day of August and the 7<sup>th</sup> and 21<sup>st</sup> days of September, 2021 in respect of each motion and resolution passed and other action taken by the Council of the Corporation of Tay Valley Township at its meetings is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
- 1.2 **THAT**, the Reeve and Proper Signing Official of the Corporation of Tay Valley Township are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of Tay Valley Township referred to in the preceding section hereof.
- 1.3 **THAT**, the Reeve and/or Deputy Reeve and Clerk and/or Deputy Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of Tay Valley Township.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-051**

**2. ULTRA VIRES**

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 21<sup>st</sup> day of September 2021.

\_\_\_\_\_  
**Barrie Crampton, Deputy Reeve**

\_\_\_\_\_  
**Amanda Mabo, Clerk**