



COMMITTEE OF THE WHOLE AGENDA

Tuesday, November 9th, 2021
5:30 p.m.
Via GoToMeeting

GoToMeeting: <https://global.gotomeeting.com/join/659809925>

Members of the Public:

Meetings are now be 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.
-

5:30 p.m. *Public Meeting – Zoning By-Law Amendment*
Following: *Committee of the Whole Meeting*
Following: *“Special” Committee of the Whole Meeting – Capital Budget*

Chair, Reeve Brian Campbell

1. CALL TO ORDER

2. AMENDMENTS/APPROVAL OF AGENDA

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

4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

None.

5. DELEGATIONS & PRESENTATIONS

None.

6. PRIORITY ISSUES

- i) **Zoning By-Law Amendment – The Rideau Group Inc. – *if required.*** Noelle Reeve, Planner.
- ii) **Report #C-2021-38 – History Scholarship Increase – *attached, page 9.*** Kay Rogers, History Scholarship Selection Committee Chair.

Suggested Recommendation to Council:

“THAT, the amount of the Tay Valley History Scholarship be increased to \$1,200.”

- iii) **Report #PD-2021-40 - Severance Application – Schacht (B21-158) – *attached, page 12.*** Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application B21/158 (Concession 6, Part Lot 16,17,18 geographic Township of North Burgess) known as 245 Island View Road (Roll Number 91102043900) to create a new lot fronting on Narrows Lock Road, north of 3109 Narrows Lock Road, 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 new parcel shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands.

That, the applicant shall obtain a Civic Address Number for the severed lot.

That, a Development Agreement be placed on the severed and retained lots based on the Environmental Impact Statement by Hans von Rosen, to protect the Provincially Significant Wetland and potential Species At Risk.”

iv) **Report #PD-2021-41 - Severance Application – Schacht – attached, page 18.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Concession 6 Part Lots 16,17, 18 geographical Township of North Burgess known as 245 Island View Road (Roll Number 91102043900):

B21/111 - To create a 1.2-ha parcel of land as a lot addition to lands owned by Robert and Colleen Lillico at 220 Black Lake Route 11 (Roll Number 91102041800);

B21/114 - To create a 480 sq.m. parcel of land as a lot addition to lands owned by Todd William Horricks at 518 Black Lake Route 11 (Roll Number 91102043100);

B21/117 - To create a 510 sq.m. parcel of land as a lot addition to lands owned by Cynthia and Alexander Stimpson 519 Black Lake Route 11 (Roll Number 91102043200);

B21/118 - To create a 486 sq.m parcel of land as a lot addition to lands owned by Susan Jenkins at 268 Black Lake Route 11 (Roll Number 91102043300);

B21/153 - To create a 1.19-ha parcel of land as a lot addition to lands owned by David Cope and Manuela Cope at 276 Black Lake Route 11 (Roll Number 91102043601);

*B21/157 - To create a 0.05-ha parcel of land as a lot addition to lands owned by Margaret and Michael Slack, together with an easement/r-o-w at 210 Black Lake Route 11 (Roll Number 91102041500);
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 severances, both hard copy and electronically.

That, undersized lot area be recognized through minor variances or zoning amendments for B21/114, 117, 118, 157.”

- v) **Report #PD-2021-039 – Rogers Proposed Cell Tower – 1013 Bathurst 9th Concession – attached, page 29.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, the Council of the Corporation of Tay Valley Township support the application for a communication tower by Rogers Canada at 1013 Bathurst 9th Concession in order to increase access to service;

AND THAT, Staff write a letter of concurrence.”

- vi) **Report #C-2021-35 – Request to Close a Portion of an Unopened Road Allowance - Cameron – attached, page 46.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, Council declares the portion of the unopened road allowance (approximately 780 feet) between Concession 5 & 6, Lot 2, North Burgess, north of Brooks Corner on Adams Lake, surplus to the Township’s needs;

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

AND THAT, the purchase price of \$0.08 per square foot be accepted should the sale be finalized.”

- vii) **Report #C-2021-36 – Request to Close a Portion of an Unopened Road Allowance - Hudson – attached, page 49.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, Council declares the portion of the unopened road allowance (approximately 492 feet) between Lots 18 & 19, Concession 5, North Burgess, north of Narrows Lock Road, surplus to the Township’s needs;

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

THAT, the purchase price of \$0.08 per square foot be accepted should the sale be finalized.”

- viii) **Report #C-2021-37 – Proposed New Road Name – Outback Lane – attached, page 52.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, the necessary by-law to name an existing Private Road to Outback Lane as outlined in Report #C-2021-37 – Proposed New Road Name – Outback Lane, be brought forward for approval.”

- ix) **Report #CBO-2021-08 – Building Department Report – January to October 2021 – attached, page 55.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #CBO-2021-08 – Building Department Report – January to October 2021 be received as information.”

7. CORRESPONDENCE

- i) **21-10-20 – Council Communication Package – cover sheet attached, page 57.**

Suggested Recommendation to Council:

“THAT, the 21-10-20 Council Communication Package be received for information.”

- ii) **21-11-03 – Council Communication Package – cover sheet attached, page 59.**

Suggested Recommendation to Council:

“THAT, the 21-11-03 Council Communication Package be received for information.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Green Energy and Climate Change Working Group** – *deferred to the next meeting.*

Deputy Reeve Barrie Crampton and Councillor Rob Rainer.

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

Councillor Fred Dobbie and Councillor Beverley Phillips.

- iii) **Private Unassumed Roads Working Group.**

Councillor RoxAnne Darling and Councillor Gene Richardson.

21-08-25 – Private Unassumed Roads Working Group Minutes – *attached, page 61.*

- iv) **Fire Board.**

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

21-10-14 – Fire Board Meeting Minutes – *deferred to next meeting.*

21-10-27 – Fire Board Meeting Minutes – *deferred to next meeting.*

- iv) **Library Board.**

Councillor Rob Rainer.

21-06-21 – Library Board Minutes – *attached, page 68.*

21-09-20 – Library Board Minutes – *attached, page 70.*

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

Reeve Brian Campbell.

- vi) **County of Lanark.**

Reeve Brian Campbell and Deputy Reeve Barrie Crampton.

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

Councillor RoxAnne Darling.

21-09-15 – Mississippi Valley Conservation Authority Board Minutes – *attached, page 73.*

21-10-07 – Mississippi Valley Conservation Authority Board Minutes – *attached, page 78.*

21-11-01 - Mississippi Valley Conservation Authority Board Meeting Highlights – *attached, page 81.*

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

21-07-22 – Rideau Valley Conservation Authority Board Minutes – *attached, page 84.*

21-09-23 – Rideau Valley Conservation Authority Board Minutes – *attached, page 89.*

- 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.**

21-10-18 – Committee of Adjustment Hearing Minutes – *attached, page 94.*

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

PRIORITY ISSUES

COMMITTEE OF THE WHOLE
November 9th, 2021

Report #C-2021-38
Kay Rogers, History Scholarship Selection Committee Chair

HISTORY SCHOLARSHIP INCREASE

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, the amount of the Tay Valley History Scholarship be increased to \$1,200.”

BACKGROUND

The Tay Valley History Scholarship is one of Tay Valley Township’s legacy projects resulting from the 2016 commemoration of the 200th Anniversary of the Perth Military Settlement. It is presented annually to a deserving graduate from either the Perth & District Collegiate Institute or St. John Catholic High School.

In support of the Scholarship, Tay Valley Township:

- established a History Scholarship Selection Committee to provide advice and recommendations to Council regarding the granting of the Scholarship; and
- entered into an agreement with the Perth and District Community Foundation (PDCF) to manage the funds on behalf of Tay Valley Township.

The Scholarship is funded by:

- donations from over two dozen individuals, community groups and local businesses, contributing approximately \$21,000;
- the continuing sale of the legacy book *At Home in Tay Valley*, contributing approximately \$15,200;
- the net proceeds from the sale of the 200th Anniversary calendars, contributing approximately \$6,000; and
- money earned from investments made by the PDCF.

DISCUSSION

As of July 31, 2021, there was \$54,184 in the Scholarship Fund.

According to the agreement between the Township and PDCF, “It is the intention of Tay Valley Township that the scholarship be in the amount of \$1,000.00 and that this amount be indexed to inflation every five years and rounded off as determined by Tay Valley Township in consultation with the Foundation.” The intention is to ensure that future recipients receive a scholarship with the same value as the first recipients. It has been five years since the scholarship was established.

According to the Bank of Canada Inflation Calculator,

- the equivalent of \$1,000.00 in 2016, the year the scholarship was announced, would be \$1,109.47 today.
- the equivalent of \$1,000.00 in 2017, the first year the scholarship was awarded, would be \$1,092.47 today.

Since 1992, the rate of CPI inflation in Canada has fluctuated around 2 percent. Canada’s inflation rate in October, 2021 was 4.1 percent, the highest rate since February 2003.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Increase the History Scholarship to \$1,200 to index it to inflation.

Option #2 – Increase the History Scholarship to another amount, the Perth and District Community Foundation would need to be consulted.

Option #3 – Do nothing, the scholarship amount would remain at \$1,000 until it is reviewed again in five years.

CLIMATE CONSIDERATIONS

None.

STRATEGIC PLAN LINK

None.

FINANCIAL CONSIDERATIONS

According to Lynn McIntyre, Executive Director, the PDCF, there are sufficient monies in the Scholarship Fund to increase the annual scholarship to \$1,200 for 2022 and the subsequent four years. The Foundation anticipates that the monies earned from investments should cover the new scholarship amount and, hence, it should not be necessary to draw down on the principle. The Foundation also anticipates that there are sufficient monies in the fund such that the scholarship will be awarded well into the future.

CONCLUSIONS

The recommended increase in the scholarship amount will fulfil the intent that the scholarship be indexed to ensure that the 2022 recipient and those in the succeeding four years receive an amount of the same value as that of past recipients.

ATTACHMENTS

None.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Kay Rogers,
History Scholarship Selection
Committee Chair**

**Amanda Mabo,
Acting Chief Administrative Officer/Clerk**

COMMITTEE OF THE WHOLE

November 9, 2021

**Report #PD-2021-40
Noelle Reeve, Planner**

**CONSENT APPLICATION NUMBER: B21/158
OWNER: SCHACHT**

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application B21/158 (Concession 6, Part Lot 16,17,18 geographic Township of North Burgess) known as 245 Island View Road (Roll Number 91102043900) to create a new lot fronting on Narrows Lock Road, north of 3109 Narrows Lock Road, 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 new parcel shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands.

That, the applicant shall obtain a Civic Address Number for the severed lot.

That, a Development Agreement be placed on the severed and retained lots based on the Environmental Impact Statement by Hans von Rosen, to protect the Provincially Significant Wetland and potential Species At Risk.”

BACKGROUND

The proposal in application B21/158 is to create a residential 1-ha lot (2.47 acres) fronting on Narrows Lock Road (north of 3109 Narrows Lock Road). The 18-ha (44-acre) retained lot is a residential lot with an address at 245 Island View Drive. The proposed lot is vacant. The retained lot contains a dwelling and outbuildings.

DISCUSSION

Consistent with Provincial Policy Statement	Yes
Conforms to Official Plan	Yes
Complies with Zoning By-Law	Yes
Recommend consent for this application	Yes

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *Two copies of the Deed/Transfer*
- *Two copies of the reference plan*
- *That, payment for the new parcel shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands.*
- *That, the applicant shall obtain a Civic Address Number for the severed lot.*
- *That, a Development Agreement be placed on the severed and retained lots based on the Environmental Impact Statement by Hans von Rosen, to protect the Provincially Significant Wetland and potential Species At Risk on the retained lot.*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Section 2.1 Natural Heritage, and Section 3.1 Protecting Public Health and Safety are satisfied as long as the recommendations of the Environmental Impact Study by Hans von Rosen (September 2017, with the May 2018 addendum) are followed.

County Sustainable Community Official Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

Official Plan

The proposed severed lot is designated Rural and Provincially Significant Wetland (PSW) buffer. The retained lot is designated Rural, PSW and PSW buffer. Residential uses are permitted in the Rural designation.

Section 3.4 Provincially Significant Wetlands prohibits development with the PSW and requires an Environmental Impact Study (EIS) to be undertaken where development is proposed in the PSW buffer.

The EIS was undertaken by Hans Von Rosen and provided recommendations for a Development Agreement for the severed lot including: placement of a turtle exclusion fence around construction areas; roof run-off and lane run-off from the driveway and parking areas to be directed to ground infiltration (french drains); open soils to be revegetated by Sept 15 of the year of construction; the development envelope to be placed 30m from the water course on the east side of the property.

Finally, while no Gray Ratsnake or Blandings Turtle were sighted, the development envelope should be setback at least 20m west from the road allowance for Narrows Lock Road (County Road 14) to protect potential habitat along the high rocky ridge parallel to Narrows Lock Road and the ephemeral cattail pond nearby.

Zoning By-Law

The proposed severed lot is zoned Rural (RU). The retained lot is zoned Rural (RU) with Environmental Protection (EP) in the middle of the lot. The Rural zone permits residential uses. The required frontages and areas are met for the severed and retained lots. The retained lot is over five times the required size for a Rural lot and has well over 60 m frontage on Narrows Lock Road as well as frontage on Island View Road.

No development is allowed within the EP zone and none is proposed.

Rideau Valley Conservation Authority (RVCA)

Verbally has stated they have no objection. Would like the Land Division Committee (LDC) to note its comments about protecting the Provincially Significant Wetland and buffer area through a Development Agreement. Also, the RVCA would like the LDC to note the area is underlain by a Highly Vulnerable Aquifer. Finally, a permit will be required from the RVCA for septic and other construction work that may be undertaken within the PSW buffer.

Mississippi Rideau Septic System Office (MRSSO)

MRSSO has no objections. Notes that the applicant will require a permit from the Conservation Authority if the septic system is proposed within the regulatory buffer of the PSW. The septic system may also need to be designed to limit the amount of imported fill.

Public Comments

No comments were received.

CLIMATE CONSIDERATIONS

Placing a Development Agreement on the retained land and part of the severed lot will retain the trees on the lots which will help to mitigate the effects of climate change. Protecting the PSW also provides climate mitigation as the wetland can mitigate flooding by retaining water during extreme rain events and by releasing water slowly during extreme drought events.

CONCLUSION

The Planner recommends that the consent be granted, subject to the conditions listed in the Staff Recommendation section above.

ATTACHMENTS

- i) Lanark County Land Division Notice of Application cover
- ii) Lanark County Land Division Notice of Application map

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

**Amanda Mabo,
Acting Chief Administrative Officer/Clerk**



NOTICE OF APPLICATION FOR CONSENT

*Clause 53(5) (a) of the Planning Act
Section 3, O. Reg. 547/06 as amended*

To: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/111, B21/114, B21/117, B21/118, B21/153, B21/157 & B21/158
Subject Land: Pt Lot 16/17 Con 6 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: Theis Schacht
Applicant/Agent: Robert Lillico, Todd Horricks, Cindy Simpson, Susan Jenkins, David Cope, Manuela Cope, Margaret & Michael Slack, ZanderPlan Inc.

TAKE NOTICE: An application for consent to convey an interest in the subject lands has been made to the Lanark County Land Division Committee, the consent granting authority in these matters.

PURPOSE AND EFFECT: A key map showing the location of the subject lands is shown on reverse side and a copy of the application is attached if not already received through the pre-consultation process.

B21/111 - To create a 1.2-ha parcel of land as a lot addition to lands owned by Robert and Colleen Lillico at 220 Black Lake Rte 11;

B21/114 - To create a 480 sq.m. parcel of land as a lot addition to lands owned by Todd William Horricks at 518 Black Lake Rte 11;

B21/117 - To create a 510 sq.m. parcel of land as a lot addition to lands owned by Cynthia and Alexander Stimpson 519 Black Lake Rte 11;

B21/118 - To create a 486 sq.m parcel of land as a lot addition to lands owned by Susan Jenkins at 268 Black Lake Rte 11;

B21/153 - To create a 1.19-ha parcel of land as a lot addition to lands owned by David Cope and Manuela Cope at 276 Black Lake Rte 11;

B21/157 - To create a 0.05-ha parcel of land as a lot addition to lands owned by Margaret and Michael Slack, together with an easement/r-o-w at 210 Black Lake Rte 11;

B21/158 - To create a 1.0-ha residential building lot with access to Narrow's Lock Road;

And to Retain - An 18.0-ha +/- residential landholding at 245 Island View Drive.

OTHER RELATED APPLICATIONS: County Road Entrance Permit for B21/158 - #2856.

NEED TO MAKE SUBMISSIONS: The Land Division Committee will determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations **on or before November 9th, 2021**. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

VIRTUAL PUBLIC MEETING: A virtual public meeting will be scheduled once we have completed our review of the proposal. If you wish to be notified of the public meeting, you must make a written request to the undersigned.

REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

GETTING ADDITIONAL INFORMATION: Additional information regarding the application can be circulated via mail or via e-mail upon request to the undersigned.

Dated at Bathurst Township this 19th day of October, 2021.

Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



Black Lake

Black Lake Rte 11C

Island View

Narrow's Lock Rd

LANDS TO BE SEVERED

LANDS TO BE RETAINED
245 Island View Rd

The above is for reference purposes only and may not be to scale – complete details are found in the application form.

Landowner: Theis Schacht
File No.: B21/157
Subject Land: Pt Lot 16 to 18 Con 6 geographic Township of North Burgess, now in Tay Valley Township.

APPLICATION FOR CONSENT

"Sketch Only"
Prepared by Lanark County
Planning Dept.
NOT A LEGAL SURVEY

COMMITTEE OF THE WHOLE

November 9, 2021

**Report #PD-2021-41
Noelle Reeve, Planner**

**CONSENT APPLICATION NUMBERS: B21/111, B21/114, B21/117, B21/118,
B21/153, B21/157
OWNER: SCHACHT**

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Concession 6 Part Lots 16,17, 18 geographical Township of North Burgess known as 245 Island View Road (Roll Number 91102043900):

B21/111 - To create a 1.2-ha parcel of land as a lot addition to lands owned by Robert and Colleen Lillico at 220 Black Lake Route 11 (Roll Number 91102041800);

B21/114 - To create a 480 sq.m. parcel of land as a lot addition to lands owned by Todd William Horricks at 518 Black Lake Route 11 (Roll Number 91102043100);

B21/117 - To create a 510 sq.m. parcel of land as a lot addition to lands owned by Cynthia and Alexander Stimpson 519 Black Lake Route 11 (Roll Number 91102043200);

B21/118 - To create a 486 sq.m parcel of land as a lot addition to lands owned by Susan Jenkins at 268 Black Lake Route 11 (Roll Number 91102043300);

B21/153 - To create a 1.19-ha parcel of land as a lot addition to lands owned by David Cope and Manuela Cope at 276 Black Lake Route 11 (Roll Number 91102043601);

B21/157 - To create a 0.05-ha parcel of land as a lot addition to lands owned by Margaret and Michael Slack, together with an easement/r-o-w at 210 Black Lake Route 11 (Roll Number 91102041500);

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 severances, both hard copy and electronically.

That, undersized lot area be recognized through minor variances or zoning amendments for B21/114, 117, 118, 157.”

BACKGROUND

The proposal in the following applications is to create lot additions as follows:

- B21/111 - To create a 1.2-ha parcel of land as a lot addition to lands owned by Robert and Colleen Lillico at 220 Black Lake Route 11 (Roll Number 91102041800);
- B21/114 - To create a 480 sq.m. parcel of land as a lot addition to lands owned by Todd William Horricks at 518 Black Lake Route 11 (Roll Number 91102043100);
- B21/117 - To create a 510 sq.m. parcel of land as a lot addition to lands owned by Cynthia and Alexander Stimpson 519 Black Lake Rt Route e 11 (Roll Number 91102043200);
- B21/118 - To create a 486 sq.m parcel of land as a lot addition to lands owned by Susan Jenkins at 268 Black Lake Route 11 (Roll Number 91102043300);
- B21/153 - To create a 1.19-ha parcel of land as a lot addition to lands owned by David Cope and Manuela Cope at 276 Black Lake Route 11 (Roll Number 91102043601);
- B21/157 - To create a 0.05-ha parcel of land as a lot addition to lands owned by Margaret and Michael Slack, together with an easement/r-o-w at 210 Black Lake Route 11 (Roll Number 91102041500);

The proposed lot additions are all being taken from property owned by Mr. Thies Schacht at 245 Island View Drive.

The lot additions are being sought to add vacant land to existing small cottage lots on Black Lake. In one case, B21/157, the lot addition is to correct the location of a septic system onto the property it serves and to clarify legal right of way over Black Lake Route 11 for this property.

The retained lot contains a dwelling and outbuilding. The area of the retained lot will be approximately 20ha after all the lot additions.

With the exception of B21/153 and B21/111, all of the lots receiving additions will require a minor variance to recognize the lots will still be undersized following the lot additions.

DISCUSSION

Consistent with Provincial Policy Statement	Yes
Conforms to Official Plan	Yes
Complies with Zoning By-Law	No
B21/114, 117, 118, 157 will need minor variances to recognize undersized lot area	
Recommend consent for this application	Yes

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *Two copies of the Deed/Transfer*
- *Two copies of the reference plan*
- *Undersized lot area to be recognized through minor variances or zoning amendments for B21/114, 117, 118, 157*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Section 2.1 Natural Heritage, and Section 3.1 Protecting Public Health and Safety – Natural Hazards are satisfied as the lot additions increase the size of the undersized lots without negatively affecting the environment.

County Sustainable Community Official Plan

Section 3.3.3.1 Rural Area Land Use Policies Objectives are to: ensure development is consistent with rural service levels; to maintain the distinct character of rural, waterfront and settlement areas; and to ensure that development is compatible with natural heritage.

Official Plan

The proposed severed lot additions are designated Rural and residential uses are permitted in the Rural designation. The retained lot contains a Provincially Significant Wetland but the 120m buffer does not extend into any of the proposed lot additions.

Zoning By-Law

The proposed severed lot additions are zoned Seasonal Residential (RS) which permits seasonal residential use. The retained lot is zoned Rural (RU) with some Environmental Protection (EP) zone in the middle of the lot, distinct from the proposed lot additions.

The required lot areas are not met for four of the recipient lots and they will require recognition through either a minor variance or a zoning amendment. The retained lot at approximately 20 ha (50 acres) and close to a kilometer of frontage on Narrows Lock Road plus frontage on Island View private road meets size and frontage requirements.

The lot additions will be used to provide future space for replacement septic systems or just increase the area of the undersized lots for storage, etc. which will benefit the water quality of Black lake which is listed as fair by the RVCA.

Rideau Valley Conservation Authority (RVCA)

Has no objection to the severances with the exception of modifications suggested for B21/153. Fieldwork determined that the unevaluated wetland on B21/153 connects to the PSW on the retained lot. Therefore, the RVCA would either like the lot size to be reduced to exclude the unevaluated wetland or would like the lot addition to be zoned Environmental Protection. The Township supports either solution.

The RVCA would like the Land Division Committee to note its comments about the area being underlain by a Highly Vulnerable Aquifer.

Mississippi Rideau Septic System Office (MRSSO)

MRSSO has no objections.

Public Comments

None at the time of the report.

CLIMATE CONSIDERATIONS

None. The severances are for lot additions so do not create new lots.

CONCLUSION

The Planner recommends that the consents be granted, subject to the conditions listed in the Staff Recommendation section above.

ATTACHMENTS

- i) Lanark County Land Division Notice of Application cover
- ii) Lanark County Land Division Notice of Application maps

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

**Amanda Mabo,
Acting Chief Administrative Officer/Clerk**



NOTICE OF APPLICATION FOR CONSENT

*Clause 53(5) (a) of the Planning Act
Section 3, O. Reg. 547/06 as amended*

TO: PRESCRIBED PERSONS/PUBLIC BODIES/INTERESTED PARTIES

File No.: B21/111, B21/114, B21/117, B21/118, B21/153, B21/157 & B21/158
Subject Land: Pt Lot 16/17 Con 6 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: Theis Schacht
Applicant/Agent: Robert Lillico, Todd Horricks, Cindy Simpson, Susan Jenkins, David Cope, Manuela Cope, Margaret & Michael Slack, ZanderPlan Inc.

TAKE NOTICE: An application for consent to convey an interest in the subject lands has been made to the Lanark County Land Division Committee, the consent granting authority in these matters.

PURPOSE AND EFFECT: A key map showing the location of the subject lands is shown on reverse side and a copy of the application is attached if not already received through the pre-consultation process.

B21/111 - To create a 1.2-ha parcel of land as a lot addition to lands owned by Robert and Colleen Lillico at 220 Black Lake Rte 11;

B21/114 - To create a 480 sq.m. parcel of land as a lot addition to lands owned by Todd William Horricks at 518 Black Lake Rte 11;

B21/117 - To create a 510 sq.m. parcel of land as a lot addition to lands owned by Cynthia and Alexander Stimpson 519 Black Lake Rte 11;

B21/118 - To create a 486 sq.m parcel of land as a lot addition to lands owned by Susan Jenkins at 268 Black Lake Rte 11;

B21/153 - To create a 1.19-ha parcel of land as a lot addition to lands owned by David Cope and Manuela Cope at 276 Black Lake Rte 11;

B21/157 - To create a 0.05-ha parcel of land as a lot addition to lands owned by Margaret and Michael Slack, together with an easement/r-o-w at 210 Black Lake Rte 11;

B21/158 - To create a 1.0-ha residential building lot with access to Narrow's Lock Road;

And to Retain - An 18.0-ha +/- residential landholding at 245 Island View Drive.

OTHER RELATED APPLICATIONS: County Road Entrance Permit for B21/158 - #2856.

NEED TO MAKE SUBMISSIONS: The Land Division Committee will determine whether a provisional consent is to be given. In order to assist the Committee in its review of the proposal, you are requested to provide recommendations **on or before November 9th, 2021**. If you are not able to respond by the date specified, please let us know when we may expect to receive your recommendations. If we do not hear from you, the Committee may assume you have no comments or concerns regarding this matter and may proceed to make a decision. If a person or public body that files an appeal of a decision of the Land Division Committee in respect of the proposed consent does not make written submissions to the Land Division Committee before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

VIRTUAL PUBLIC MEETING: A virtual public meeting will be scheduled once we have completed our review of the proposal. If you wish to be notified of the public meeting, you must make a written request to the undersigned.

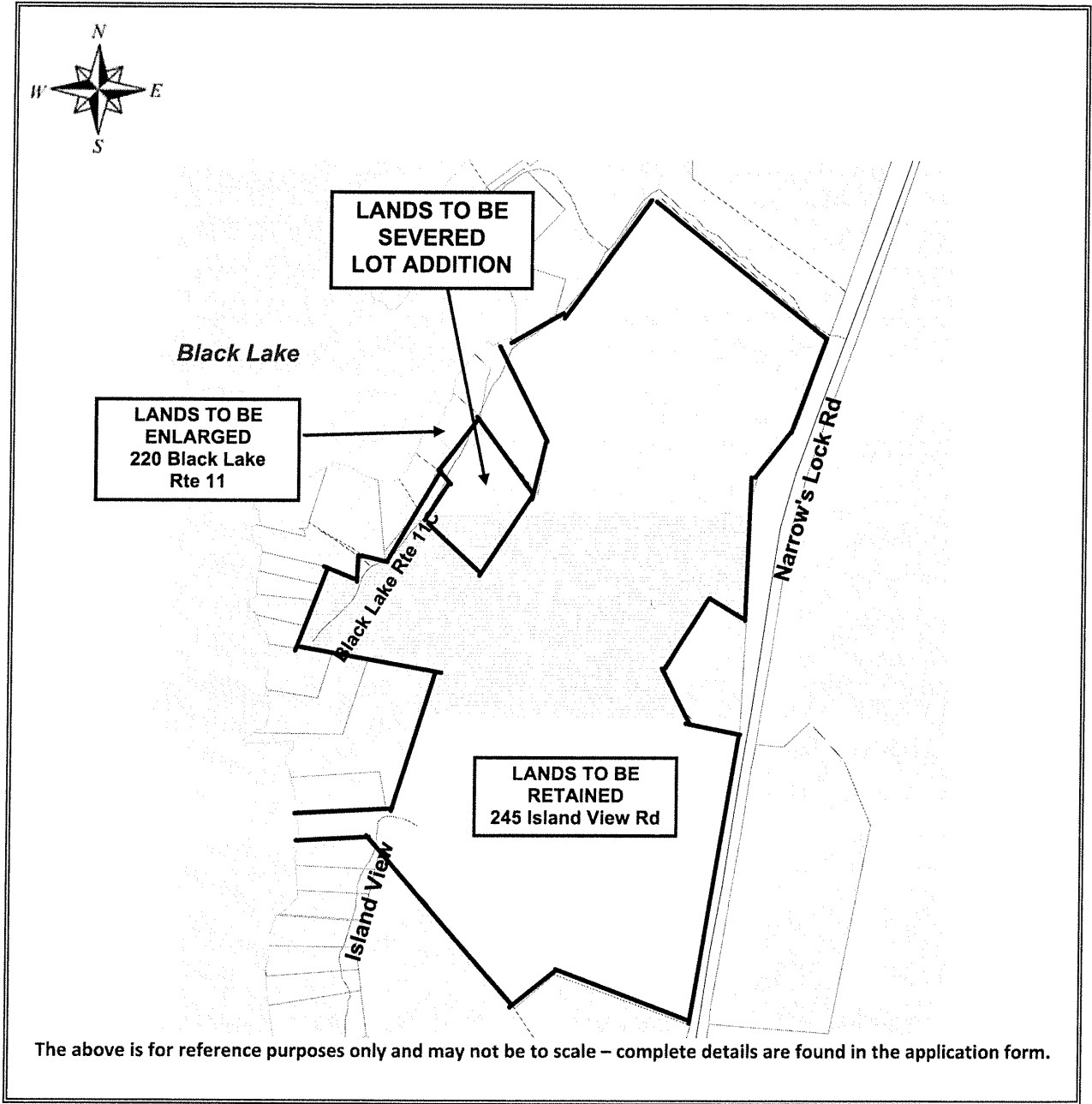
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

GETTING ADDITIONAL INFORMATION: Additional information regarding the application can be circulated via mail or via e-mail upon request to the undersigned.

Dated at Bathurst Township this 19th day of October, 2021.

Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

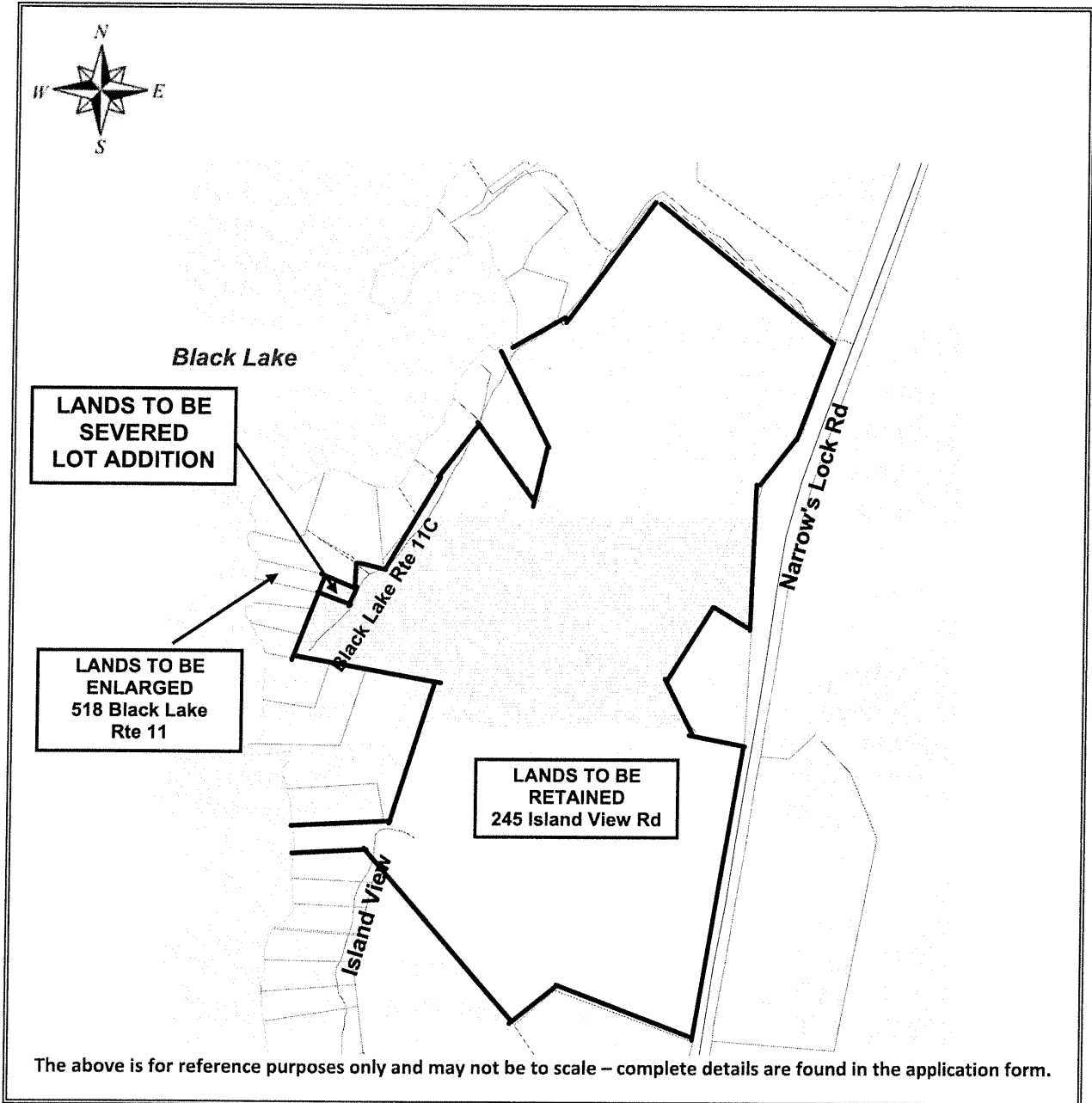
Telephone: 1-613-267-4200 Ext. 1520
Fax: 1-613-267-2964
E-mail: plan@lanarkcounty.ca



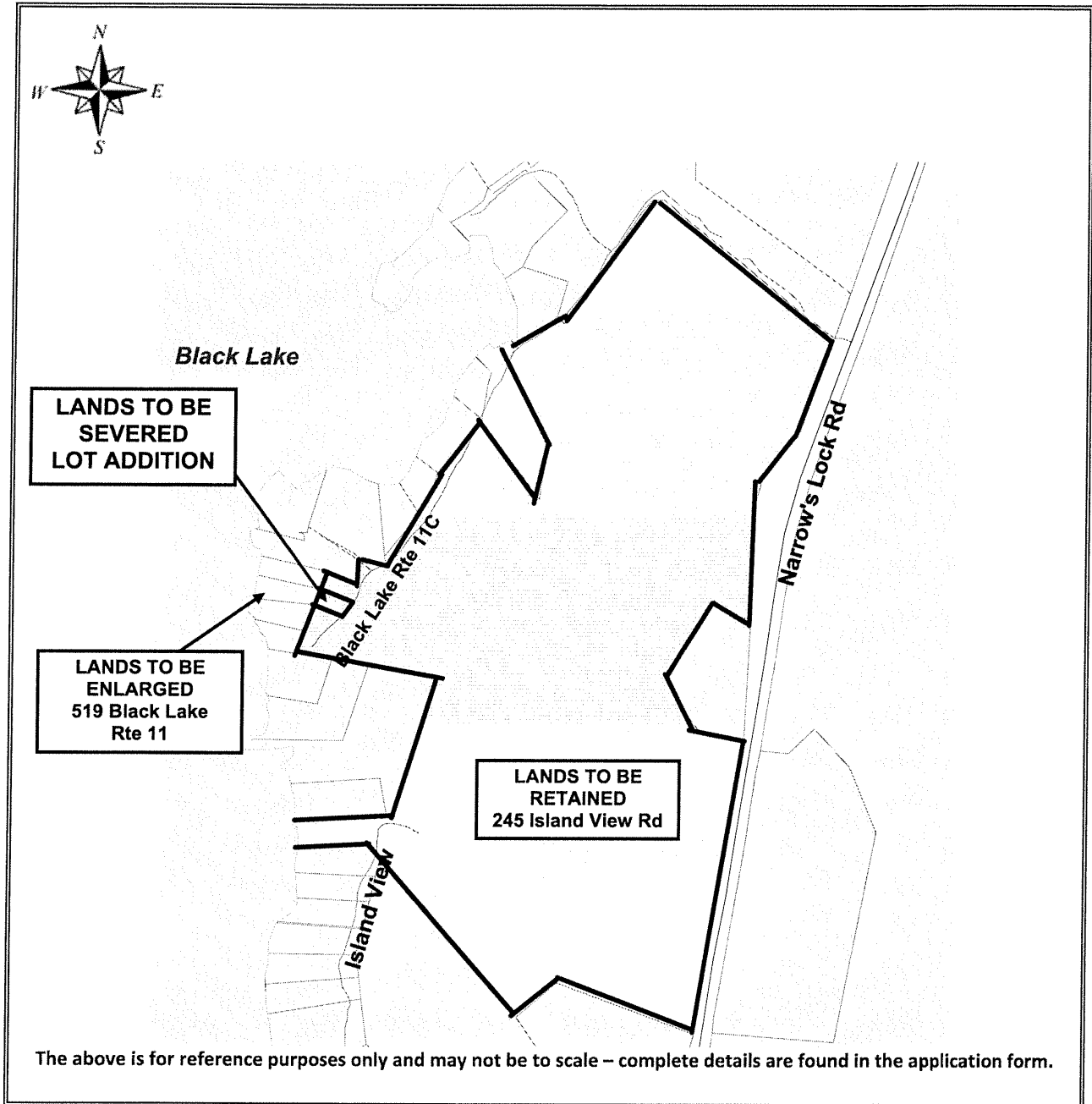
The above is for reference purposes only and may not be to scale – complete details are found in the application form.

Landowner: Theis Schacht
 File No.: B21/111
 Subject Land: Pt Lot 16 to 18 Con 6 geographic Township of North
 Burgess, now in Tay Valley Township.

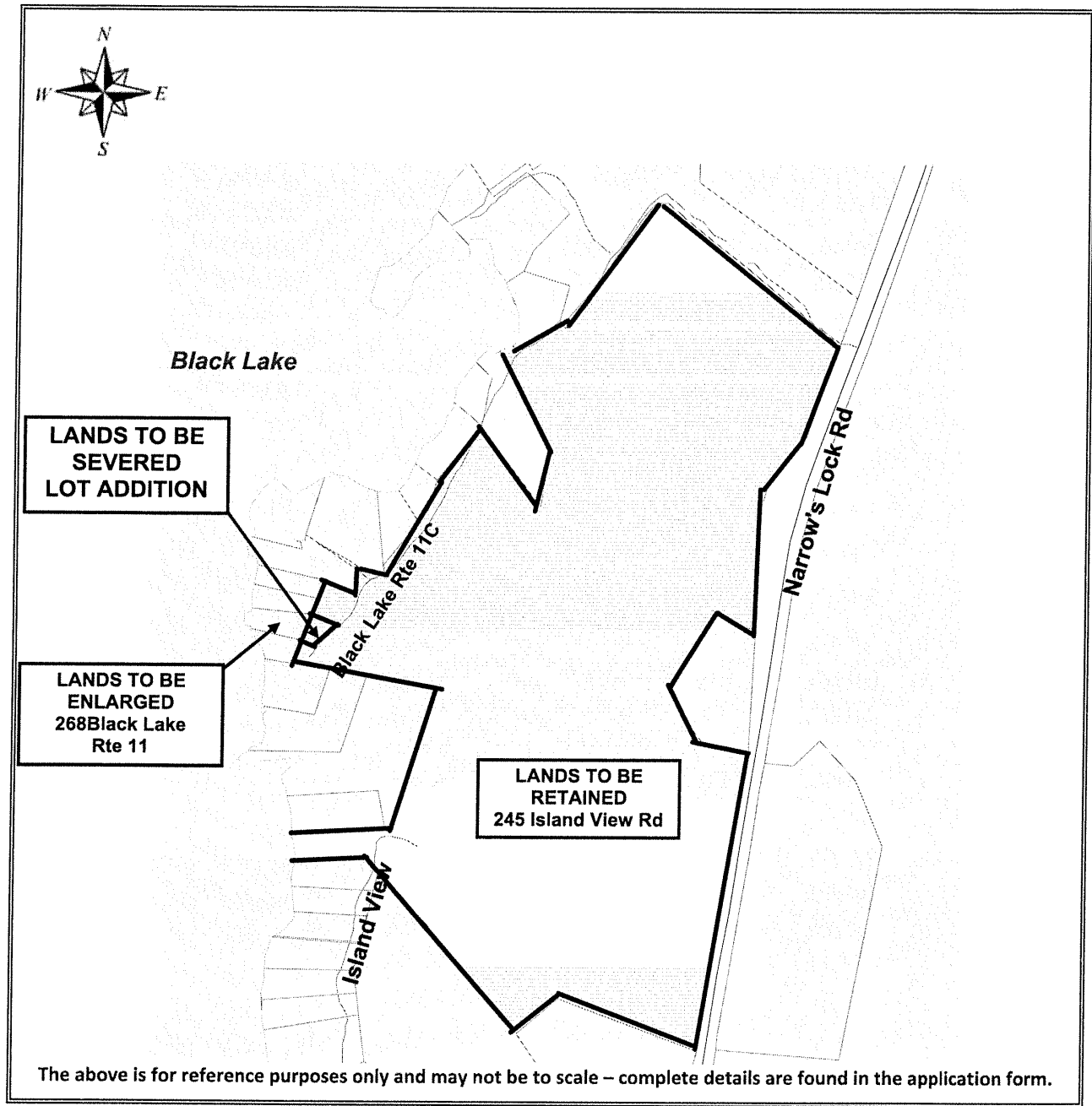
**APPLICATION FOR
 CONSENT**
"Sketch Only"
 Prepared by Lanark County
 Planning Dept.
NOT A LEGAL SURVEY



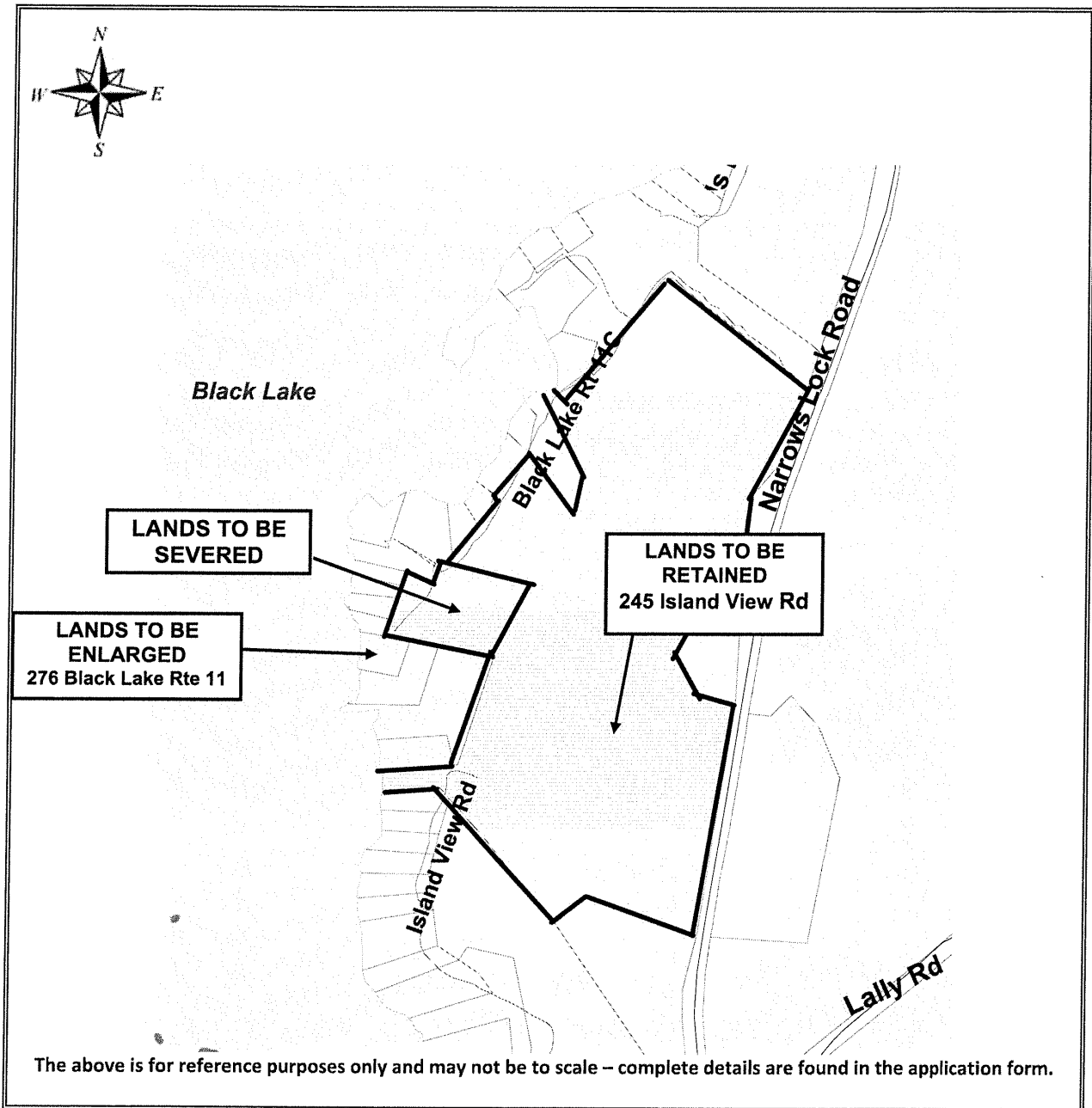
<p>Landowner: Theis Schacht File No.: B21/114 Subject Land: Pt Lot 16 to 18 Con 6 geographic Township of North Burgess, now in Tay Valley Township.</p>	<p>APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u></p>
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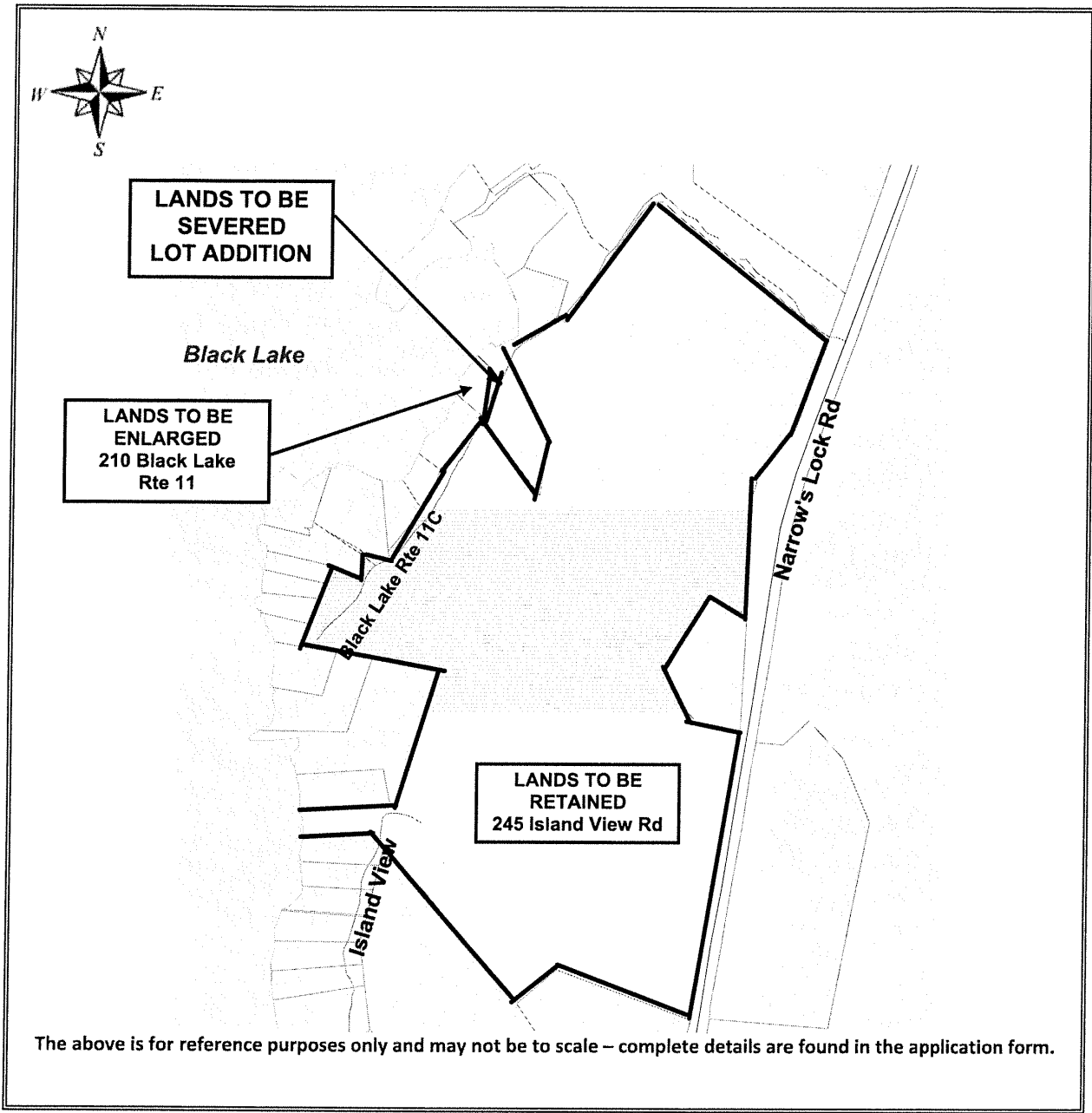
Landowner:	Theis Schacht	APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u>
File No.:	B21/117	
Subject Land:	Pt Lot 16 to 18 Con 6 geographic Township of North Burgess, now in Tay Valley Township.	



Landowner:	Theis Schacht	APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u>
File No.:	B21/118	
Subject Land:	Pt Lot 16 to 18 Con 6 geographic Township of North Burgess, now in Tay Valley Township.	



<p>Landowner: Thies Schacht File No.: B21/153 Subject Land: Pt Lots 16 to 18 Con 6 geographic Township of North Burgess, now in Tay Valley Township.</p>	<p>APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u></p>
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The above is for reference purposes only and may not be to scale – complete details are found in the application form.

<p>Landowner: Theis Schacht File No.: B21/157 Subject Land: Pt Lot 16 to 18 Con 6 geographic Township of North Burgess, now in Tay Valley Township.</p>	<p>APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u></p>
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COMMITTEE OF THE WHOLE
November 9th, 2021

Report #PD-2021-39
Noelle Reeve, Planner

ROGERS PROPOSED CELL TOWER
1013 BATHURST 9th CONCESSION

STAFF RECOMMENDATION

It is recommended:

“**THAT**, the Council of the Corporation of Tay Valley Township support the application for a communication tower by Rogers Canada at 1013 Bathurst 9th Concession in order to increase access to service;

AND THAT, Staff write a letter of concurrence.”

BACKGROUND

Cell tower licences are approved by Innovation, Science and Economic Development Canada (ISED, formerly Industry Canada). The provisions of the Ontario *Planning Act* and other municipal by-laws and regulations do not apply to federal undertakings. However, as part of the approval process, a proponent is required to obtain a letter of concurrence from the municipality in which it is to be located. A municipality may issue a Letter of Concurrence supporting the proposal; a Conditional Letter of Concurrence indicating support for the proposal if certain conditions are met, or a Letter of Non-concurrence if it does not support the proposal.

A municipality (Land Use Authority) may develop its own review and public consultation process and may provide comment to the proponent but is not the approval authority for issuing the licence. If a municipality does not have its own public consultation policy for cell towers, the IESD consultation process is used. Tay Valley Township does not have a Local Protocol for cell tower siting.

Rogers followed Industry Canada’s consultation process and notified nearby residents within a 210m radius and posted a notice in the Perth Courier August 26, 2021 regarding their proposal for a 70 m cell tower (see attachment 1). Rogers received one letter from Elaine Anderson asking about the timeline for any towers to be constructed near Rideau Lakes. Rogers provided a response that there were four towers in the general area to be built in the coming year or so.

DISCUSSION

Rogers requires a resolution from the municipality in support of its application and a letter of concurrence with the application as part of the Industry Canada approval process of issuing a licence for the communication towers. If they do not receive the resolution and letter, Rogers can petition Industry Canada for a decision.

Council has identified increased connectivity as one of its priorities as so many services are provided over the internet including: banking, education, telehealth, entertainment, access to employment opportunities, access to goods and services. Improved telecommunications can almost be considered an essential service according to many residents.

OPTIONS

Option #1 – (recommended) Issue a letter of concurrence for the project to Rogers and Copy IESD – achieves increased connectivity for residents.

Option #2 – Refuse to issue a letter of concurrence. Rogers can petition IESD for permission – IESD would likely make a decision in favour of the cell tower.

STRATEGIC PLAN LINK

Strategic Priority #3 - Communications and Connectivity

FINANCIAL CONSIDERATIONS

None at this time.

CONCLUSIONS

Staff recommend Option 1 to address the community's desire for connectivity.

ATTACHMENTS

- 1) Public Notice – Perth Courier
- 2) Site Selection and Justification Report

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Noelle Reeve,
Planner**

**Amanda Mabo,
Acting Chief Administrative Office/Clerk**

PUBLIC NOTICE

PROPOSED ROGERS 70 METRE WIRELESS TELECOMMUNICATIONS SELF SUPPORT TOWER INSTALLATION

PROPOSAL:

Rogers is proposing an antenna system at 1013 9th Concession Rd Balderson, which consists of the following: a 70m self-support tower in a fenced compound located on the northern edge of the property. Once completed the antenna system will measure 70 metres in height.

Rogers invites you, **within 30 calendar days of the date of this notice**, to provide by mail or email your comments, and / or request to be informed of Tay Valley Township's position on the proposed antenna system.

Rogers will respond to all reasonable and relevant concerns, and the Township will be taking into account comments from the public and Rogers' response to each when providing its position to the proponent and Innovation, Science and Economic Development Canada.

Innovation, Science and Economic Development Canada is responsible for the approval of this antenna system, and requires that we review this proposal with the local municipality. After reviewing this proposal, the Tay Valley Township will provide its position to Innovation, Science and Economic Development Canada and to Rogers.

Contact information:

Proposed Wireless Communications Installation
Reference: C8664 Concession Rd 9 & Old Morris Rd

Christian Lee

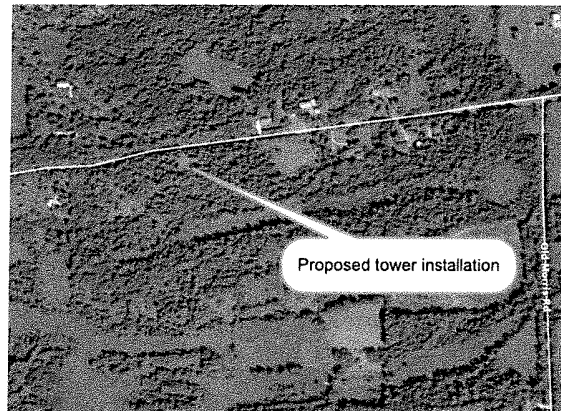
On behalf of Rogers Communications Inc.

337 Autumnfield St

Kanata, Ontario K2M0J6

(613) 799-9900

christian.lee@rogers.com



 **ROGERS**™



Site Selection/Justification Report – Wireless Communications Site

Prepared for: Tay Valley Township

Rogers Site: C8664 Concession Rd 9 & Old Morris Rd

Rogers Communications Inc.
Christian Lee | Municipal Relations | 613-799-9900

Introduction

Like many areas of the province, your community is experiencing a growing demand for wireless services. As people rely more on wireless devices such as smartphones, tablets and laptops for business and personal use, network improvements are required to ensure high quality voice and data services are available.

This document outlines the site selection process in accordance with the requirements of Innovation, Science and Economic Development Canada's (ISED) Spectrum Management and Telecommunications Policy, CPC-2-0-03, Issue 5¹ (CPC) updated Jul. 15, 2014 and provides a description of the system associated with the wireless communication installation on the property located at 1013 Concession 9 Rd., Balderson.

Telecommunications is a powerful economic enabler that promotes home occupations, teleworking, telecommuting and improved community networking and information dissemination. This site is part of the EORN Cell Gap Project.

Background and Coverage Requirement

A wireless telecommunications facility is a puzzle piece in a very complex radio network, whether that site is situated in an urban, suburban or rural setting. Customer demand and sound engineering principles direct where sites are required to be located. As people rely more on wireless devices such as smartphones, tablets and laptops for business and personal use, network improvements are required to ensure high quality voice and data services are available. In order for a wireless network to be reliable, an operator must provide "seamless" coverage so that gaps in the network are avoided. Gaps create dropped calls and overall poor service to customers. Rogers is committed and mandated by its license to ensure the best coverage and service to the public and private sectors.

The proposed site at 1013 Concession 9 Rd., Balderson, will achieve the necessary engineering coverage objectives for our network. The location will provide much relied upon communication services in the area such as EMS Response, Police and Fire; improved wireless signal quality for the local residents, those traveling along the major roads, as well provide local subscribers with Rogers' 3.5G wireless network coverage and capacity for products and services such as iPhones, Smartphones, Tablets and wireless internet through the Rogers Rocket Stick technology in the surrounding area.

Rationale for New Telecommunication Infrastructure

In identifying a potential new tower location and design, Rogers examined the surrounding area, assessed the visibility of the structure and considered a possible structure design. Rogers evaluated the best location for a new facility using the following criteria:

a) Technical Requirements

The performance of a wireless network is dependent on the geographical location of its equipment, height of its antennas, line-of-sight requirement, the demand customers place on the network, as well as proximity to our users.

Please refer for the following page for an aerial outlining the site location (Figure 1).

¹ http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf06136.html



Figure 1 – Aerial of the proposed location



b) Coverage Objectives

Rogers' coverage will be dramatically improved in the area surrounding the tower and will fill a void currently experienced by Rogers users.

c) Evaluation of Existing Structures

When a part of a network requires improvement, the first step is to evaluate existing structures that are located within the specific geographical area offering the required height and that may be available to support new equipment or to use for co-location.

During the site selection process for this proposed location, Rogers determined that no other existing infrastructure opportunity was available in our target area that was suitable for our network. The proposed location is a suitable available property which will allow Rogers to provide improved coverage for the community and the traveling public.

The map below illustrates the new proposed location in relation to other existing structures assessed, as well the current location (Figure 4). Please also refer to the table provided below for site locations and associated heights (Figure 4A).

Figure 4 – Aerial of existing sites

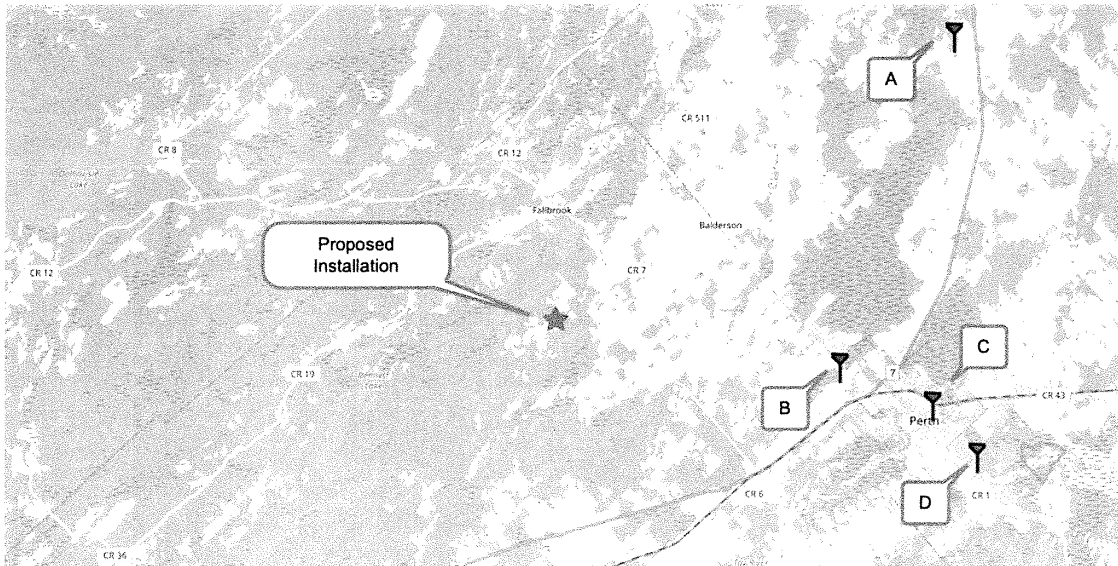


Figure 4A – Existing structures table

Antenna	Carrier	Height	Distance	Design
A	Bell	90m	13.7km	Self-support tower
B	Bell	90m	7.3km	Self-support tower
C	Bell	20m	11.3km	Rooftop
D	Rogers	100m	13	Self-support tower

d) Land-Use Considerations

Rogers’ site selection process is a balanced exercise that must meet Rogers’ network coverage objectives, respect local land-use constraints, listen to community concerns, while at the same time reflecting Rogers obligation to its customers to provide a high quality of service.

In consideration of Rogers’ technical requirements, the setting of the subject lands and the agricultural setting of the surrounding lands, Rogers considers the proposed location appropriate for our site.

The site location proposed is approximately 180m from the closest dwelling.

The self-support tower design will allow future co-location opportunities, as well as assist in minimizing tower proliferation in the wider area.

Proposed Facility Location and Site Details

The site as proposed will be a 70.2m steel self-support tower installation located toward the northern edge of 1013 Concession 9 Rd., Balderson.



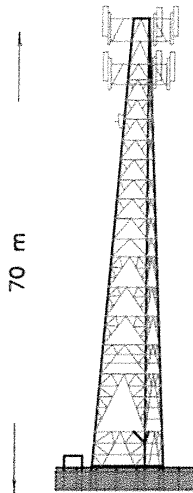
The Subject Property is legally known as PT LT 19 CON 8 BATHURST; PT LT 20 CON 8 BATHURST AS IN RS38143 EXCEPT PT 1, 27R1108 ; TWP OF BATH BURG SHERB.

The geographic coordinates for the site are as follows: 44 55 49.5N, 76 22 54.3W

Please also refer below for a sample of the installation for your reference (Figure 5).

An additional package of photo simulations is provided with this report. The viewsapes simulate the view of the proposed installation from major visible intersections. The process of simulating the proposed facility into the existing conditions of the viewsapes was done by superimposing an image of the proposed structure on the photographs taken for those viewsapes.

Figure 5 – Sample image of proposed installation



All efforts have been made to minimize the number of cellular base station locations required throughout the targeted area and yet allow for a network design which can adequately provide wireless voice and data service to our existing and new customer base.

Site Selection

Rogers strives to be sympathetic to the surrounding land use features and takes all reasonable steps required by local land use authority to mitigate concerns with respect to planning and environmental matters. It is important to note that the selection of a site for a telecommunication antenna support structure does not occur randomly.

Among the factors considered are:

1. expected usage patterns of service and proximity to users
2. local topography and building types
3. interaction with existing and future sites
4. line of sight requirements for high quality communications
5. opportunities to use existing structures
6. availability of a willing Landlord
7. the industry's commitment to high service standards and customer satisfaction

The following are some of the considerations used by Rogers in development criteria of the proposal:

- The design selected for this proposal is appropriate considering the area context and will best achieve our objectives while utilizing the area context features, as well as provide for future co-location opportunities of municipal services and other wireless service providers in an attempt to reduce the number of structures in the area.
- Access to the property for construction and maintenance purposes will be via a new gated entrance from Balderson Concession 9 Road.
- The installation will have no impact on the water shed or the wells, water quality or any water systems. No chemicals, pesticides or herbicides that could potentially have an adverse effect on the water systems will be contained on our structure or the associated walk-in radio equipment cabinet.
- During construction precautions will be taken to minimize any disruption to the current operation on the site and to the surrounding residents. Once site is in-service, there will be no noise associated with the daily operation of the installation.

The site will occupy a compound area, of approximately 15m x 15m, surrounded by 2.4m high chain link security fence. The compound also contains a walk-in equipment cabinet (WIC) containing radio equipment, backup battery power, maintenance tools, manuals and a first aid kit. The installation is equipped with a silent alarm system.

The site is designed to provide 3-sectored LTE 600/700/2100MHz services and future 3 sectored of 3.5GHz technology and will also accommodate future technology services.

Rogers feels that the location and design chosen provides a significant buffer between residential uses and will provide superior coverage levels to Rogers' customers.

Municipal and Public Notification

Rogers has a strong history of consultation with municipalities and understands the importance of land-use protocols and transparency in consultation.

As the provisions of the *Ontario Planning Act* and other municipal by-laws and regulations do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits. However, Section 4.1 of the CPC, states that the concerns and suggestions expressed by land-use authorities are important elements to be considered by proponents when installing or modifying antenna systems. ISED requires that consultation be undertaken with the appropriate land-use authorities to ensure those authorities are aware of significant structures within their boundaries and so that local land-use issues can be raised, while respecting the federal government's jurisdiction in the siting and operation of wireless voice and data systems.

Notification by Rogers will follow Industry Canada's default public consultation process.

Proponents must ensure that the local public, the land-use authority and Industry Canada are notified of the proposed antenna system. As a minimum, proponents must provide a notification package to the local public, neighbouring land-use authorities, business, and property owners, etc. located within a radius of three times the tower height (210.6m) for the subject property in the Tay Valley Township.

Concurrent to the mailing of a Public Consultation package Rogers will also place a notice in the local community newspaper, the Perth Courier. Rogers requests that a public information and comment session be deemed unnecessary in this instance due to the limited number of residential properties within the notification radius. A copy of this information package will be provided to ISED as part of the municipal consultation process.

Federal Requirements

In addition to the requirements for consultation with municipal authorities and the public, Rogers must also fulfill other important obligations including the following:

Canadian Environmental Assessment Act

ISED requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Canadian Environmental Assessment Act, 2012 (CEAA 2012), where the antenna system is incidental to a physical activity or project designated under CEAA 2012, or is located on federal lands.

Rogers attests that the radio antenna system as proposed for this site is not located within federal lands or forms part of or incidental to projects that are designated by the Regulations Designating Physical Activities or otherwise designated by the Minister of the Environment as requiring an environmental assessment. In accordance with the Canadian Environmental Assessment Act, 2012, this installation is excluded from assessment. For additional detailed information, please consult the Canadian Environmental Assessment Act².

Transport Canada's Aeronautical Obstruction Marking Requirements

Aerodrome safety is under the exclusive jurisdiction of NAV Canada and Transport Canada. An important obligation of Rogers' installations is to comply with Transport Canada / NAV CANADA aeronautical safety requirements. Transport Canada perform an assessment of the proposal with respect to the potential hazard to air navigation and notify Rogers of any painting and/or lighting requirements for the antenna system. Rogers will submit the appropriate applications.

² <http://laws-lois.justice.gc.ca/eng/acts/C-15.21/>



Rogers Communications Inc. attests that the radio antenna system described in this notification package will comply with Transport Canada / NAV Canada aeronautical safety requirements and does not expect that lighting will be required.

For additional detailed information, please consult Transport Canada³.

Health Canada's Safety Code 6 Compliance

Health Canada is responsible for research and investigation to determine and promulgate the health protection limits for Exposure to the RF electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Field in the Frequency Range from 3kHz to 300 GHz – Safety Code 6".

The exposure limits specified in Safety Code 6 were established from the results of hundreds of studies over the past several decades where the effects of RF energy on biological organisms were examined. Radiocommunication, including technical aspects related to broadcasting, is under responsibility of the Ministry of Industry (Innovation, Science and Economic Development Canada), which has the power to establish standards, rules, policies and procedures. ISED, under this authority, has adopted Safety Code 6 for the protection of the general public. As such, ISED requires all proponents and operators to ensure that their installations and apparatus comply with the Safety Code 6 at all times.

Rogers Communications Inc. attests that the radio antenna system described in this notification package will at all times comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.

More information in the area of RF exposure and health is available on the Health Canada's website under Environmental and Workplace Health⁴ and Safety Code Health Canada's Radiofrequency Exposure Guidelines⁵.

Engineering Practices

Rogers attests that the radio antenna system as proposed for this site will be constructed in compliance with the National Building Code and The Canadian Standard Association and comply with good engineering practices including structural adequacy.

Innovation, Science and Economic Development Canada's Spectrum Management (ISED)

³ <http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standard621-3808.htm>

⁴ <http://www.hc-sc.gc.ca/ewh- semt/radiation/cons/stations/index-eng.php>

⁵ <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>



Please be advised that the approval of this site and its design is under the exclusive jurisdiction of the Government of Canada through ISED. For more information on ISED's public consultation guidelines including CPC-2-0-03⁶ contact your local ISED office at spectrumnod-spectredeno@ised-isde.gc.ca or at the below noted address:

Innovation, Science and Economic Development Canada Spectrum Management

Eastern Ontario District Office

2 Queen Street East

Sault Ste. Marie, ON, P6A 1Y3

Tel: 1-855-465-6307

Fax: 705-941-4607

Email: spectrumnod-spectredeno@ised-isde.gc.ca

Web: http://www.ic.gc.ca/eic/site/smt-gst.nsf/fra/h_sf01702.html

General information relating to antenna systems is available on ISED's Spectrum Management and Telecommunications website⁷.

Public consultation obligations

Rogers Communications Inc. is committed to effective public consultation. The public will be invited to provide comments to Rogers about this proposal by mail, electronic mail or phone.

ISED's rules contain requirements for timely response to all questions, comments or concerns. We will acknowledge receipt of all communication within **14 days** and will provide a formal response to the Municipality and those members of the public who communicate to Rogers, within **60 days**. The members of the public who communicated with Rogers will then have **21 days** to review and reply to Rogers as a final response.

Proponent's Contact Information - Rogers Communications Inc.

Christian Lee

Wireless Site Specialist

Eric Belchamber & Associates

337 Autumnfield St., Kanata, ON, K2M 0J6

Telephone: (613) 799-9900

Email: christian.lee@rogers.com

⁶<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/sf08777e.html>

⁷<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/home>



Conclusion

Reliable wireless communication services are a key element of economic development across Canada. It facilitates the growth of local economies by providing easy access to information, and connectivity for residents and business alike.

The infrastructure proposed is suitable for the development over the long term and protects public health and safety and is a powerful economic enabler.

In response to this growing demand for wireless services, Rogers has worked to find the most suitable location for a new telecommunications structure in efforts to provide improved wireless services in Tay Valley to its residents, businesses, and the traveling public.

In addition to meeting consumer needs, technological upgrades are also critical to ensuring the accessibility of emergency services such as fire, police, and ambulance. Wireless communications products and services, used daily by police, EMS, firefighters, and other first responders, are an integral part of Canada's safety infrastructure.

Rogers feels that the proposed site is well located to provide improved wireless voice and data services in the targeted area. The proposed location is also situated and designed to have minimal impact on surrounding land uses.

Rogers looks forward to working with the Tay Valley Township in providing improved wireless services to the community.

Should you have any further questions or comments, please feel free to contact me via email at christian.lee@rogers.com or via phone at (613) 799-9900.

Sincerely,

Christian Lee, Municipal Relations
Rogers Communications Inc.
Network Implementation



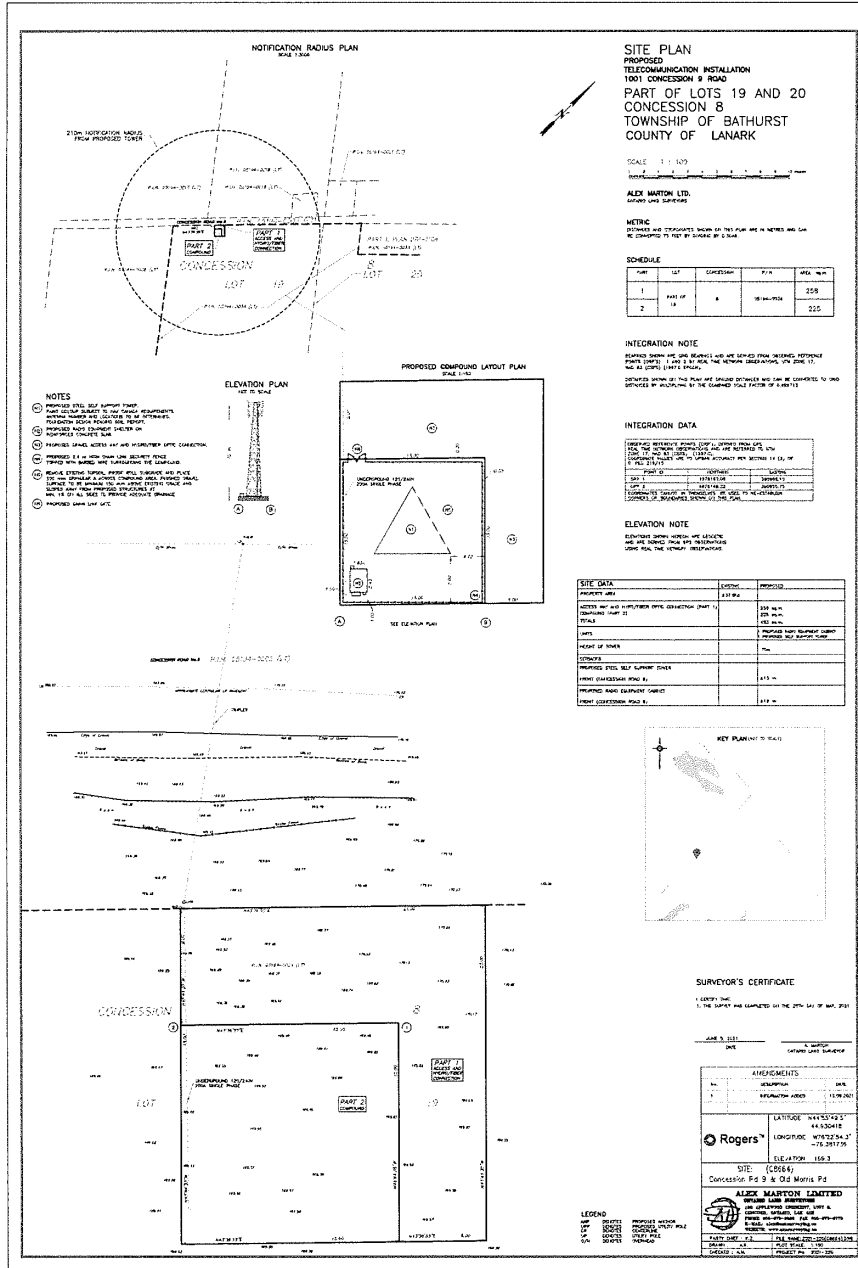
APPENDIX 1

Public Consultation Package

**attached separately

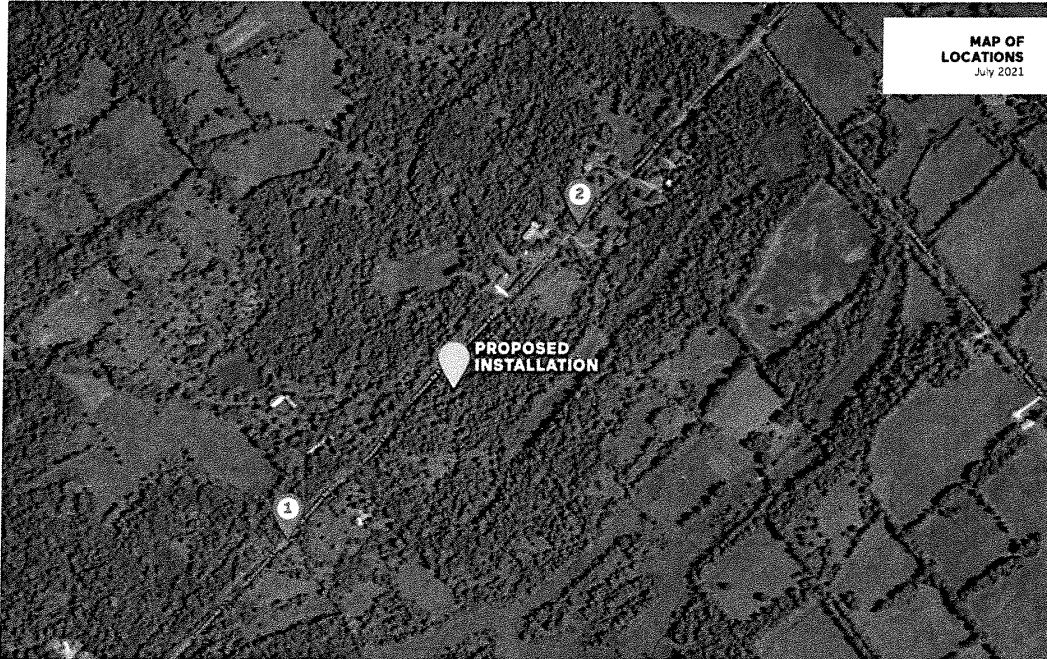
APPENDIX 2

Site Survey



APPENDIX 3

Photo Simulations Package



C8664 CONCESSION RD 9 & OLD MORRIS RD

 **ROGERS**
Simulations by **Futli**, www.futli.com

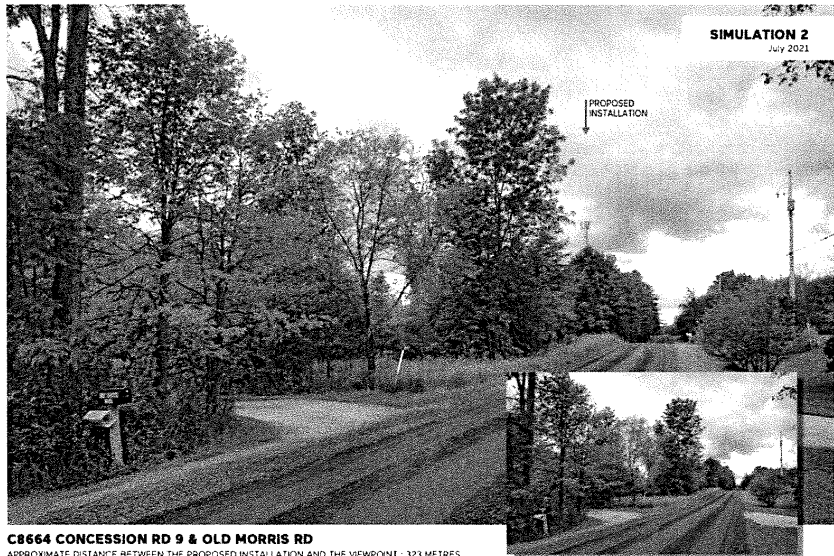




C8664 CONCESSION RD 9 & OLD MORRIS RD
 APPROXIMATE DISTANCE BETWEEN THE PROPOSED INSTALLATION AND THE VIEWPOINT : 353 METRES

* This illustration is a visual simulation. The end result, upon construction of this telecommunications tower, could differ from the illustration.

ROGERS
 Simulations by **Futill**, www.futilldesign.com



C8664 CONCESSION RD 9 & OLD MORRIS RD
 APPROXIMATE DISTANCE BETWEEN THE PROPOSED INSTALLATION AND THE VIEWPOINT : 323 METRES

* This illustration is a visual simulation. The end result, upon construction of this telecommunications tower, could differ from the illustration.

ROGERS
 Simulations by **Futill**, www.futilldesign.com



COMMITTEE OF THE WHOLE
November 9th, 2021

Report #C-2021-35
Amanda Mabo, Acting Chief Administrative Officer/Clerk

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE –
CAMERON**

STAFF RECOMMENDATION(S)

“**THAT**, Council declares the portion of the unopened road allowance (approximately 780 feet) between Concession 5 & 6, Lot 2, North Burgess, north of Brooks Corner on Adams Lake, surplus to the Township’s needs;

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

AND THAT, the purchase price of \$0.08 per square foot be accepted should the sale be finalized.”

BACKGROUND

A request was received from Scott Cameron requesting the closure of the identified portion of the unopened road allowance.

In 2019, the Township closed a small section of this road allowance to provide the property road access onto the private road, Brooks Corner. The unopened road allowance leads to Adams Lake and in 2019, public access to the lake was preserved by giving the Township deeded access over the portion that was closed. The property owners to the West of the road allowance that was closed were also given deeded access across the closed portion for access to their properties. Brooks Corner does not appear to traverse the portion of the road allowance that is being requested to be closed, if the survey shows otherwise, the Township and the property owners to the West would require deeded access over that portion.

DISCUSSION

The Clerk undertook a preliminary review.

The Applicant is requesting to close the portion of the unopened road allowance for severance purposes to give frontage onto a Private Road for up to three new lots to be created.

The Planner was consulted and has advised the applicant that even by closing the unopened road allowance it appears that one of the proposed retained lots would not have road frontage onto Brooks Corner and that it needs to, otherwise it is a water access lot and must have designated parking space on a property that is being used to gain access to the water.

The Public Works Department was consulted and has no issues with this request.

Staff recommends proceeding with closing the portion of the unopened road allowance as there are no Planning, other than with regards to future severances, or Public Works concerns or future anticipated municipal uses.

The requestor will be required to pay all costs associated with the application, including purchase price, legal and advertising costs. A reference plan/survey will be undertaken by the applicant. A purchase price of \$0.08 per square foot is recommended.

The closing of the portion of the unopened road allowance will not serve as pre-approval of any severance application, that is a separate process that will have to be evaluated on its own merits.

ATTACHMENTS

- i) Map

Prepared and Submitted By:

Original Signed

**Amada Mabo,
Acting Chief Administrative Officer/Clerk**

Brooks Corner
Part Lot 2, Concession 6, North Burgess



COMMITTEE OF THE WHOLE
November 9th, 2021

Report #C-2021-36
Amanda Mabo, Acting Chief Administrative Officer/Clerk

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE –
HUDSON**

STAFF RECOMMENDATION(S)

“THAT, Council declares the portion of the unopened road allowance (approximately 492 feet) between Lots 18 & 19, Concession 5, North Burgess, north of Narrows Lock Road, surplus to the Township’s needs;

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

THAT, the purchase price of \$0.08 per square foot be accepted should the sale be finalized.”

BACKGROUND

A request was received from Sara Hudson requesting the closure of the identified portion of the unopened road allowance.

DISCUSSION

The Clerk undertook a preliminary review.

The Applicant is requesting to close the portion of the unopened road allowance to correct the access to her property, it has been brought to her attention recently that she has an unauthorized entrance off Narrows Lock Road. While working with Lanark County to resolve the issue, closing the unopened road allowance was the best solution.

The Planner and Public Works Department were consulted and have no issues with this request.

Staff recommends proceeding with closing the portion of the unopened road allowance as there are no Planning or Public Works concerns or future anticipated municipal uses.

The requestor will be required to pay all costs associated with the application, including purchase price, legal and advertising costs. A reference plan/survey will be undertaken by the applicant. A purchase price of \$0.08 per square foot is recommended.

ATTACHMENTS

- i) Map

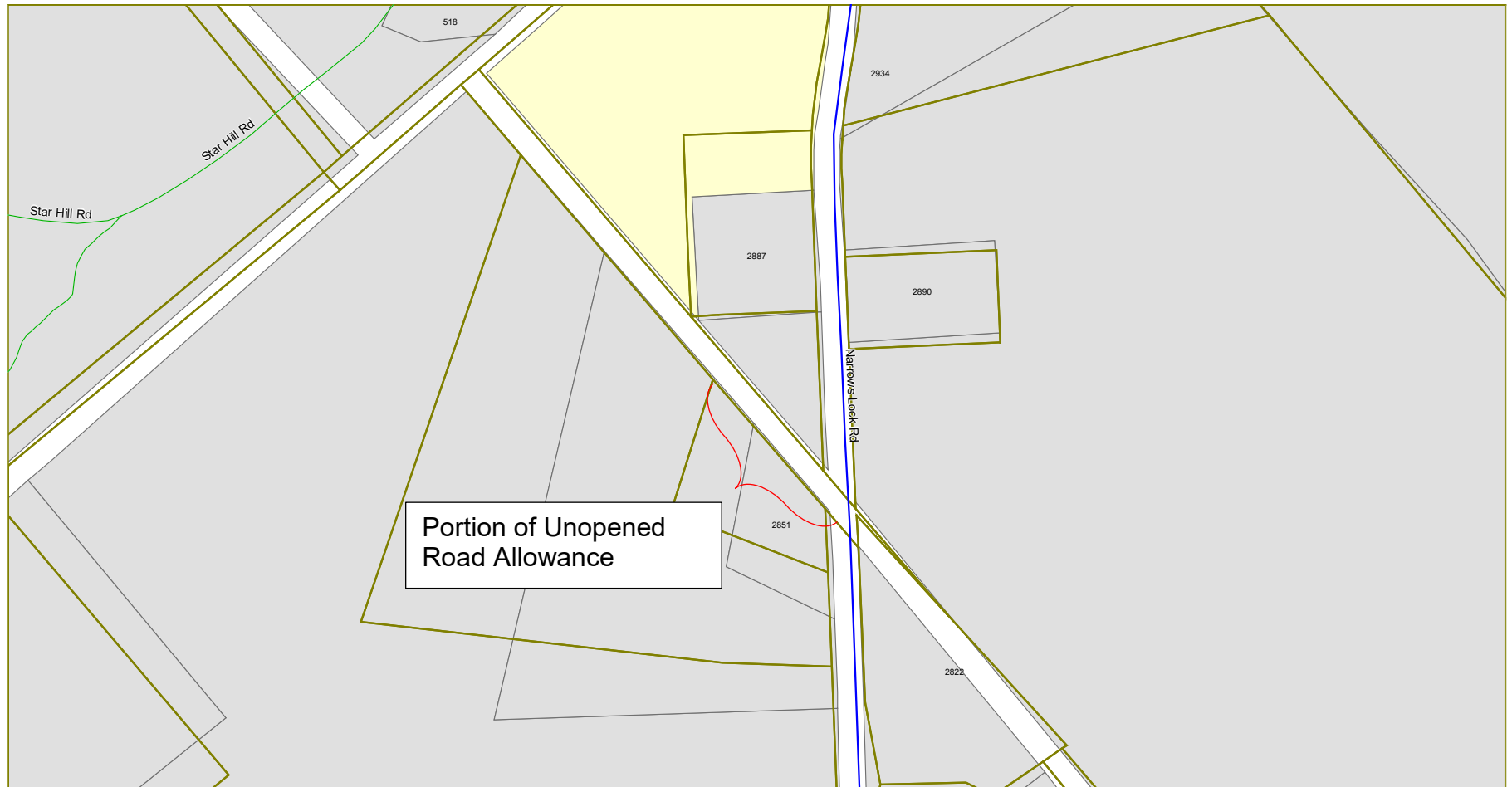
Prepared and Submitted By:

Original Signed

**Amada Mabo,
Acting Chief Administrative Officer/Clerk**

September 28th, 2021

Road Closure - North Burgess - Concession 5 - Part of the Unopened Road Allowance between Part Lots 18 & 19 (Hudson)



COMMITTEE OF THE WHOLE
November 9th, 2021

Report #C-2021-37
Amanda Mabo, Acting Chief Administrative Officer/Clerk

PROPOSED NEW ROAD NAME - OUTBACK LANE

STAFF RECOMMENDATION(S)

“**THAT**, the necessary by-law to name an existing Private Road to Outback Lane as outlined in Report #C-2021-37 – Proposed New Road Name – Outback Lane, be brought forward for approval.”

BACKGROUND

A building permit application for the construction of a new cottage was received for a property with civic address 1339 Elphin Maberly Road. The property is accessed via a legal right-of-way through another property on the Elphin Maberly Road.

The legal right-of-way has existed for many years and should have been recognized as a Private Road when the right-of-way was created or the second trigger was when a civic address was provided.

DISCUSSION

In order for a building permit to be issued, the existing Private Road must be named and added to the Township's Road Naming By-Law.

As per the Road, Addressing and Parcels (RAP) Policy the applicants have proposed at least three road names. Those road names were then forwarded to the County of Lanark for review and recommendation in order to avoid duplication or similarities within the road name database across Lanark County and neighbouring counties.

In addition, the property owners along that road must be notified and the majority of the property owners on the road must agree to a preferred name in order for Council to consider the name.

Once a road name meets the requirements of the Policy, including agreement from a majority of the property owners, it is forwarded to the Council of the local municipality for approval.

Since the Road was unknown to the Township, it was never incorporated into the Township's Road Naming By-Law, the necessary By-Law will need to be brought forward to Council for approval.

The proposed road name is "Outback Lane".

OPTIONS CONSIDERED

Option #1 – Adopt Outback Lane (Recommended)

Meets the requirements of the RAP Policy and the majority of property owners agreed with the name.

Option #2 – Propose an Alternate Name

Not recommended as the renaming of the road would not occur for at least another three months as the process would need to start over.

STRATEGIC PLAN LINK

None.

FINANCIAL CONSIDERATIONS

The Applicant is required to pay a non-refundable fee of \$300 for staff time and a deposit of \$2,000 to cover the cost of legal fees, the new road name sign, etc.

CONCLUSIONS

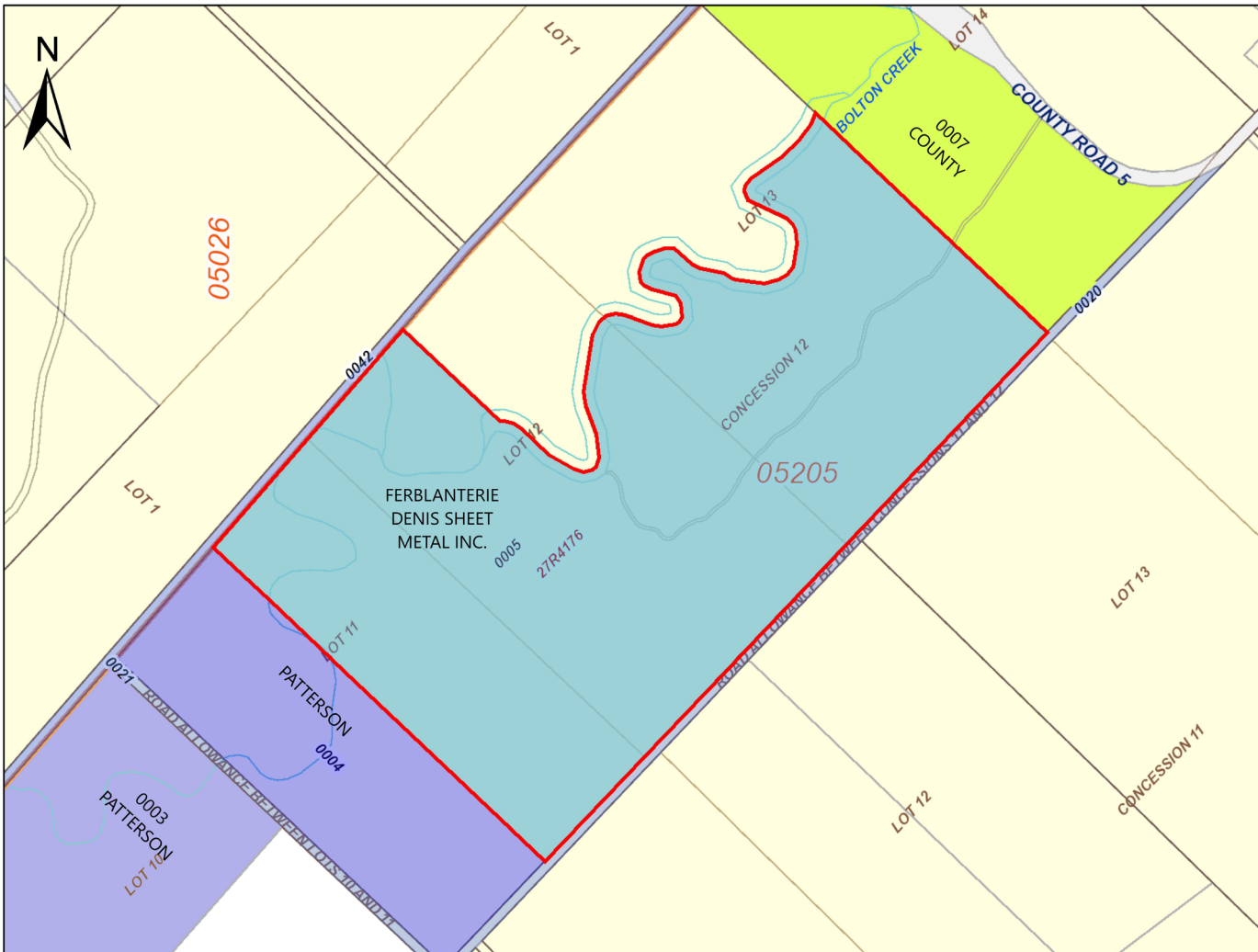
That the necessary by-law to name an existing Private Road to Outback Lane as outlined in this report be brought forward for approval.

ATTACHMENTS

- i) Property Index Map

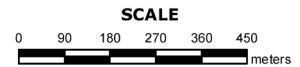
Prepared and Submitted By:

**Amanda Mabo,
Acting Chief Administrative Officer/Clerk**



ServiceOntario

PRINTED ON 19 OCT, 2021 AT 12:09:43
FOR JESSICA1



PROPERTY INDEX MAP
LANARK(No. 27)

LEGEND

FREEHOLD PROPERTY	
LEASEHOLD PROPERTY	
LIMITED INTEREST PROPERTY	
CONDOMINIUM PROPERTY	
RETIRED PIN (MAP UPDATE PENDING)	
PROPERTY NUMBER	0449
BLOCK NUMBER	08050
GEOGRAPHIC FABRIC	
EASEMENT	

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED



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01/01/2021-10/31/2021 Summary Report with Previous 3 year Average

2021	Number of Permits	3 yr. avg. (2018-2020)	S.F.D.'s	3 yr. avg. (2018-2020)	Commercial	3 yr. avg. (2018-2020)	Permit Fees	3 year average (2018-2020)	Building Value	3 year average (2018-2020)	Dev.Charge
January	5	3	0	1	0	0	\$1,515.12	\$2,187.16	\$178,000.00	\$380,000.00	
February	9	3	0	1	1	0	\$13,187.95	\$2,081.67	\$4,040,600.00	\$370,833.33	
March	17	7	10	1	0	0	\$20,501.39	\$3,757.66	\$3,114,000.00	\$691,553.33	\$51,850
April	19	5	7	1	0	1	\$20,906.17	\$3,022.38	\$4,075,076.00	\$550,333.33	\$31,110
May	23	17	8	2	0	0	\$17,586.80	\$12,252.27	\$3,700,975.00	\$2,105,340.00	\$36,295
June	13	16	7	2	2	0	\$14,674.15	\$6,318.32	\$2,813,637.00	\$1,027,496.33	\$31,110
July	21	19	7	3	0	1	\$11,584.80	\$9,669.67	\$2,072,678.00	\$1,839,591.67	\$41,480
August	18	12	2	2	0	1	\$13,432.40	\$6,609.43	\$2,957,600.00	\$1,267,906.33	\$10,370
September	18	16	6	2	0	1	\$11,291.10	\$6,941.35	\$2,379,750.00	\$1,295,800.00	\$25,925
October	11	13	3	1	0	0	\$9,760.20	\$5,776.36	\$2,263,000.00	\$1,053,500.00	\$15,555
Total	154	111	50	16	3	4	\$134,440.08	\$58,616.27	\$27,595,316.00	\$10,582,354.33	\$243,695

2021 Dev Charges of \$5185 on permits are comprised of \$3927 Township Dev Charge and \$1258 County Dev Charge.

Note: The value in the S.F.D. column is the monthly total for Approved, Residential, New Construction permits and the value entered in the # Dwelling Units Proposed box on the Building Tab

CORRESPONDENCE



1. **The Town of Niagara-on-the-Lake:** Resolution – OHIP Eye Care - *attached, page 3.*
2. **Municipality of Shuniah:** Resolution – Banning Symbols of Hate Act, Bill C 313 – *attached, page 5.*
3. **Municipality of Shuniah:** Resolution – 988 Suicide and Crisis Hotline – *attached, page 7.*
4. **Municipality of Shuniah:** Resolution – Support Affordable Internet – *attached, page 9.*
5. **AMO:** Policy Update – *attached, page 11.*
6. **Town of Kingsville:** Resolution - OHIP Eye Care – *attached, page 14.*
7. **Township of Alnwick:** Resolution – Lottery Licensing to Assist Small Organizations – *attached, page 16.*
8. **Town of South Bruce Peninsula:** Resolution – Lottery Licensing to Assist Small Organizations – *attached, page 18.*
9. **Town of Rainy River:** Resolution – Lottery Licensing to Assist Small Municipalities – *attached, page 20.*
10. **Township of Severn:** Lottery Licensing – *attached, page 21.*
11. **Township of Adelaide Metcalfe:** Resolution – Support Federal and Provincial Funding of Rural Infrastructure Projects – *attached, page 22.*
12. **Municipality of Grey Highlands:** Lottery Licensing to Assist Small Organizations – *attached, page 23.*
13. **Municipality of Leamington:** Resolution – Long Term Homes – *attached, page 24.*
14. **Ministry of Northern Development, Mines, Natural Resources and Forestry:** Proposed Amendments to the Crown Forest Sustainability Act, 1994, Professional Foresters Act, 2000 and the Public Lands Act, Ministry of Northern Development, Mines, Natural Resources and Forestry including in the Supporting People and Business Act, 2021 – *attached, page 27.*
15. **Associations of Municipalities Ontario:** AMO Policy Update - Increased Staffing in Long-Term Care & Red Tape Reduction Bill – *attached, page 34.*
16. **Ministry of the Environment, Conservation and Parks:** Regulations under the Conservation Authorities Act – *attached, page 38.*

17. **Township of Muskoka Lakes:** Resolution – Support Lottery Licensing to Assist Small Organizations – *attached, page 41.*
18. **Town of South Bruce Peninsula:** Resolution – Support Lottery Licensing to Assist Small Organizations – *attached, page 44.*
19. **Good Roads Board of Directors:** Call for Nominations for 2022-2023 – *attached, page 47.*
20. **Township of Enniskillen:** Resolution - Cannabis Act – *attached, page 52.*
21. **City of Vaughan:** Resolution – Endorsing National Teen Driver Safety Week and Requesting the Ministry of Transportation to Review Measures Impacting Newly Licensed Drivers – *attached, page 56.*



1. **The Corporation of the Township of St Joseph:** Resolution – Lottery Licensing to Assist Small Organizations - *attached, page 2.*
2. **Good Roads:** Call for Nominations for 2022-2023 Board of Directors - *attached, page 3.*
3. **Enbridge Gas:** 2022 Federal Carbon Pricing Program Application - OEB Notice of Application – *attached, page 8.*
4. **The Corporation of the Township of Larder Lake:** Resolution - OHIP Eye Care R2021-425 – *attached, page 10.*
5. **Municipality of Leamington:** Resolution – OHIP Eye Care - *attached, page 11.*
6. **Municipality of Port Colborne:** Resolution - Support City of Sarnia – Renovictions - *attached, page 13.*
7. **The Corporation of the City of Sarnia:** Resolution – Renovictions - *attached, page 14.*
8. **The City of Kitchener:** Resolution – Vaccine Passport Program - *attached, page 15.*
9. **The City of Kitchener:** Resolution – Renovictions - *attached, page 17.*
10. **Tay Valley:** Report – Building Permits (Approval Granted October 2021) - *attached, page 19*

UPDATES

PRIVATE UNASSUMED ROADS WORKING GROUP MINUTES

Wednesday, August 25th, 2021

5:30 p.m.

GoToMeeting

ATTENDANCE:

Members Present: Councillor Gene Richardson
Councillor RoxAnne Darling
Fred Barrett
Gordon Hill

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

Members Absent: Frank Johnson

1. CALL TO ORDER

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

The Clerk overviewed the Teleconference Participation Etiquette that was outlined in the Agenda.

2. APPOINTMENT OF CHAIR

RESOLUTION #PUR-2021-08-01

MOVED BY: Gordon Hill
SECONDED BY: RoxAnne Darling

“**THAT**, Councillor Richardson be appointed as the Chair of the Private Unassumed Roads Working Group.”

3. AMENDMENTS/APPROVAL OF AGENDA

The agenda was approved as presented.

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

None at this time.

5. APPROVAL OF MINUTES

None.

6. MEMBER INTRODUCTIONS

(Members are asked to provide a brief overview of why they were interested in sitting on this Working Group and what they would like to achieve).

Councillor Daring is the Councillor for the Sherbrook ward, this is here 4th term on Council, the obstacles for development on private unassumed roads have been coming from development applications, is looking forward to trying to resolve the issues.

Councilor Richardson is the Fire Chief at Lanark Highlands, is the Councillor for the Bathurst ward, is his 1st term on Council, has worked in the insurance industry for 14 years, is interested in making it work for everyone in the municipality.

Fred Barrett owns 3 properties in Maberly Pines has been a resident for 20 plus years. Has seen lots of false stars with unassumed roads and hopefully it can be resolved. Has an Engineering background.

Gordon Hill lives on Christie Lake, his background is law, practiced law for 23 years in Toronto and in Bermuda for 16 years, lives on his grandfathers property and has an interest in Christie Lake, the Township and the County. Hopes he can help with his legal background.

Frank Johnson - absent

7. BACKGROUND INFORMATION

The Acting CAO/Clerk explained the background items.

A Condominium Road is created under the Planning Act, since the creation of private roads are not allowed, the only way to create a road that is not a Township road is this way.

G. Hill advised that we will be recording the meeting. The Acting CAO/Clerk asked if anyone had an objection to the meeting being recorded. There was no objection.

- Road Diagram (describes the legal status of roads within the Township)
- List of Subdivisions with Private Unassumed Roads
- Private Unassumed Road - Maps
- Private Unassumed Road - Statistics
- Private Unassumed Roads – Estimated Costs to Upgrade
- Planning Process Related to Private Unassumed Roads - *presentation by Noelle Reeve, Township Planner.*

The Planner gave a PowerPoint Presentation – *attached, page 9.*

Councillor Darling read the motion from Council that established the Working Group. The mandate for the group is not only dealing with roads in subdivision, if it was it would be easier to resolve, but since it is not, then one resolution might not fit in all situations.

Andrew Kendrick questioned the Zoning By-Law Section 3.4 where it says that no lot shall be used, does that mean you can not even walk on it.

The Planner clarified that says that no lot shall be used means you should not be camping or walking without appropriate the access, the Township does not go out and determine this is happening or not, the point of this restriction for safe use of the properties, if a fire truck or ambulance can not get to you while you are using your property, it is not safe.

The Acting CAO/Clerk discussed the standard for a private road, the property owners can undertake routine maintenance gravel, snow plowing etc... but when replacing a culvert or widening the road then the standards of the road would need to be addressed.

G. Hill wanted to clarify that if someone complains to the Township about someone using their property without proper access, then Township will go out and investigate it. The Planer confirmed that was correct.

8. DELEGATIONS & PRESENTATIONS

- i) **Overview of Liability/Insurance Requirements on Private Unassumed Roads for the Township, Property Owners and Contractors.**
Carolyn Corkery and Matt White, Halpenny Insurance Brokers Ltd.

C. Corkery and M. White gave a PowerPoint Presentation – *attached, page 13.*

C. Corkery referred to claim scenarios and what the claim cost eg. One claim cost 30 million dollars and the Township's Road Access Agreement is only asking for 5 million in liability insurance. Explained that because of Joint and Severed Liability regardless of having the agreement, the Township will be named in the lawsuit. Property owns are being asked to be liable for the roads and their personal assets are at risk in doing so, wondered if they seek their

own legal advice. Contractors that do any work or maintenance on the roads should also have liability insurance.

M. White reviewed claims scenarios in the PowerPoint and explained that the Township can be named in the lawsuit.

The Road Access Agreements required the owners to obtain 5 million in liability, insurers are reluctant to quote on these types of agreements as there could be multiple insurance policy covering the same section of road and some will not have any coverage, in a lawsuit they would all get dragged in and start pointing fingers, so many do not want to be involved, it can be expensive, it seems like a small expense but to a private property owner is a lot and it needs to be renewed each year, wonders if they understand that and to have to name the Township forever, it is also a burden on the Township administratively as they have to ensure they are in place and request certificates of insurance to make sure they are covering the road each year.

M. White also explained that adding the Township as additional insured, only covers the Township if they built the road, it would not extend coverage to the Township if a property owner cleared the road and was then named in a claim so it does not entirely cover the Township's exposure or risk.

The Acting CAO/Clerk explained that the Township did not build any of the roads in the subdivisions, it was the developer of the subdivision. C. Corkery explained that the Township accepted the road and needs to see if the developer still insurance in place, most are only for 12-24 months, if the contractor is still in business, the coverage has probably lapsed, if there is a claim today there is no coverage. A Policy must be in place at time of occurrence.

Councillor Darling asked if school buses go down private roads? The Acting CAO/Clerk does not think they go on private roads to the Township's knowledge and confirmed that the roads were built over 40 years ago and there is no insurance, so it would fall back to the Township.

The Planner asked about the Township having liability because we accepted the roads, by using the terms unassumed roads means we did not accept them. C. Corkery does not think it will matter, the courts will determine how they respond. As in any claim defense costs would need to be covered.

G. Hill that having read the agreement, is there a risk to the Township in telling the owners that they have to repair the road to their private road standards, that may insinuate that the Township through those actions have assumed the property. C. Corkery agrees with G. Hill on that.

M. White explained a road association, they pool together and purchase insurance and maintain the road, there are some challenges with that, despite there bring an association, the Township can still be named in a lawsuit and will

be on the hook for defense costs, it will be up to the courts to determine the liability, there is no enforcement for new property owners to get the other ones to participate and get insurance, another challenge is maintenance contractors may not have insurance and may be one of the property owners with their own equipment, would have same situation, as the Township needing to be added to the insurance and that has holes in it and the association need to continually have insurance etc...

Discussed deeming road away and creating a private road and what the challenges are with that option.

The Acting CAO/Clerk asked for clarification on deeming roads away and the Township being called into a lawsuit, if now in private ownership why would the Township be named.

C. Corkery explained that any third party can name Township in a suit, can have a claim for things that are not even in the Township, anyone can name you in a claim and make allegations that Township contributed to the claim. Similar to no fault automobile insurance naming Township for some reason or another.

Road Access Agreements are expensive for a homeowner and she is not sure they know what they are agreeing too.

Councillor Darling clarified that the existing private roads where the Township has no say in them, they are cottage roads and the Township could still be named in a lawsuit, if the fire department needed to get in and it was the only service the Township provided, if something happened that they could not get down the road, could the fire department be named in the lawsuit? Yes, there have been cases where the fire department was sued for not getting there fast enough etc..

ii) **Federation of Ontario Cottagers Association (FOCA) – Experience Regarding Private Unassumed Roads.**

Ian Crawford, President.

I Crawford gave a PowerPoint Presentation – *attached, page 20.*

Reviewed creating a Road Association, have to have the legal authority, they will assume ownership of the road, the property owners are shareholders. They purchase insurance and annual fee is determined for all owners on that road

Councillor Darling asked who they purchase the road from. I. Crawford replied that it is normally from the developer. In the PowerPoint is mentioned that a lien could be put on the property if they do not pay the annual fees, what authority is there to do that if someone doesn't pay. He explained that if they have the benefit of using the road then having that benefit you are responsible to contribute. The actual individual do not own part of the road, they own the

company that owns the road, but they receiving benefit and the courts see that they have to pay for that benefit.

- iii) **Bennett Lake Estates Cottagers Association (BLECA) – Overview of Experience as an Incorporated Road Association on Private Unassumed Roads in the Township.**
Al Schoots, Member of BLECA.

A Schoots reinforced what has been discussed and presented in his experience with the Bennett Lake Association. The roads in the subdivision were to be assumed by the Township once they were approved by the Township engineer and the Ministry of Transportation, the roads were not completed by the developer and that is why they are still unassumed. The Roads were built well, they are gravel and require maintenance. Snowploughing is done with by a company, but the residence would sand the hills manually unless it was ice covered, winter maintenance is to the Township standard. Spring brings other challenges with the freeze thaw cycles and with mud and ruts. More gravel would help they do grade three times a year. They hold work parties for after a storm to clear branches etc., the struggle is with the extreme weather. Have had issues with some property owners that only come in the summer and do not feel they should have to pay for winter maintenance but have been able to resolve them, always looking for assistance from the Township.

The Acting CAO/Clerk wanted to clarify that the Bennet Lake Association is a formally registered association, and that the association holds the liability insurance? Yes, it is registered on the deeds and the executive holds the liability insurance.

9. BUSINESS

- i) **Options and Next Steps**
Amanda Mabo, Acting CAO/Clerk.

There is not one option that will fit all the private unassumed road situations, and there are pros and cons to each. Therefore, staff will put together a proposed list of which roads are best suited for each option for discussion by the Working Group at the next meeting.

G. Hill would like to see the subdivision agreements that the Township has with the developers, the problem starts at that level and need to see where the problems lie.

The Acting CAO/Clerk will post the presentations from this meeting and the subdivision agreements that the Township has on the Private Unassumed Roads Working Group webpage and will provide members with the link to the

page. At some point the Township will seek input from the Township solicitor when the group gets to that point.

10. NEW/OTHER BUSINESS

None.

11. NEXT MEETING DATE AND PROPOSED AGENDA ITEMS

Next Meeting: October was suggested

Terms of reference says meet monthly but not sure if will be ready with material for September, the Chair suggested early October clerk will send two dates out for availability.

Presentations will be posted to website along with subdivision agreements
Gordon 8 questions for insurer and 6 for staff will send electronically, send to Amanda and she will pass them on. All members will get answers and questions.

12. DEFERRED ITEMS

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

None at this time.

13. ADJOURNMENT

The Working Group adjourned at 7:08 p.m.

Regular Meeting– June 21st, 2021

A regular meeting of the Perth and District Union Public Library Board was held on Monday, June 21st at 5:30pm via video conference.

In attendance were:

E Heesen, **CEO**

C Rigby, Tay Valley, **Chair**

L Marsh, **Secretary-Treasurer**

J Matheson, Councillor, Drummond/North Elmsley

J Fenik, Mayor, Town of Perth

S Murray, Drummond/North Elmsley

T Parkinson, Drummond/North Elmsley

D Palmer, Tay Valley

D Hamilton-Foley, Town of Perth

S Giff, Town of Perth

Regrets:

R Rainer, Councillor, Tay Valley

C Rigby called the meeting to order at 5:32 p.m.

Land/Territory Acknowledgement

Declaration of interest – none

Additions and approval of agenda

**21-42 The agenda was approved with a motion from S Giff and seconded by S Murray.
Carried.**

Delegations - none

Consent Agenda

- a. Approval of Minutes of May 17, 2021.
- b. Correspondence and communications
 - i. News
- c. Committee Reports
 - i. Policy Committee minutes
- d. Statement of Operations

21-43 The Consent agenda was accepted with a motion by D Palmer and seconded by T Parkinson.

Carried.

CEO's Report – E Heesen presented and discussed the June CEO's Report.

**21-44 The CEO report was accepted with a motion by S Giff and seconded by S Murray.
Carried.**

J Fenik joined the meeting at 5:40
D Hamilton-Foley joined the meeting at 5:43

Advocacy Round Table

Overdue Fees – alternate revenue discussions

Topics discussed:

- Removing the overdue fines
- Revenue generating options
- Reviewing statistics of fines waived or written-off
- Monitoring the borrowing statistics
- Clear messaging and tracking

Policy Review

- a. 2.C-2 Procurement
- b. 2.D-9 Staffing Levels
- c. 3.C Collection Development Plan
- d. 3.D Technology Plan

21-45 Motion to accept policies and plan as presented. Motion by J Fenik and seconded by T Parkinson.

Carried.

Unfinished and New Business

- a. 2020 Annual Report

21-46 Motion to accept the Annual Report 2020 as amended. Moved by D Palmer and seconded by D Hamilton-Foley.

Carried.

- b. CEO job description

21-47 Motion to approve the updated CEO job description as presented. Moved by D palmer and seconded by J Matheson.

Carried.

Upcoming Meeting dates

- a. Property committee Monday, September 13 at 4:30
- b. Board Meeting Monday, September 20 at 5:30
- c. Policy committee Monday, October 4 at 5:30

21-48 Motion to adjourn moved by T Parkinson at 6:37pm.

Chairperson

Secretary-Treasurer

Regular Meeting– September 20th, 2021

A regular meeting of the Perth and District Union Public Library Board was held on Monday, September 20th at 5:30pm via video conference.

In attendance were:

E Heesen, **CEO**

C Rigby, Tay Valley, **Chair**

L Marsh, **Secretary-Treasurer**

J Matheson, Councillor, Drummond/North Elmsley

J Fenik, Mayor, Town of Perth

R Rainer, Councillor, Tay Valley

S Murray, Drummond/North Elmsley

T Parkinson, Drummond/North Elmsley

D Hamilton-Foley, Town of Perth

S Giff, Town of Perth

W Shatner, Observer

Regrets:

D Palmer, Tay Valley

C Rigby called the meeting to order at 5:32 p.m.

Land/Territory Acknowledgement

Declaration of interest – none

Additions and approval of agenda

21-49 The agenda was approved as amended with a motion from S Murray and seconded by T Parkinson.

Carried.

Delegations

W Shatner from the Friends of the Library informed the board that the tickets for the Oct 5th raffle have all been sold.

Consent Agenda

The Approval of Minutes of June 21, 2021 was removed from the consent agenda.

The Statement of Operations was removed from the consent agenda.

- a. Correspondence and communications
 - i. News
 - ii. Letter to Councils re: 2020 Annual Report
- b. Committee Reports
 - i. Property Committee minutes

21-50 The Consent agenda as amended was accepted with a motion by J Fenik and seconded by S Murray.

Carried.

Approval of Minutes of June 21, 2021

21-51 The June 21, 2021 minutes were approved as amended with a motion by J Matheson and seconded by S Murray.

Carried.

Approval of the August 2021 Statement of Operations

21-52 The August 2021 Statement of Operations were approved with a motion by T Parkinson and seconded by D Hamilton-Foley.

Carried.

CEO's Report – E Heesen presented and discussed the September CEO's Report.

21-53 The CEO report was accepted with a motion by D Hamilton-Foley and seconded by S Murray.

Carried.

Policy Review - none

Unfinished and New Business

- a. Memorandum of Understanding (MOU) with Tay River Algonquians – background information was given, and the MOU was discussed.

21-54 Motion to approve the Memorandum of Understanding, which C Rigby will sign as Chair on behalf of the Board, with Tay River Algonquians. Moved by R Rainer and seconded by D Hamilton-Foley.

Carried.

- b. Format of Board packages

21-55 Motion to adopt the updated format of the Board package. Moved by S Giff and seconded by D Hamilton-Foley.

Carried.

S Giff left the meeting at 6:32 due to technical difficulties

- c. 2022 Draft Budget – the draft 2022 budget was presented to the board and discussed.

Action Item: As a result of the discussion, the CEO was asked to take the budget back for revision as agreed and bring it back before the board for reconsideration.

21-56 Motion to adopt the CEO proposal presented to rescind the overdue fees on children and teen materials. Recorded vote with 5 in favor, 2 opposed and 2 absent. In favor were R Rainer, S Murray, J Fenik, D Hamilton-Foley & C Rigby. In opposition were J Matheson and T Parkinson. Absent were S Giff and D Palmer. Moved by R Rainer and seconded by D Hamilton-Foley.

Carried.

Action Item: CEO to present the board with talking points to advocate for this decision.

Advocacy Round Table

- a. Update on action items
- b. Discussion topic: advocating for the 2022 budget

Topics discussed:

- Report on CEO's meeting with provincial minister
- Revenue generating options
- Clear messaging

Upcoming Meeting dates

- a. Policy committee Monday, October 4 at 5:30
- b. Board Meeting Monday, October 18 at 5:30
- c. Strategic Plan Focus Group Monday October 25 at 5:00pm
- d. Property committee Monday November 8 at 4:30

21-57 Motion to adjourn moved by J Matheson at 7:29pm.

Chairperson

Secretary-Treasurer



Board of Directors

MINUTES

Via Zoom

September 15, 2021

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
F. Campbell
R. Darling
E. El-Chantiry
G. Gower
B. Holmes
J. Karau
C. Kelsey
B. King
C. Lowry
C. Rigelhof
P. Sweetnam

MEMBERS ABSENT

J. Inglis
P. Kehoe
A. Tennant
K. Thompson

STAFF PRESENT

S. McIntyre, General Manager
A. Millar, Treasurer
M. Craig, Manager of Planning and Regulations
J. Cunderlik, Director, Water Resource Engineering
R. Fergusson, Operations Supervisor
J. North, Water Resource Technologist
L. Williams, Recording Secretary

VISITORS PRESENT

Laura Cummings

J. Atkinson called the meeting to order at 1:01pm.

J. Atkinson respectfully recited the following Land Acknowledgement Statement:

September 30 marks our country's first National Day for Truth and Reconciliation. A day to remember, to learn, and to work for change.

As the descendant of people who settled and prospered on the lands of many First Nations I, like so many others, was raised without knowing the history of the land and the people who have cared for it since the beginning. My own path toward learning that history and the truth of my people's relationship with that land and the people we displaced remains long. But I commit to making that journey. And I know that I will not be alone.

In that spirit, I want to respectfully acknowledge that the Board of the Mississippi Valley Conservation Authority meets on the traditional and unceded territory of the Algonquin Anishinaabeg people and is charged by the Crown with the conservation of the watersheds of the Mississippi and Carp rivers, both of which flow through that land, as well as the traditional territories of the Huron-Wendat and Michi Saagiig Nishnaabeg.

We offer our gratitude to the first peoples for their care for and teachings about our earth and our relations. As we move together along the path of reconciliation, may we relearn and once again honour those teachings and bring them into the work that we do here.

As we meet today, and I reflect on the meaning behind our new National Day for Truth and Reconciliation, I observe that voices are missing from our table.

That lands of cultural significance are not included among the lands we are charged to protect and conserve by the Crown.

That vital and traditional species have and continue to be put at risk by the work that we do.

And that waterways named to recognize the first people who lived on them at the time of settlement still do not bear their true names.

We have much work to do.

Thank you and Miigwech.

R. Darling made a personal statement following the Acknowledgement.

B09/15/21-1

MOVED BY: F. Campbell

SECONDED BY: B. King

Resolved, That the Agenda for the September 15, 2021 Board of Directors meeting be adopted as presented.

“CARRIED”

B09/15/21-2

MOVED BY: E. El-Chantiry

SECONDED BY: B. King

Resolved, That the Consent Agenda for the September 15, 2021 Board of Directors meeting be adopted as presented.

“CARRIED”

BUSINESS

1. a) Approval of Minutes – Board of Directors

B09/15/21-3

MOVED BY: J. Karau

SECONDED BY: F. Campbell

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on July 21, 2021 be received and approved as printed.

“CARRIED”

b) Approval of Minutes – Special Meeting of Board of Directors

B09/15/21-4

MOVED BY: C. Rigelhof

SECONDED BY: G. Gower

Resolved, That the Minutes of the Mississippi Valley Board of Directors Special Meeting held on September 9, 2021 be received and approved as printed.

“CARRIED”

2. Watershed Condition Report

J. North advised that current conditions were consistent with normal, historic levels. August was a hot and dry month, however, lake levels in the main river system flows are fairly stable and remain at normal levels for this time of year. The level at Crotch Lake levels is above average and is supplementing downstream flows. Annual draw down of some of the upper lakes has begun with most beginning after Thanksgiving weekend. The slide presentation will be circulated to members following the meeting.

3. Proposed Fee for MZO Permit Applications, Report 3157/21

M. Craig explained that the creation of a new fee for issuing regulatory permits for developments approved via Minister’s Zoning Order (MZO) under the *Planning Act*, Bill 197, 2020 is recommended due to the complexity of the requirements of these applications. It is

recommended that the MVCA Fee Schedule be updated to include a fee specifically for MZOs with an additional fee for technical reviews.

E. El-Chantiry clarified that fees that are imposed by the Authority are typically set on a cost recovery basis - the fee covers the cost of providing the service. E. El-Chantiry was interested to learn how the new proposed fee would be determined as well as how many MZOs MVCA anticipates processing in the fees.

M. Craig explained that due to the complexity of the MZO processes versus a traditional application process the cost difference could be significant. The new fee will also need to be consistent with the other Conservation Authorities within our servicing area. There have been no MZO applications processed to date in MVCA's jurisdiction, although determining a fee before an application is received is recommended.

E. El-Chantiry suggested that once an MZO has been processed that staff evaluate the actual time and resources spent on the process to determine if the newly imposed fee is adequate and provide this information to the Board.

S. McIntyre agreed that the October report that will set 2020 fees will include the proposed MZO fees along with the rationale for the proposed amounts.

J. Karau made comment that the MZO process focussed on mitigation and proposed that the process consider adaptation as another means of negotiation with the developer.

M. Craig explained that MVCA would provide guidance documents and that the developer / property owner can always appeal if they are not satisfied with the recommendations. MVCA is learning from other Authorities on their experiences with MZO processes and outcomes and anticipate using this information to develop guidance documents to assist with the process.

P. Sweetnam questioned if the estimated fee would cover any future challenges of MZO processes. M. Craig responded that due to the complexity of reviewing an MZO process that it would not take long to absorb the fee as proposed.

B09/15/21-5

MOVED BY: C. Lowry

SECONDED BY: E. El-Chantiry

Resolved, That the Board direct staff to add a new fee during the next update of the MVCA Fee Schedule for the processing of applications under Section 28.0.1 of the *Conservation Authorities Act* to recover the higher costs associated with projects approved by Ministerial Zoning Order.

"CARRIED"

4. Timeline Performance Report for Section 28 Applications, Report 3158/21

Staff Report 3158/21 was provided for information. M. Craig explained that the purpose of the report is to document and publish the performance of MVCA in complying with Conservation

Ontario council-approved timelines for the issuance of permits under the *Conservation Authorities Act*. The report reflected that MVCA processed most of the permit applications within the target timelines with the exception of a few applications. Reporting of results is intended to occur twice annually with results posted and provided to Conservation Ontario.

J. Karau suggested that this positive information be shared with MVCA partners. S. McIntyre will include these positive results in her regular Board Update that is circulated to all municipal partners following each meeting.

C. Lowry asked if applications are reviewed for completeness when they are submitted to avoid delays. M. Craig encourages anyone considering building or alterations to arrange a pre-consultation meeting to review and discuss the requirements so that the applicant is clear on what is required for their application to be deemed complete. This pre-consultation meeting will identify if professional services are required for aspects of their application process at the onset.

F. Campbell enquired if there was a checklist or guideline to provide to applicants to assist with the permit process. M. Craig responded that there are checklists and guidelines, that are in the process of being updated, to aid applicants.

5. Ontario Regulation 153/06 Permit Activity, Report 3159/21

Staff Report 3159/21 was provided for information. The report showed that permit activity has been high and is anticipated to remain above normal for the balance of 2021.

J. Atkinson asked for the reasoning for the increased activity in 2021. M. Craig reported rebuilds, shoreline building, and building on properties that are marginal (adjacent to wetlands) has increased. Building on marginal lands results in more complex application review processes and increased staff time due to their complexity.

6. Drainage Grading Presentation

Provided for information. M. Craig explained that the number of rebuilds increased following the 2017 flooding of Dalhousie Lake, Mississippi Lake and Constance Bay. M. Craig described the importance of property drainage and grading as well as the impacts of adding fill to one property can impact the neighbouring properties. Grading plans that are required by each jurisdiction are completed by qualified professionals and include floodproofing requirements, access, extent of fill, drainage and swales, retaining walls, location of house/structure and septic system.

ADJOURNMENT

The meeting was adjourned at 2:01 p.m.

B09/15/21-6

MOVED BY: B. King

SECONDED BY: R. Darling

Resolved, That the Board of Directors meeting adjourned.

“CARRIED”

“L. Williams, Recording Secretary

J. Atkinson, Chair”

5



MINUTES

Via Zoom

October 7, 2021

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
F. Campbell
E. El-Chantiry
B. Holmes
J. Inglis
J. Karau
P. Kehoe
C. Kelsey
B. King
C. Lowry
C. Rigelhof
P. Sweetnam
A. Tennant

MEMBERS ABSENT

R. Darling
G. Gower
K. Thompson

STAFF PRESENT

A. Millar, Treasurer
J. Cunderlik, Director, Water Resource Engineering
C. McGuire, Water Resources Engineer
E. Levi, Recording Secretary

J. Atkinson called the meeting to order at 9:00 a.m.

B10/07/21-1

MOVED BY: J. Inglis
SECONDED BY: C. Lowry

Resolved, That the agenda for the October 7, 2021 meeting of the Mississippi Valley Conservation Authority Board of Directors be adopted as presented.

"CARRIED"

BUSINESS

1. Shabomeka Lake Dam Contract Awards

J. Cunderlik presented the Board with Staff Report 3164/21 outlining three Phase 1 tender bids received in October 2021 for the Shabomeka Lake Dam Rehabilitation Project. The bids were reviewed for errors and omissions. The lowest bid submission was found non-compliant with respect to project schedule and previous project experience. The second lowest bid, submitted by Louis W. Bray Construction Ltd., is recommended for contract award. Additionally, The MVCA requires a consultant to complete contract administration and inspection services for the project. A request for proposals was issued to three service providers and a proposal was received from D.M. Wills Associates Ltd. in the amount of \$60,840 plus HST.

J. Cunderlik commented that once the contracts were awarded, construction may begin as soon as possible. He noted there may be a need to extend some of the permits. A structure assessment for safety of access will be required and the following step would be to develop a plan for Phase 2 which is for the replacement / rehabilitation of the structure.

There was a brief discussion regarding access to the dam by the North Shore residents and where they were to be redirected during construction. J. Cunderlik advised J. Inglis that temporary access will be provided at times during construction when it is deemed safe to do so and that advanced notification would be provided to the area residents.

A. Tennant inquired as to whether a penalty clause was included for any potential delays in the project due to contractor over-commitments. J. Cunderlik confirmed a penalty clause was included in the contract.

P. Sweetnam received confirmation from J. Cunderlik that the contract administration costs would be eligible for WECI funding.

B10/07/21-2

MOVED BY: P. Kehoe
SECONDED BY: E. El-Chantiry

Resolved, That the Board endorse award of the Shabomeka Lake Dam construction services to Louis W. Bray Construction Ltd. in the amount of \$1,129,700 plus HST and contract administration and inspection services to D.M. Wills Associates Ltd. In the amount of \$60,840 plus HST.

“CARRIED”

ADJOURNMENT

The meeting was adjourned at 9:25 a.m.

B10/07/21-3

MVCA Special Board of Directors Meeting
October 7, 2021

Page 3

MOVED BY: F. Campbell

SECONDED BY: B. King

Resolved, That the Board of Directors meeting be adjourned.

"CARRIED"

'E. Levi, Recording Secretary

J. Atkinson, Chair'

TO: All Municipal Clerks/Chief Administrative Officers
MVCA Watershed

November 1, 2021

BOARD SUMMARY, October 20 2021

As a member of the Authority, please find below highlights from the October 20, 2021 meeting of the Mississippi Valley Conservation Authority for distribution to Council. Complete minutes for the meeting will be circulated following their approval by the Board at the next meeting.

Watershed Conditions Report

- In late September the Mississippi River system received over 250 mm of rainfall, causing higher than normal flows and levels for this time of year throughout the watershed. Flows are anticipated to remain slightly higher than normal through the remainder of the fall.

Update: New Regulations under the *Conservation Authorities Act*

- On October 7, 2021 the province released the new regulations under the Conservation Authorities Act including: O. Reg. 686/21: Mandatory Programs and Services; O. Reg. 687/21: Transition Plans and Agreements; O. Reg. 688/21: Rules of Conduct in Conservation Areas. Further regulations are expected over the coming months that will deal with financial matters such as fee setting, and Section 28 which deals with permits and permitting authority.
- The MVCA is well positioned to implement the new requirements.
- Transition Plans will be shared with member municipalities by year's end.

Workforce Plan

- **Recommendation:** That the Finance and Administration Committee recommend that the Board:
 - Receive the attached Workforce Plan
 - Adjust the 2022 Operating Budget Assumptions to increase the municipal levy to provide for workforce adjustments in the amount as prescribed by Table 2

2022 Budget Assumptions

- **Recommendation:** That the Board of Directors direct staff to develop the 2022 Budget and related documents in accordance with the following parameters:
 - An assumed growth in tax assessment of 1.4%

- A municipal levy increase of 3% to the operating budget as well as the amount prescribed in Table 2 of the Workforce Plan Staff Report 3168/21
- A municipal levy increase of 4.5% to the capital budget

2022 Fee Schedule Update

- **Recommendation:** That the Finance & Administration Committee recommend that the Board approve the 2022 Fee Schedules as presented.

Nature Smart Climate Solutions Fund Grant

- **Recommendation:** That the Finance and Administration Committee recommend that the Board:
 - Endorse the three projects that have received draft approval under the Nature Smart Climate Solutions Fund, as presented in this report .
 - Direct staff to work with Mississippi Valley Conservation Foundation and the Mississippi-Madawaska Land Trust to develop and implement a fundraising campaign to secure the \$133,000 cash contribution by MVCA.
 - Approve borrowing of up to \$133,000 from the Glen Cairn Reserve, or Operating Reserve, which shall be replenished as monies are donated.

COVID-19 Vaccination Policy

- **Recommendation:** That the Committee recommend that the Board of Directors approve the mandatory COVID 19 vaccination policy set out in this report.

Stewardship Plan

- The goals of the Stewardship Plan are:
 - To maintain, enhance, and restore natural features and systems so that they may continue to provide ecological services to communities
 - To mitigate the impacts of urban and rural settlement and climate change
 - To engage communities and landowners in affecting improvements to publicly and privately-owned lands
- Program delivery differs across the watershed to align with different geography and development pressures.

Update re: Mill of Kintail Museum

- Changes to the *Conservation Authorities Act* in June 2019 disqualified museum operations for municipal levy funding. A special advisory committee was struck to examine options, which were presented in April 2021:
 - A. Transfer of the ownership of the collection to an “Other Existing Organization”
 - B. MVCA retain ownership of the collection
 - C. Create a new museum corporation
- The public has indicated a clear preference for Option B, whereby MVCA would retain control over the collections. Alternative funding will be investigated with member municipalities and others.
- Staff have been working on a Request for Expression of Interest (REOI) to be issued this fall soliciting interest from other organizations to manage or own the museum collections.

IPCC Report on Climate Change and MVCA

- To date, actions by MVCA to address climate change have largely focused on our role in supporting adaptation to changing weather conditions. However, as a public organization on the front lines of climate change, it is appropriate that we actively work toward mitigating the worst of climate change. Several adaptation and mitigation measures were presented.

Consent Agenda Procedure Update

- **Recommendation:** That the Board approve a housekeeping amendment of the MVCA Administrative By-law to address an issue with the Consent Agenda Procedure.

RIDEAU VALLEY CONSERVATION AUTHORITY
Box 599, 3889 Rideau Valley Drive
Manotick, Ontario, K4M 1A5
(613) 692-3571, 1-800-267-3504

Meeting Held Electronically due to COVID-19 State of Emergency

APPROVED MINUTES

Board of Directors **6/21** **July 22, 2021**

Present:	Pat Barr Carolyn Bresee Vince Carroll Brian Dowdall Victor Heese Andy Jozefowicz Dale McLenaghan Shawn Pankow Anne Robinson	Gerry Boyce Judy Brown Jamie Crawford Julie Graveline Robin Jones Pieter Leenhouts Scott Moffatt Gene Richardson Rob Rothgeb
Staff:	Sommer Casgrain-Robertson Laura Cummings Terry Davidson Glen McDonald Brian Stratton	Dan Cooper Kathy Dallaire Diane Downey Michelle Paton
Regrets:	George Darouze George Sachs	Don Halpenny Kristin Strackerjan

Chair Leenhouts called the meeting to order at 6:28 p.m.
A roll call was taken to confirm attendance.

1.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

2.0 Adoption of Agenda

Motion 1-210722 **Moved by:** Andy Jozefowicz
Seconded by: Gene Richardson

THAT the Board of Directors of the Rideau Valley Conservation Authority adopts the Agenda as circulated.

Motion Carried

3.0 Declaration of Interest

No declarations of interest were identified.

4.0 Approval of Minutes of June 24, 2021

Motion 2-210624 **Moved by:** Judy Brown
Seconded by: Julie Graveline

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #05/21, June 24, 2021 as circulated.

Motion Carried

5.0 Business Arising from the Minutes

There was no business arising.

6.0 Financial Reports for the Period Ending May 31, 2021

Kathy Dallaire, Manager of Finance, presented the financial reports for the period ending May 31, 2021 and responded to questions.

Motion 3-210722 **Moved by:** Rob Rothgeb
Seconded by: Robin Jones

That the Board of Directors of the Rideau Valley Conservation Authority approve the Revenue and Expenditure Reports and Balance Sheet for the period ending May 31, 2021.

Motion Carried

7.0 Montague Service Agreement: Plan Review and Technical Clearance

Glen McDonald, Director of Science and Planning, presented the Montague Service Agreement and responded to questions.

Mr. McDonald clarified that the agreement may have to be updated once further direction is received from the province regarding recent amendments to the *Conservation Authorities Act*.

Motion 4-210722 **Moved by:** Carolyn Bresee
Seconded by: Victor Heese

That the Board of Directors of the Rideau Valley Conservation Authority approve the attached Service Agreement with the Township of Montague to provide specific plan review and technical clearance services to the municipality as outlined in the agreement.

Motion Carried

8.0 Revisions to Hearing Procedures under Section 28

Sommer Casgrain-Robertson presented the proposed revisions to Hearing procedures under Section 28 of the *Conservation Authorities Act* and responded to questions.

Ms. Casgrain-Robertson confirmed that Executive Committee members had received training on July 19, 2021.

Motion 5-210722 **Moved by:** Anne Robinson
Seconded by: Brian Dowdall

That the Board of Directors of the Rideau Valley Conservation Authority approve the following addition to *RVCA's Executive Committee Rules of Procedure*:

9. Hearings Generally

(12) Members of the Tribunal shall receive an agenda at least five calendar days in advance of the hearing and the agenda shall be made available to the public on the Authority's website at the same time, unless the hearing is closed to the public. The applicant shall be given at minimum two weeks to prepare a report once the reasons for the staff recommendations have been received. Subsequently, this may affect the timing and scheduling of the staff hearing reports. The applicant's report will accompany the staff hearing report provided with the agenda to the members of the Tribunal. The applicant will be provided a copy of the staff hearing report at the same time the report is provided to the members.

Motion Carried

9.0 Discussion of 2022 – 2023 Priorities

Sommer Casgrain-Robertson reviewed the proposed priorities for 2022 / 2023 including the preparation of a watershed plan, improved indigenous

awareness and engagement, and of course implementation of anticipated regulatory changes.

Chair Leenhouts and Ms. Casgrain-Robertson then facilitated a discussion of the members regarding priorities for 2022 / 2023. In response to input from members, Ms. Casgrain-Robertson confirmed that:

- A large portion of the Watershed Plan will be completed internally but there are some components that will need to be completed by external consultants
- Staff will prepare a more detailed staff report for the Board this fall regarding the Watershed Plan outlining a draft timeline and workplan. It is estimated that the conditions report could be completed by spring 2022 and the whole plan completed within 18 to 24 months.
- Staff will prepare a land acknowledgement statement to be read at the start of each meeting to recognize local indigenous communities and their traditional territories.
- Staff will also look into arranging indigenous speakers and/or awareness training for the Board of Directors and staff.
- Staff will look into new and more visual ways of communicating the results and conclusions of the conditions report and subsequent watershed plan, recognizing the importance of communicating our message to new audiences.
- Staff will also look for opportunities to build climate change messaging into our outdoor education programs at Baxter and Foley Mountain, especially for high school audiences.

Motion 6-210722

Moved by:

Carolyn Bresee

Seconded by:

Dale McLenaghan

That the Board of Directors of the Rideau Valley Conservation Authority receive this report for information and endorse the high-level priorities outlined in the report.

Motion Carried

10.0 Meetings

- a) Upper Rideau Lake Association AGM: July 10, 2021
Robin Jones spoke to the Upper Rideau Lake Association's AGM which was held virtually on July 10. She noted that the presentations given by Sommer Casgrain-Robertson and Tracy Zander were very informative.
- b) Policy Working Group Meeting #3: July 20, 2021
Sommer Casgrain-Robertson noted that the multi-stakeholder Policy Working Group was making significant progress on revising and drafting policies.

Upcoming

- b) Mississippi-Rideau Source Protection Committee Meeting:
September 7, 2021
- c) RVCF Board of Directors Meeting: September 8, 2021
- d) RVCA Board of Directors Meeting: September 23, 2021
- e) Conservation Ontario Council Meeting: September 27, 2021

11.0 Member Inquiries

There were no Member Inquiries.

12.0 New Business

There was no New Business.

13.0 Adjournment

The Chair adjourned the meeting at 7:55 p.m. on a motion by Andy Jozefowicz which was seconded by Gerry Boyce.

Pieter Leenhouts
Chair

Michelle Paton
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer

RIDEAU VALLEY CONSERVATION AUTHORITY
Box 599, 3889 Rideau Valley Drive
Manotick, Ontario, K4M 1A5
(613) 692-3571, 1-800-267-3504

Meeting Held Electronically due to the COVID-19 Pandemic

DRAFT MINUTES

Board of Directors 7/21 September 23, 2021

Present:	Pat Barr Carolyn Bresee Vince Carroll Brian Dowdall Victor Heese Andy Jozefowicz Dale McLenaghan Anne Robinson Kristin Strackerjan	Gerry Boyce Judy Brown Jamie Crawford Steve Fournier Robin Jones Pieter Leenhouts Gene Richardson Rob Rothgeb
Staff:	Sommer Casgrain-Robertson Laura Cummings Glen McDonald Brian Stratton	Dan Cooper Diane Downey Michelle Paton
Regrets:	George Darouze Scott Moffatt	Julie Graveline Shawn Pankow

Chair Leenhouts called the meeting to order at 6:37 p.m.

1.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

2.0 Adoption of Agenda

Motion 1-210923	Moved by:	Andy Jozefowicz
	Seconded by:	Dale McLenaghan

THAT the Board of Directors of the Rideau Valley Conservation Authority adopts the Agenda as circulated.

Motion Carried

3.0 Declaration of Interest

No declarations of interest were identified.

4.0 Approval of Minutes of July 22, 2021

Motion 2-210624 **Moved by:** Robin Jones
Seconded by: Gerry Boyce

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #06/21, July 22, 2021 as circulated.

Motion Carried

5.0 Business Arising from the Minutes

There was no business arising.

6.0 COVID-19 Vaccine Policy

Sommer Casgrain-Robertson, General Manager, presented a COVID-19 vaccination and testing policy framework and responded to questions.

Motion 3-210923 **Moved by:** Jamie Crawford
Seconded by: Andy Jozefowicz

That the Board of Directors of the Rideau Valley Conservation Authority direct staff to implement a mandatory COVID-19 vaccination and testing policy requiring all employees, board and committee members, contractors, students and volunteers to provide proof of vaccination or undergo a vaccine education session and regular antigen testing as noted in the policy outlined in this report.

Motion Carried with 1 opposed

7.0 National Day for Truth and Reconciliation

Sommer Casgrain-Robertson, General Manager, presented options for the RVCA to observe the upcoming National Day for Truth and Reconciliation and responded to questions.

During the discussion, it was made clear that should the RVCA choose to close on September 30, 2021 it would be to solemnly observe the first National Day for Truth and Reconciliation by providing staff with the opportunity to reflect or participate in local truth and reconciliation events, despite the required legal terminology being non-statutory paid "holiday".

Motion 4-210923 **Moved by:** Judy Brown
Seconded by: Rob Rothgeb

That the Rideau Valley Conservation Authority observe the National Day for Truth and Reconciliation by providing educational resources to staff as well as links to local events, by beginning future meetings with a land acknowledgment statement and by posting reflective messaging on social media.

Motion Carried

Motion 5-210923 **Moved by:** Robin Jones
Seconded by: Jamie Crawford

That the Board of Directors of the Rideau Valley Conservation Authority observe the inaugural National Day for Truth and Reconciliation as a non-statutory paid holiday on September 30, 2021.

A recorded vote was requested.

Those in favour:

Pat Barr	Judy Brown
Jamie Crawford	Victor Heese
Robin Jones	Dale McLenaghan
Pieter Leenhouts	Gene Richardson
Rob Rothgeb	Kristin Strackerjan

Those against:

Gerry Boyce	Carolyn Bresee
Vince Carroll	Brian Dowdall
Steve Fournier	Andy Jozefowicz
Anne Robinson	

Absent:

George Darouze	Julie Graveline
Scott Moffatt	Shawn Pankow

Motion Carried

8.0 2022 Preliminary Budget Discussion

Sommer Casgrain-Robertson reviewed the annual budget process (presentation attached) and reviewed 2022 workplan priorities that were identified by staff and the Board in July. Ms. Casgrain-Robertson then reviewed key factors that would impact the 2022 budget, responded to questions and sought direction from the Board regarding proposed fee and levy increases for 2022.

Sommer Casgrain-Robertson confirmed that a fee review of Planning Advisory, Regulatory and Professional Services has been identified as a priority for 2023 once fee regulations are finalized.

Motion 2-210924

Moved by: Judy Brown

Seconded by: Carolyn Bresee

THAT the Board of Directors of the Rideau Valley Conservation Authority receive this report for information.

Motion Carried

9.0 Meetings

- a) Mississippi-Rideau Source Protection Committee Meeting: September 7, 2021
- b) RVCF Board of Directors Meeting: September 8, 2021
Diane Downey, Executive Director, provided an update on the Foundation's recent accomplishments.
- c) Policy Working Group Meeting #3: September 14, 2021
- d) Big Rideau Lake Association AGM: September 18, 2021
Sommer Casgrain-Robertson and Sarah MacLeod-Neilson gave a presentation at the Big Rideau Lakes Association's annual general meeting.

Upcoming

- e) Conservation Ontario Council Meeting: September 27, 2021
Pieter Leenhouts and Sommer Casgrain-Robertson will be participating.
- f) Ontario East Municipal Conference: October 23, 2021
Sommer Casgrain-Robertson advised that the Eastern CAs may be presenting at this video conference. This on-demand presentation will be dependent upon receipt of provincial regulation amendments.
- g) RVCA Board of Directors Meeting: October 28, 2021

10.0 Correspondence

Sommer Casgrain-Robertson reminded members that the correspondence to and from the Honourable David Piccini, Minister of the Environment,

Conservation and Parks, regarding continued support for the Conservation Authorities Working Group originated from a suggestion by Robin Jones at the June 24, 2021 Board of Directors meeting. Ms. Casgrain-Robertson indicated that Minister Piccini had participated in a couple of working group meetings since his appointment and appears receptive to feedback and input from the working group.

11.0 Member Inquiries

There were no Member Inquiries.

12.0 New Business

There was no New Business.

13.0 Adjournment

The Chair adjourned the meeting at 8:34 p.m. on a motion by Andy Jozefowicz which was seconded by Victor Heese.

Pieter Leenhouts
Chair

Michelle Paton
Recording Secretary

Sommer Casgrain-Robertson
General Manager/Secretary-Treasurer

COMMITTEE OF ADJUSTMENT MINUTES

Monday, October 18th, 2021
5:00 p.m.
Conference Call

ATTENDANCE:

Members Present:	Chair, Larry Sparks Peter Siemons
Members Absent:	Ron Running
Staff Present:	Noelle Reeve, Planner Garry Welsh, Secretary/Treasurer
Applicant/Agents Present:	Cassandra Prince, Applicant/Owner Susan Cook, Applicant/Owner Nathan Montgomery, Applicant/Agent
Public Present:	None

1. CALL TO ORDER

The Chair called the meeting to order at 5:01 p.m.
The Chair conducted Roll Call.
A quorum was present.

The Chair provided an overview of the Teleconference 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

None at this time.

4. APPROVAL OF MINUTES

i) Committee of Adjustment Meeting – August 23rd, 2021.

The minutes of the Committee of Adjustment meeting held on August 23rd, 2021 were approved as circulated.

5. INTRODUCTION

The Chair welcomed the attendees and introduced the Committee Members, the Planner and the Secretary/Treasurer and identified the applicants. The Planner then provided an overview of the Minor Variance application review process to be followed, including:

- the mandate and responsibilities of the Committee
- a review of available documentation
- the rules of natural justice, the rights of persons to be heard and to receive related documentation on request and the preservation of persons' rights.
- the flow and timing of documentation and the process that follows this meeting
- all persons attending are encouraged to make comments in order to preserve their right to comment should this application be referred to the Ontario Land Tribunal (OLT).
- any person wanting a copy of the decision regarding this/these application(s) should leave their name and mailing address with the Secretary/Treasurer.

The Chair advised that this Committee of Adjustment is charged with making a decision on the applications tonight during this public meeting. The decision will be based on both the oral and written input received and understandings gained. The four key factors on which decisions are based include:

- Is the application generally in keeping with the intent of the Township's Official Plan?
- Is the application generally in keeping with the intent of the Township's Zoning By-laws?
- Is it desirable and appropriate development and use of the site?
- Is it minor in nature and scope?

Based on the above, the Committee has four decision options:

- Approve – with or without conditions
- Deny – with reasons
- Defer – pending further input
- Return to Township Staff – application deemed not to be minor

The agenda for this meeting included the following application(s) for Minor Variance:

MV21-23 – PRINCE and SZTYBEL – 20619 Highway 7, Concession 6, Part Lot 3
geographic Township of Bathurst;

MV21-24 – COOK – 2047 Pike Lake Route 16A, Concession 8, Part Lot 21,
geographic Township of North Burgess;

MV21-20 – SHANNAN – 150 Ennis Road, Concession 10, Part Lot 19, geographic
Township of Bathurst.

6. APPLICATIONS

i) **FILE #: MV21-23 – PRINCE and SZTYBEL**

a) PLANNER FILE REVIEW

The Planner reviewed the file and PowerPoint in the agenda package.

b) APPLICANT COMMENTS

The applicant noted that rather than building a new dwelling, they decided to repurpose the existing structure as a more cost-effective and environmentally friendly option. The applicant also expressed thanks for assistance in forwarding their proposal to the Committee.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2021-27

MOVED BY: Peter Siemons
SECONDED BY: Larry Sparks

“THAT, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV21-23 is approved, to allow a variance from the requirements of Sections 13.19.1 and 3.19.3 (Zone Provisions) of Zoning By-Law 2002-121, for the lands legally described as 20619 Highway 7, E1/2 Lot 3, Concession 6, in the geographic Township of Bathurst, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-020-10000:

- *To increase the maximum distance separating a second dwelling from a principal dwelling, from 12m to 33.5 m*
- *To allow a second dwelling to have a separate well and septic system from the principal dwelling.”*

ADOPTED

ii) **FILE #: MV21-24 – COOK**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package and noted that the cottage and garage buildings are situated within a small valley on the property.

b) **APPLICANT COMMENTS**

The applicant commented that their family has owned the property for over 50 years and that they intend to continue to protect the shoreline and the surrounding environment. The applicant also thanked Township Staff and the Committee for their assistance.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) **DECISION OF COMMITTEE**

The Committee included the requirement for the owner to enter into a Site Plan Control Agreement, as a condition of approval.

RESOLUTION #COA-2021-28

MOVED BY: Larry Sparks

SECONDED BY: Peter Siemons

“THAT, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV21-24 is approved, to allow a variance from the requirements of Section 3.29 (Water Setbacks) of Zoning By-Law 2002-121, for the lands legally described as 2047 Pike Lake Route 16A, Part Lot 21, Concession 8, in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-015-25800 to reduce the minimum water setback of a proposed 58m² cottage addition, from 30m to 17.5m;

AND THAT, a Site Plan Control Agreement, including the conditions from the Rideau Valley Conservation Authority, be executed.”

ADOPTED

iii) **FILE #: MV21-25 – SHANNAN**

a) **PLANNER FILE REVIEW**

The Planner reviewed the file and PowerPoint in the agenda package and noted that the reduced setbacks are from the west lot line rather than the east. The Planner also reported that the positioning of the existing and proposed buildings is intended to form a courtyard configuration. The applicant also owns the adjacent property and if one of the lots was to be sold, there are no windows that face directly into buildings, across the lot lines.

b) **APPLICANT COMMENTS**

The applicant/agent stated that they had nothing to add but extended thanks to Township Staff and the Committee for their assistance in processing the application in a timely manner.

c) **ORAL & WRITTEN SUBMISSIONS**

None.

d) **DECISION OF COMMITTEE**

The Committee added the requirement for the owner to enter into a Site Plan Control Agreement, as a condition of approval.

RESOLUTION #COA-2021-29

MOVED BY: Peter Siemons

SECONDED BY: Larry Sparks

*“**THAT**, in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, that Minor Variance Application MV21-25 is approved, to allow a variance from the requirements of Section 10.1.1 (Rural) Section 3.19.1 and 3.19.3 (Second Dwellings) of Zoning By-Law 2002-121, for the lands legally described as 150 Ennis Road, Part Lot 19, Concession 10, in the geographic Township of North Bathurst, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-916-030-26318:*

- *To reduce the minimum west side lot line setback from 6m to 1.8m*
- *To permit a second dwelling to be constructed with a separation distance greater than the 12m permitted*
- *To allow a second dwelling to have a separate well and septic system from the principal dwelling.*

***AND THAT**, a Site Plan Control Agreement, including the conditions from the Mississippi Valley Conservation Authority, be executed.”*

ADOPTED

7. NEW/OTHER BUSINESS

None.

8. ADJOURNMENT

The meeting adjourned at 5:34 p.m.