



COMMITTEE OF THE WHOLE AGENDA

Tuesday, April 12th, 2022
Following the Public Meeting – Zoning By-Law Amendment
Municipal Office – Council Chambers – 217 Harper Road

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

Chair, Deputy Reeve Barrie Crampton

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**
 - i) **Public Meeting: Zoning By-Law Amendment – March 8th, 2022 – *attached, page 12.***

Suggested Recommendation:

“THAT, the minutes of the Public Meeting – Zoning By-Law Amendment held on March 8th, 2022, be approved.”

5. **DELEGATIONS & PRESENTATIONS**

None.

6. **PRIORITY ISSUES**

- i) **Report #PD-2022-16 – Severance Application – McParland – *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 McParland

B21/ B21/198/199/200/201/202 & B21/203 (Pt Lot 22 Con 8 & 9 geographic Township of North Burgess) for three new lots and a condominium 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;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment for each lot created by B21/198/199/200 shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lots proposed in B21/198/199/200 shall be rezoned to Residential Limited Services;

That, the recommendations of the Lake Impact Study be incorporated into Development Agreements for the lots proposed in B21/198/199/200 as well as any requirements due to steep slopes, including identifying developable areas;

That, the applicant shall obtain Civic Address Numbers for the severed lots from the Township;

That an archaeological study be completed as a condition of severance for B21/198/199/200 and any recommendations be incorporated into Development Agreements;

That a condominium declaration for the three severed lots as Parcels of Tied Land (POTL) and the condominium road be provided;

That, confirmation of the legal location and description for Pike Lake Route 10 be confirmed in order for the condominium road to proceed;

That, B21/201 for the proposed condominium road conforms to the Township standards for private roads (20m right of way maintained at a minimum of 6m with a 1m shoulder on either side); and

That the condominium road be named in accordance with the Rural Addressing Project standards.”

- ii) **Report #PD-2022-17 – Severance Application –Vaters – attached, page 31.**
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 VATERS, B21/205 (Con 10 Part Lot 10, geographic Township of South Sherbrooke) known municipally as 631 Zealand Road (roll number 091191401044400) for a new lot be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pay any outstanding fees to the Township prior to final approval.

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

That, the applicant shall obtain a Civic Address Number for the severed land;

That, the applicant shall submit a full entrance application to the Township Public Works Department and install the entrance as required in the permit;

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

That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed and the lot to be retained in order to meet the Township’s road widening requirements at no cost to the Township, if required. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel.”

- iii) **Report #PD-2022-18 – Severance Application – ter Haar – attached, page 37.**
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 for ter Haar B21/191 (Pt Lots 14,15 Con 8 geographic Township of South Sherbrooke) municipally known as 823 Cohen Way (roll number 091191101026100) for a new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the applicant shall obtain an Entrance Permit and a Civic Address Number for the severed lots from the Township; and

That the applicant pay for the fees materials to extend Cohen Way so that the Township can assume the extension of the road to meet the frontage requirement for the retained lot, if required, to be determined by the Township Public Works Manager.”

- iv) **Report #PD-2022-19 – Severance Application – Collinson and Ferry – attached, page 44.**
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 for Ferry and Collinson B22/009 (Pt Lot 16 Con 3 geographic Township of North Burgess) for a new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lot proposed in B22/009 shall be rezoned to Residential Limited Services;

That, the applicant shall obtain an Entrance Permit and Civic Address Number for the severed lot from the Township;

That an archaeological study be completed as a condition of severance and any recommendations be incorporated into a Development Agreement;

That the 15m setback from top of slope be indicated on a Development Agreement so the developable area is clearly identified;

That the requirement for a native shoreline buffer to be retained or Enhanced on each lot to protect and improve water quality in Big Rideau Lake be included in a Development Agreement;

That the requirement for a Road Access Agreement prior to issuance of a Building Permit be included in the Development Agreement;

Water frontage should be confirmed by a licensed surveyor to determine the minimum 60 m is available for each lot as the shoreline appears to be bifurcated by inlets of water from air photography.”

- v) **Report #PD-2022-20 – Input on Floating Container Residences – attached, page 53.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, staff send a submission to the Environmental Registry of Ontario calling for the Ministry of Northern Development Mines Natural Resources and Forestry to clarify its regulations regarding watercraft as “camping units”

- x) **Report #PD-2022-21 – Comment Opportunities on Four Aspects of the More Homes for Everyone Act 2022 – attached, page 56.**

Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, staff send comments on to the Environmental Registry of Ontario on four housing proposals: Housing Needs in Rural and Northern Municipalities; Community Infrastructure and Housing Accelerator Guideline; Opportunities to Increase Missing Middle Housing and Gentle Density Including Multigenerational Housing; and Proposed Planning Act Changes from the More Homes for Everyone Act, 2022.”

- vi) **Report #PD-2022-22 – Maberly Pines Subdivision Update – attached, page 62**

Noelle Reeve, Planner

Suggested Recommendation to Council:

“THAT, staff obtain the required information in order for a final assessment of the development capacity of the Maberly Pines Subdivision be made by the Rideau Valley Conservation Authority.”

- vii) **Report #PD-2022-23 – Update on Ministry of Environment Conservation and Parks Lake Capacity Handbook Assessment of Little Silver and Rainbow Lake – attached, page 65**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, staff work with Little Silver and Rainbow Lakes residents on an amendment to the Official Plan similar to the Official Plan requirements for Farren and Adam Lakes, to restrict severances to minimum lot frontages of 91m with minimum lot size of 0.8 ha, to require phosphorous removal septic systems if the septic system cannot meet the 30m setback, and maintain a 15m buffer of vegetation.”

- viii) **Report #CBO-2022-04 – Building Department Report – January – March 2022 – attached, page 71.**
Noelle Reeve, Planner.

Suggested Recommendation to Council:

“THAT, Report #CBO-2022-04 – Building Department Report – January - March 2022 be received as information.”

- ix) **Report #FIN-2022-05 – 2022 Budget – PSAB Restatement – attached, page 72.**
Ashley Liznick, Treasurer.

Suggested Recommendation to Council:

“THAT, Report #FIN-2022-05 - 2022 Budget – PSAB Restatement, be received as information.”

- x) **Report #FIN-2022-06 – Asset Management Software & Asset Management Plan – attached, page 76.**
Ashley Liznick, Treasurer.

Suggested Recommendation to Council:

“THAT, Section 7.2 of the Township’s Procurement Policy be waived to single-source Asset Management Software from PSD/CityWide;

AND THAT, Section 7.4 of the Township’s Procurement Policy be waived to single-source the completion of an Asset Management Plan to meet the requirements of O.Reg 588/17 to PSD/CityWide.”

- xi) **Report #PW-2022-10 – Facilities Lawn Maintenance – Tender Award – attached, page 81.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, the Facility Lawn Maintenance, #2022-PW-004, be awarded to Bosman’s All Weather Property Maintenance in the amount of \$22,320.00;

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

- xi) **Report #PW-2022-09 - Comprehensive Roads Needs Study – RFP Award – attached, page 83.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, the Roads Needs Study, #2022-PW-006, be awarded to Golder Associates Ltd.

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

- xii) **Report #PW-2022-08 – Second Line Bridge Rehabilitation – Tender Award – attached, page 87.**
Sean Ervin, Public Works Manager.

Suggested Recommendation to Council:

“THAT, Tender #2022-PW-003 – Second Line Bridge Rehabilitation, be awarded to DW Building Restoration Services Inc. in the amount of \$297,772.00 plus H.S.T.;

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

- xiii) **Report #C-2022-10 – Lanark Library Financial Contribution – attached, page 90.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, Tay Valley Township continue to provide an annual donation to the Lanark Highlands Public Library.”

- xiv) **Report #C-2022-011 – Dogs at Swimming Areas – attached, page 95.**
Amanda Mabo, Acting CAO/Clerk.

Suggested Recommendation to Council:

“THAT, dogs continue to be permitted at Tay Valley Township swimming areas;

AND THAT, dog running at large signs and waste bag receptacles be installed.”

7. CORRESPONDENCE

- i) **22-03-15 – Council Communication Package – cover sheet attached, page 98.**

Suggested Recommendation to Council:

“THAT, the 22-03-15 Council Communication Package be received for information.”

- ii) **22-04-06 – Council Communication Package – cover sheet attached, page 100.**

Suggested Recommendation to Council:

“THAT, the 22-04-06 Council Communication Package be received for information.”

- iii) **AMO – Firefighter Certification - attached, page 101.**

Suggested Recommendation to Council:

“THAT, the Council of Tay Valley Township supports Association of Municipalities of Ontario’s letter to the Solicitor General of Ontario outlining their concerns with the draft regulations regarding firefighter certification; AND THAT, this resolution be forwarded to Association of Municipalities of Ontario, the Premier of Ontario, the Solicitor General, the Association of Fire Chiefs and all municipalities in Ontario.”

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 – deferred to the next meeting.**

Councillor RoxAnne Darling and Councillor Gene Richardson.

- iv) **Fire Board – deferred to the next meeting.**

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

- iv) **Library Board** – *deferred to the next meeting.*
Councillor Rob Rainer.
- iv) **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.

22-02-16 - Mississippi Valley Conservation Authority Board Meeting Highlights
– *attached, page 107.*

22-03-16 - Mississippi Valley Conservation Authority Board Meeting Highlights
– *attached, page 115.*

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

22-02-24 – Rideau Valley Conservation Authority Board Meeting Minutes –
attached, page 117.

22-03-24 – Rideau Valley Conservation Authority Board Meeting Notes:

- Flood Hazard and Regulation Limits Mapping for the Upper Jock River was approved and will now be used in RVCA’s planning advisory and regulatory programs, including the administration of Ontario Regulation 174/06 under Section 28 of the *Conservation Authorities Act*
- RVCA's 2021 Audited Financial Statements were approved and the Report of the Auditor received
- RVCA's 2021 Annual Report was approved and will be circulated to municipalities and other partners
- Timeline reporting for the issuance of Section 28 permits was received
- Members and Terms and Reference for the Lanark ALUS Partnership Advisory Committee were approved
- The Board approved the Chair, Vice-Chair and General Manager lifting RVCA's COVID-19 Vaccination and Testing Policy within the month of April

- 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.**
22-03-28 – Committee of Adjustment Hearing Minutes – *attached, page 125.*

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

MINTUES

**PUBLIC MEETING
ZONING BY-LAW AMENDMENT
MINUTES**

Tuesday, March 8th, 2022
5:30 p.m.
GoToMeeting

ATTENDANCE:

Members Present: Chair Deputy Reeve Barrie Crampton
Councillor Fred Dobbie
Councillor Gene Richardson
Councillor Mick Wicklum
Councillor Beverley Phillips
Councillor RoxAnne Darling (arrived at 5:33 p.m.)
Councillor Rob Rainer (arrived at 5:54 p.m.)

Members Absent: Reeve Brian Campbell

Staff Present: Amanda Mabo, Acting Chief Administrative Officer/Clerk
Janie Laidlaw, Deputy Clerk
Noelle Reeve, Planner
Sean Ervin, Public Works Manager
Ashley Liznick, Treasurer

Public Present: Chris Clark, ZanderPlan
Jim & Judy O'Neill
Stephanie Mitchell

1. CALL TO ORDER

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

2. INTRODUCTION

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

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

- the purpose of the meeting
- the process of the meeting

- all persons attending were encouraged to make comments in order to preserve their right to comment should the application(s) be referred to the Ontario Land Tribunal (OLT)
- the flow and timing of documentation and the process that follows this meeting
- any person wanting a copy of the decision regarding the applications on the agenda was advised to email planningassistant@tayvalleytwp.ca

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

Councillor Darling arrived at 5:33 p.m.

3. APPLICATIONS

- i) **FILE #ZA22-01: 2865539 Ontario Inc.
Stanley Road
Part Lot 13, Concession 8
Geographic Township of North Burgess**

- a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

- b) APPLICANT COMMENTS

None.

- c) PUBLIC COMMENTS

None.

- d) RECOMMENDATION

That the proposed amendment to Zoning By-Law No. 02-021 be approved, the By-Law will be brought to Council once the consolidation of the two lots is complete.

- ii) **FILE #ZA22-02: Michael Mitchell
289 Christie Lake Lane 21
Part Lot 21, Concession 2
Geographic Township of South Sherbrooke**

- a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

Councillor Rainer arrived at 5:54 p.m.

b) APPLICANT COMMENTS

Chris Clark, ZanderPlan, as the Agent addressed the neighbour's stated concerns about the distance the dwelling would be from her lot line, and it will be 6m to the lot line, which meets the requirement in the Zoning By-Law. Is not sure where the rock and the tree was that is an issue for safe access by the Fire Department and noticed that the area of the lot and the percentage of lot coverage was different than what was in the presentation. The Planner explained that the lot area from the Municipal Property Assessment Office is used and if there is a survey that shows the difference it can be amended, but the lot coverage was still under the zoning requirement. The rock and tree on the private road was close to Althorpe Road.

c) PUBLIC COMMENTS

Jim and Judy O'Neill, owners of the Right-of-Way (ROW) explained that the ROW has existed for 60 plus years and have had no issues, now one has come up due to the proposal. Has concerns about the changes to the road and the cost, as it might be more than cutting a tree and pushing a bolder, will need to see what the Fire Chief says. There are eight (8) cottages on the road and have had no problems to date and is concerned with the changes that might need to take place.

The Planner explained that for a second dwelling there is a requirement to demonstrate safe access for emergency vehicles to access the property.

J. O'Neill asked who is responsible for bringing the road up to the private road standard? Would this have to be done anyway or is it just for this new dwelling?

The Planner explained that who pays for the cost may be a question for the road association if there is one. If not, then it is a discussion for the owners of the land and the applicant for the development, the Township does not determine that. It was the development of the secondary dwelling that triggered the safe access to be reviewed.

The owners of the ROW feel the changes to the road may be expensive and are not sure if the other owners on the road are interested in those costs. As owners of the ROW can they say they do not want to have changes to the road?

The Planner recommends private road owners to contact the Federation of Ontario Cottagers Association (FOCA) for insurance information and establishing a road association for liability purposes, as those that do not have a road association lack the protection of those that do.

Stephanie Mitchell, Applicant, agrees with the concerns of the O'Neill's. Is happy to help with a road association and did not expect it to be an issue since there are other cottages past them. Is eager to know from the Fire Chief what the issues are with the access.

The O'Neill's mentioned the concerns of the adjacent property owners Mrs. Gayle Fyfe, as she could not attend the meeting. Her concerns are the proximity of the dwelling to the lot line and the negative impact to her privacy and she cannot afford to install a fence. Would like the property lines established and wonders if there will be a parking issue on the ROW. These comments had been submitted to the Planner in writing prior to the meeting.

Councillor Darling asked if the road issue is because of the second dwelling? If it was vacant and being built on or being rezoned for another reason the safe access would not be being discussed? Could this be dealt with under a limited services agreement?

The Planner confirmed that yes, if it was something other than the second dwelling it could be addressed in the limited services agreement, but the section in the Zoning By-Law for second dwelling says they are meant to be for affordable housing, so rented out year-round and therefore need to have safe access.

Councillor Wicklum agrees with the concerns of the owners of the road, they had asked if as owners of the road can they decide not to make the changes? If the safe access is due to the second dwelling and the current dwelling is seasonal and the new larger dwelling is year-round, is the second dwelling staying a cottage or is it being winterized?

The Planner explained that if the second dwelling is only a seasonal dwelling, then it cannot be said it is affordable year-round housing.

The Applicant clarified that the new dwelling is year-round, but the second dwelling is remaining as a cottage, the application was not for affordable housing, but it falls into that category, both are tiny and meant for seasonal use.

The Planner explained that if the owners of the road do not want to upgrade the road no building permit would be issued. But the Planner is not sure where responsibility lies when it becomes known that a fire truck cannot get down the road and she will have to think about when the second dwelling is not year-round and/or meant for affordable housing.

The Acting CAO/Clerk explained that the purpose of this meeting is the public portion of the process. There has been lots of feedback and questions that still need to be answered. The By-Law is not coming forward to Council until these issues are worked through. An update will be brought to Council before the By-Law is brought forward.

The Planner will reach out to the parties as a follow-up to this meeting.

d) **RECOMMENDATION**

That the proposed amendments to Zoning By-Law No. 02-021 be deferred until safe access by Emergency Services can be assured and the questions brought up at tonight's Public Meeting can be answered.

4. ADJOURNMENT

The public meeting adjourned at 6:28 p.m.

PRIORITY ISSUES

COMMITTEE OF THE WHOLE

April 12, 2022

Report #PD-2022-16
Noelle Reeve, Planner**CONSENT APPLICATION NUMBERS: B21/198/199/200/201/202 & B21/203
OWNER: MCPARLAND FARMS INC. & PIKE LAKE TRAILER PARK LTD.
c/o LYLE MCPARLAND****STAFF RECOMMENDATION**

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for McParland B21/ B21/198/199/200/201/202 & B21/203 (Pt Lot 22 Con 8 & 9 geographic Township of North Burgess) for three new lots and a condominium 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;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment for each lot created by B21/198/199/200 shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lots proposed in B21/198/199/200 shall be rezoned to Residential Limited Services;

That, the recommendations of the Lake Impact Study be incorporated into Development Agreements for the lots proposed in B21/198/199/200 as well as any requirements due to steep slopes, including identifying developable areas;

That, the applicant shall obtain Civic Address Numbers for the severed lots from the Township;

That an archaeological study be completed as a condition of severance for B21/198/199/200 and any recommendations be incorporated into Development Agreements;

That a condominium declaration for the three severed lots as Parcels of Tied Land (POTL) and the condominium road be provided;

That, confirmation of the legal location and description for Pike Lake Route 10 be confirmed in order for the condominium road to proceed;

That, B21/201 for the proposed condominium road conforms to the Township standards for private roads (20m right of way maintained at a minimum of 6m with a 1m shoulder on either side); and

That the condominium road be named in accordance with the Rural Addressing Project standards.”

BACKGROUND

The proposals in applications B21/198/199/200 are to create 3 lots located in the south part of the lot known as Part Lot 22 Concession 8 geographical Township of North Burgess (west of Pike Lake Route 10). The Associated severances on this lot are to create a new private road as a condominium road (B21/201) to access the lots and to create an easement over the south part of the existing private road, Pike Lake Route 10, (B21/202) to access the proposed condominium road.

Application B21/203 proposes to create an easement over the north part of the existing private road (Pike Lake Route 10) on the lot known as Part Lot 22 Concession 9 geographic Township of North Burgess.

The residential lots are proposed to be 0.45 ha (1.1 acres) (B21/198), 0.98 ha (2.41 acres) (B21/199) and 0.46 ha (1.15 acres) (B21/200) in size with 67m, 130m and 64m water frontage respectively. The land is currently vacant.

The proposed condominium road (B21/201) will allow the proposed lots access from Pike Lake Route 10 and will be constructed to Township private road standards. As part of the process, confirmation of the legal location and description of Pike Lake Route 10 will need to be confirmed in order for the condominium road to proceed.

The approximately 22 ha (55 acre) retained lot is also vacant and has 75 m frontage on Pike Lake Route 10.

DISCUSSION

| | |
|---|---|
| Consistent with Provincial Policy Statement | <i>Yes through a Development Agreement to reflect the Lake Impact Study and any requirements from the Archeological Study</i> |
| Conforms to Official Plan | <i>Yes</i> |
| Complies with Zoning By-Law | <i>No, rezoning is required to RLS for the lots</i> |
| Recommend consent for this application | <i>Yes</i> |

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;*
- *That, payment for each lot created by B21/198/199/200 shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;*
- *That, the lots proposed in B21/198/199/200 shall be rezoned to Residential Limited Services;*
- *That, the recommendations of the Lake Impact Study be incorporated into Development Agreements for the lots proposed in B21/198/199/200 as well as any requirements due to steep slopes, including identifying developable areas;*
- *That, the applicant shall obtain Civic Address Numbers for the severed lots from the Township;*
- *That an archaeological study be completed as a condition of severance for B21/198/199/200 and any requirements be incorporated into Development Agreements;*
- *That a condominium declaration for the three severed lots as Parcels of Tied Land (POTL) and the condominium road be provided;*
- *That, confirmation of the legal location and description for Pike Lake Route 10 be confirmed in order for the condominium road to proceed;*
- *That, B21/201 for the proposed condominium road conforms to the Township standards for private roads (20m right of way maintained at a minimum of 6m with a 1m shoulder on either side); and*
- *That the condominium road be named in accordance with the Rural Addressing Project standards.”*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns supports the development proposed by these applications.

Section 2.1.1 Natural Heritage states that, “Natural features and areas shall be protected for the long term”. Section 2.1 Natural Heritage is satisfied as the development is not anticipated to affect the lake if a Development Agreement is registered on the proposed lots.

Section 2.2.2 Water states, “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their hydrologic function will be protected, improved or restored”. The 30m water setback for a developable envelope from the lake can be met for all three lots. The recommendations of the Lake Impact Study will also serve to protect the lake water quality.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it

may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater.

Section 3.1 Protecting Public Health and Safety – There are steep slopes on the property. A Development Agreement, should, therefore, identify buildable envelopes for each of the three proposed lots.

Section 2.19.2 Archeological Resources requires an archeological assessment be undertaken in areas identified by the Ministry as being of archeological potential. Development within 300m of waterbodies is considered to trigger an archaeological assessment. Severances are a form of development under the Provincial Policy Statement.

County Sustainable Community 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 features. These requirements can be met through Development Agreements on each of the lots.

Section 6.1.4 Agriculture requires a Minimum Distance Separation Formula be undertaken to ensure lot creation will not have a negative affect on farm operations.

Section 5.5.8 Surface and Ground Water Protection and Enhancement states that, “the ground water resource is crucial in the County of Lanark as it is the source of drinking water for the vast majority of our communities and our rural population. The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on surface water and ground water in order to ensure the long term viability of this resource”.

Section 7.4 Public Health and Safety – Hazardous Geological formations states, “Development and site alteration in areas designated as having unstable slopes, unstable bedrock, organic soils, Leda clay or Karst topography is generally prohibited unless sufficient engineering information indicates the site can be made suitable”.

Official Plan

The proposed severed lots are designated Rural under Section 3.6 of the Township Official Plan). The use is proposed to be residential which is permitted in the Rural designation.

Section 2.24.3b Waterfront Development Lake Capacity states that for any development proposal that would create three or more lots within 300m of a warm water lake, a lake impact study to assess the effect of shoreline development and additional nutrient loadings on lake water quality will be required. A Lake Impact Study undertaken by Gemtech Engineering identified the following protective measures for lake water quality:

- Silt fencing should be installed along all setbacks to provide visual demarcation of the setbacks and to prevent machinery encroachment and sediment transport.
- When native soil is exposed, sediment and erosion control work in the form of heavy-

duty sediment fencing shall be positioned along the down gradient edge of any construction envelopes adjacent to waterbodies

- Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized.
- Vegetation removal, if required, shall occur outside the key breeding bird and active bat season period (typically April 15 to September 1) as identified by Environment Canada. If vegetation clearing activities must take place during the aforementioned timing window then a nest and acoustic survey shall be conducted by a qualified professional.
- To protect trees identified to be retained during construction, the Critical Root Zone (CRZ) should be identified and fenced. The CRZ is defined as 10 cm from the base of the tree for every centimetre in diameter of the tree trunk measured at breast height.
- To offset the effect of vegetation clearing, consideration should be given to landscape planting with native tree species indicative of the Great Lakes – St. Lawrence Forest Region, such as white cedar, white spruce, red maple, and red oak
- Maintain as much of the natural vegetation as possible within and around the construction project. Post-construction, degraded vegetation within the disturbed areas should be replaced by planting of local or non-invasive plant species, or seeded, as to prevent further soil erosion.
- Limit shoreline development to the installation of a single dock per parcel property
- Dock structures should impact the smallest footprint as feasibly possible, thereby limiting hardening of shorelines and loss of riparian vegetation.
- Non-permanent dock structures should be considered to limit the in-water footprint and impact on potential fish habitat.
- Where feasible, native vegetation should be planted throughout the riparian area to, enhance the natural shoreline to further bolster the mitigation efforts of the development and increase to overall natural shoreline cover.

The provisions of Sections 5.2.2.7 and 5.2.2.9 Land Division (no land division shall create a lot subject to Natural Hazards or negative impacts on Natural Hazards) are met through implementing Development Agreements on the proposed lots to ensure there is a buildable envelope beyond the steep slopes.

The prohibition against extending a private road spelled out in Section 5.2.3.5 Land Division is met by the proposed creation of a condominium road. The proposed condominium road to be created by B21/201 shall be constructed to meet the requirements of the Township's Private Road Standards policy.

Zoning By-Law

The proposed severed parcels and retained lot are zoned Rural (RU) which permits rural and rural residential development. However, the minimum required lot area of 1.0 ha will not be met. The lots will need to be rezoned to Residential Limited Services (RLS). The minimum required lot size of 0.45 ha and 60 m of water frontage for the RLS zone will be met.

The proposed retained lot at 55 ha exceeds the area requirements for a Rural lot and meets the 60m water frontage requirement.

The 30m water setback required from a waterbody (Pike Lake) can be met for the proposed severed lots. A greater setback may be required because of the steep slopes present.

Rideau Valley Conservation Authority (RVCA)

RVCA has no objection as long as lake water quality protection measures are included in a Development Agreement for the proposed severed lots.

According to RVCA's Pike Lake Catchment Report, the water quality is reported as "Very Good". RVCA recommends actions such as maintaining native vegetation and enhanced shoreline buffers to protect water quality and aquatic habitats. A minimum 30 m setback from streams, watercourses and waterbodies should be maintained.

Because the aquifer below the property is vulnerable to surface contaminants, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently affect groundwater.

Some best practices that could be considered include: increased well casing depths, increased distance of septic systems from drinking water wells, ensuring septic systems are located downgradient of wells, ensuring that wells and septic systems are properly maintained, and avoiding use of pesticides, herbicides, and fertilizers.

Any alteration to the existing shoreline would require prior written permission from the RVCA office in accordance with Ontario Regulation 174/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).

Mississippi Rideau Septic System Office (MRRSO)

MRRSO has no objections. The septic systems must be located greater than 30m from a waterbody and be setback from the steep slopes as per the requirements of the Building Code.

Public Comments

None at the time of the report.

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 Application Notices and maps – B21/198 to B21/202
- ii) Lanark County Land Division Application Notice and map – B21/203
- iii) GIS Map

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**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.: B21/198, B21/199, B21/200, B21/201 and B21/202
Subject Land: Pt Lot 22 Con 8 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: McParland Farms Inc. (c/o Lyle McParland)
Applicant/Agent: Martin Lambert / 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.

B21/198 - To create a 0.45-ha residential building lot; **B21/199** – To create a 0.98-ha residential building lot; **B21/200** – To create a 0.46-ha residential building lot; **B21/201** – To create a new private road (to become a Condominium Road); and **B21/202** – To provide for an easement over an existing private road (Pike Lake Lane 10) in favour of Consent Applications B21/198, B21/199, B21/200 & B21/201.

OTHER RELATED APPLICATIONS: Consent Application B21/203.

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 March 31, 2022**. 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.

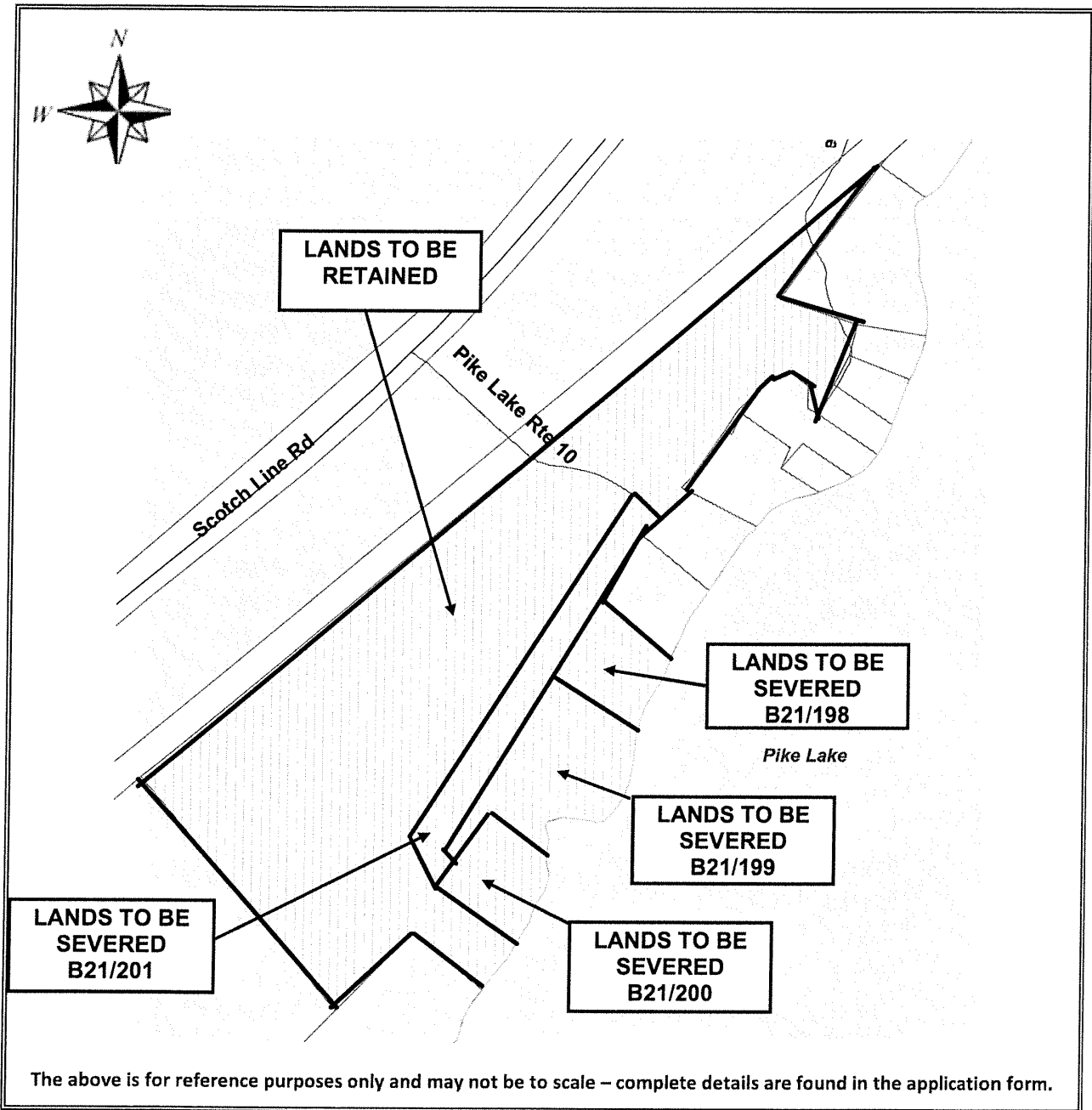
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

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 10th day of March 2022.**

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



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| <p>Landowner: McParland Farms Ltd c/o Lyle McParland File No.: B21/198, B21/199, B21/200 and B21/201 Subject Land: Pt Lot 21, 22 and 23 Con 8 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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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.: B21/203
Subject Land: Pt Lot 22 Con 9 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: Pike Lake Trailer Park Ltd. (c/o Lyle McParland)
Applicant/Agent: Martin Lambert / 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 also attached.

B21/203 – To provide for an easement over an existing private road (Pike Lake Lane 10) in favour of Consent Applications B21/198, B21/199, B21/200 & B21/201.

OTHER RELATED APPLICATIONS: Consent Applications B21/198, B21/199, B21/200, B21/201 and B21/202.

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 March 31, 2022**. 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.

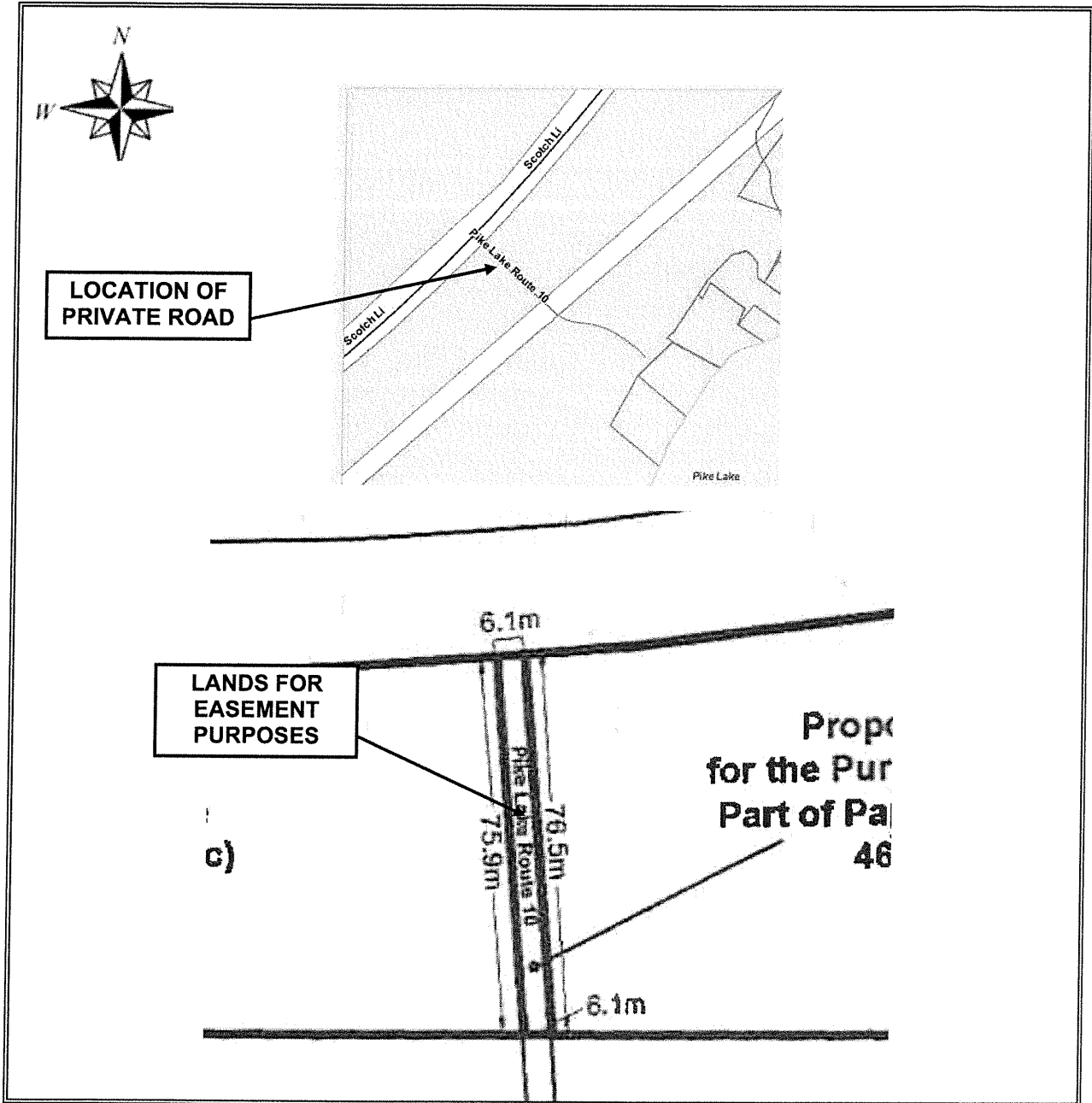
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

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 10th day of March 2022.**

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



| | |
|--|--|
| <p>Landowner: Pike Lake Trailer Park Ltd. Lyle McParland File No.: B21/203 Subject Land: Pt Lot 21, 22 and 23 Con 9 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

April 12, 2022

Report #PD-2022-17
Noelle Reeve, Planner

CONSENT APPLICATION NUMBER: B21/205
OWNER: WILSON and ISABELLE VATERS

STAFF RECOMMENDATION

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for VATERS, B21/205 (Con 10 Part Lot 10, geographic Township of South Sherbrooke) known municipally as 631 Zealand Road (roll number 091191401044400) for a new lot be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.

That, the applicant pay any outstanding fees to the Township prior to final approval.

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

That, the applicant shall obtain a Civic Address Number for the severed land;

That, the applicant shall submit a full entrance application to the Township Public Works Department and install the entrance as required in the permit;

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

That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed and the lot to be retained in order to meet the Township’s road widening requirements at no cost to the Township, if required. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel.”

BACKGROUND

The proposal in application B21/205 is to sever a 1.1 ha (2.7 acre) vacant lot with 60.9 m of road frontage on Zealand Road, a Township road, for a residential lot, not on waterfront. The

proposed retained lot has a house, garage, cabin and two storage sheds on the property. It is proposed to be 4.4 ha (11 acres) in size with 67.5m water frontage.

DISCUSSION

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| 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*
- *The applicant obtain a Civic Address Number for the severed land.*
- *The applicant shall submit a full entrance application to the Township Public Works Department and install the entrance as required in the permit.*
- *That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed and the lot to be retained in order to meet the Township's road widening requirements at no cost to the Township, if required. These requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel.*
- *That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands."*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns supports the development proposed by this application as it is located close to the Hamlet of Maberly.

Section 2.1 Natural Heritage – Silver Lake has been designated by the Ministry of Natural Resources and Forests as a cold water trout lake that is at capacity for development within 300m (984 ft) of the lake shore. The proposed severed lot is located just beyond 300m from the lake shore.

A small portion of the retained lot is designated Provincially Significant Wetlands (PSW) with a PSW buffer area extending into the retained lot. No lot lines or development is being planned in this area.

Section 3.1 Protecting Public Health and Safety – While there is some slope on the proposed severed lot, there does appear to be a buildable envelope.

County Sustainable Community Official Plan

No concerns. 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 features.

Official Plan

Section 2.24.3a Waterfront Development Lake Capacity states that Big Rideau and Silver Lake are cold water trout lakes managed by the Ministry of Natural Resources and Forestry. With the exception of Silver Lake all lakes can accommodate some limited development. However, Silver Lake has reached its carrying capacity and no new waterfront or non-waterfront building lots having deeded water access shall be created within 300m of the lake.

The proposed severed lot is located beyond 300m of the lake. The proposed severed and retained lots are designated Rural. A small portion of the retained lot is also designated Provincially Significant Wetlands (PSW) with a PSW buffer area extending into the retained lot. No lot lines or development is being planned in this area.

Zoning By-Law

The proposed severed parcel is zoned Rural (RU). The retained lot is also zoned Rural (RU).

A minimum lot area of 1.0 ha and 60 m of road frontage are required for lots within the Rural zone. The proposed severed and retained lots meet these requirements.

Mississippi Valley Conservation Authority (MVCA)

Comments were not received at the time of the report.

Mississippi Rideau Septic System Office (MRSSO)

MRSSO has no objections.

Public Comments

None.

CONCLUSION

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

ATTACHMENT

- i) Lanark County Land Division Notice of Application and map.
- ii) GIS Map

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**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.: B21/205
Subject Land: Pt Lot 10 Con 10 geographic Township of South Sherbrooke
Municipality: Tay Valley Township
Owner: James Wilson Vaters and Isabelle Joan Companion
Applicant/Agent: Wilson J Vaters

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.

To create 1.1-ha residential building lot and retain a 4.4-ha residential lot at 631 Zealand Road.

OTHER RELATED APPLICATIONS: None

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 March 30, 2022**. 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.

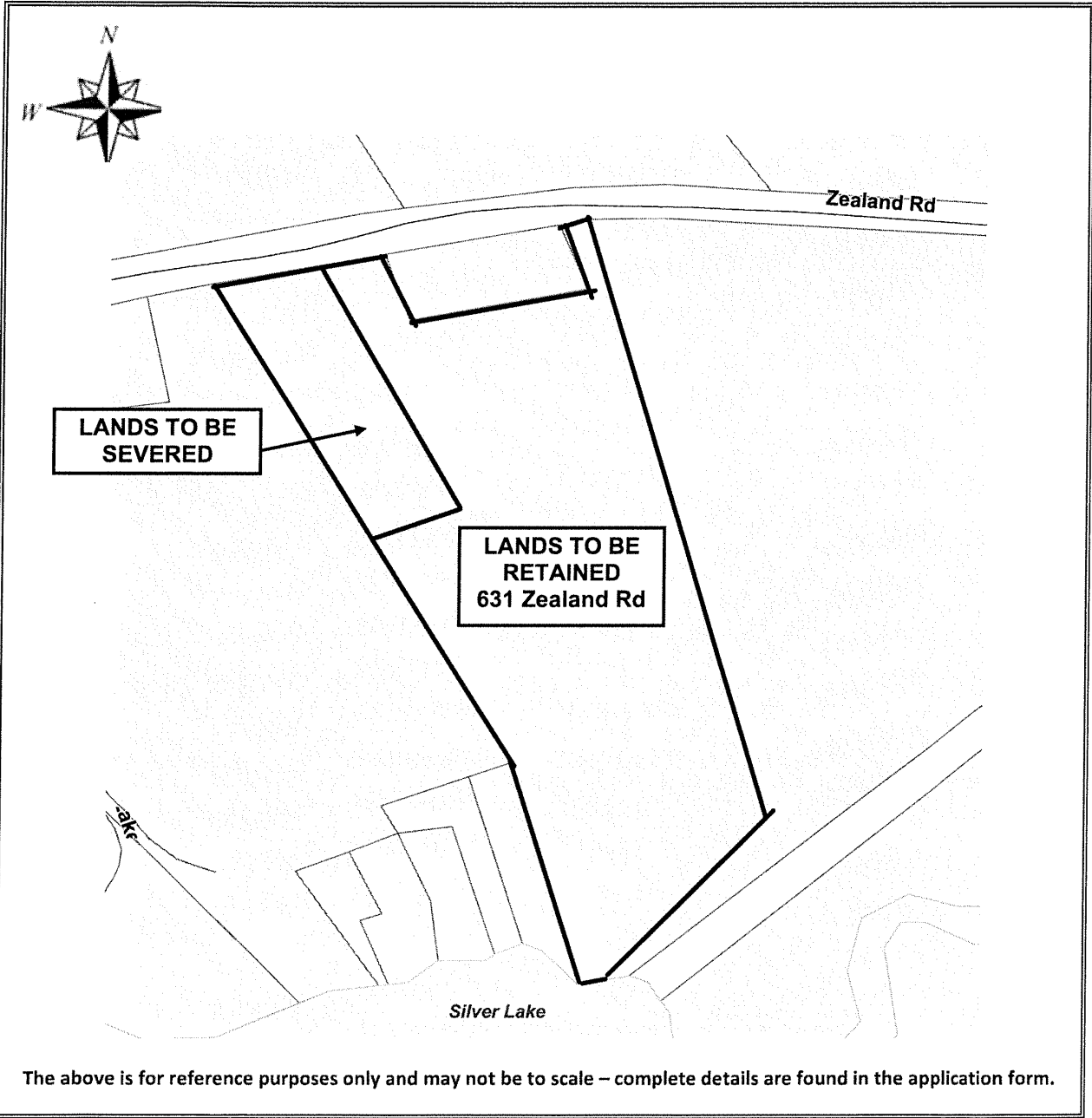
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

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 9th day of March 2022.**

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



| | |
|---|---|
| <p>Landowner: James Wilson Vaters & Isabelle Joan Companion File No.: B21/205 Subject Land: Pt Lot 10 Con 10 geographic Township of South Sherbrooke, now 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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GIS Map



COMMITTEE OF THE WHOLE

April 12, 2022

Report #PD-2022-18
Noelle Reeve, Planner**CONSENT APPLICATION NUMBER: B21/191**
OWNER: JESSICA ter HAAR**STAFF RECOMMENDATION**

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for ter Haar B21/191 (Pt Lots 14,15 Con 8 geographic Township of South Sherbrooke) municipally known as 823 Cohen Way (roll number 091191101026100) for a new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the applicant shall obtain an Entrance Permit and a Civic Address Number for the severed lots from the Township; and

That the applicant pay for the fees materials to extend Cohen Way so that the Township can assume the extension of the road to meet the frontage requirement for the retained lot, if required, to be determined by the Township Public Works Manager.

BACKGROUND

The proposal in application B21/191 is to create a lot located in the south part of the lot known as Part Lots 14,15 Concession 8 geographical Township of South Sherbrooke.

The severed lot is proposed to be 1 ha (2.47 acres) with 45m frontage on Cohen Way, a Township road and 159m frontage on the Fall River. The lot is proposed to be located in the

Hamlet of Maberly so only 45m frontage is required. The land is currently vacant and will be used as a residential lot.

The approximately 27.2 ha (67.6 acre) retained lot has a dwelling located on it and has more than 800m of waterfront on the Fall River. The lot currently has approximately 74m frontage on Cohen Way. The owner will be required to ensure there is sufficient frontage on Cohen way for the retained lot following the severance, to be confirmed by the Township Public Works Manager.

DISCUSSION

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|---|-----|
| 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*
- *That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township the severance, both hard copy and electronically*
- *That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;*
- *That, the applicant shall obtain an Entrance Permit and Civic Address Number for the severed lots from the Township*
- *That the applicant pay for the fees and materials to extend Cohen Way so that the Township can assume the extension of the road to meet the frontage requirement for the retained lot, if required, to be determined by the Township Public Works Manager.*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns supports the development proposed by this application as the lot is proposed in a settlement area – the Hamlet of Maberly.

Section 2.1.1 Natural Heritage states that, “Natural features and areas shall be protected for the long term”. Section 2.1 Natural Heritage is satisfied as the development is not anticipated to affect the Fall River as a building site has been identified over 30m from the river and no development is proposed on the retained lot within the Provincially Significant Wetland buffer as it already has a dwelling on it.

Section 2.2.2 Water states, “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their hydrologic function will be protected, improved or restored”.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices (e.g., changing oil improperly, etc.)

that may inadvertently lead to undesirable effects on groundwater.

Section 3.1 Protecting Public Health and Safety – There are some steep slopes on the proposed severed lot toward the river. However, there is a buildable envelope for the three proposed lot.

County Sustainable Community 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 features. The proposed severed lot meets this section by being located in a Hamlet.

Section 5.5.8 Surface and Ground Water Protection and Enhancement states that, “the ground water resource is crucial in the County of Lanark as it is the source of drinking water for the vast majority of our communities and our rural population. The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on surface water and ground water in order to ensure the long-term viability of this resource”.

Section 7.4 Public Health and Safety – Hazardous Geological formations states, “Development and site alteration in areas designated as having unstable slopes, unstable bedrock, organic soils, Leda clay or Karst topography is generally prohibited unless sufficient engineering information indicates the site can be made suitable”. There is a large area of the proposed severed lot outside of the area of steep slope

Official Plan

The proposed severed lot is designated Hamlet under Section 3.7 of the Township Official Plan. The use is proposed to be residential which is permitted in this designation. The retained lot is designate Hamlet, Rural and Provincially Significant Wetlands and regulated area.

Because the proposed lot is being created within a Hamlet it does not count as a severance.

Section 2.24.2 Waterfront Development states a 30m setback is required for waterfront development. The developable area on the proposed lot will be more than 30m from the Fall River.

The provisions of Sections 5.2.2.7 and 5.2.2.9 Land Division (no land division shall create a lot subject to Natural Hazards or negative impacts on Natural Hazards) are met as there is a buildable envelope beyond the steep slopes.

No new development is proposed on the retained lot at this time.

Zoning By-Law

The proposed severed parcel and retained lot are zoned Rural (RU) which permits rural and rural residential development. There is also a very small part of the retained lot zoned Environmental Protection (EP).

The minimum required lot area of 1.0 ha will be met for the proposed severed lot and exceeded for the proposed retained lot. The proposed severed lot exceeds the road frontage requirement of 45m. However, the proposed retained lot may require additional road frontage to be constructed as well as the frontage being brought into the Township's road naming by-law.

Mississippi Valley Conservation Authority (MVCA)

Comments not available at the time of the report.

Mississippi Rideau Septic System Office (MRRSO)

MRSSO has no objections. The septic systems must be located greater than 30m from a waterbody and be setback from the steep slopes as per the requirements of the Building Code. MRSSO stated there is sufficient area to meet the requirements.

Public Comments

None at the time of the report.

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 Application Notice and map – B21/191
- ii) GIS Map

Prepared and Submitted By:

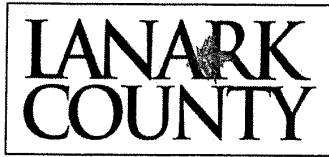
Approved for Submission By:

Original Signed

Original Signed

**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.: B21/191
Subject Land: Pt Lot 14 Con 8 geographic Township of South Sherbrooke
Municipality: Tay Valley Township
Owner: Jessica ter Haar
Applicant/Agent: Jessica ter Haar

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.

To create a 1.0-ha residential building lot and retain a 27.2-ha residential landholding at 823 Cohen Way.

OTHER RELATED APPLICATIONS: None.

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 March 31, 2022**. 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.

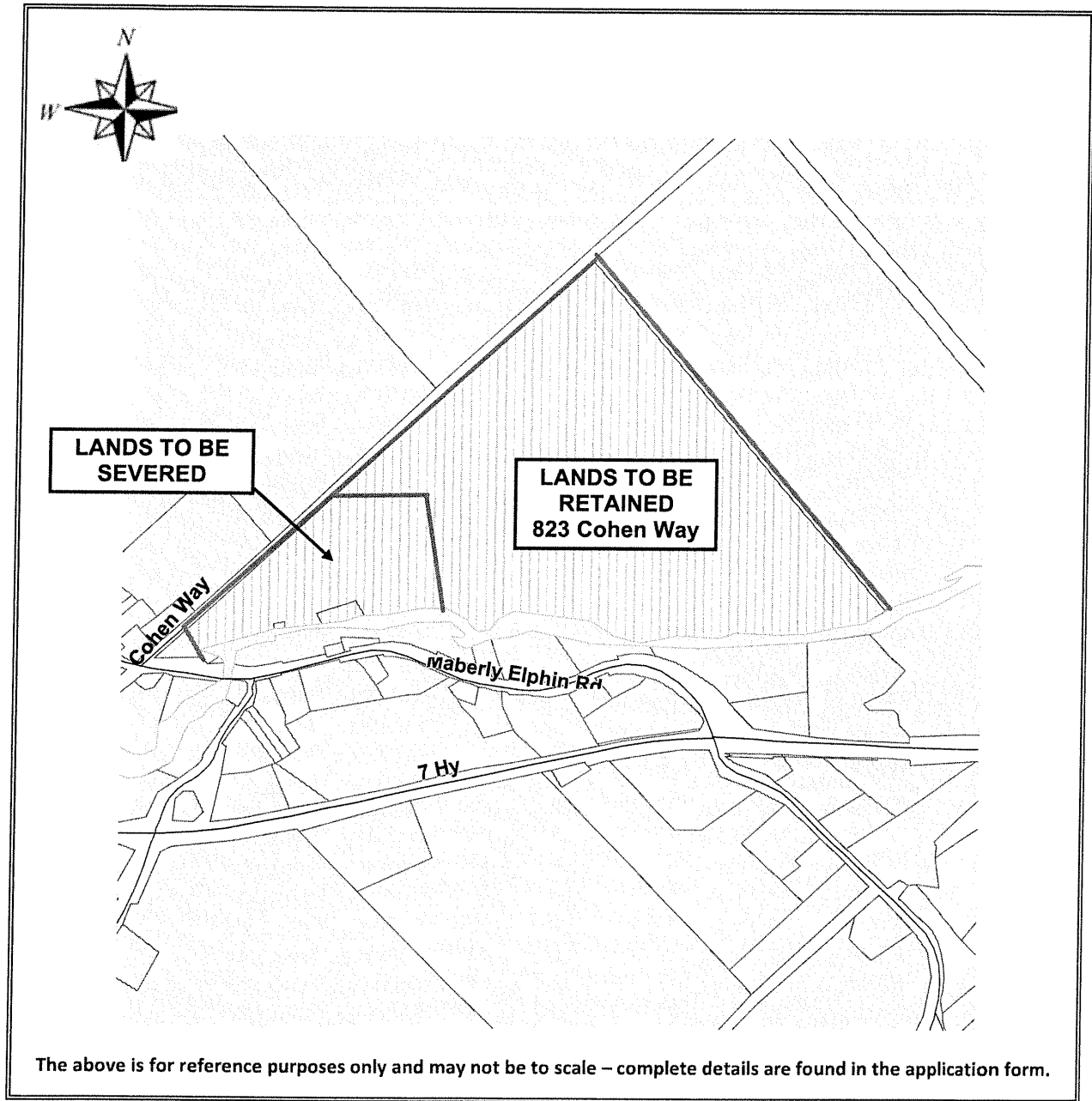
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

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 10th day of March 2022.**

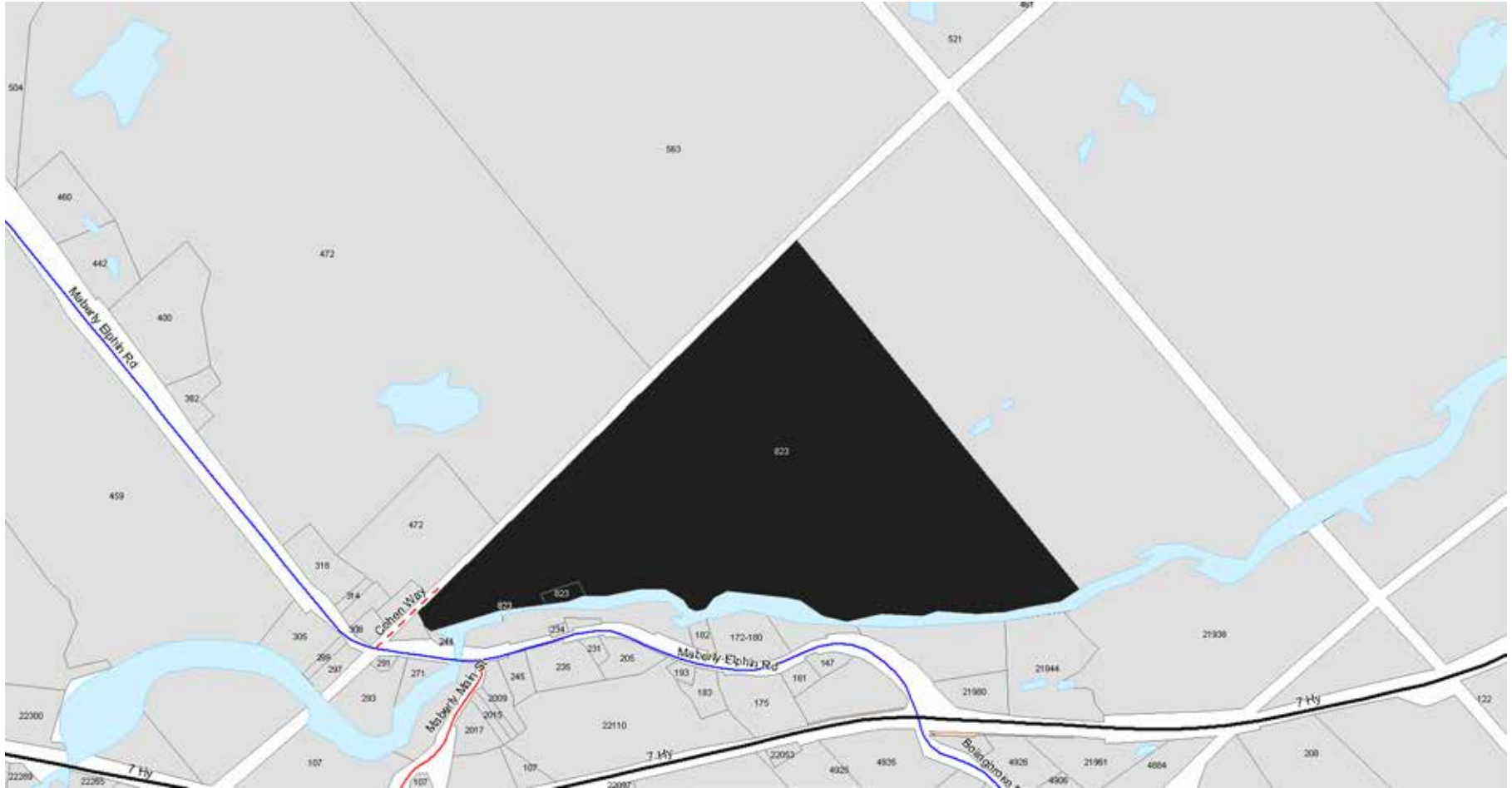
Julie Stewart, County Planner
Lanark County, 99 Christie Lake Road
Perth ON K7H 3C6

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



| | | |
|---------------|---|---|
| Landowner: | Jessica ter Haar | APPLICATION FOR CONSENT <i>"Sketch Only"</i> Prepared by Lanark County Planning Dept. <u>NOT A LEGAL SURVEY</u> |
| File No.: | B21/191 | |
| Subject Land: | Pt Lot 14/15 Con 8 geographic Township of South Sherbrooke, now in Tay Valley Township | |

GIS Map



COMMITTEE OF THE WHOLE

April 12, 2022

Report #PD-2022-19
Noelle Reeve, Planner**CONSENT APPLICATION NUMBER: B22/009**
OWNER: MARIE FERRY and GREG COLLINSON**STAFF RECOMMENDATION**

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Ferry and Collinson B22/009 (Pt Lot 16 Con 3 geographic Township of North Burgess) for a new lot, be approved subject to the following conditions:

That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township;

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lot proposed in B22/009 shall be rezoned to Residential Limited Services;

That, the applicant shall obtain an Entrance Permit and Civic Address Number for the severed lot from the Township;

That an archaeological study be completed as a condition of severance and any recommendations be incorporated into a Development Agreement;

That the 15m setback from top of slope be indicated on a Development Agreement so the developable area is clearly identified;

- *That the requirement for a native shoreline buffer to be retained or enhanced on each lot to protect and improve water quality in Big Rideau Lake be included in a Development Agreement;*

That the requirement for a Road Access Agreement prior to issuance of a Building Permit be included in the Development Agreement;

Water frontage should be confirmed by a licensed surveyor to determine the minimum 60 m is available for each lot as the shoreline appears to be bifurcated by inlets of water from air photography.”

BACKGROUND

The proposal in application B22/009 is to create a 0.96 ha (2.4 acres) lot with 74m (242 ft) frontage on Big Rideau Lake shown on the application (approximately 65m measured by the Rideau Valley Conservation Authority (RVCA) in the field under snow cover). The severed and retained lots would be located on Miner’s Point Road, a Township owned private unassumed road (associated with the Phillips subdivision to the south). The land is currently vacant.

The approximately 0.98 ha (2.4 acre) retained lot contains a dwelling and has 113 m (371 ft) frontage shown on the application on Big Rideau Lake (although field measurements by RVCA under snow cover indicated 65m of water frontage).

DISCUSSION

| | |
|---|--|
| Consistent with Provincial Policy Statement | <i>Yes through a Development Agreement to reflect any requirements from the Archaeological Study and comments of the RWDRT on slope and shoreline vegetation</i> |
| Conforms to Official Plan | <i>Yes</i> |
| Complies with Zoning By-Law | <i>No, rezoning is required to RLS for the lots and a Road Access Agreement is required prior to a building permit being issued</i> |
| Recommend consent for this application | <i>Yes</i> |

Recommended Conditions for the severance:

- *Payment of all taxes owing*
- *Payment of all costs incurred by the Township for review*
- *That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township*
- *That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;*
- *That, the severed lot shall be rezoned to Residential Limited Services;*
- *That, the applicant shall obtain an Entrance Permit and a Civic Address Number for the severed lot from the Township;*
- *That an archaeological study be completed as a condition of severance and any requirements be incorporated into Development Agreements;*
- *That the requirement for a Road Access Agreement prior to issuance of a Building Permit be included in the Development Agreement;*

- *That the 15m setback from top of slope be indicated on a Development Agreement so the developable area is clearly identified;*
- *That the requirement for a native shoreline buffer to be retained or enhanced on each lot to protect and improve water quality in Big Rideau Lake be included in a Development Agreement;*
- *Water frontage should be confirmed by a licensed surveyor to determine the minimum 60 m is available for each lot as the shoreline appears to be bifurcated by inlets of water from air photography.*

Provincial Policy Statement

No concerns. Sections 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns supports the development proposed by this application with the constraints imposed by a Development Agreement.

Section 2.1.1 Natural Heritage states that, “Natural features and areas shall be protected for the long term”. Section 2.1 Natural Heritage is satisfied as the development is not anticipated to affect the lake if a Development Agreement is registered on the proposed lots.

Section 2.2.2 Water states, “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their hydrologic function will be protected, improved or restored”. The 30m water setback for a developable envelope from the lake can be met for the proposed lot.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater.

Section 3.1 Protecting Public Health and Safety – There are steep slopes on the property. However, the Rideau Waterway Development Review Team believes there is a buildable envelope for the lot.

Section 2.19.2 Archeological Resources requires an archeological assessment be undertaken in areas identified by the Ministry as being of archeological potential. Development within 300m of waterbodies is considered to trigger an archaeological assessment. Severances are a form of development under the Provincial Policy Statement.

County Sustainable Community 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 features.

Section 5.5.8 Surface and Ground Water Protection and Enhancement states that, “the ground water resource is crucial in the County of Lanark as it is the source of drinking water for the vast majority of our communities and our rural population. The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and

land use on surface water and ground water in order to ensure the long term viability of this resource”.

Section 7.4 Public Health and Safety – Hazardous Geological formations states, “Development and site alteration in areas designated as having unstable slopes, unstable bedrock, organic soils, Leda clay or Karst topography is generally prohibited unless sufficient engineering information indicates the site can be made suitable”.

Official Plan

The proposed severed lot is designated Rural under Section 3.6 of the Township Official Plan). The use is proposed to be residential which is permitted in the Rural designation.

Section 2.24.2 Waterfront Development states that a 30m setback is required to protect water quality. A 30m setback for a dwelling can be met.

The provisions of Sections 5.2.2.7 and 5.2.2.9 Land Division (no land division shall create a lot subject to Natural Hazards or negative impacts on Natural Hazards) are met as there is a buildable envelope beyond the steep slopes.

Section 5.2.3.5 Land Division states that development shall take place on public roads or on private roads if the lot has water frontage and is rezoned to Residential Limited Services. In this case the lot is a private unassumed road and will require a Road Access Agreement to be signed when a Building Permit is applied for.

Zoning By-Law

The proposed severed parcel and retained lot are zoned Rural (RU) which permits rural and rural residential development. However, the minimum required lot area of 1.0 ha will not be met. The lots will need to be rezoned to Residential Limited Services (RLS). The minimum required lot size of 0.45 ha and 60 m of water frontage for the RLS zone will need to be confirmed by a surveyor.

The 30m water setback required from a waterbody (Big Rideau Lake) can be met for the proposed severed lot. A 15m setback from the top of the steep slope or a geotechnical report will be required as part of the zoning amendment.

Rideau Valley Conservation Authority and Parks Canada (RWDRT)

The Rideau Waterway Development Review Team (RWDRT) has no objection.

According to RVCA, the water quality for Big Rideau Lake is reported as “Fair”. RVCA recommends actions such as maintaining native vegetation and enhanced shoreline buffers to protect water quality and aquatic habitats. A minimum 30 m setback from streams, watercourses and waterbodies should be maintained.

The RVCA also requires a setback of 15m from the top of the slope on the property.

Because the aquifer below the property is vulnerable to surface contaminants, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently affect groundwater.

Some best practices that could be considered include: increased well casing depths, increased distance of septic systems from drinking water wells, ensuring septic systems are located downgradient of wells, ensuring that wells and septic systems are properly maintained, and avoiding use of pesticides, herbicides, and fertilizers.

Any alteration to the existing shoreline would require prior written permission from the RVCA office in accordance with Ontario Regulation 174/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).

The Rideau Canal National Historic Site of Canada, Canadian Heritage River and UNESCO World Heritage Site is administered by Parks Canada to preserve the cultural, natural and scenic values so that all Canadians can enjoy this legacy into the future. All parties have a responsibility to ensure the stewardship and conservation of this internationally recognized waterway.

Parks Canada recommends conserving natural shorelines, retaining and enhancing native vegetation within the 30 metre buffer zone, maximizing the development setback from the water, and developing the property in a manner that complements the visual character of the landscape. While not a part of the Rideau Canal itself, the 30 metre buffer zone is intended to provide an additional layer of protection for the management of the world heritage site. The use of building materials and colours that blend in with the surrounding landscape are encouraged. Earth tones and neutral colours are recommended for the finished exterior of the dwelling. Reflective materials, such as galvanized and bare metals, particularly for roof coverings and support structures, are discouraged.

Parks Canada has developed a brochure on Principles for Good Waterfront Development. The 10 Principles provide helpful guidance when undertaken new development or redevelopment along the historic site.

The Parks Canada Rideau Canal Office is an approval authority for in-water and shoreline works along the waterway. If the landowner wishes to carry out any in-water and shoreline works for shoreline access, including but not limited to docks, decks, boathouses, launch ramps, beaches, dredging and shoreline stabilization devices, the Rideau Canal Office must be contacted. Written approval must be obtained prior to the commencement of construction. Work must adhere to Parks Canada's Policies for In-water and Shoreline Works and Related Activities.

It is noted the existing lot contains a dock. Should the application for consent be approved, please note that per the Policies, only one dock per lot is permitted.

Mississippi Rideau Septic System Office (MRRSO)

No objection. The septic systems must be located greater than 30m from a waterbody and be setback from the steep slopes as per the requirements of the Building Code. In addition, MRSSO requests, as a condition of the severance, the property boundaries adjacent to the existing sewage system on the retained lot be located a minimum of 3m from all sewage

system components. To confirm the clearance distance is met, a legal survey identifying the location of the system and the distance to the adjacent property boundaries be submitted and reviewed by the MRSSO.

Public Comments

None at the time of the report.

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 Application Notice and map – B22/009
- ii) GIS Map

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**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.: B2022/009
Subject Land: Pt Lot16 Con 3 geographic Township of North Burgess
Municipality: Tay Valley Township
Owner: Marie-Andrée Ferry and Greg Collinson
Applicant/Agent: Marie-Andrée Ferry

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 and a copy of the application is attached.

To create a 0.9643-ha residential building lot and retain a 0.9877-ha residential lot with an existing dwelling located at 417 Miner’s Point Road.

OTHER RELATED APPLICATIONS: None

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 April 6th, 2022**. 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.

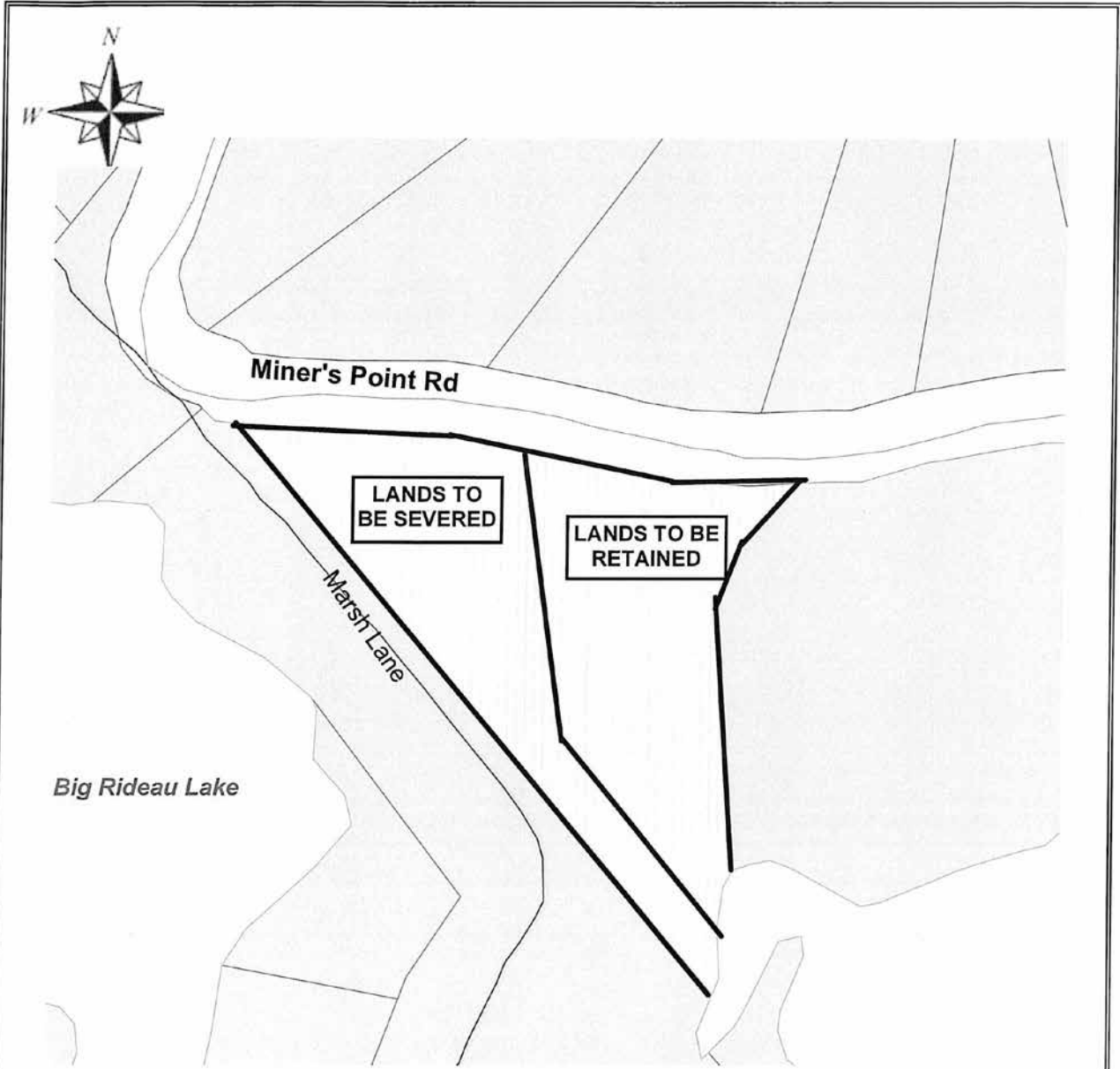
REQUESTING NOTICE OF DECISION: If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the undersigned.

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 15th day of March, 2022.

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

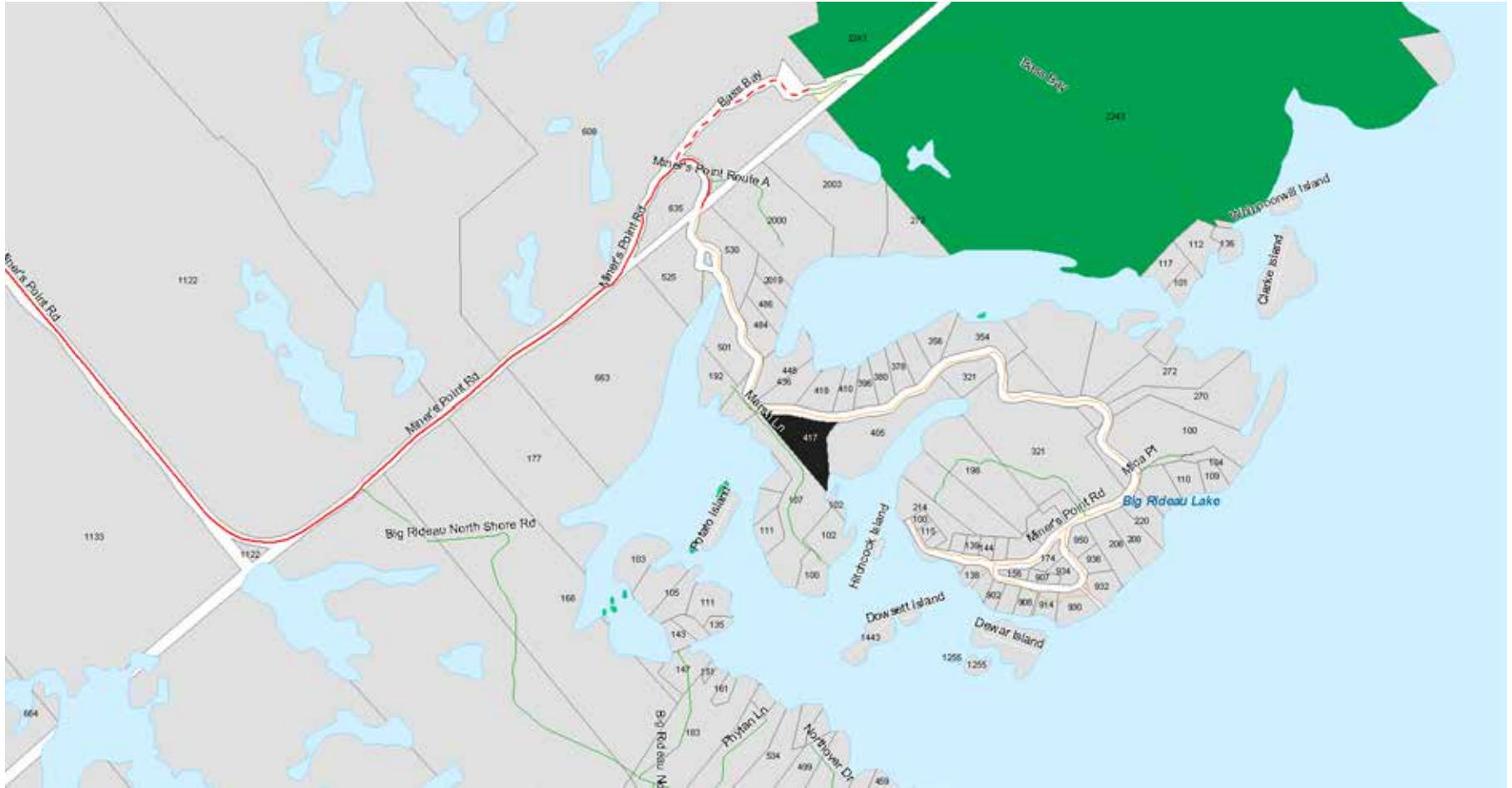


The above is for reference purposes only and may not be to scale – complete details are found in the application form.

Landowner: Marie-Andree Ferry and Greg Collinson
 File No.: B2022/009
 Subject Land: Pt Lot 16 Con 3 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

GIS Map



COMMITTEE OF THE WHOLEApril 12th, 2022Report #PD-2022-20
Noelle Reeve, Planner**INPUT ON FLOATING CONTAINER RESIDENCES****STAFF RECOMMENDATION**

It is recommended:

“THAT, staff send a submission to the Environmental Registry of Ontario calling for the Ministry of Northern Development Mines Natural Resources and Forestry to clarify its regulations regarding watercraft as “camping units”.

BACKGROUND

In response to concerns about container units being used as floating residences on lakes, the Ministry of Northern Development Mines Natural Resources and Forestry has proposed a series of questions for public comment to help it decide if it should update its regulations ([Seeking input about the use of floating accommodations on waterways over Ontario’s public lands | Environmental Registry of Ontario](#)).

The Ministry is aware of concerns regarding the prolonged occupation of floating accommodations and related potential impacts including:

- wastewater management
- duration of use
- advertisements that suggest a range of options for the use of floating accommodations on water
- increasing human pressures on waterways
- impeding access to public land and waterways

Certain recreational activities are allowed on most public lands without obtaining permission (excluding provincial parks and conservation reserves, private water lots and federally managed lands). *Ontario Regulation 161/17* sets out the types of structures or things that individuals may use on public lands.

These types of structures include a “camping unit”. A “camping unit” is defined as a structure or vehicle that may be used for camping purposes or as an outdoor accommodation and includes a tent, trailer, tent-trailer, recreational vehicle, camper-back and any watercraft equipped for overnight accommodation.

The Ministry is also aware of concerns regarding the use of floating accommodations that affect municipalities in particular including:

- how emergency services would be deployed to persons using floating accommodations,
- whether they are subject to building permits and application of property taxes,
- social concerns (e.g. impeding access to municipal parks, noise, and light pollution).

The Ministry is seeking input on ideas to inform possible future regulatory amendments related to “camping” on waterways and the use of floating accommodations over Ontario’s public lands. The comment period runs from March 3, 2022 to April 19, 2022.

DISCUSSION

The Ministry has posed four questions for comment. Proposed responses are provided below.

Should the types of watercraft that are allowed as “camping units” be clarified?

Yes because the definition of a “camping unit” does not currently describe or limit the types of watercraft equipped for overnight accommodation (or vessels) that are allowed for camping on water over public lands.

Should the meaning of “camping purposes” be clarified?

Yes because the regulation does not currently define “camping purposes”.

Should changes be made to the camping rules set out in Ontario Regulation 161/17 as they relate to camping on waterways over public lands?

Yes. The rules limit the number of days a person can camp on water, at one location, to 21 days and permit a watercraft to move a minimum of 100m if a person camping wishes to stay longer than 21 days. But the rules do not specify how wastewater is to be managed or how to prevent public access from being blocked.

Should more restrictive municipal bylaws apply where they exist / are created?

Yes. However, the Ministry should address the issue so that the work of creating a new by-law does not fall on municipalities that are understaffed and lack the time to draft one, and also so that there is consistency across the province.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Staff be directed to write a submission expressing the above responses to the Environmental Registry of Ontario.

Option #2 – Council receives the report for information.

FINANCIAL CONSIDERATIONS

None at this time.

STRATEGIC PLAN LINK

Environment: Tay Valley continues to be known for its environmental policies and practices. Our residents have access to clean lakes and a healthy, sustainable environment.

CLIMATE CONSIDERATIONS

Extremes of temperatures, changes in amounts of precipitation and timing of precipitation will affect Tay Valleys lakes and rivers making them more vulnerable to pollution.

CONCLUSIONS

The Planner concludes that the Township should take the opportunity to provide comments on this issue that has arisen on other lakes before it becomes an issue in Tay Valley Township.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

COMMITTEE OF THE WHOLEApril 12th, 2022Report #PD-2022-21
Noelle Reeve, Planner**COMMENT OPPORTUNITIES ON FOUR ASPECTS OF THE
MORE HOMES FOR EVERYONE ACT, 2022****STAFF RECOMMENDATION**

It is recommended:

“**THAT**, staff send comments on to the Environmental Registry of Ontario on four housing proposals: Housing Needs in Rural and Northern Municipalities; Community Infrastructure and Housing Accelerator Guideline; Opportunities to Increase Missing Middle Housing and Gentle Density Including Multigenerational Housing; and Proposed *Planning Act* Changes from the *More Homes for Everyone Act, 2022*.”

BACKGROUND

The Ministry of Municipal Affairs and Housing (MMAH) released three affordable housing related policies as well as proposed *Planning Act* changes for comment on March 30, 2022, with comments due by April 29, 2022.

The policies are described under the following titles on the Environmental Registry: Housing Needs in Rural and Northern Municipalities [Seeking Feedback on Housing Needs in Rural and Northern Municipalities | Environmental Registry of Ontario](#); Community Infrastructure and Housing Accelerator Guideline ; [Community Infrastructure and Housing Accelerator – Proposed Guideline | Environmental Registry of Ontario](#) and Opportunities to Increase Missing Middle Housing and Gentle Density [Opportunities to increase missing middle housing and gentle density, including supports for multigenerational housing | Environmental Registry of Ontario](#). The Planning Act changes are related to the *More Homes for Everyone Act, 2022* [Proposed Planning Act Changes \(the proposed More Homes for Everyone Act, 2022\) | Environmental Registry of Ontario](#)

DISCUSSION

MMAH recognizes that rural and northern areas have unique housing challenges related to:

- affordable and appropriate worker housing (e.g., on- and off-farm housing for domestic and international farm workers, seasonal, hospitality, and recreation workers)
- lot creation in rural areas

- lot creation in agricultural areas (e.g., additional support for family-owned farms)
- additional residential units
- affordable rental housing, including on-site housing for seasonal hospitality and recreational workers
- more options for vulnerable populations (e.g., seniors housing)
- additional flexibility or supports to facilitate municipal infrastructure or servicing expansion for hamlets and villages

For its proposal on **Housing Needs in Rural and Northern Municipalities** MMAH posed four questions. The Planner has provided suggested responses below.

- What are the key barriers impacting your municipality in meeting its housing needs that may be unique to rural communities?

The biggest impediment to providing affordable housing in our area is the issue of servicing. The landowners in Tay Valley Township who are interested in building fourplexes or sixplexes or more units generally require communal septic and water systems. The Ministry of Environment Conservation and Parks has recently added additional requirements for permitting communal septic and water systems that make this process more cumbersome.

Rural townships do not receive provincial Gas Tax funding for transit. However, the Township or Lanark County needs some form of funding to provide micro-transit (minivans, etc.) so that the residents of the affordable housing have a means to get to their jobs.

- What kind of flexibility is needed to address housing needs in your municipality?

We already permit tiny homes and Additional Residential Units. The flexibility we need is to be able to offer incentives for green building standards to local contractors and developers to make homes more affordable because they cost less to heat and cool. However, as a small rural municipality we do not have that type of funding available.

- What potential tools or policies could the government consider to address housing needs in your municipality while balancing other provincial priorities?

Ensure wetlands and forests receive sufficient protection so they can provide their ecosystem services of flood mitigation and drought amelioration through groundwater recharge. Flood mitigation is required to prevent affordable homes from being damaged in microbursts which the Township has been experiencing with increasing frequency due to climate change. Drought amelioration through groundwater recharge from wetlands is important since rural homes are serviced by wells.

- Do you have other suggestions for ways to improve housing supply and needs in rural municipalities?

Recognize that rural homelessness exists and provide the supports to rural townships necessary to address it. Homelessness is not just an urban problem.

Under subsection 34.1(15) of the *Planning Act*, MMAH has developed a **Community Infrastructure and Housing Accelerator Guideline** for its new Community Infrastructure and Housing Accelerator tool. The Guideline will enable municipalities to request a Community Infrastructure and Housing Accelerator Order to regulate the use of land and the location, use, height, size and spacing of buildings and structures to permit certain types of development. The Minister may impose conditions on the issuance of a Community Infrastructure and Housing Accelerator order.

The province did not provide any questions for this proposal. The Planner, therefore, offers the following comments for Council's consideration. *The Draft Guidelines: Minister's Orders at Request of Municipalities (Community Infrastructure and Housing Accelerator Tool)* states that the Tool cannot be used in the Greenbelt Area. The Township supports this proposal as the Greenbelt is designated to protect the headwaters, biodiversity, and agricultural lands of municipalities in the Greater Toronto Area. This protection is warranted.

The Township recommends that this protection be extended to Provincially Significant Wetlands (PSW), as was not the case under the previous Ministerial Zoning Order provisions. Furthermore, the province should release staff of the Ministry of Northern Development Mines and Natural Resources and Forests to undertake site visits to approve candidate PSWs or authorize the designation of PSWs based on existing Ontario Wetland Evaluation System (OWES) sheets possessed by the Ministry to ensure that Townships comply with Section 2 of the Provincial Policy Statement on Natural Heritage.

The Township is pleased that a Community Infrastructure and Housing Accelerator Order will be initiated at the request of Council and not simply undertaken by the Minister. The Township is also pleased that public notice, undertaking consultation and ensuring the Order, once made, is made available to the public is part of the process.

The Township is pleased that when issuing an order, the Minister is only able to provide an exemption for other necessary planning-related approvals from provincial plans, the Provincial Policy Statement and municipal official plans, if this is specifically requested by the municipality.

The Township is also pleased that the Minister will “only consider an exemption from provincial policy requirements if the municipality provides a plan that would, in the opinion of the Minister, adequately mitigate any potential impacts that could arise from the exemption. This includes, but is not limited to, matters dealing with: community engagement; Indigenous engagement; environmental protection/mitigation.”

However, the Township would like clarity to be provided by the province on “the power of the Minister to impose conditions on the municipality or the proponent”.

Opportunities to Increase Missing Middle Housing and Gentle Density Including Multigenerational Housing is the province's proposed response to the *Ontario Housing Affordability Task Force Report* recommendations.

MMAH has recognized that there is a need in Ontario to diversify housing choices in existing neighbourhoods and increase the supply of new homes to meet the demand for affordable housing. “Missing middle’ is a term used to describe a wide range of multi-unit housing types

compatible in scale with single-detached neighbourhoods, and that have gone 'missing' from many of our cities. For example, laneway housing, garden suites, duplexes, triplexes, fourplexes, rowhouses, townhouses, and low and mid-rise apartments.”

“This gentle density would have minimal impact on existing neighbourhoods while providing additional housing options. Neighbourhoods that offer a variety of housing choices can accommodate people of all ages and abilities, for example:

- Young adults can stay in the neighbourhoods they grew up in (close to parents)
- Older people can age-in-place and stay in their preferred community
- Multigenerational families including people with disabilities and/or other care needs can live together to offset the high costs of housing, childcare and/or long-term care.”

One of the main recommendations of the Ontario Housing Affordability Task Force was to permit intensification because it provides an opportunity to accommodate additional housing while making efficient use of existing infrastructure and services. The Task Force recommended allowing missing middle type housing to be built as-of-right and eliminating appeals for this type of modest infill development.

The province has posed four questions on this proposal that the Planner has provided suggested responses to below.

- What are the biggest barriers and delays to diversifying the types of housing built in existing neighbourhoods?

The biggest impediment to providing affordable housing in our area is the issue of servicing. The landowners in Tay Valley Township who are interested in building fourplexes or sixplexes or more units generally require communal septic and water systems. The Ministry of Environment Conservation and Parks has recently added additional requirements for permitting communal septic and water systems that make this process more cumbersome.

Rural townships do not receive provincial Gas Tax funding for transit. However, the Township or Lanark County needs some form of funding to provide micro-transit (minivans, etc.) so that the residents of the affordable housing have a means to get to their jobs.

- What further changes to the planning and development process would you suggest to make it easier to support gentle density and build missing middle housing and multigenerational housing, in Ontario?

As of right zoning for 4-6 unit dwellings in Hamlets and cluster lots that are screened from view so that the rural landscape is maintained.

- Are you aware of innovative approaches to land use planning and community building from other jurisdictions that would help increase the supply of missing middle and multigenerational housing?

Allowing a variety of housing sizes and Additional Residential Units as of right has worked in the various areas of the United States and Canada. Allowing Accessory Commercial Units would also be beneficial to provide small scale services to rural hamlets and other areas of higher housing density.

- Are there any other changes that would help support opportunities for missing middle and multigenerational housing?

Rural townships do not receive provincial Gas Tax funding for transit. However, the Township or Lanark County needs some form of funding to provide micro-transit (minivans, etc.) so that the residents of the affordable housing have a means to get to their jobs.

The province should offer incentives for green building standards to local contractors and developers to make homes more affordable because they cost less to heat and cool. However, as a small rural municipality we don't have that type of funding available.

Proposed Planning Act Amendments are suggested in Section 5 of the *More Homes for Everyone Act*. These changes include:

- Require municipalities to partially refund application fees to applicants who do not receive a decision on their zoning by-law amendment applications within 90 days (or 120 days if submitted concurrently with an official plan amendment application) and on a graduated basis thereafter for applications made on or after January 1, 2023,
- Requiring decisions on site plan applications to be delegated to staff for applications made on or after July 1, 2022
- Extending site plan application review from 30 to 60 days
- Establishing regulation-making authority to prescribe complete application requirements for site plan applications
- Requiring municipalities to partially refund site plan application fees to applicants who do not receive a decision within the 60-day timeframe and on a graduated basis thereafter for applications made on or after January 1, 2023
- Establishing regulation-making authority to prescribe what cannot be required as a condition of subdivision approval
- Establishing a one-time discretionary authority to reinstate draft plans of subdivision that have lapsed within the past five years, subject to consumer protection provisions.
- Providing the Minister of Municipal Affairs and Housing with regulation-making authority to authorize landowners and applicants to stipulate the type of surety bonds and other prescribed instruments to be used to secure obligations in connection with land use planning approvals
- Establishing regulation-making authority to require public reporting on development applications/approvals.
- Refer all or part(s) of an official plan matter to the Ontario Land Tribunal (OLT) for a recommendation, and
- Forward all of an official plan matter to the Ontario Land Tribunal to make a decision.

MMAH did not pose any questions for this proposal so the Planner will provide comments below.

Shortening the timeframes for zoning amendment and site plan approval under penalty of refund of the application fees could negatively affect a rural municipality's budget. It will increase the demand for professional planners as urban areas will need to hire more planners to meet the timelines and therefore the fees planners require which could also negatively affect municipal budgets.

Referring an Official Plan to the OLT seems likely to remove local influence over local land use decisions and could result in inappropriate development.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Staff be directed to write submissions on all of the MMAH proposals to the Environmental Registry of Ontario.

Option #2 – Council receives the report for information.

FINANCIAL CONSIDERATIONS

None at this time.

CLIMATE CONSIDERATIONS

Provincial financial support for deep energy retrofits or new Energy Star Building Standards will reduce fossil fuel use and help the Township achieve its Climate Action Plan goals.

CONCLUSIONS

The Planner concludes that the Township should comment on the MMAH proposals to increase affordable housing so that the Ministry hears specific suggestions about what is needed to achieve this goal in our rural area.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

COMMITTEE OF THE WHOLE
April 12th, 2022

Report #PD-2022-22
Noelle Reeve, Planner

MABERLY PINES SUBDIVISION UPDATE

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, staff obtain the required information in order for a final assessment of the development capacity of the Maberly Pines Subdivision be made by the Rideau Valley Conservation Authority.”

BACKGROUND

In August 2021, Tay Valley Council directed staff to issue a Request for Proposal (RFP) for a hydrogeological review of the Maberly Pines subdivision to determine if there is sufficient water quality and quantity for the lots and that there is sufficient nitrate dilution capacity for septic systems for the lots. BluMetric Environmental Inc. provided a Draft report to the Township that was discussed at the December 7, 2021 Committee of the Whole meeting.

The Draft BluMetric report stated that “the subject property is suitable for development as a residential subdivision at the proposed density, if future development incorporates appropriate alternatives for wastewater treatment at lots that are not suitable for conventional systems”.

The Township referred the Draft report to the Rideau Valley Conservation Authority (RVCA) for comment and has now received formal comments the RVCA.

DISCUSSION

Overall, the RVCA indicated that the BluMetric study had been undertaken properly. However, their “main concern is that one data point for water use and water quality does not provide sufficient information”.

The RVCA recommends that the final report “recommends a maximum bedroom number based on the capability of the aquifer taking into considerations cumulative impacts”. In addition, the final report should “provide an opinion on whether the bed and breakfast use in

the zoning for the development is appropriate from the perspective of sustainable groundwater”.

The RVCA recommends that further detail on the locations of the mantles be provided (area of sand on the edges of the tile beds proposed for the septic systems that will require sand to be imported because the existing depth of soil is insufficient to dilute the nitrates from the septic systems).

BluMetric has submitted a workplan to meet the RVCA requirements for a proposed upset fee of \$12,800. This would include a six (6) hour pump test and analysis; lab test of water quality; well owner interviews and sampling in the area; surface water samples of ponds and stream that will receive runoff; the specific capacity analysis will be removed from the report and replaced with a Q20 safe yield analysis; a determination of the appropriate D-5-4 sewage flow volume with revised predictive nitrate impact assessment as determined by RVCA; inclusion of mantle location; address RVCA questions about phosphorous potential to impact surface water; and revise recommendations.

The Maberly Pines lots are located in the subwatershed for Little Silver and Rainbow Lakes. Mitigation methods may be needed for the ponds and stream in Maberly Pines so as that development does not exacerbate the water quality situation for connected waterbodies to the south. If mitigation measures are required they would include maintenance of a vegetated buffer around the ponds and stream, eavestroughs that drain to soak away pits away from the ponds and additional phosphorous removal system requirements for septic systems that cannot meet the 30m setback from water.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Council directs staff to obtain the required information in order for a final assessment of the development capacity of Maberly Pines to be made by the Rideau Valley Conservation Authority.

Option #2 – Council suggests alternate action to be undertaken.

FINANCIAL CONSIDERATIONS

None, at this time.

STRATEGIC PLAN LINK

Economic Development: The Maberly Pines subdivision offers potential new economic development.

Environment - Tay Valley continues to be known for its environmental policies and practices. Our residents have access to clean lakes and a healthy, sustainable environment.

CLIMATE CONSIDERATIONS

Mitigating the impacts of development on lakes and designing water and sewer services to be resilient will contribute to protecting water quality in the face of increased heat, drought, flooding and other negative impacts due to climate change.

CONCLUSIONS

The Planner recommends the additional work recommended by the RVCA in order to finalize the report from BluMetric to give Council a clear understanding of the development potential for the Maberly Pines subdivision.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

COMMITTEE OF THE WHOLE

April 12th, 2022

Report #PD-2022-23
Noelle Reeve, Planner

**UPDATE ON MINISTRY OF ENVIRONMENT CONSERVATION AND PARKS
LAKE CAPACITY HANDBOOK ASSESSMENT OF
LITTLE SILVER LAKE AND RAINBOW LAKE**

STAFF RECOMMENDATION

It is recommended:

“**THAT**, staff work with Little Silver and Rainbow Lakes residents on an amendment to the Official Plan similar to the Official Plan requirements for Farren and Adam Lakes, to restrict severances to minimum lot frontages of 91m with minimum lot size of 0.8 ha, to require phosphorous removal septic systems if the septic system cannot meet the 30m setback, and maintain a 15m buffer of vegetation.”

BACKGROUND

The Little Silver and Rainbow Lake (LSRL) Association had concerns that proposed development in the Maberly Pines subdivision could affect their lake. Their Association president ran the Ministry of Environment Conservation and Parks (MECP) model for assessing lake capacity (based on phosphorus nutrient loading comparing pre-development of LSRL and current development of LSRL). His result indicated LSRL are over capacity for development. This result was similar to Farren and Adams lakes being determined by the Lake Capacity model to be over development due to phosphorus levels a number of years ago.

The Lake Association shared their results with MECP and asked the Ministry to determine if their results matched those of the Lake Association.

DISCUSSION

MECP staff Victor Castro and Jon Orpana have confirmed the results determined by the Lake Association. Subsequently, the Planner, two members of the Lake Association Executive and the Ministry staff held discussions on what the implications of LSRL being over capacity are for the lakes now and if the subdivision was built out.

Those discussions included considering potential options to mitigate development, similar to the Official Plan amendments for Farren and Adam Lakes which increased the size of

frontages for severances; required phosphorus removing septic systems if the 30m setback could not be met; increased vegetative buffers along the shore for new development and for redevelopment, etc.

The MECP staff, Planner, and Lake Association representatives also had discussions with the Rideau Valley Conservation Authority (RVCA) as they provide the Township with advice on managing development from the lens of cumulative impacts within a watershed as is required to be reviewed under the Provincial Policy Statement.

While the Planner had previously discussed the possibility of an Interim Control By-Law being placed on the two lakes (and potentially the Maberly Pines subdivision), upon closer review of the number of vacant lots with severance potential on the two lakes, the development pressure does not seem to warrant undertaking a minimum 6-month Interim Control By-Law process.

Rainbow Lake has three (3) vacant lots in total. Only two (2) are considered severable as the RVCA owns the third. Little Silver Lake has seven (7) waterfront lots that are vacant. Only three (3) of those lots are considered severable.

Rather, the Planner proposes that as part of the current Official Plan update, policies to protect Little Silver and Rainbow Lakes could be adopted, similar to those adopted for Farren and Adam Lakes.

OPTIONS TO BE CONSIDERED

Option #1 (Recommended) – Staff work with Little Silver and Rainbow Lake residents on an amendment to the Official Plan similar to Official Plan requirements for Farren and Adam Lakes. In other words, to restrict severances to minimum lot frontages of 91m with minimum lot size of 0.8 ha; require phosphorous removal septic systems if the septic system cannot meet the 30m setback; and maintain a 15m buffer of vegetation for new development and renovations.

Option #2 – Maintain the status quo.

FINANCIAL CONSIDERATIONS

None at this time.

STRATEGIC PLAN LINK

Environment: Tay Valley continues to be known for its environmental policies and practices. Our residents have access to clean lakes and a healthy, sustainable environment.

CLIMATE CONSIDERATIONS

Extremes of temperatures will affect shallow, manmade lakes like Little Silver and Rainbow more than deeper, cold water lakes so additional measures to protect their water quality are justified.

CONCLUSIONS

The Planner concludes that implementing changes to the Official Plan for Little Silver and Rainbow Lakes and implementing any other site specific mitigation measures as required would fulfill the Provincial Policy Statement Section 2.2.1 a) direction to, “protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning”.

ATTACHMENTS

Attachment A – Lake Capacity Handbook Worksheet for Little Silver and Rainbow lakes

Attachment B – Watershed boundaries for Little Silver and Rainbow lakes

Attachment C – Vacant Land Little Silver and Rainbow Lakes

Prepared and Submitted By:

Approved for Submission By:

**Noelle Reeve,
Planner**

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

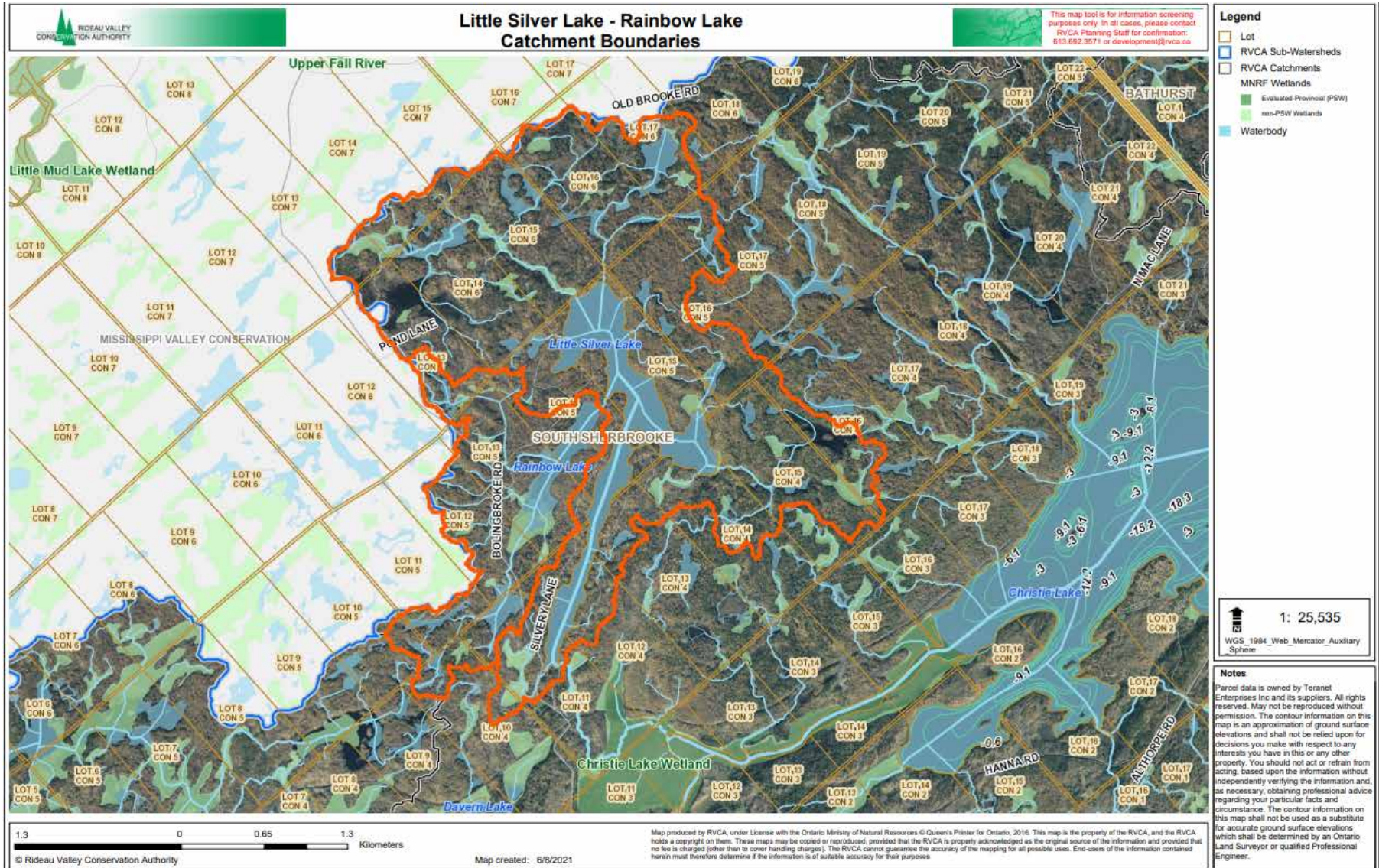
Attachment A – Lake Capacity Handbook Worksheet Little Silver and Rainbow lakes

Lakeshore Capacity Model

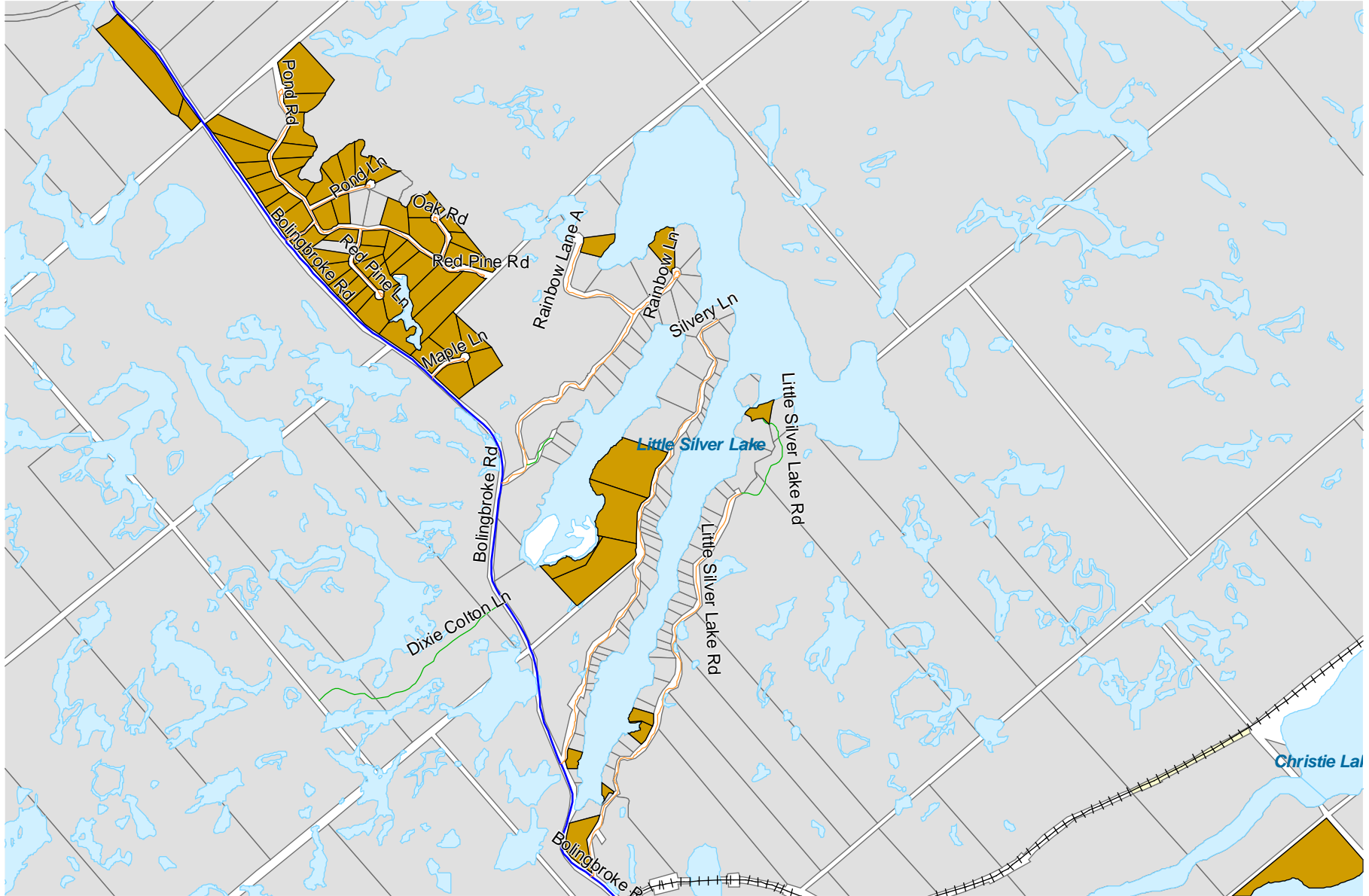
Little Silver Lake

| Anthropogenic Supply | | | Sedimentation | |
|---|-----------------------|--------------------------------|---|-------------|
| <u>Shoreline Development Type</u> | <u>Number</u> | <u>Usage (capita years/yr)</u> | Is the lake anoxic? | n |
| Permanent | 17 | 2.56 | Settling velocity (v) | 12.4 m/yr |
| Extended Seasonal | 0 | 1.27 | In lake retention (Rp) | 0.74 |
| Seasonal | 68 | 0.69 | | |
| Resort | 0 | 1.18 | | |
| Trailer Parks | 0 | 0.69 | Monitoring Data | |
| Youth Camps | 0 | 0.125 | Years of spring TP data | 20 |
| Campgrounds/Tent trailers/RV parks | 0 | 0.37 | Average Measured TP _{so} | 12.00 µg/L |
| Vacant Lots of Record | 49 | 1.27 | Measured vs. Predicted TP _{so} | 8.7 % |
| | | | Is the model applicable? | y |
| Retention by soil (Rs) (0-1) | 0 | | Over or under predicted? | over |
| | | | | |
| Catchment | Upstream Lakes | | Modeling Results | |
| Lake Area (Ao) | 96.0 | ha | TP _{lake} | 12.38 µg/L |
| Catchment Area (Ad) | 860.0 | ha | TP _{out} | 11.83 µg/L |
| Wetland | 15.0 | % | TP _{so} | 13.04 µg/L |
| Cleared | 10.0 | % | TP _{future} | 15.49 µg/L |
| | | | | |
| Hydrological Flow | | | Phosphorus Thresholds | |
| Mean annual runoff | 0.400 | m/yr | TP _{bk} | 7.81 µg/L |
| Lake outflow discharge (Q) | 3784000 | m ³ /yr | TP _{bk+40} | 10.93 µg/L |
| Areal water loading rate (qs) | 4.40 | m/yr | TP _{bk+50} | 11.71 µg/L |
| Inflow 1 | | m ³ /yr | TP _{bk+60} | 12.49 µg/L |
| Inflow 2 | | m ³ /yr | *if TP _{bk+40%} < TP _{lake} < TP _{bk+60%} cell is orange | |
| Inflow 3 | | m ³ /yr | *if TP _{lake} > TP _{bk+60%} cell is red | |
| | | | | |
| Natural Loading | | | No. of allowable residences to reach capacity: | |
| Atmospheric Load | 14.36 | kg/yr | # Permanent OR | at capacity |
| Runoff Load | 93.48 | kg/yr | # Extended seasonal OR | at capacity |
| | | | # Seasonal cottages OR | at capacity |
| | | | | |
| Upstream Loading | | | | |
| Anthropogenic Loading | | | | |
| Current Anthropogenic Load | 63.09 | kg/yr | | |
| Future Anthropogenic Load | 106.12 | kg/yr | | |
| | | | | |
| Areal Load Rate | | | | |
| Current Total Areal Loading Rate (L _T) | 198.76 | mg/m ² /yr | | |
| Future Total Areal Loading Rate (L _{F_T}) | 248.80 | mg/m ² /yr | | |

Attachment B– Watershed Boundaries for Little Silver and Rainbow Lakes



ATTACHMENT C – VACANT LAND ON LITTLE SILVER AND RAINBOW LAKES



01/01/2022-03/31/2022 Summary Report with Previous 3 year Average

| 2022 | Number of Permits | 3 yr. avg. (2019-2021) | S.F.D.'s | 3 yr. avg. (2019-2021) | Commercial | 3 yr. avg. (2019-2021) | Permit Fees | 3 year average (2019-2021) | Building Value | 3 year average (2019-2021) | Dev.Charge |
|----------|-------------------|------------------------|----------|------------------------|------------|------------------------|-------------|----------------------------|----------------|----------------------------|------------|
| January | 7 | 4 | 0 | 1 | 1 | 0 | \$5,825.80 | \$2,240.87 | \$1,486,667.00 | \$396,333.33 | |
| February | 4 | 5 | 2 | 1 | 0 | 0 | \$4,652.65 | \$7,194.42 | \$935,000.00 | \$1,704,366.67 | \$12,169 |
| March | 13 | 9 | 2 | 4 | 0 | 0 | \$8,969.65 | \$8,001.56 | \$1,487,000.00 | \$1,204,820.00 | \$15,003 |
| Total | 24 | 18 | 4 | 6 | 1 | 0 | \$19,448.10 | \$17,436.85 | \$3,908,667.00 | \$3,305,520.00 | \$27,172 |

As of Jan 21, 2022 Dev Charges of \$8,029 on permits are comprised of \$6,493 Township Dev Charge and \$1,536 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

COMMITTEE OF THE WHOLE
April 12, 2022

Report #FIN-2022-05
Ashley Liznick, Treasurer

2022 BUDGET – PSAB RESTATEMENT

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Report #FIN-2022-05 - 2022 Budget – PSAB Restatement, be received as information.”

BACKGROUND

Since 2009 Ontario municipalities have been required to report annual financial activities in a revised format as required by the Public Sector Accounting Board (PSAB). The new format includes reporting asset amortization, post-employment benefits and solid waste landfill & post-closure expenses. The Township’s audited statements are prepared in this format. However, provincial regulations allow municipalities the option of not budgeting in the PSAB reporting format, thus potentially excluding the aforementioned types of expenses from the budget.

Like the vast majority of municipalities, Tay Valley Township has opted not to budget in the PSAB format.

As the Township does not budget in the PSAB format, provincial regulations require that a report be prepared about the impact of excluding the PSAB expenses from the budget. The report must include both the estimated change in the Township’s accumulated surplus at year end and the impact on the Township’s future capital asset funding requirements. Council must adopt the report by resolution.

DISCUSSION

Unlike the senior levels of government, municipalities are not allowed to budget surpluses or deficits. The federal and provincial governments are responsible for economic growth, employment creation, attracting international investment and a whole realm of activities that may require short term fiscal strategies that result in unbalanced budgets.

Municipalities, on the other hand, are given different responsibilities by their provincial

governments, and one of the rules imposed by all provinces is that municipal budgets must be balanced – no projected surplus or deficit.

This particular rule resulted in a bit of a quandary when the municipal accounting and reporting changes were introduced by PSAB.

The Township creates budgets on a modified cash/accrual basis. For example, the bottom line of the Township's budget represents the taxes required for the year, but not all taxes will be paid by the end of the year. Because the Township has essentially earned the revenue in the current year, it is recognized as such, and the unpaid amount is set up as a receivable at the end of the year. Similarly, when the Township makes purchases and receives the goods or services towards the end of the current year but do not pay for them until the following year, the Township expenses the purchase and sets up an accounts payable at year end.

All of those items that are set up as receivables or payables eventually involve the receipt or disbursement of real dollars. The budget estimates the actual revenues that are anticipated to be earned and the expenditures that are expected to be incurred for the budget year. But, PSAB budgeting is presented on a strictly accrual basis.

Under PSAB rules, transfers to and from reserves are not expenditures and revenues, even though they involve receiving tax dollars and placing them in reserves or taking money out of the reserves and spending them. They are instead increases or reductions in equity (accumulated surplus). On the other hand, PSAB treats amortization as a cost, even though such transactions do not involve a cash outlay.

With all the work that the Township has completed in regards to funding infrastructure renewal, the notion of not including reserves activity in its budgets would not be realistic.

Also, how would the Township possibly explain the capital program when, for example, the Township cannot budget an amount to purchase a truck? Under PSAB budgeting, the Township would not directly disclose the cost of the truck. Instead, it would show its annual amortization cost in each of the next ten budgets, if the truck is expected to last ten years. The budget for the year in which the truck is purchased would show neither the cost of the truck, nor the amount of reserve funding that would pay for its purchase.

The summary of these types of items are disclosed on the attached schedule. The bottom line of the schedule shows that if the Township had budgeted, in the PSAB format, it would have resulted in a budgeted surplus of \$328,127 for 2022. This is in contravention of the rules and regulations - municipalities are not allowed to budget either year-end surpluses or deficits. And very importantly, the \$328,127 is definitely NOT a cash surplus arising from operations that can be spent or transferred to the Contingency Reserve for future use.

Budgeting without amortization will not negatively impact the Township's future capital asset funding requirements.

OPTIONS CONSIDERED

Not applicable.

STRATEGIC PLAN LINK

Not applicable.

CLIMATE CONSIDERATIONS

Not applicable.

FINANCIAL CONSIDERATIONS

There are no direct financial implications associated with this report, but information contained herein will be reflected in the Township's 2022 audited financial statements.

CONCLUSIONS

This report provides the information necessary for disclosure under *Ontario Regulation 284/09, Budget Matters - Expenses* that requires municipalities to report to Council when certain expenses are excluded from the annual budget and the impact on the accumulated surplus of such exclusions.

Neither the PSAB format financial statements nor the annual budget provide enough information to accurately assess a municipality's future capital funding requirements. Capital plans must be carefully reviewed to make such determinations.

ATTACHMENT

- i) Schedule "A" - 2022 Budget/PSAB Reconciliation Ontario Regulation 284/09

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

2022 BUDGET/PSAB RECONCILIATION
ONTARIO REGULATION 284/09

| | ESTIMATED IMPACT ON ACCUMULATED SURPLUS | | COMMENTS |
|---|--|------------------|--|
| | INCREASE | DECREASE | |
| Approved 2022 Budget | 0 | 0 | Council approved a balanced budget. Municipalities are not allowed to budget surpluses or deficits. |
| PSAB budget differences: | | | |
| Amortization expense | | 866,599 | Not in 2022 Budget, but is an expense in accrual accounting. This is an estimate based on prior year amortization. |
| Tangible asset purchases | 2,717,718 | | In 2022 Budget, but is not an expense in accrual accounting. |
| Transfers to reserves | 1,181,633 | | In 2022 Budget, but is not an expense in accrual accounting. |
| Transfers from reserves | | 2,848,325 | In 2022 Budget, but is not revenue in accrual accounting. |
| Debt principal repayments | 143,700 | | In 2022 Budget, but is not an expense in accrual accounting. The interest portion of debt payments is an expense. |
| Post-employment benefits | n.a. | n.a. | The township has no such benefits. |
| Waste-site closures | n.a. | n.a. | Already included In 2022 Budget and is expensed annually. |
| | <u>4,043,051</u> | <u>3,714,924</u> | |
| Net estimated increase to accumulated surplus | <u>328,127</u> | | |

COMMITTEE OF THE WHOLE
April 12th, 2022

Report #FIN-2022-06
Ashley Liznick, Treasurer

ASSET MANAGEMENT SOFTWARE & ASSET MANAGEMENT PLAN

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, Section 7.2 of the Township’s Procurement Policy be waived to single-source Asset Management Software from PSD/CityWide;

AND THAT, Section 7.4 of the Township’s Procurement Policy be waived to single-source the completion of an Asset Management Plan to meet the requirements of O.Reg 588/17 to PSD/CityWide.”

BACKGROUND

The approved 2022 capital budget includes \$35,000 allocated for Asset Management Software. These funds are proposed to be used to pay for the asset management software which includes the purchase of the software, assistance with merging data from several spreadsheets and other software, and training and assistance with implementing the software.

What the 2022 budget did not include was a budget line for hiring a consultant to help implement the regulated Asset Management Plan. This was likely an oversight due to the Treasurer being on leave and the Acting Treasurer unaware it was not previously budgeted/discussed.

Ontario Regulation 588/17, Asset Management Planning for Municipal Infrastructure requires municipalities to upgrade their asset management plans in several prescribed areas over a six-year phase in period as follows:

1. By July 1, 2019: all municipalities must adopt a strategic asset management policy which must include 12 components and the policy must be reviewed every 5 years - complete.
2. By July 1, 2022: all municipalities must adopt an asset management plan for core assets (roads, bridges and culverts, water, wastewater and stormwater management)

that addresses current levels of service and the cost of maintaining those services. The Regulation sets out both qualitative descriptions and technical metrics for each of the core assets.

3. By July 1, 2024: all municipalities must adopt an asset management plan for all of its other municipal infrastructure assets, which also discusses current levels of service and the cost of maintaining those services. The municipality is to set the technical metrics and qualitative descriptions for its other assets (e.g., culture and recreation facilities).
4. By July 1, 2025: The asset management plans shall include a discussion of proposed levels of service, the assumptions related to the proposed levels of service, what activities will be required to meet proposed levels of service, and a strategy to fund the activities.

DISCUSSION

The purpose of this report is to seek Council approval to waive the Procurement Policy in order to sole source a vendor. There are two components to the request to sole source. One is for the Asset Management Software and the other is for the Asset Management Plan.

The Treasurer, Public Works Manager, and Acting CAO/Clerk sat in on three (3) different software demonstrations and presentations. CityWide, Marmak, and CGIS. After review of the three (3) different companies, it was determined CityWide was the best fit for the Township as it provides the following:

- central repository for linear (roads, bridges, culverts, etc.) and standalone assets (including fleet, facilities, IT, park assets, etc.)
- allows for attachment of relevant digital documentation (permits, photos, reports, drawings, etc.) to individual assets
- integrates with the current GIS
- implement Asset Collector, which will empower field staff with an app for easy-to-use mobile data collection
- as the Township grows the software grows with it (example: with future Asset Retirement Obligations (ARO's) coming into effect in a few years the software has the capability to encompass this new guideline)
- it is more than just an asset register, CityWide provides accurate and efficient financial reporting, along with sophisticated asset management functions, including lifecycle planning, risk management, levels of service, and decision optimization
- it encompasses the finance side of asset management (asset registers, Tangible Capital Assets (TCA), Financial Information Return (FIR), long term capital planning, etc.)
- it encompasses the public works side of asset management (asset registers, lifecycles, levels of services, risk management, etc.)
- can be used to create reports and graphs to meet the upcoming overarching requirements of the regulation, which include: current levels of service, lifecycle strategies and events, current performance of assets, asset details (summary of assets, replacement costs, average age, description, etc.), growth considerations

The other two companies could not provide the full listing of features that are mentioned above. CGIS while it linked the assets to maps it did not give enough financial planning opportunities, and CityWide can still link with the GIS. Marmak had a lot of great asset register features but did not link the financial components as well as the Treasurer would like (i.e. it did not have the capability to link the TCA and the FIR, etc.).

The reason for the request to sole source is CityWide is a company that can provide both the software and the plan as they truly intertwine. CityWide starts with the Asset Management Plan because as they build the plan they use their software to help facilitate the plan. Once the plan is substantially complete then they pass along the software piece they have created along to the Township.

PSD is a well-known and reputable provider of secure, cloud-based asset management software. Over 375 municipalities use CityWide software and PSD has completed more than 275 asset management plans. PSD's team includes Institute of Asset Managers (IAM) certified consultants who provide subject matter expertise in Asset Management to several organizations including AMO, FCM, Municipal Asset Management Program (MAMP) and Canadian Network of Asset Managers (CNAM).

There are four key sections in the asset management plan:

- Inventory Analysis & State of the Infrastructure
 - o Asset Data Hierarchy Development
 - o Data Gap Analysis
 - o State of the Infrastructure

- Asset Management Strategies
 - o Lifecycle Management Strategies
 - o Risk Analysis
 - o Growth Assumptions

- Levels of Service
 - o Review of existing Levels Of Service (LOS) data
 - o Recommended Key Performance Indicators (KPIs)

- Financial Strategies
 - o Review of funding levels against requirements
 - o Development of financial strategy scenarios

It is important to note that Ontario Community Infrastructure Funding (OCIF) funding, while currently it is determined based on FIR data, going forward for 2023 they will be basing the calculation of funding received on the replacement cost in Asset Management Plans. So, it is important that the Township spend time with the consultant to help determine these values and ensure they are reflected in the Asset Management Plan (which is included in the proposal from CityWide).

It is also important to note that larger municipalities are creating or assigning specific positions to deal with Asset Management, where smaller municipalities are leaning more on hiring consultants as the capacity of work is very extensive.

In Lanark County, the Town of Carleton Place and the Town of Smiths Falls both use CityWide. Others are looking into software in the near future. In addition, many of Tay Valley's neighbours to the east and west use this software so there are adequate sources of knowledge and help available from peers.

The Township's Senior Management Team has reviewed and supports the acceptance of these proposals.

Lastly, CityWide did provide the Treasurer with a proposal for meeting future Asset Management deadlines and that CityWide could write a grant proposal on our behalf to see if it could be grant funded.

OPTIONS CONSIDERED

Option #1 – (Recommended) – Sole source the Asset Management Software to PSD/CityWide for \$35,300 + HST and the Asset Management Plan to PSD/CityWide for \$40,000 + HST.

Option #2 – Not sole source the Asset Management Software and Request For Proposal (RFP) the software. This is not recommended as the other software systems that have been reviewed would not meet the full needs of the Township. Not sole source the Asset Management Plan and RFP the plan. This is not recommended as the project includes legislated deadlines and requirements to be met.

Option #3 – Sole source the Asset Management Software. This is recommended as the other software systems that have been reviewed would not meet the full needs of the Township. But not sole source the Asset Management Plan and RFP the plan. This is not recommended as the project includes legislated deadlines and requirements to be met.

Option #4 – Sole source the Asset Management Plan. This is recommended as the project includes legislated deadlines and requirements to be met. But not sole source the Asset Management Software and RFP the software. This is not recommended as the other software systems that have been reviewed would not meet the full needs of the Township and the company builds both the plan and software together.

STRATEGIC PLAN LINK

Financial Sustainability: We have stable tax rates and debt ratios, and are able to fund our desired programs and infrastructure.

Infrastructure: Our roads, bridges, trails, buildings, landfills and communications systems are efficient and well-maintained.

CLIMATE CONSIDERATIONS

The Township would eventually use the software and plan to help purchase non fossil fuel assets where appropriate or possible and strive to reduce energy usage in our assets.

FINANCIAL CONSIDERATIONS

Asset Management Software

The 2022 budget included \$35,000 for asset management software. CityWide has provided a quote for \$43,300 + HST. However, \$8,000 of this is for having CityWide pull into the software the building condition assessments documentation. After discussions with CityWide it was determined this could be done in house (with some direction from CityWide and the Treasurer) by the grant-funded intern, leaving the quote at \$35,300 + HST, which is within \$300 + HST of budget. Going forward there would be an annual fee of \$7,500 for the software and will be included in the 2023 operating budget.

Asset Management Plan

The quote received from CityWide for the Asset Management Plan is \$40,000 + HST. As mentioned above it was an oversight that it was not included in the 2022 budget. If it was included in the budget it would have been recommended to be funded as follows: \$30,000 from the Asset Management Reserve and the remaining \$10,000 (plus HST) from the modernization funds. There is more than \$30,000 in the Asset Management Reserve because the 2021 Building Condition Assessment project ended up being a grant project through FCM.

CONCLUSIONS

Asset Management is not going anywhere. It is here to stay and will be a large part of municipal planning and decision making. Therefore, the Township should single source its Asset Management Software and Asset Management Plan to PSD/CityWide.

ATTACHMENTS

Not Applicable.

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Ashley Liznick,
Treasurer**

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

COMMITTEE OF THE WHOLE
April 12th, 2022

Report #PW-2022-10
Sean Ervin, Public Works Manager

FACILITIES LAWN MAINTENANCE – TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the Facility Lawn Maintenance, #2022-PW-004, be awarded to Bosman’s All Weather Property Maintenance in the amount of \$22,320.00;

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

BACKGROUND

In April of 2021, Council directed staff to obtain quotes for the maintenance of the parks and facility grounds for the 2021 season. In previous years the Township would hire two (2) summer students, but due to lack of applicants the Township had to outsource or utilize the Public Works staff to do the maintenance. The 2021 fiscal year was the first year the Township outsourced the work and was successful with the contractor (Bosman’s), therefore the outsourcing of this work was included in the 2022 budget.

DISCUSSION

Tender #2022-PW-004 was issued on March 16th, 2022, on the Township’s portal of Bids and Tenders. A news release was issued on the Township’s website and notice was also posted on the Townships Facebook page and in the local paper. The Tender closed on April 5th, 2022 and a total of two (2) bids were received.

Listed below are the results of the bids from each of the contractors from lowest to highest price:

| Company | Price |
|---|--------------|
| Bosman’s All Weather Property Maintenance | \$22,320.00 |
| CSL Group Limited | \$61,152.00 |

FINANCIAL CONSIDERATIONS

The Township approved \$20,000.00 in the 2022 budget for the Facilities Lawn Maintenance services. Although Bosman's bid is over budget by \$2,320.00, it is still reasonable when compared to the prior 2021 quote (\$20,055) and is likely higher this year due the increased cost of fuel. The budget for 2023 will be more representative of new costs.

OPTIONS CONSIDERED

Option #1 – (Recommended) – the Facilities Lawn Maintenance, #2022-PW-004, be awarded to Bosman's All Weather Property Maintenance.

Option #2 – Utilize Public Works staff; this is not recommended.

CLIMATE CONSIDERATIONS

No direct link.

STRATEGIC PLAN LINK

None.

CONCLUSIONS

The bid from Bosman's All Weather Property Maintenance was the lowest and met all the criteria noted in the tender and staff are recommending this quotation be awarded to this contractor. This contractor completed the maintenance last year in the Township and did a great job keeping our parks and facilities looking beautiful.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
April 12th, 2022

Report #PW-2022-09
Sean Ervin, Public Works Manager

COMPREHENSIVE ROADS NEEDS STUDY- RFP AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, the Roads Needs Study, #2022-PW-006, be awarded to Golder Associates Ltd.

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

BACKGROUND

At the February 22, 2022, Council Meeting, the following resolution was adopted by Council:

RESOLUTION #C-2022-02-08

MOVED BY: Rob Rainer

SECONDED BY: RoxAnne Darling

“**THAT**, a Request for Proposal for a Roads Needs Study be issued.”

ADOPTED

DISCUSSION

The Township issued the Request for Proposal (RFP) on February 28th, 2022, on the Township’s portal of Bids and Tenders. A news release was issued on the Township’s website and notice was also posted on the Townships Facebook page and in the local paper. The Request for Proposal (RFP) closed on March 31st, 2022, and seven (7) bids were received.

| Company |
|--|
| Equity Property Management & Development |
| Golder Associates Ltd. |
| McIntosh Perry Consulting Engineers Ltd. |
| Ainley Graham & Associates Ltd. |

| |
|----------------------------|
| D.M. Wills Associates Ltd. |
| Jewel Engineering Inc. |
| EXP Services Inc. |

Each of the proposals written and financial component were evaluated separately. The written component was evaluated on the following criteria, for the maximum of 70 points:

- The firm’s qualifications and experience on similar projects.
- The project teams experience.
- Project understanding and approach.
- Work plan, methodology and quality assurance plan; and,
- Project schedule.

The financial component is evaluated by awarding the lowest priced proposal the full amount of points, 30 points. The remaining proposals are awarded by completing the following evaluation:

$$\text{Awarded Price Points} = \left(\frac{\text{Lowest Proposal}}{\text{Evaluated Proposal}} \right) \times \text{MAX POINTS (30)}$$

Staff have reviewed and evaluated all seven (7) of the submissions and concluded that the proposal submitted by Golder Associates Limited was the most thorough and scored the highest out of the seven (7) proposals that were submitted.

Golder has substantial experience with similar projects, including the completion of a Roads Needs Study for the Town of Amherstburg, Oxford County and the Towns of Whitby. Locally, Golder is in the process of completing a Roads Needs Study for the Township of South Frontenac. Golder’s proposal included an experienced project team and considerable understanding for the scope of work that was outlined in the RFP. Their submitted work schedule was realistic and was reflective of their proposed work plan and methodology.

There were a few components of Golder’s proposal that put them ahead of the other companies. Firstly, the project manager from Golder was involved in a project to complete a Canada-Wide survey of Gravel Road maintenance/management strategies and best practices. Secondly, the proposal included providing three different capital plan scenarios; 1) specified current annual budget, 2) maintaining current overall condition, and 3) budget required for a desired overall condition improvement. Each scenario will include costs of recommended replacement, rehabilitation, and maintenance along with priority rating timeline (1-4 years, 5-7 years, and 8-20 years).

The proposed schedule noted that the final report and presentation to Council will be completed in August 2022.

FINANCIAL CONSIDERATIONS

Golder’s proposal price is \$20,385.00 to complete the hard surfaced roads and \$16,910.00 to complete the gravel surfaced roads, for a total price of \$37,295.00 plus rebated H.S.T.

The 2022 budget included \$16,830.00 for the Road Condition Assessment and was funded by the Roads Construction Reserve. The additional funds of \$20,465.00 can be funded from the Municipal Modernization Fund that was received in 2019, specifically funded from the amount of \$21,000.00 allocated for the Engineering Student for data collection for the Asset Management Plan.

OPTIONS CONSIDERED

Option #1 – (Recommended) – the request for proposal Roads Needs Study, #2022-PW-006, be awarded to Golder Associates Ltd.

Option #2 – Award the Contract to one of the other companies that provided a proposal. Staff do not recommend this option as the results of the evaluations were clear.

Option #3 – Not award the Contract and provide further direction. This is not recommended at this project is an important component of the Asset Management Plan.

Option #4 – only complete the hard surfaced roads. This is not recommended as both hard surfaced roads and gravel roads need to be completed for the next submission of the Asset Management Plan. Furthermore, there are some cost savings to complete both types of roads in conjunction as the consultant would complete both road types in one report and provide one presentation to Council, rather than the work being split between two years. The completion of one report and one 10-Year Capital Plan will provide Council and Staff with a plan, but also provide residents along each of the “problem roads” with at least a date for when the issue will be addressed.

CLIMATE CONSIDERATIONS

No direct link.

STRATEGIC PLAN LINK

Infrastructure: Our roads, trails, bridges, buildings, landfills, and communications systems are efficient and well-maintained.

CONCLUSIONS

Based on their excellent proposal, experience with similar projects and very knowledgeable project team, it is recommended that Council award the Contract to Golder Associates Ltd.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
April 12th, 2022

Report #PW-2022-08
Sean Ervin, Public Works Manager

SECOND LINE BRIDGE REHABILITATION – TENDER AWARD

STAFF RECOMMENDATION(S)

It is recommended:

“**THAT**, Tender #2022-PW-003 – Second Line Bridge Rehabilitation, be awarded to DW Building Restoration Services Inc. in the amount of \$297,772.00 plus H.S.T.;

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

BACKGROUND

The Second Line Bridge is slated for rehabilitation in 2022 under the 10-Year Capital Plan and is included in the 2022 Budget. The Second Line Bridge was constructed in 1965 and is 54 years old. The bridge underwent a minor rehabilitation in 2015 with repairs being focused on the deck and replacement of barriers and guiderail on the approaches. The scope of work for this assignment includes repairing the girder ends, repair wingwall and abutments, replace the bearings and repaint the structure steel.

DISCUSSION

Tender #2022-PW-003 was issued on March 3rd, 2022, on the Township’s portal of Bids and Tenders. A news release was issued on the Township’s website and notice was also posted on the Townships Facebook page and in the local paper. The Tender closed on March 31st and a total of six (6) bids were received.

Listed below are the results of the bids from each of the contractors from lowest to highest price:

| Company | Total Tender Price (Less HST) |
|---------------------------------------|-------------------------------|
| DW Building Restoration Services Inc. | \$297,772.00 |
| Willis Kerr Contracting Ltd. | \$302,969.40 |
| Dalcon Constructors Ltd. | \$337,000.00 |

| | |
|-----------------------------|--------------|
| Bonnechere Excavating Inc. | \$557,575.00 |
| Freycan Major Projects Ltd. | \$608,146.04 |
| GMP Contracting | \$625,529.03 |

The estimated construction period is thirty (30) working days, and the work can commence as early as May 30th, 2022. The Second Line Bridge will be closed for the duration of the project. The impact to residents should be minimal as there are only a few properties on the Bathurst 2nd Concession. A construction notice will be issued on the Township's webpage once the contractor confirms the construction schedule.

DM Wills Associates Limited completed the design for this project in 2021 and will be providing the contract administration and inspection during construction.

FINANCIAL CONSIDERATIONS

The project is to be funded by the Bridge Construction Reserve. Although the project is over budget, the three low bids are very competitive. The cost-over run is due to a design change that occurred after the Township's 2022 budget deliberations. The design change surrounded the replacement of the bearings, which is the component that supports the bridge deck. The existing bearings are completely deteriorated, and the bearings need to be resized (increased). The resizing of the bearings and the addition of shoe plates results in minor ballast wall modifications to accommodate the minor grade raise of the bridge deck. The additional work will result in increased value for the Township and will ensure that no future bearing repairs will be required.

This is the sixth bridge project that DM Wills has completed for the Township and all of which have been completed under budget. Specially, the Allan's Mill Bridge was completed in 2021 \$108,776.34 under budget and surplus funds that were not used were returned the Bridge Construction Reserve. Furthermore, the design phase of the Second Line Bridge was also completed in 2021 for \$17,194.13 under the budgeted amount. Therefore, there are surplus funds in the Bridge Reserve to fund this project.

Further breakdown of the costs is as follows:

| ITEM | COST |
|--|---------------------|
| Construction Cost | \$ 297,772.00 |
| Construction Contingency (5%) | \$14,888.60 |
| Contract Administration and Inspection | \$ 26,400.00 |
| Sub-Total | \$339,060.60 |
| Rebated H.S.T (1.76%) | \$5,967.47 |
| Total Cost | \$345,028.07 |
| Budgeted Amount | \$266,000.00 |
| Surplus/(Deficit) | -\$79,028.07 |
| Surplus from 2021 | \$125,970.47 |
| Remaining Surplus | \$46,942.40 |

OPTIONS CONSIDERED

Option #1 – (Recommended) - Tender #2022-PW-003 – Second Line Bridge Rehabilitation, be awarded to DW Building Restoration Services Inc. in the amount of \$297,772.00 plus H.S.T., and that the Reeve and Clerk be authorized to sign the necessary documentation.

Option #2 – Not award the tender and do not perform the work. This is not recommended as the project includes the replacement of critical components of the bridge.

CLIMATE CONSIDERATIONS

No direct link.

STRATEGIC PLAN LINK

Infrastructure: Our roads, trails, bridges, buildings, landfills, and communications systems are efficient and well-maintained.

CONCLUSIONS

Based on their reputation as a Contractor, staff are confident that DW Building Restoration Service Inc. can meet the requirements specified within the Tender for both meeting the timelines and quality of work.

ATTACHMENTS

None

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Sean Ervin,
Public Works Manager**

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

COMMITTEE OF THE WHOLE
April 12th, 2022

Report #C-2022-10
Amanda Mabo, Acting Chief Administrative Officer/Clerk

LANARK LIBRARY FINANCIAL CONTRIBUTION

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, Tay Valley Township continue to provide an annual donation to the Lanark Highlands Public Library.”

BACKGROUND

In 2019, the Council representative to the Perth and District Union Public Library Board (Perth Library Board) contacted the then Chief Administrative Officer (CAO) indicating that the library staff brought to his attention that the annual donation to the Lanark Highlands Public Library (Lanark Library) was not permissible and requested suspension of the donation immediately.

The CAO reviewed the matter and determined that the Township would not be making any changes and Council approved the annual donation in that year’s budget, and moving forward.

The matter was brought up again by the Perth Library Board representative during the 2022 Budget discussions.

The one thing that has changed since the original review is that there is now a reciprocal borrowing agreement between the two libraries, and therefore staff agreed to review this matter again.

DISCUSSION

From the information on file with the Township, at least since 1972 the Township has been providing a financial contribution to the Lanark Library.

This contribution from 1972 to 2014 was comprised of two components: a portion of a provincial grant that is given annually to every library board and an annual financial contribution from the municipality (first Bathurst, then Tay Valley).

In 1972, 15% of the provincial grant from the Bathurst Public Library Board went to the Lanark Library and Bathurst Township also made a financial contribution.

In 1997, at the time of amalgamation, the same contribution was applied with the newly formed Perth and District Union Public Library Board. The Perth Library would forward a portion of the Tay Valley and Drummond North Elmsley (DNE) allocation of the provincial grant to the Lanark Library. In addition, Tay Valley and DNE would also forward additional funds to the Lanark Library.

In 2004, Tay Valley wrote a letter of support to the Lanark Library indicating its “strong support” for it; “the opportunity for our community to partake in the library is key in the interest to our residents”, regarding programming for youth, easy access, etc.

In 2004/2005/2006, Lanark Highlands, Tay Valley and DNE were all working on implementing an agreement with the Lanark Library that would lay out the current funding arrangement.

In 2006, Tay Valley on behalf of the other municipalities sent a letter to the Perth Library regarding the financial assistance to the Lanark Library. This was the first indication that the current financial set-up may not be appropriate.

Portion of Letter:

Re: Financial Assistance to Lanark Highlands Public Library

The CAO's of Tay Valley, Drummond/North Elmsley and Lanark Highlands Townships have been contemplating the most appropriate way of providing funding to the Lanark Highlands Public Library for the past year. Our aim was to confirm the amounts reflect usage and to document, for future reference, the level of municipal support for that facility. As you know there are 2 components of the contribution; the direct allocation from each municipality and the provincial grant allocation provided through your Board. I thank you for your input with respect to the provincial grant.

While the three municipalities have come to an understanding we are relatively comfortable with (see DRAFT agreement), the Lanark Highlands Public Library has indicated the Public Libraries Act suggests it may be inappropriate to enter into a proposed funding agreement between the municipalities and the Lanark Highlands Public Library Board. Rather Act suggests that once a municipality has established a Board (as we have with the Perth and District Public Library Board) any allocation for library services outside our jurisdiction should be addressed through the established Board. In other words, any agreement for funding should be Board to Board, rather than Municipality to Board.

The three municipalities have committed to funding in 2006 based on the old, ill recorded method. Tay Valley Township however, asks that the Perth and District Public Library Board review the current situation and recommend an approach for the future. The Perth and District Public Library Board is currently charged with managing the provincial grant. It may be appropriate to manage the entire contribution, provincial and municipal grant, through the Board. Either way the approach requires clear documentation for the future.

It was not until 2014, eight years later, the Perth Library gave notice and discontinued the transfer of the provincial grant to the Lanark Library. Tay Valley continued to make a direct contribution as a donation (grant), which increased on an annual basis until 2019. Since 2019, the contribution has remained at the same amount of \$3,100.

In 2017, in response to the decision in 2014, a draft Joint Funding Agreement between Lanark Highlands, DNE and Tay Valley for the Lanark Library was compiled. It speaks to the contribution as an annual grant.

Portion of Agreement

ANNUAL GRANT 2018

| | |
|------------------------------------|----------|
| Township of Lanark Highlands | \$61,074 |
| Township of Drummond/North Elmsley | \$3,900 |
| Tay Valley Township | \$3,027 |

NOTES:

1. Annual CPI increase of 1.75% has been factored into the Grant over the period 2018 to 2022 to obtain a fixed amount. No further inflationary increase shall apply.
2. Amounts reflect grants paid **DIRECTLY** to the Board and **DO NOT** include the amount paid to the Board by the Perth & District Union Public Library Board or the Province of Ontario.

In June of 2018 the Perth Library sent a letter to Tay Valley indicating that there was a legislative concern with Tay Valley's grant/donation to the Lanark Library and requested that Tay Valley examine and rectify the issue for the 2019 Budget.

From there, the issue was not brought up again until 2019 as described under the Discussion section of this report, and then again in 2021.

User Stats

As of March 2022, there are 63 memberships for Tay Valley residents. These are mostly households, not individuals.

2021 saw 197 checkouts of materials. This figure does not include downloads of eBooks as they cannot be tracked.

The membership numbers also do not reflect usage of computers, printing services, programs or other library services as they do not require memberships for these activities. Many users of the Lanark Library access services but do not sign out books.

Financial Impact to Lanark Library

The \$3,100 received from Tay Valley represents 2% of the Lanark Library's overall budget and is in line with the draft agreement from 2018.

OPTIONS FOR CONSIDERATION

Option #1 – Status Quo

From the information in the file, it appears the intent has always been to provide a financial contribution to the Lanark Library, in the form of an annual grant. This has been occurring since at least 1972.

Option #2 – Arrange for Contribution to be Paid through the Perth Board

There is a provision in the *Public Libraries Act*, where Council could direct the Perth Library Board to apply a specified amount or percentage of the money paid to it, to go to the Lanark Library. This would occur during the annual budget process and become a line item in the Perth Library budget.

24 (4) The council may, in its approval of the board's estimates or at any time at the board's request, authorize the board to apply a specified amount or percentage of the money paid to it under subsection (2) otherwise than in accordance with the items of the estimates as approved. R.S.O. 1990, c. P.44, s. 24 (4).

Option #3 – Discontinue Grant to Lanark Library

Should Council decide to no longer provide a financial contribution to the Lanark Library, it would be recommended that the Lanark Library Board be notified of this decision at the earliest convenience and that it take effect for the 2023 Budget year as the Lanark Library's budget for 2022 has been approved based on the annual contribution from Tay Valley and in speaking with their Chief Executive Officer it would be incredibly challenging at this point to fund that loss of money.

FINANCIAL CONSIDERATIONS

If Council chose to discontinue the annual grant, moving forward it would be a savings of \$3,100 annually.

STRATEGIC PLAN LINK

Guiding Principle: We advocate on behalf of our residents to ensure their interests are considered and respected.

CLIMATE CONSIDERATIONS

None.

CONCLUSION

The first decision Council needs to make is to decide whether to continue to provide funding to the Lanark Library. Should Council decide to continue to provide funding then it can either continue to be provided in the form of an annual grant or staff can work with the Perth Library to ensure a line item is contained in their 2023 draft budget so that the \$3,100 can go towards the Lanark Library.

ATTACHMENTS

None.

Respectfully Submitted By:

Original Signed

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

COMMITTEE OF THE WHOLE
April 12, 2022

Report #C-2022-11
Amanda Mabo, Acting CAO/Clerk

DOGS AT SWIMMING AREAS

STAFF RECOMMENDATION(S)

It is recommended:

“THAT, dogs continue to be permitted at Tay Valley Township swimming areas;
AND THAT, dog running at large signs and waste bag receptacles be installed.”

BACKGROUND

In September 2021 a delegation presented concerns with dogs at the Glen Tay Swimming Area, specifically bites, dog hair and feces. Council discussed the topic and asked that staff bring back a report on whether to permit dogs at the three swimming areas that the Township is responsible for.

DISCUSSION

Tay Valley Township is responsible for three swimming areas, the Glen Tay Swimming Area, Noonan Access Point and the Mississippi River Access Point.

Staff have not received any complaints or are aware of any incidents regarding dogs at the swimming areas in the Township.

The Animal Control By-Law prohibits dogs from running at large and require dog owners to be in control of their dogs at all times, it also prohibits dog feces to be left on public property owned by the Township and provides that owners of a dog shall take all precautions necessary to prevent the dog from biting any person or other animal.

All three swimming areas are fairly small in area but do offer more than just swimming, such as a picnic area and kayak and canoe launching. Owners also have the opportunity to cool off their dogs in the water during the heat of the summer.

Given that there have been no complaints or incidents to prompt prohibiting dogs at the Township owned swimming areas and that these areas offer more recreation than just

swimming, staff would recommend continuing to allow them. To assist with compliance of the Animal Control By-Law, the Township could post signs indicating that dogs are prohibited to run at large, and provide waste bags receptacles at each swimming area, that can be restocked if needed when the garbage's are emptied. Staff contacted the Health Unit to see if there was any comment or concerns from a water safety perspective, they indicated that since they are not public beaches there is no concerns with allowing dogs in the swimming areas.

FINANCIAL CONSIDERATIONS

The three swimming areas in the Township are being updated over the next couple of years, including signage, which will include messaging about dogs. Staff will also look into dog waste bag receptacles.

OPTIONS FOR CONSIDERATION

Option #1 (Recommended) – continue to allow dogs at the three Township owned swimming areas and install signs and waste bag receptacles as these locations are improved.

Option #2 – prohibit dogs at the three Township owned swimming areas and install appropriate signage.

STRATEGIC PLAN LINK

Guiding Principle: We strive to ensure our services are accessible to all, and treat all residents, visitors and employees with respect.

CLIMATE CONSIDERATIONS

Animal waste does not just decompose but can add harmful bacterial and nutrients to local waters, when it is not disposed of properly.

CONCLUSIONS

The Township has had no complaints or situations to base prohibiting dogs at the swimming areas. Most of the concerns are addressed in the Township's Animal Control By-Law and compliance with the By-Law should prevent a situation from happening and allow for comfortable outdoor recreation opportunities for everyone.

ATTACHMENTS

None.

Respectfully Submitted By:

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

CORRESPONDENCE



1. **Town of South Bruce Peninsula:** Resolution – Municipal Accommodation Tax – *attached, page 3.*
2. **Municipality of Shuniah:** Resolution – Joint and Severable Reform – *attached, page 5.*
3. **RVCA:** Rideau Valley Conservation Authority Programs and Services Inventory - *attached, page 6.*
4. **The Town of The Blue Mountains:** Resolution - Ontario Housing Affordability Task Force Recommendations - *attached, page 16.*
5. **The Town of The Blue Mountains:** Ontario Housing Affordability Task Force Report - *attached, page 17.*
6. **AMO:** Policy Update – Housing Task Force Response and Ontario Health Team (OHT) Funding Requests - *attached, page 59.*
7. **Township of Clearview:** Resolution – Bridge and Culvert Replacements in Rural Municipalities - *attached, page 61.*
8. **The Town of The Blue Mountains:** Resolution – Bridge and Culvert Replacements in Rural Municipalities - *attached, page 62.*
9. **Town of Halton Hills:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 63.*
10. **Town of Aurora:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 68.*
11. **Town of Kingsville:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 71.*
12. **Town of Plympton-Wyoming:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 74.*
13. **City of Markham:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 75.*
14. **Township of West Lincoln:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 77.*
15. **Township of Georgian Bay:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 78.*
16. **Town of Newmarket:** Resolution – Dissolve Ontario Land Tribunal - *attached, page 80.*

17. **MEA:** Municipal Engineers Association 2022 Bursary Awards Program - *attached, page 84.*
18. **Township of Woolwich:** Resolution – Mental Health Supports - *attached, page 91.*
19. **Tay Valley:** Report – Building Permits (Approval Granted February 2022) - *attached, page 93.*



1. **Municipality of Clarington:** Resolution – Comprehensive Zoning By-Law Review Project – *attached, page 2.*
2. **City of Quinte West:** Resolution – Renovictions Support Request – *attached, page 4.*
3. **City of Quinte West:** Dissolve Ontario Land Tribunal Support Request - *attached, page 7.*
4. **Township of Adelaide Metcalfe:** Resolution - Dissolve Ontario Land Tribunal Support Request - *attached, page 12.*
5. **Town of Wasaga Beach:** County of Simcoe Regional Government Review Service Delivery Task Force – Fire Services - *attached, page 15.*
6. **Municipality of Mississippi Mills:** Resolution – Joint and Several Liability Reform - *attached, page 21.*
7. **Municipality of Mississippi Mills:** Resolution – Abandoned Cemeteries - *attached, page 23.*
8. **Town of Fort Erie:** Resolution – Climate Action Change - *attached, page 24.*
9. **City of Waterloo:** Resolution – Ontario Must Build it Right the First Time - *attached, page 27.*
10. **Town of Plympton-Wyoming:** Resolution – Funding Supports for Infrastructure Projects – Bridge/Culvert Replacement in Rural Municipalities - *attached, page 30.*
11. **Northumberland County:** Resolution – Revolving Door of Justice - *attached, page 31.*
12. **OPP:** Letter – OPP Recorded Patrol for Safe Communities Project - *attached, page 39.*
13. **Ministry of Northern Development, Mines, Natural Resources and Forestry:** Letter and Information on the LDD Moth - *attached, page 40.*
14. **Ministry of Transportation:** Electronic Logging Device (ELD) Mandates - *attached, page 46.*
15. **LGL Health Unit:** Board of Health Summary - *attached, page 48.*
16. **AMO:** Policy Update - *attached, page 51.*
17. **Tay Valley:** Report – Building Permits (Approval Granted March 2022) - *attached, page 53.*

Sent via e-mail: sylvia.jones@ontario.ca

February 25, 2022

The Honourable Sylvia Jones
Solicitor General of Ontario
George Drew Building, 18th Floor
25 Grosvenor Street
Toronto, Ontario M7A 1Y6

RE: Firefighter Certification

Dear Solicitor General Jones,

I write to you concerning the draft regulations regarding firefighter certification in response to the posting made on January 28, 2022.

To start, the brevity of the consultation process means that the AMO Board of Directors (and we suspect, the vast majority of municipal councils), have not had a chance to consider or review the proposed regulations in question. The Fire Marshal of Ontario office's distribution of a written presentation to municipal officials, with only three business days to the close of the consultation period, did not facilitate thoughtful municipal review. We would also observe the two technical briefings for municipal officials seemed to be hastily convened. The consultation notice asked for invitations not to be shared. We are concerned that a lack of sharing, and not knowing who was invited, likely contributed to the low municipal participation rates of these sessions.

It is our view that this consultation process is not an example of the type of broad-based municipal engagement necessary for regulations of this scale and scope. As municipal governments are the employers and funders of fire services, we had expected a more comprehensive and transparent consultation with our members.

We believe a more thorough engagement with the municipal sector is necessary for the Ministry to fully appreciate the effects such regulations will have on municipal governments and their fire services. We, therefore, would ask for a two-month extension to afford an appropriate amount of time for the Ministry officials to brief municipal leaders and for councils to be able to thoughtfully reply back on the draft regulations to your Ministry. We understand that the smallest municipalities will be affected the most by these proposed regulations. Ministry outreach must be targeted especially to these communities.

Despite these consultation shortcomings, and without the benefit of broad-based member input, we can offer some preliminary commentary for your consideration. In principle, certification is a step in the right direction. Municipal governments are supportive of efforts to modernize and enhance the professionalism of the fire services that serve Ontario communities. That said, we would ask that the above statement should not be construed or represented as an AMO endorsement of the draft regulations.

AMO understands that the Ontario Seal would provide flexibility based on basic National Fire Protection Association (NFPA) professional qualification standards without requiring NFPA certification. To that end, the Ontario Seal proposed in the current draft is an improved certification approach compared to earlier regulations revoked in 2019.

Legacy provisions are very important to ensure that municipalities are not burdened with unnecessary costs for retraining firefighters who have been adequately trained to the level of service set by Council. We are pleased to see they are included. But such provisions must also include measures which attract and retain volunteer firefighters to serve within their communities. Additional training measures and certification must not serve as an added impediment for those who wish to volunteer as firefighters. Full-time fire fighters simply are not an option for most small, rural, and northern municipalities. The Ministry must propose measures which assist and support volunteer recruitment and composite fire services.

To date, AMO members and fire chiefs have advised that the Ontario certification process will create additional training and new cost pressures on fire services. To that end, it is our request that the Ministry provide some form of financial support during the 4 – 6-year implementation period. The level of support necessary should be based on evidence from fire chiefs and should include the submission of detailed training needs and expected impacts. We urge that fire chiefs be provided with a sufficient period of time to submit detailed fiscal and training impacts to the Ministry and their municipal councils. These training proposals can be used by the Ministry to design a means of providing financial support for small, rural, northern, volunteer, and composite fire services (or any service disproportionately burdened by certification) over the 4 – 6-year implementation period.

We should also point out that there is a distinction between providing local fire services with the support necessary to complete training and the Ministry's support of the Fire Marshal's office to carry out and complete certifications across Ontario. Both need adequate resources to successfully complete certification.

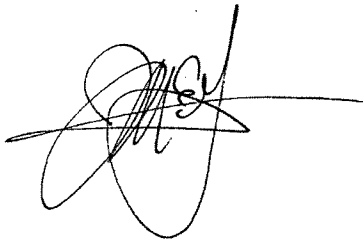
Similarly, the regulatory in-force date (currently July 1, 2022), must be moved well into 2023 or 2024 to fully prevent any in-year municipal budget hits and allow for good municipal financial planning. Of course, the level of multi-year provincial financial support offered to support certification will have a bearing on the in-force date and the adequacy of the lead up period.

As well, the certification process needs to be better aligned with the existing Community Risk Assessments that fire services have been asked to complete by 2025. It seems that the cart is being put in front of the horse. We would ask that these two initiatives be better aligned.

We would also note that the provision of fire services to the unincorporated areas of the province be addressed in an equitable manner to what is expected by municipal governments. Provincial reliance on municipalities to deliver this service, without paying for it, is not right or fair for municipal property taxpayers. This must also be addressed.

I trust these comments will assist the Ministry with its next steps.

Sincerely,

A handwritten signature in black ink, appearing to read 'JM', with a long horizontal line extending to the right.

Jamie McGarvey
AMO President and Mayor of Parry Sound

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Debbie Conrad, Assistant Deputy Minister, Strategic Policy, Research and
Innovation Division, Ministry of the Solicitor General
Jon Pegg, Fire Marshal of Ontario, Ministry of the Solicitor General
Rob Grimwood, President of the Ontario Association of Fire Chiefs (O AFC), and
Deputy Chief, Mississauga Fire and Emergency Services



CORPORATION OF THE MUNICIPALITY OF SOUTH HURON

322 Main Street South P.O. Box 759
Exeter Ontario
N0M 1S6

Phone: 519-235-0310 Fax: 519-235-3304
Toll Free: 1-877-204-0747
www.southhuron.ca

March 15, 2022

Via Email to: amo@amo.on.ca

AMO
200 University Ave,
Suite 801
Toronto ON M5H 3C6

Re: Firefighter Certification

Council of the Municipality of South Huron received your correspondence dated February 25, 2022, concerning the draft regulations regarding firefighter certification at their March 7, 2022 Council Meeting. The following resolution was passed:

Motion: 086-2022
Moved: B. Willard
Seconded: A. Neeb

That South Huron Council support AMO's February 25, 2022 correspondence, and the support letter be distributed to AMO, the Province of Ontario, Premier, Ontario Municipalities, Solicitor General, and the Ontario Association of Fire Chiefs.

Please find attached the originating correspondence for your reference.

Respectfully,

Sue Johnson
Administrative Assistant
Corporate Services/Clerk's Department
Municipality of South Huron
519-235-0310 X 225

Encl.



CORPORATION OF THE MUNICIPALITY OF SOUTH HURON

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www.southhuron.ca

cc Premier Doug Ford
Ontario Municipalities
Solicitor General
Ontario Association of Fire Chiefs

UPDATES



MINUTES

Via Zoom

February 16, 2022

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
F. Campbell
R. Darling
B. Holmes
J. Inglis
J. Karau
P. Kehoe
B. King
C. Lowry
C. Rigelhof
P. Sweetnam
A. Tennant
K. Thompson

MEMBERS ABSENT

E. El-Chantiry
G. Gower
C. Kelsey

STAFF PRESENT

S. McIntyre, General Manager
A. Millar, Treasurer
M. Craig, Manager, Planning and Regulations
J. Cunderlik, Director, Water Resource Engineering
H. Murphy, Analyst
J. North, Water Resource Technologist
E. Levi, Recording Secretary

OTHERS PRESENT

G. Street, Cross Street and Company
R. Bell, Director, Mississippi Lakes Assoc.
D. Donald, Vice-President, Mississippi Lakes Assoc.
G. Whitelaw, Director Municipal Relations, Mississippi Lakes Assoc.

J. Atkinson called the meeting to order at 1:00pm

J. Atkinson noted that item 15 in the consent agenda would be moved and discussed after item 12.

B02/16/22-1

MOVED BY: B. King

SECONDED BY: F. Campbell

Resolved, That the Agenda for the February 16, 2022 Board of Directors Annual General Meeting be adopted as amended.

“CARRIED”

BUSINESS

1. Watershed Conditions Report

J. North reviewed current water level conditions in the watershed. There are no specific indicators at this time for flooding.

2. Guest Presentation: Mississippi Lakes Association

Robert Bell, Doreen Donald and Graham Whitelaw of Mississippi Lakes Association (MLA) gave a presentation outlining the importance and value of the MLA/MVCA partnership as well as MLA activities in 2021.

3. Approval of Minutes – Board of Directors

An amendment to the December 1, 2022 minutes was requested to reflect C. Lowry’s attendance at the meeting.

B02/16/22-2

MOVED BY: P. Kehoe

SECONDED BY: B. King

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on:

a) December 1, 2021

b) December 16, 2021

be received and approved as amended.

“CARRIED”

4. 2021 Draft Financial Statements & Audit Findings Letter

G. Street reviewed the audited 2021 Financial Statements for the period ending December 31, 2021 and the Audit Findings Letter dated January 28, 2022. He noted they represent the

Authority's financial position in accordance with the Canadian Public Sector Accounting Standards and that the Authority was in sound financial position. No concerns were raised.

B02/16/22-3

MOVED BY: C. Rigelhof
SECONDED BY: K. Thompson

Resolved, That:

- 1) the audited Financial Statements for the period ending December 31, 2021 be received and adopted.**
- 2) the Audit Findings letter dated January 28, 2022 be received.**

"CARRIED"

5. Election of 2021 Officers

B02/16/22-4

MOVED BY: F. Campbell
SECONDED BY: J. Karau

Resolved, That Sally McIntyre be appointed as Chair for the Election of Chair for 2022.

"CARRIED"

S. McIntyre declared all offices vacant. F. Campbell nominated Jeff Atkinson for the position of Chair of the Conservation Authority for 2022. S. McIntyre asked three times for further nominations. No further nominations were received.

B02/16/22-5

MOVED BY: C. Rigelhof
SECONDED BY: J. Karau

Resolved, That nominations for the position of Chair be closed.

"CARRIED"

J. Atkinson agreed to let his name stand for the position of Chair. He was duly elected by acclamation.

P. Sweetnam nominated Janet Mason for the position of Vice-Chair of the Conservation Authority in 2022. J. Atkinson asked three times for any further nominations. No further nominations were received.

B02/16/22-6

MOVED BY: C. Rigelhof
SECONDED BY: C. Lowry

Resolved, That nominations for the position of Vice-Chair be closed.

"CARRIED"

J. Mason agreed to let her name stand for the position of Vice-Chair. She was duly elected by acclamation.

6. Appointment of 2021 Auditor

B02/16/22-7

MOVED BY: C. Lowry

SECONDED BY: P. Sweetnam

Resolved, That the firm of Cross Street Professional Corporation be engaged as the Authority's Auditor for the year 2022.

"CARRIED"

7. 2022 Budget

S. McIntyre reviewed Staff Report 3196/22 containing the 2022 Draft Budget as was circulated to member municipalities.

J. Mason raised concern about the draft budget figures versus the financial statement balances.

A. Millar offered that page 35 of the budget should be amended to reflect the year-to-date figures as at December 31, 2021 which will align with the financial statements.

J. Inglis sought clarification regarding the 20% increase in operating budget. S. McIntyre explained that the levy was not increasing to cover the entire 20%. Some costs are for temporary projects that will be offset by grants; compensation costs incurred from implementation of the Workforce Plan are being phased in over time; and that the decision to reduce the amount phased onto the levy in 2022 would defer pressure on the levy to 2023.

B02/16/22-8

MOVED BY: C. Rigelhof

SECONDED BY: R. Darling

Resolved, That the Board of Directors approve the 2022 Budget as presented.

"CARRIED"

8. 2022 Borrowing Resolution

A. Millar commented on Staff Report 3197/22. To ensure compliance with the Administrative By-law, a motion is required for the 2022 calendar year, to provide authorization by the Board for the execution of the loan for the Shabomeka Lake Dam project.

B02/16/22-9

MOVED BY: F. Campbell

SECONDED BY: A. Tennant

Resolved, That the Board of Directors:

1. Authorize the General Manager and/or Treasurer to negotiate financing terms for securement of a loan for reconstruction of the Shabomeka Lake Dam with the City of Ottawa; and
2. Authorize the Chair and/or Vice-Chair along with the General Manager and/or Treasurer to execute a loan with the City of Ottawa for the amount not covered by the WECl funding program to an upset limit of \$900,000.

“CARRIED”

9. 2022 Per Diem and Mileage Rates

A. Millar reviewed Staff Report 3190/22. Mileage rates and per diems were frozen at the 2020 rates based on the Board decision in February 2021. It was proposed that the per diem and honorarium be increased by 4.1% which is the cost of living allowance.

The recommendation of the Finance and Administration Advisory Committee is to continue with the 2020 rates for per diems for 2022 and to adopt the provincial “Travel, Meal and Hospitality Expenses Directive” mileage rate effective January 1, 2022 instead of the federal guide.

B. King was supportive of the decrease in mileage however he commented that per diems should be eliminated as attending meetings was part of the job of being a board member. It was noted that some members must book time off work to attend these meetings; and that taking a per diem should be optional.

B02/16/22-10

MOVED BY: B. Holmes

SECONDED BY: P. Kehoe

Resolved, That the Board of Directors approve:

- a) Approve maintenance of current (2020/2021) per diem and honorarium rates for 2022.
- b) Direct that mileage rates set out in the provincial “Travel, Meal and Hospitality Expenses Directive” be used effective January 1, 2022.
- c) Direct staff to conduct a review of per diems and honorariums and to table results for consideration before municipalities commence recruitment of Board members for the 2022-2026 term of council.

“CARRIED”

13 in favour, 1 against

10. Program and Services Inventory & Cost Recovery

S. McIntyre reviewed Staff Report 3193/22 as presented at the Finance and Administration Advisory Committee meeting. The report outlines the objective of the Programs & Services Inventory which must be submitted to municipalities by end of February per *O.Reg 687/21* and also provides information found in the Consultation Guide summarizing programs and services under categories and cost recovery method for each.

11. O.Reg 687/21 Draft Programs & Services Inventory

S. McIntyre discussed highlights from the draft inventory of programs and services in Staff Report 3198/22. Program/service categories were identified and areas requiring updated or new Memoranda of Understanding or Cost Apportionment Agreements were discussed. The Inventory is draft and may be amended/refined going forward as needed to support discussions with member municipalities.

B02/16/22-11

MOVED BY: R. Darling

SECONDED BY: P. Sweetnam

Resolved, That the Board of Directors approve circulation of the draft inventory to member municipalities and submission to the province in accordance with O.Reg. 687/21.

“CARRIED”

12. Shabomeka Dam Project Update

J. Cunderlik provided an overview of work completed to-date in Phase 1 of the project, per Staff Report 3199/22.

A structural assessment carried out during construction found the concrete elements to be in acceptable condition but recommended several works to address structural and public safety deficiencies. A further structural stability review was recommended in 2 to 5 years to confirm the timing and scope of Phase 2 reconstruction.

J. Cunderlik advised that costs to date are below the WECl grant upset limit. Assuming funds are available, a list of recommended additional works for the current rehabilitation project was tabled for approval.

J. Inglis commented that there needs to be allowance for property owners, recreational users, utilities and emergency vehicle to cross the same to access the North Shore. It was confirmed that the proposed project enhancements will provide the required access.

B02/16/22-12

MOVED BY: A. Tennant

SECONDED BY: K. Thompson

Resolved, That the Board of Directors approve use of remaining WECl funds and the expenditure of matching capital dollars to complete the additional works required to address structural and public safety items at Shabomeka Lake Dam as set out in Report 3199/22.

“CARRIED”

15. Update – City of Ottawa Loan for Shabomeka Lake Dam

J. Karau commented that he had requested this item be moved from the consent agenda for discussion, however with the confirmation of 50% WECl funding for the project, he was satisfied with the report as is.

16. Regulations Committee and Other Committee and Board Representative Appointments

B02/16/22-13

MOVED BY: P. Sweetnam

SECONDED BY: A. Tennant

Resolved, That the Board of Directors:

- 1) Appoint the Board members listed in Table 1 of Staff Report 3200/22 to the Regulations Committee to hear applications pursuant to Ontario Regulation 153/06 and MVCA's Administrative By-law.
- 2) Direct members of the Regulations Committee to deliberate on the evidence presented at a hearing, and grant or deny such permission on behalf of the Mississippi Valley Conservation Authority and provide the applicant with reasons, in writing, thereof.
- 3) Appoint Bev Holmes as Board Representative on the Mill of Kintail Museum Advisory Committee.
- 4) Appoint Janet Mason as Board Representative on the Mississippi Valley Conservation Foundation.

"CARRIED"

17. Appointments to Conservation Ontario

B02/16/22-14

MOVED BY: J. Karau

SECONDED BY: F. Campbell

Resolved, That the Board of Directors appoint the following to Conservation Ontario Council for 2022:

- The 2022 Board Chair as Voting Delegate
- The 2022 Board Vice Chair as First Alternate
- The General Manager as Second Alternate

"CARRIED"

18. Timeline Reporting for Section 28 Applications

M. Craig reviewed Staff Report 3202/22 outlining MVCA's compliance with Conservation Ontario council-approved timelines for the issuance of permits under the *Conservation Authorities Act* for 2021.

C. Lowry asked for clarification on the two major projects which did not meet the timelines. M. Craig explained it was due to complexity of the projects and availability of staff to complete internal reviews.

ADJOURNMENT

The meeting was adjourned at 3:17p.m.

B02/16/22-15

MOVED BY: A. Tennant

SECONDED BY: B. King

Resolved, That the Board of Directors meeting adjourned.

“CARRIED”

“E. Levi, Recording Secretary

J. Atkinson, Chair”

Municipal Clerks/Chief Administrative Officers,

Re: FOR DISTRIBUTION TO COUNCIL

As a member of the Authority, please find below highlights from the March 16, 2022 Board of Directors meeting for distribution. Complete minutes for the meeting will be circulated at a later date following their approval by the Board. Attached are approved minutes of the February 16, 2022 AGM.

Watershed Conditions Report

Flows on the Mississippi River are below average for this time of year. Target summer levels have been achieved on all except the following lakes:

- Kashwakamak Lake (50 cm)
- Mississagagon Lake (15-25 cm)
- Big Gull Lake (10-30 cm)
- Crotch Lake (30-80 cm).

Cold nights and warm days are allowing for sublimation and a slow melt across the watershed. There are currently no specific indicators for spring flooding, however, rainfall remains a key variable to watch.

Corporate Strategic Plan – Implementation Plan

The Board approved the attached four tables that constitute the “Implementation Plan” for MVCA’s *2021-2025 Corporate Strategic Plan*:

1. Priorities and Performance Indicators
2. Program & Services Work Plan 2021-2025
3. Capital Work Plan 2021-2025
4. Schedule for Preparation & Update of Corporate Documents

Kashwakamak Lake Dam

In 2020, MVCA commissioned a structural assessment of the Kashwakamak Lake Dam to evaluate risks associated with continuing operation of the dam until its replacement. The risk assessment indicated that major stabilization measures were not needed within the next 5 years, but recommended that a comprehensive Dam Safety Review (DSR) update be carried out. The following key results were provided to the Board from the recently completed DSR Update:

- the Hazard Potential Classification (HPC) for the dam should be increased from its current classification of LOW to HIGH on the basis of visual inspections and a preliminary dam break and inundation mapping.
- All of the concrete structures are in a deteriorated state and were found to be in generally poor to fair condition. The structures remain functionally and structurally adequate, but major remedial repairs should be performed within the next five to ten years to ensure ongoing safety.
- The overflow weir and the concrete right abutment do not satisfy current requirements of the MNRF Technical Bulletins when subjected to ice loading. However, only a limited section of these structures is actually subjected to ice load since the reservoir is drawn down in the winter. Thus, this deficiency does not require immediate attention but should be addressed during the planned remediation.
- Remedial measures have a preliminary cost estimate of \$3.5 million. A pre-feasibility study is recommended to select a preferred alternative on the basis of cost and other factors.

Review of Committee Structures

Staff tabled a report that presented the results of research carried out of other organizations, a review of the current committee structure at MVCA, and recommendations for improvement. Following discussion, the matter was deferred to the April meeting for consideration.

Carp River Conservation Area (CRCA) Master Plan Background Report

The Authority is planning to prepare a Master Plan / Management Plan for the CRCA in partnership with the City of Ottawa. A Background Report was tabled that provides the history of the site, a review of its remediation and current state, and opportunities and constraints for future use.

COVID - Return to Work Update

MVCA will be returning to normal operations between now and May. Offices will be open by appointment only commencing April 4, and to the public at large May 2.

ATTACHMENTS

- 2021-2025 MVCA Strategic Plan – Implementation Plan (Attachments 1 through 4)
- Approved Minutes for February 16, 2022 (AGM)

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 Restrictions

APPROVED MINUTES

| <u>Board of Directors</u> | <u>2/22</u> | <u>February 24, 2022</u> |
|----------------------------------|--|--|
| Present: | Gerry Boyce Judy Brown Brian Dowdall Victor Heese Andy Jozefowicz John McDougall Scott Moffat Kristin Strackerjan | Carolyn Bresee Jamie Crawford Steve Fournier Robin Jones Pieter Leenhouts Dale McLenaghan Shawn Pankow |
| Staff: | Sommer Casgrain-Robertson Kathy Dallaire Marissa Grondin | Dan Cooper Diane Downey Glen McDonald |
| Regrets: | Vince Carroll Bob Foster Gene Richardson Rob Rothgeb | George Darouze Julie Graveline Anne Robinson |

Chair called the meeting to order at 6:30 p.m.

Sommer Casgrain-Robertson, General Manager/Secretary-Treasurer conducted a roll call.

1.0 Land Acknowledgement Statement

Chair Leenhouts gave the Land Acknowledgement statement.

2.0 Agenda Review

Chair Leenhouts reviewed the Agenda.

3.0 Adoption of Agenda

Motion 1-220224

Moved by: Andy Jozefowicz
Seconded by: Carolyn Bresee

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

Motion Carried

4.0 Declaration of Interest

There were no declarations of interest.

5.0 Approval of Minutes of January 27, 2022

Motion 2- 220224

Moved by: Brian Dowdall
Seconded by: Gerry Boyce

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the Minutes of the Board of Directors Meeting #01/22, January 27, 2022.

Motion Carried

6.0 Business Arising from the Minutes

There was no business arising.

7.0 AGM

7.0a Appointments to Executive Committee

Sommer Casgrain-Robertson explained the policy requirements for appointing the Executive Committee.

Motion 3-220224

Moved by: Dale McLenaghan
Seconded by: Shawn Pankow

That the Board of Directors of the Rideau Valley Conservation Authority appoint the Chair, Vice-Chair, Brian Dowdall, Victor Heese, and Anne Robinson to the RVCA's Executive Committee for the year 2022.

Motion Carried

7.0b Appointments to Audit Committee

Sommer Casgrain-Robertson explained the policy requirements for appointing the Audit Committee.

Motion 4-220224

Moved by: Judy Brown
Seconded by: Steve Fournier

THAT the Board of Directors of the Rideau Valley Conservation Authority appoint the Chair, Vice-Chair, Jamie Crawford, Dale McLenaghan, and Rob Rothgeb to the RVCA Audit Committee for the year 2022.

Motion Carried

7.0c Appointments to Conservation Ontario

Sommer Casgrain-Robertson explained the guidance for appointing Conservation Ontario voting delegates

Motion 5-220224

Moved by: Brian Dowdall
Seconded by: Jamie Crawford

THAT the Board of Directors of the Rideau Valley Conservation Authority appoint the Chair as RVCA's voting delegate for Conservation Ontario Council for 2022 and that the Vice-Chair and General Manager be appointed as first and second alternate respectively.

Motion Carried

7.0d Appointment of Auditors

Sommer Casgrain-Robertson provided background on the auditors appointed for the last three years, and recommend they be appointed for another one-year term.

Motion 6-220224

Moved by: Carolyn Bresee
Seconded by: Robin Jones

THAT the Board of Directors of the Rideau Valley Conservation Authority appoint MNP LLP as the auditor for the Rideau Valley Conservation Authority and Rideau Valley Conservation Foundation for 2022.

Motion Carried

7.0e Appointment of Legal Counsel

Sommer Casgrain-Robertson explained the RVCA appoints legal counsel every year to use on an as needed basis.

Motion 7-220224

Moved by: John McDougall
Seconded by: Judy Brown

THAT the Board of Directors of the Rideau Valley Conservation Authority appoint the firm of Bell Baker LLP as legal counsel for the RVCA for the year 2022;

THAT the firm of Bird Richard be retained for employment issues;

THAT the firm of Wilson Law Partners LLP be retained for land transfers;
and

Furthermore, THAT other legal counsel be retained as required.

Motion Carried

7.0f Appointment of Land Appraisers

Sommer Casgrain-Robertson explained the need for appointing Land Appraisers who are familiar with the Eco Gifts program to assist staff with land donations.

Motion 8-220224

Moved by: Steve Fournier
Seconded by: Dale McLenaghan

THAT the Board of Directors of the Rideau Valley Conservation Authority appoint the firms of S. Rayner & Associates of Kingston and Rivington & Associates of Perth as land appraisers for the RVCA for the year 2022.

Motion Carried

7.0g Appointment of Signing Authorities

Sommer Casgrain-Robertson outlined RVCA's signing authorities

Motion 9-220224

Moved by: Jamie Crawford
Seconded by: Gerry Boyce

THAT the Rideau Valley Conservation Authority Board of Directors appoint the following positions as RVCA's signing officers for 2022:

- General Manager / Secretary-Treasurer
- Manager of Finance
- Director of Communications and Outreach
- Chair of the Board of Directors
- Vice-Chair of the Board of Directors

Motion Carried

8.0 2022 Budget and Workplan Approval

Sommer Casgrain-Robertson gave an overview of the budget approval timeline and noted that the draft budget and workplan had been circulated to municipalities for review and comment on December 3, 2021. Comments were requested by February 16, 2022, and as of the Board meeting, no comments or concerns had been received from municipalities. Sommer Casgrain-Robertson responded to questions from the board.

A recorded vote of all Members was taken to approve the 2022 budget.

Motion 10-220224

Moved by:

Brian Dowdall

Seconded by:

Steve Fournier

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the attached 2022 Budget in the amount of \$11,639,143 (dated October 20, 2021);

THAT the Board of Directors of the Rideau Valley Conservation Authority establishes a 2022 general municipal levy of \$6,461,296;

THAT this levy be apportioned to the participating municipalities according to the attached sheet entitled "2022 Draft Municipal Levy Apportionment" (dated October 20, 2021); and further

THAT the Board of Directors of the Rideau Valley Conservation Authority establishes special levies payable by the City of Ottawa as sole benefitting municipality as follows:

1. \$10,000 Capital Reserve for Water Control Structures in Ottawa
2. \$21,500 Capital Reserve for Britannia Village Flood Control Project
3. \$40,000 Operation of Water Control Structures in Ottawa
4. \$1,119,559 Rideau River Ice Management in Ottawa
5. \$158,696 Aquatic Monitoring in Ottawa

Those in favour:

Gerry Boyce

Judy Brown

Brian Dowdall

Victor Heese

Andy Jozefowicz

John McDougall

Scott Moffat

Kristin Strackerjan

Carolyn Bresee

Jamie Crawford

Steve Fournier

Robin Jones

Pieter Leenhouts

Dale McLenaghan

Shawn Pankow

Absent:

Vince Carroll
Bob Foster
Gene Richardson
Rob Rothgeb

George Darouze
Julie Graveline
Anne Robinson

Motion Carried

9.0 Financial Reports for the Year Ending December 31, 2021

Kathy Dallaire, Manager of Finance, presented the unaudited 2021 financial reports. Staff responded to questions from the Board.

A board member requested a summary of annual operating expenses for the Rideau Ferry Yacht Club Conservation Area. Staff confirmed that they would follow up and provide a summary to the member.

Motion 11-220224

Moved by: Brian Dowdall
Seconded by: John McDougall

THAT the Board of Directors of the Rideau Valley Conservation Authority receive the Unaudited Revenue and Expenditure Reports and Unaudited Statement of Financial Position for the year ending December 31, 2021.

Motion Carried

10.0 Proposed Year-end Reserve Transfers for 2021

Kathy Dallaire, Manager of Finance, gave an overview of the proposed year-end reserve transfers and answered questions.

Motion 12-220224

Moved by: Andy Jozefowicz
Seconded by: Carolyn Bresee

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the attached 2021 Proposed Reserve Transfers.

Motion Carried

11.0 Appointment of Agricultural Representative

Sommer Casgrain-Robertson provided information about the intent of the Minister of Environment, Conservation and Parks to appoint one agricultural sector representative to each conservation authority Board of Directors under changes made to the *Conservation Authorities Act* in 2020. A timeline of when this appointment is to take place is to be determined, but job postings

for the positions were posted on the Public Appointments Secretariat website on February 8, 2022.

Ms. Casgrain-Robertson informed the Board that the RVCA reached out to local OFA and OSCIA regional representatives to ensure they were aware of the posting. Staff responded to questions from the Board.

Motion 13-220224 **Moved by:** Robin Jones
Seconded by: Steve Fournier

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

Motion Carried

12.0 **MECP Phase 2 Consultation Guide**

Sommer Casgrain-Robertson provided a brief overview of the MECP's Phase 2 Consultation Guide and indicated that much of it reflects RVCA's current practices and what is set out in existing regulation and/or policy. Staff responded to questions.

Motion 14-220224 **Moved by:** Judy Brown
Seconded by: Brian Dowdall

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

Motion Carried

13.0 **Inventory of Programs and Services**

Sommer Casgrain-Robertson provided a brief timeline of required changes under amendments to the *Conservation Authorities Act*, including the need to complete a Programs and Services Inventory by February 28, 2022. Ms. Casgrain-Robertson explained that the inventory attached to the staff report for Board consideration meets all content requirements, but staff will be preparing an improved refined version to circulate to municipalities once Phase 2 regulations are released by the province. It is the next version of the inventory that staff will consult municipalities on to ensure municipalities have the complete picture and the best available information to review prior to beginning discussions with conservation authorities.

Staff responded to questions from the Board.

Motion 15-220224 **Moved by:** Carolyn Bresee
Seconded by: Victor Heese

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the attached Programs and Services Inventory (Version 1 – Preliminary Draft) and direct staff to circulate a copy to all member municipalities and the Minister of Environment, Conservation and Parks by February 28, 2022, in compliance with Ontario Regulation 687/21.

Motion Carried

14.0 Meetings

- a) MECP Phase 2 Consultation Guide Webinar: February 2, 2022
- b) RVCA's Annual Flood Forecasting & Warning Program Meeting: February 22, 2022

Upcoming

- c) RVCF Board of Directors Meeting: March 16, 2022
- d) RVCA Board of Directors Meeting: March 24, 2022

15.0 Member Inquiries

Steve Fournier stated he attended the RVCA's Flood Forecasting and Warning Program meeting and felt that it was very informative and well presented. Ms. Casgrain-Robertson thanked the member and indicated that she would relay the positive comments back to those staff who organized the meeting.

Brian Dowdall asked if the RVCA's COVID-19 policies and practices would be changing in light of the lifting of some provincial restrictions. Ms. Casgrain-Robertson indicated that the eastern conservation authorities were in the process of reviewing the recent provincial announcement and reviewing current COVID protocols. Staff anticipate preparing a reopening plan in the coming weeks.

16.0 New Business

No new business.

17.0 Adjournment

The Chair adjourned the meeting at 7:46 p.m. on a motion by Andy Jozefowicz which was seconded by Steve Fournier

COMMITTEE OF ADJUSTMENT MINUTES

Monday, March 28th, 2022

5:00 p.m.

Conference Call

ATTENDANCE:

Members Present: Chair, Larry Sparks
Peter Siemons
Ron Running

Members Absent: None

Staff Present: Noelle Reeve, Planner
Garry Welsh, Secretary/Treasurer

Applicant/Agents Present: Chris Clarke, ZanderPlan Inc., Applicant/Agent
Andrew Mason, Applicant/Agent

Public Present: None

1. CALL TO ORDER

The Chair called the meeting to order at 5:00 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 – February 28th, 2022.**

The minutes of the Committee of Adjustment meeting held on February 28th, 2022, 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:

MV22-03 – STIMPSON – 519 Black Lake Route 11C, Concession 6, Part Lot 17,
geographic Township of North Burgess

MV22-05 – JENKINS – 268 Black Lake Route 11, Concession 6, Part Lot 17,
geographic Township of North Burgess

MV22-01 – ANTHONY – 556 Christie Lake Lane 41A, Concession 2, Part Lot 17,
geographic Township of South Sherbrooke

MV22-02 – KIRKPATRICK AND LYONS - 541 Black Lake Road, Concession 6, Part
Lot 18, geographic Township of North Burgess

6. APPLICATIONS

i) **FILE #: MV22-03 – Stimpson**

a) PLANNER FILE REVIEW

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

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2022-05

MOVED BY: Peter Siemons

SECONDED BY: Ron Running

“**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 MV22-03 is approved, to allow a variance from the requirements of Section 5.2.2 (Zone Provisions) of Zoning By-Law 2002-121, for the lands legally described as 519 Black Lake Route 11C, Concession 6, Part Lot 17 in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-43200 to reduce the minimum lot area required to 1,845m².”

ADOPTED

ii) **FILE #: MV22-05– Jenkins**

a) PLANNER FILE REVIEW

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

b) APPLICANT COMMENTS

None.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2022-06

MOVED BY: Ron Running

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 MV22-05 is approved, to allow a variance from the requirements of Section 5.2.2 (Zone Provisions) of Zoning By-Law 2002-121, for the lands legally described as 268 Black Lake 11, Concession 6, Part Lot 17 in the geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-43300 to reduce the minimum lot area required to 2,742m².”

ADOPTED

iii) **FILE #: MV22-06 – Anthony**

a) PLANNER FILE REVIEW

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that although the property falls within an inactive waste site buffer, the Ministry of Environment was able to confirm that plume measurements and direction of flow do not affect this site. It was also noted that an accessory building would not require a setback from the buffer.

The Planner explained that there is already an existing Site Plan Control Agreement for this property and the accompanying site drawing will just have to be updated.

b) APPLICANT COMMENTS

The Applicant/Agent noted that the application for variance on maximum height was requested to accommodate a slightly higher ground floor with

additional storage capacity above. It was also noted that the proposal also meets all setback requirements and does not block the existing right-of-way.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

RESOLUTION #COA-2022-07

MOVED BY: Peter Siemons
SECONDED BY: Ron Running

“**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 MV22-06 is approved, to allow a variance from the requirements of Section 3.1.6.2 (Accessory Uses) of Zoning By-Law 2002-121, for the lands legally described as 556 Christie Lake Lane 41A, Concession 2, Part Lot 17 in the geographic Township of South Sherbrooke, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-914-020-13204 to permit the construction of a 7m-high garage.”

ADOPTED

iv) **FILE #: MV22-07 –Kirkpatrick and Lyons**

a) PLANNER FILE REVIEW

The Planner reviewed the file and PowerPoint in the agenda package. The Planner noted that the existing boathouse and shed will be removed from the unopened road allowance. The Planner also explained that there is a small triangular parcel of land with no confirmed ownership, situated between the subject property and the Township-owned travelled road. The Planner supports the variance, however, before construction could occur, the Clerk would have to approve a conditional building permit, with respect to clarification of access to the travelled road.

b) APPLICANT COMMENTS

The Applicant / Agent noted that the new building location will be moved 0.8m towards the lake, to accommodate minimum clearance of 5m from the septic system. It was also noted that the building height variance will allow for a steeper roof pitch, additional storage capacity, and aesthetic value.

c) ORAL & WRITTEN SUBMISSIONS

None.

d) DECISION OF COMMITTEE

The Committee required the addition of a Site Plan Control Agreement.

RESOLUTION #COA-2022-08

MOVED BY: Ron Running

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 MV22-07 is approved, to allow a variance from the requirements of Sections 3.1.10 and 3.1.6.2 (Accessory Uses) of Zoning By-Law 2002-121, for the lands legally described as 541 Black Lake Road, Concession 6, Part Lot 18, Geographic Township of North Burgess, now known as Tay Valley Township in the County of Lanark – Roll Number 0911-911-020-52000 to permit the construction of a 25m² Sleep Cabin and permit an accessory building to be two storeys tall and 6.7m in height.

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

ADOPTED

7. NEW/OTHER BUSINESS

None.

8. ADJOURNMENT

The meeting adjourned at 5:49 p.m.