
Tuesday, April 12th, 2022

5:30 p.m.

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

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

Chair, Deputy Reeve Barry Crampton

1. CALL TO ORDER

2. INTRODUCTION

- The purpose of this public meeting is to hear an application for a Zoning By-Law Amendment for the following application:

Tay Valley Township

- The Planner will provide a brief overview of the details of the file and details of the amendment. The public will then be given an opportunity to make comments and ask questions.
- If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of Tay Valley Township to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Tay Valley Township before the by-law is passed, the person or public body is not entitled to appeal the decision.
- If a person or public body does not make oral submissions at a public meeting or make written submissions to Tay Valley Township before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.
- The Clerk must provide notice of Council's decision to all those who request a copy within 15 days after the day the by-law is passed. Anyone may appeal the decision to the Ontario Land Tribunal by filing with the Clerk within 20 days of the notice of decision.

- An appeal to the Ontario Land Tribunal may be filed with the Clerk of the Township not later than 20 days after the day that the notice of decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.
- If you are interested in receiving a copy of the decision, please contact the Administrative Assistant at adminassistant@tayvalleytwp.ca.

3. APPLICATIONS

- i) **FILE #ZA22-03: Tay Valley Township – *attached, page 4.***
217 Harper Road
Part Lot 20, Concession 8
Geographic Township of Bathurst
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) PUBLIC COMMENTS
 - d) RECOMMENDATION

4. ADJOURNMENT

APPLICATIONS

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

April 12th, 2022

Noelle Reeve, Planner

APPLICATION ZA22-03 TAY VALLEY TOWNSHIP

STAFF RECOMMENDATION

It is recommended:

“THAT, an amendment to Zoning By-Law No. 02-121 be approved for the proposed rezoning of a portion of the lands at 217 Harper Road, E Part Lot 20, Concession 3, Geographic Township of Bathurst (Roll #091191601523001) from Rural (Ru) to Disposal Industrial (MD).”

BACKGROUND

The application applies to the northern portion of an approximately 5.2-ha (12.85-acre) lot with an existing municipal landfill and municipal office.

The purpose of this application is to correct the area identified for use as a municipal landfill. The effect of the amendment is to accurately identify the area authorized by the Certificate of Approval for a Waste Disposal Site at the Glen Tay Waste Site, as designated by the Ministry of the Environment, Conservation and Parks. No expansion is proposed.

The area approved as a waste disposal site by the Ministry of Environment on March 18, 1980 was not accurately mapped in the Bathurst Township Zoning By-Law at that time. Subsequent consolidations of the Zoning By-Law by consultants carried the original mapping forward.

As part of the discussions regarding the 2022 renewal of the Certificate of Approval, the Ministry requested that the zoning map reflect the actual extent of the approved area for the waste site.

DISCUSSION

Provincial Policy Statement (PPS)

Section 1.1.1 Building Strong Healthy Communities - states that “Healthy, livable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term...and c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.” This section can be met because the accurate mapping of the waste disposal site contributes to understanding the most efficient use of the land.

Section 2.2 of the PPS requires planning authorities 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. The more accurate mapping in the Zoning By-Law makes clear that the wetland area adjacent to a headwater of Blueberry Creek will not be filled.

Section 3.1 Natural Hazards does not appear to be applicable for the proposed mapping correction.

Lanark County Sustainable Communities Official Plan

Section 3 Rural Land designation permits a variety of uses including waste disposal sites. Section 4.5 Waste Management states that waste management uses are to be environmentally sustainable and support on-going development.

Official Plan

The area of the mapping correction is designated in the Official Plan as Section 3.6.8 Rural Waste Disposal Site, Waste Disposal Site Influence Area, as well as Section 2.20.3 Natural Hazard Features for some Organic soils along the eastern side (toward Harper Road)

Zoning By-Law

The portion of lot that is the subject of the application to correct the zoning is currently zoned Rural (Ru).

Planner

The Township proposes to rezone the north portion of the lot to Disposal Industrial (MD) from Rural (Ru) so that the Zoning Map accurately reflects the area of the waste disposal site authorized by the Certificate of Approval from the Ministry of Environment Conservation and Parks.

Rideau Valley Conservation Authority (RVCA)

The RVCA stated they have no objection to the application.

Mississippi Rideau Septic System Office (MRSSO)

The MRSSO does not object to the proposal.

Public Comment

One resident south of the property asked if the waste site size was changing. The Planner informed her that the waste site was not getting bigger. The map in the Zoning By-Law is simply changing to accurately reflect the Ministry authorized size of the waste disposal site. The questioner asked that she be mailed a copy of the decision of Council.

CONCLUSION

The Planner recommends that the proposed amendment to rezone the lands at 217 Harper Road, E Part Lot 20, Concession 3, Geographic Township of Bathurst (Roll # 091191601523001) from Rural (Ru) to Disposal Industrial (MD) be approved. The rezoning makes transparent the actual boundaries of the Disposal Industrial (MD) zone as authorized by the Ministry of Environment, Conservation and Parks.

ATTACHMENTS

- i) Site Sketch
- ii) Zoning By-law

Prepared and Submitted By:

Approved for Submission By:

Original signed

Original signed

**Noelle Reeve,
Planner**

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





THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2022-0XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (TAY VALLEY TOWNSHIP – 217 HARPER ROAD GLEN TAY WASTE SITE) (E PT LOT 20, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF BATHURST)

WHEREAS, the *Planning Act, R.S.O. 1990, Chapter P.13 Section 34 as amended*, provides that the Councils of local municipalities may enact by-laws regulating the use of land and the erection, location and use of buildings and structures within the municipality;

AND WHEREAS, By-Law No. 2002-121, as amended, regulates the use of land and the erection, location and use of buildings and structures within Tay Valley Township;

AND WHEREAS, the Council of the Corporation of Tay Valley Township deems it advisable to amend By-Law No. 2002-121, as amended, as hereinafter set out;

AND WHEREAS, this By-Law implements the policies and intentions of the Official Plan for Tay Valley Township;

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Rural (Ru) to Disposal Industrial (MD) on part of the lands legally described as E Part Lot 20, Concession 3, Geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll #091191601523001), in accordance with Schedule “A” attached hereto and forming part of this By-Law.
- 1.2 **THAT**, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.3 **THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0XX**

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 26th day of April, 2022.

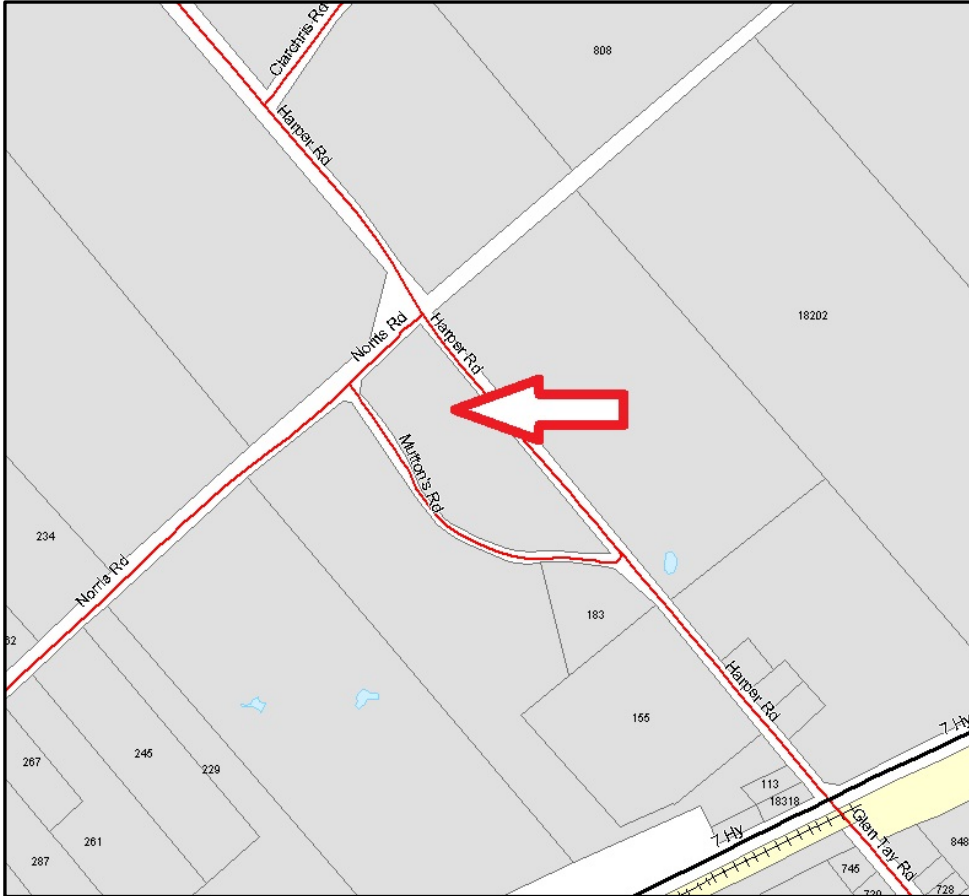
Brian Campbell, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-0XX**

SCHEDULE "A"

Tay Valley Township – 217 Harper Road
E Part Lot 20, Concession 3
Geographic Township of Bathurst
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning provisions
Rural (RU) to Disposal Industrial (MD)

Certificate of Authentication

This is Schedule "A" to By-Law 2020-0xx
passed this XX day of XX XXXX.

Reeve

Clerk

Tay Valley Township Zoning By-law Amendment

Public Notice

Pursuant to the Planning Act, Notice of public meeting is to be provided a minimum of 20 days prior for a Zoning By-law Amendment. Notice was duly given by both the posting of the notice in a visible area for the property and by mailing to adjacent property owners within 120 metres of the location. Notice was also given to other public agencies as required.

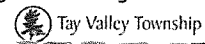
Ontario Land Tribunal

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

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

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

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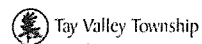
Tay Valley Township

217 Harper Road

Part Lot 13, Concession 8, Geographic Township of North Burgess

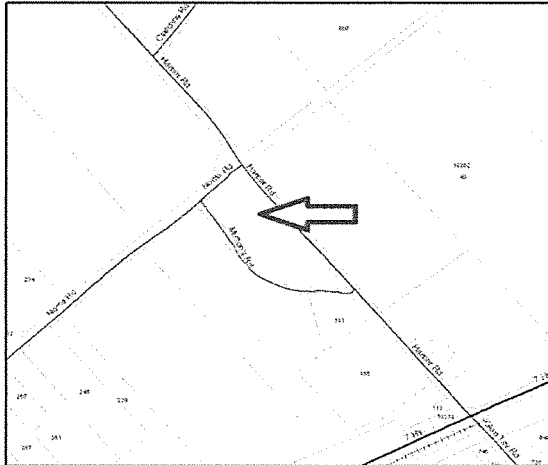
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Tay Valley Township Location



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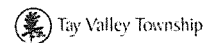


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Tay Valley Township Aerial Photo (2019)



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Tay Valley Township Planner's Comments Provincial Policy Statement (PPS)

- Section 1.1.1 Building Strong Healthy Communities - states that "Healthy, livable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term...and
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns."This section can be met because the accurate mapping of the waste disposal site contributes to understanding the most efficient use of the land.

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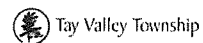


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Tay Valley Township Planner's Comments Provincial Policy Statement (PPS)

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Tay Valley Township County Sustainable Communities Official Plan

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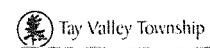


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Tay Valley Township Planner's Comments Official Plan

- The area of the mapping correction is designated in the Official Plan as Section 3.6.8 Rural Waste Disposal Site, Waste Disposal Site Influence Area, as well as Section 2.20.3 Natural Hazard Features for some Organic soils along the eastern side (toward Harper Rd.)

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Tay Valley Township Planner's Comments Zoning

- The portion of lot that is the subject of the application to correct the zoning is currently zoned Rural (Ru).

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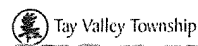


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Tay Valley Township Planner's Comments

- The Township proposes to rezone the north portion of the lot to Disposal Industrial (MD) from Rural (Ru) so that the Zoning Map accurately reflects the area of the waste disposal site authorized by the Certificate of Approval from the Ministry of Environment Conservation and Parks.

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Tay Valley Township Comments

Rideau Valley Conservation Authority (RVCA)

- The RVCA stated they have no objection to the application.

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Tay Valley Township Comments Continued

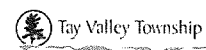
Mississippi-Rideau Septic System Office (MRSSO)

- The MRSSO does not object to the proposal.

Public Comments

- One resident south of the property asked if the waste site size was changing.
- The Planner informed them that the waste site was not being enlarged.

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Tay Valley Township Recommendation

"THAT, Zoning By-Law No. 2002-121 be approved for the proposed rezoning of a portion of the lands at 217 Harper Road, E Part Lot 20, Concession 3, Geographic Township of Bathurst (Roll #091191601523001) from Rural (Ru) to Disposal Industrial (MD)."