
Tuesday, June 7th, 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, Councillor RoxAnne Darling

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 applications:

Donaldson

Waddington

Thompson

- 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 #ZA22-05: William and Carol-Ann Donaldson – *attached, page 5.***
3097 McDonalds Corners Road
Part Lot 25, Concession 12
Geographic Township of Bathurst

- a) PLANNER FILE REVIEW & PROPOSED BY-LAW
- b) APPLICANT COMMENTS
- c) PUBLIC COMMENTS
- d) RECOMMENDATION

- ii) **FILE #ZA22-06: Joseph and Donna Waddington – *attached, page 20.***
Big Rideau North Shore Road
Part Lot 26, Concession 3
Geographic Township of North Burgess

- a) PLANNER FILE REVIEW & PROPOSED BY-LAW
- b) APPLICANT COMMENTS
- c) PUBLIC COMMENTS
- d) RECOMMENDATION

iii) **FILE #ZA22-07: Jerry and Charlotte Thompson – *attached, page 35.***
Farren Lake Lane 5
Part Lot 11, Concession 1
Geographic Township of South Sherbrooke

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

June 7^h, 2022

Noelle Reeve, Planner

APPLICATION ZA22-05 DONALDSON

STAFF RECOMMENDATION

It is recommended:

“THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 25, Concession 12, Geographic Township of Bathurst (Roll #0911-916-030-44909) known locally as 3097 McDonald’s Corners Road from Rural (RU) to Commercial”

BACKGROUND

The application applies to an approximately 1.2ha (3-acre) lot with 105m frontage on McDonalds Corners Road, a County road.

The purpose of this application is to change the zoning of the property from Rural (RU) to Commercial (C).

The effect of the amendment is to permit a portion of the property to include a veterinary clinic with an accessory dwelling above.

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 veterinary clinic is being proposed on a County Road, there are no environmental constraints on the property and no safety concerns.

Lanark County Sustainable Communities Official Plan

Section 3 Rural Land designation permits a variety of uses including commercial uses.

Official Plan

The subject property is designated in the Official Plan as Rural and the west part of the lot is also designated Mineral Resource Sand and Gravel. Section 3.6 Rural designation permits commercial uses. Section 3.3.3 Mineral Resources permits other uses than aggregate

extraction when existing historic development (e.g., residential uses) precludes the possibility of development.

Section 5.4 Site Plan Control is required for commercial development to address such issues as lighting, parking, drainage, landscaping, etc.

Zoning By-Law

The lot is currently zoned Rural (RU) and must be rezoned to Commercial to permit the veterinary use and accessory residential use.

Lot coverage at 1.2% is well below the 10% permitted.

Planner

The proposed Commercial use is in keeping with other land uses in the area (residential and vacant land). There are no environmental constraints on the lot.

Lanark County

The County Public Works Department has issued an entrance permit for the property.

Mississippi Valley Conservation Authority (MVCA)

At the time of the report, the MVCA had not expressed any objections to the application.

Mississippi Rideau Septic System Office (MRSSO)

At the time of the report, the MRSSO had not expressed any objections to the application.

Public Comment

None

CONCLUSION

The Planner recommends that the proposed amendment to rezone the lands at Part Lot 25, Concession 12, Geographic Township of Bathurst (Roll #0911-916-030-44909) known locally as 3097 McDonald's Corners Road from Rural (RU) to Commercial (C) be approved.

ATTACHMENTS

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

Prepared and Submitted By:

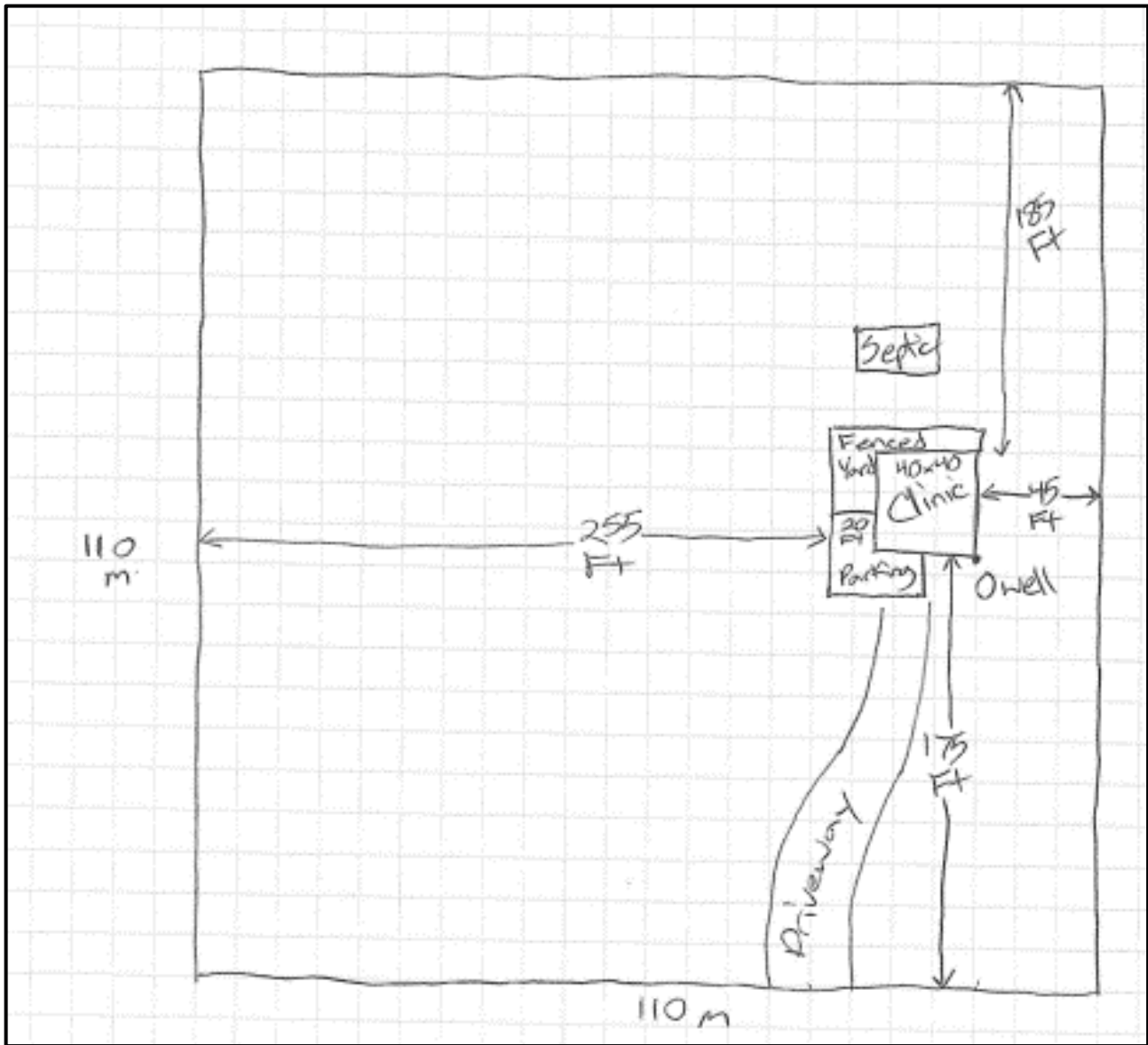
Approved for Submission By:

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
(DONALDSON – 3097 MACDONALDS CORNERS ROAD)
(PART LOT 25, CONCESSION 12, 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 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 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 is hereby amended by amending the zoning from Rural (RU) to Commercial (C) on the lands legally described as Part Lot 25, Concession 12, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll # 091191603044909), 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.

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.

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

3. EFFECTIVE DATE

ENACTED AND PASSED this XX day of XX, 2022.

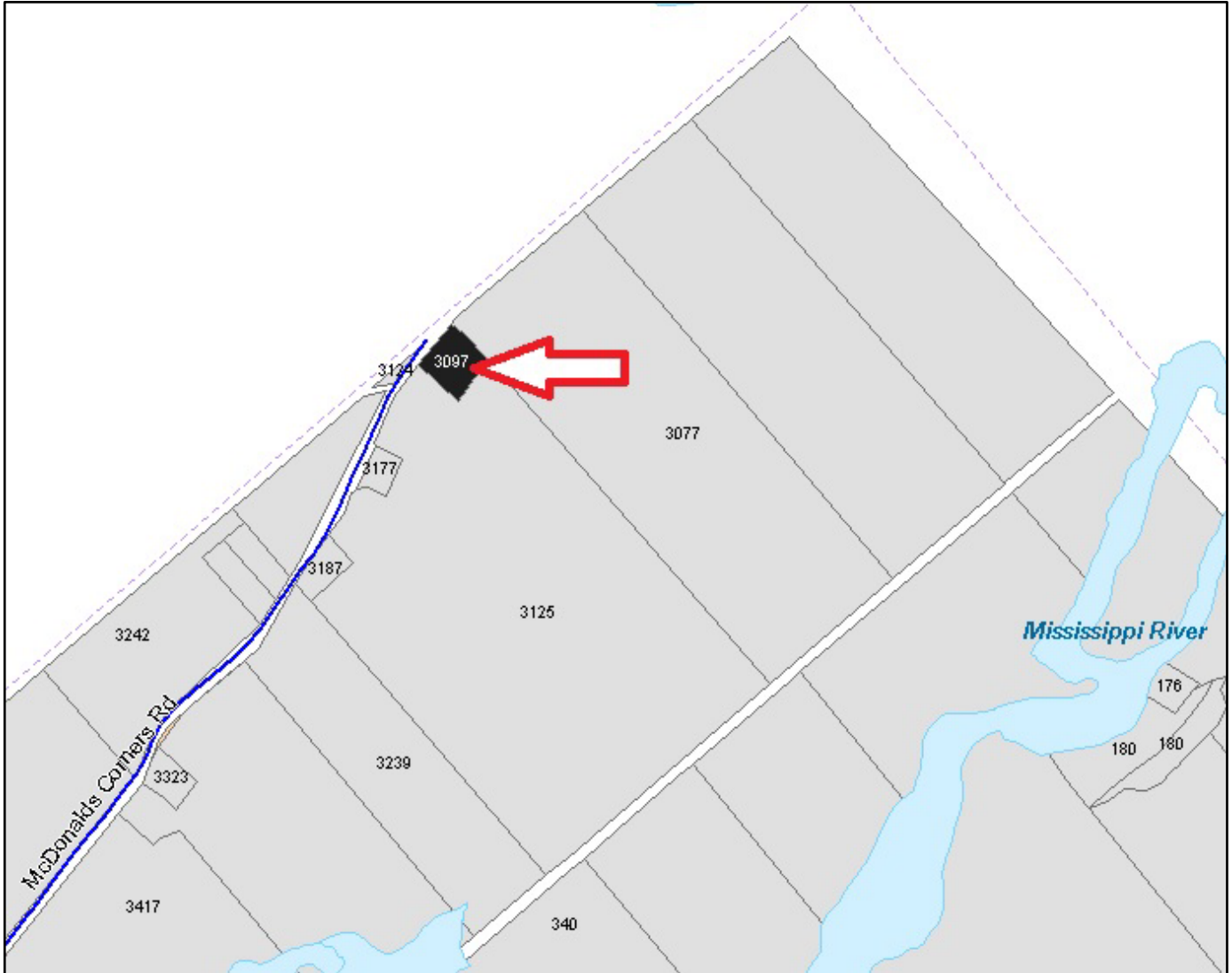
Brian Campbell, Reeve

Amanda Mabo, Clerk

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

SCHEDULE "A"

Donaldson– 3097 MacDonaldis Corners Road
Part Lot 25, Concession 12
Geographic Township of Bathurst
Tay Valley Township



Area Subject to the By-Law

To amend the Zoning from
Rural (RU) to Commercial (C)

Certificate of Authentication

This is Schedule "A" to By-Law 2022-0xx
passed this XX day of XX, 2022

Reeve

Clerk

Donaldson Zoning By-law Amendment

Public Notice

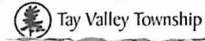
Pursuant to the Planning Act, Notice of public meeting is to be provided a minimum of 20 days prior for a Zoning By-law Amendment. Notice was duly given by both the posting of the notice in a visible area for the property and by mailing to adjacent property owners within 120 metres of the location. Notice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



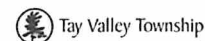
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Donaldson

3097 McDonalds Corners Road
Part Lot 25, Concession 12, Geographic Township of Bathurst

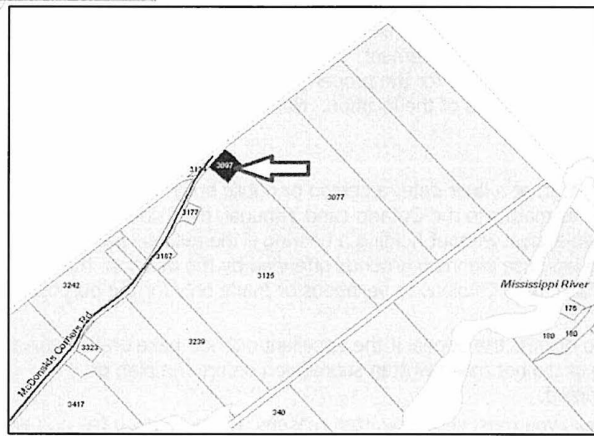
- The application applies to an approximately 1.2ha (3-acre) lot with 105m frontage on McDonalds Corners Road.
- The purpose of this application is to change the zoning of a portion of the property from Rural (RU) to Commercial (C).
- The effect of the amendment is to permit a portion of the property to include a veterinary clinic with an accessory dwelling above.



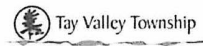
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Donaldson Location

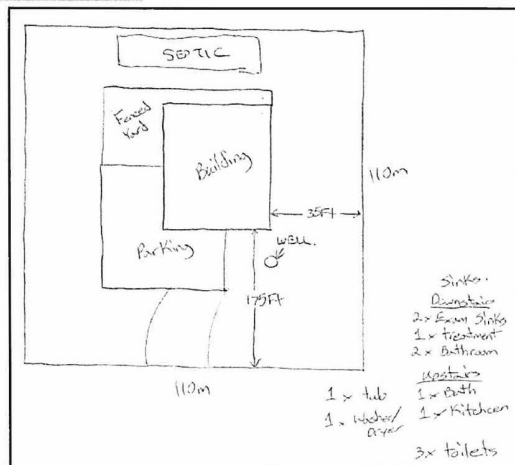


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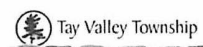


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Donaldson Site Sketch

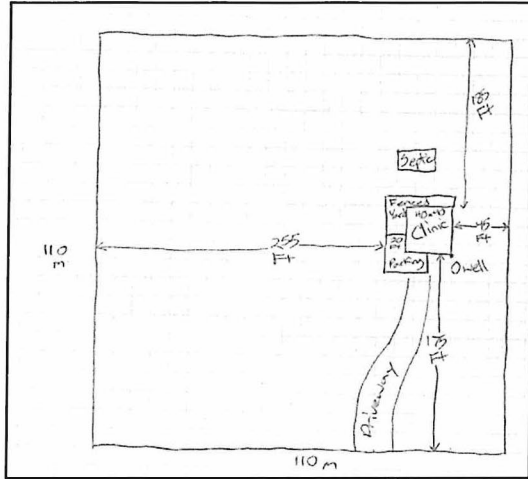


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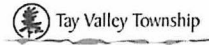


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Donaldson Site Sketch



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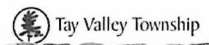


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Donaldson Photo



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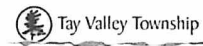


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Donaldson Planner's Comments Provincial Policy Statement (PPS)

- 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 veterinary clinic is being proposed on a County Road, there are no environmental constraints on the property and no safety concerns.

7

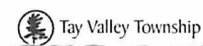


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Donaldson County Sustainable Communities Official Plan

- Section 3 Rural Land designation permits a variety of uses including commercial uses.

8

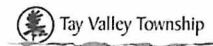


8

Donaldson Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural and the west part of the lot is also designated Mineral Resource Sand and Gravel.
- Section 3.6 Rural designation permits commercial uses.
- Section 3.3.3 Mineral Resources permits other uses than aggregate extraction when existing historic development (e.g., residential uses) precludes the possibility of development.
- Section 5.4 Site Plan Control is required for commercial development to address such issues as lighting, parking, drainage, landscaping, etc.

9

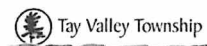


9

Donaldson Planner's Comments Zoning

- The lot is currently zoned Rural (RU) and a portion must be rezoned to Commercial to permit the veterinary use and accessory residential use.
- Lot coverage at 1.2% is well below the 10% permitted.

10

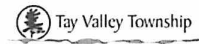


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Donaldson Planner's Comments

- The proposed Commercial use is in keeping with other land uses in the area (residential and vacant land). There are no environmental constraints on the lot.

11



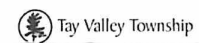
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Donaldson Comments

Mississippi Valley Conservation Authority (MVCA)

- No objections.

12



12

Donaldson Comments Continued

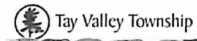
Mississippi-Rideau Septic System Office (MRSSO)

- The MRSSO does not object to the proposal.

Public Comments

- No comments were received at the time of the report. Members of the public are welcome to speak to the application at this meeting.

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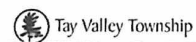


13

Donaldson Recommendation

"THAT, Zoning By-Law No. 2002-121 be amended to rezone a portion of the lands at Concession 12, Part Lot 25, 3097 McDonald's Corners Road, Geographic Township of Bathurst (Roll #0911-916-030-44909) from Rural (RU) to Commercial (C)."

14



14

Donaldson Comments Continued

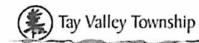
Mississippi-Rideau Septic System Office (MRSSO)

- The MRSSO does not object to the proposal.

Public Comments

- No comments were received at the time of the report. Members of the public are welcome to speak to the application at this meeting.

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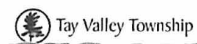


13

Donaldson Recommendation

"THAT, Zoning By-Law No. 2002-121 be amended to rezone a portion of the lands at Concession 12, Part Lot 25, 3097 McDonald's Corners Road, Geographic Township of Bathurst (Roll #0911-916-030-44909) from Rural (RU) to Commercial (C)."

14



14

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

June 7th, 2022

Noelle Reeve, Planner

APPLICATION ZA22-06 WADDINGTON

STAFF RECOMMENDATION

It is recommended:

“**THAT**, an amendment to Zoning By-Law No. 02-121 be approved for the proposed rezoning of the lands at Big Rideau North Shore Road, Part Lot 26, Concession 3, Geographic Township of North Burgess (Roll #091191102007007) from Seasonal Residential (RS) to Residential Limited Services (RLS) to permit construction of a permanent dwelling on a vacant lot on a private road.”

BACKGROUND

The application applies to an approximately 0.61ha (1.5 acre) lot with water frontage of 41m (135 ft) on Big Rideau Lake.

The purpose of this application is to change the zoning of the property from Seasonal Residential (RS) to Residential Limited Services (RLS) to permit a year-round residence on a private road.

The effect of the amendment is to allow a permanent residence that meets the water setback to be constructed on a private road.

DISCUSSION

Provincial Policy Statement (PPS)

Section 2.2 of the PPS requires planning authorities to protect Provincially Significant Wetlands (PSW) and improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning. There is a Provincially Significant Wetland located north of Big Rideau North Shore and the proposed dwelling will be located within the PSW buffer. However, an Environmental Impact Statement is required to ensure that the biodiversity of the PSW is protected. The proposed dwelling will also be located beyond the 30m water setback.

Section 3.1 Natural Hazards is satisfied as the lot slopes gently toward the water although it is steeper north of the road.

Lanark County Sustainable Communities Official Plan

Section 3 Rural Land designation permits a variety of uses including residential uses.

Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. This section is met.

Official Plan

The subject property is designated in the Official Plan as Rural, PSW buffer, and Significant Wildlife Habitat. Section 3.6 Rural designation permits residential uses. An Environmental Impact Statement will provide direction on location of the dwelling to protect the PSW across the road and any habitat toward the water. The proposed house location is located on a currently mowed field over 60m from the lake and over 70m from the PSW.

Zoning By-Law

The lot is currently zoned Seasonal Residential (RS).

Section 3.29 of the Zoning By-Law requires a 30 m setback from water. No relief from the water setback of the Zoning By-law is required.

Planner

The applicants are proposing to rezone the lot to Residential Limited Services to allow a permanent dwelling to be located well beyond the 30m water setback on a lot on a private road. A Site Plan Control Agreement will provide protection to the water quality of the lake by requiring eavestroughs that drain to the rear and retention of vegetation along the shoreline.

Rideau Waterfront Development Review Team (RWDRT)

At the time of the report, the RWDRT had not expressed any objections to the application.

The Rideau Valley Conservation Authority (RVCA) noted the water quality of Big Rideau Lake, a cold-water trout lake, is rated Fair. To protect water quality, maintenance of shoreline vegetation and minimizing runoff to waterbodies is important. This can be achieved by enhancing and protecting shoreline buffers within 30 m of the lake, directing runoff from downspouts away from the lake and minimizing the amount of hardened surface and that shoreline revegetation be considered where appropriate. RVCA also noted, that as is the case with most of Tay Valley Township, the subject property overlies a highly vulnerable aquifer so care should be taken to avoid land uses and practices that could lead to undesirable effects on ground water.

A permit will be required from the RVCA, because the property lies within a PSW buffer.

Regular Site Plan Control Agreement measures would apply including, "should any work be proposed along the shoreline of Big Rideau Lake, the prior written permission of the RVCA

office is required in accordance with Ontario Regulation 174/06 (Development, Interference with Wetlands, Alterations to Shoreline and Watercourses) made under Section 28 of the Conservation Authorities Act". Parks Canada permits would also be required.

Mississippi Rideau Septic System Office (MRSSO)

The MRSSO does not object to the proposal. A new septic system located more than 30m from water will be applied for.

Public Comments

None.

CONCLUSION

The Planner recommends that the proposed amendment to rezone the lands at Big Rideau North Shore Road, Part Lot 26, Concession 3, Geographic Township of North Burgess (Roll #091191102007007) from Seasonal Residential (RS) to Residential Limited Services (RLS) be approved.

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**

Waddington

Roll: 0911 911-020-07007-0000
Lot 26, Concession 3, North Burgess
Parts 10 and 11
Plan 27R3925

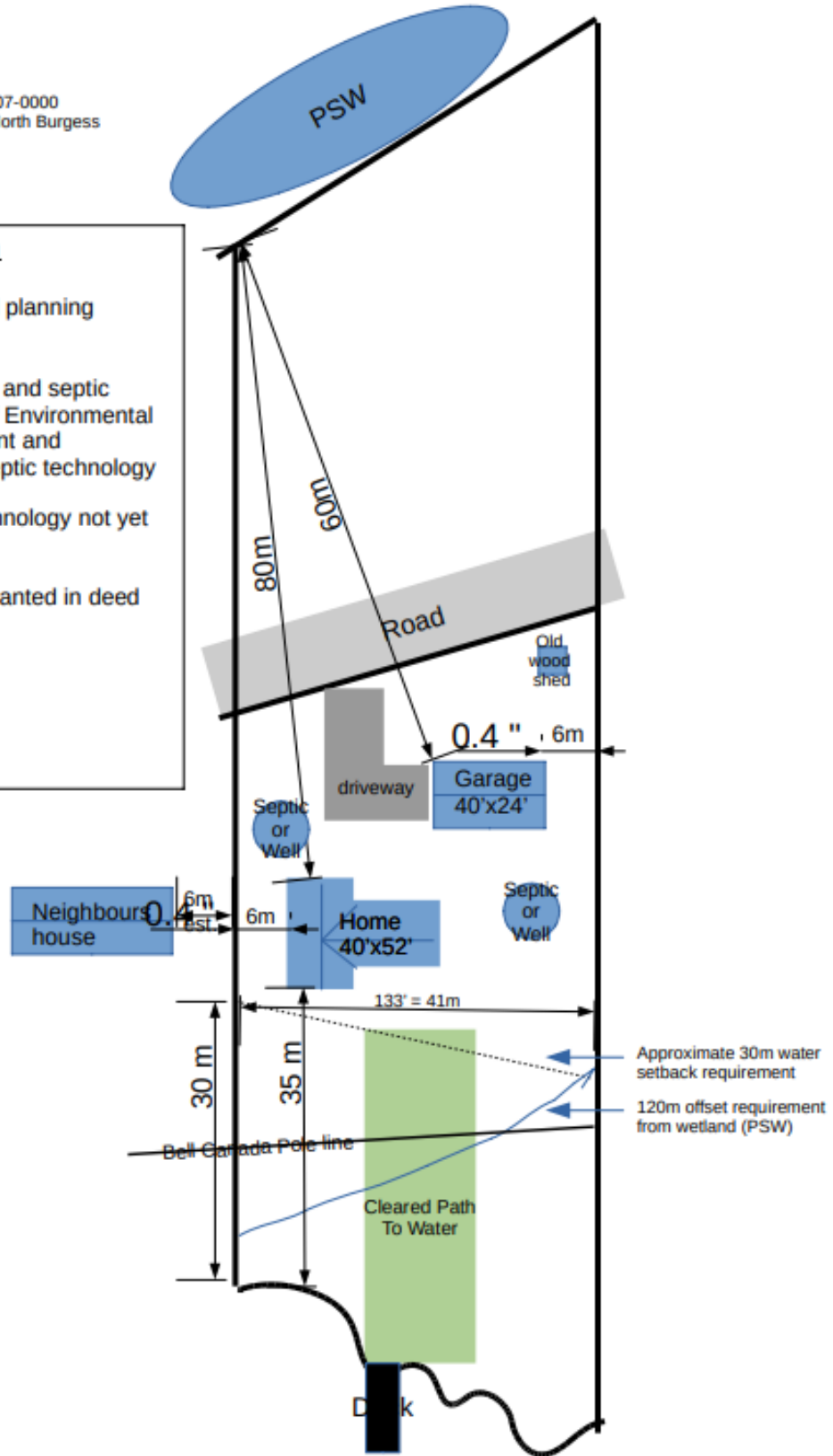
Draft Site Plan

For Rezoning and planning purposes.

Placement of well and septic pending results of Environmental Impact Assessment and identification of septic technology

Floating dock technology not yet chosen

Road access is granted in deed



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2022-0XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (WADDINGTON – BIG RIDEAU NORTH SHORE) (PT LOT 26, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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 polices 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 Seasonal Residential (RS) to Residential Limited Services (RLS) on the lands legally described as Part Lot 26, Concession 3, Geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll #091191102007007), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **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 XX day of XX 2022.

Brian Campbell, Reeve

Amanda Mabo, Clerk

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

SCHEDULE "A"

Waddington – Big Rideau North Shore Road
Part Lot 26, Concession 3
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning provisions of
Seasonal Residential (RS) to
Residential Limited Services (RLS)

Certificate of Authentication

This is Schedule "A" to By-Law 2021-016
passed this XX day of XX, 2021.

Reeve

Clerk

Waddington 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.

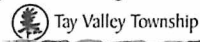
Ontario Land Tribunal

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.

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1



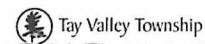
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Waddington

Big Rideau North Shore Road, Concession 3, Part Lot 26, Geographic Township of North Burgess

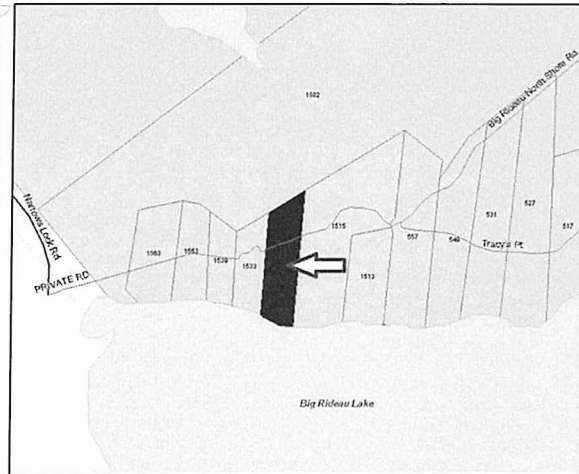
- The application applies to an approximately 0.61ha (1.5-acre) lot with 40m frontage on Big Rideau Lake.
- The purpose of this amendment is to change the zoning of the property from Seasonal Residential (RS) to Residential Limited Services (RLS).
- The effect of the amendment is to permit a year-round dwelling to be constructed on a private road.

2

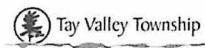


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Waddington Location

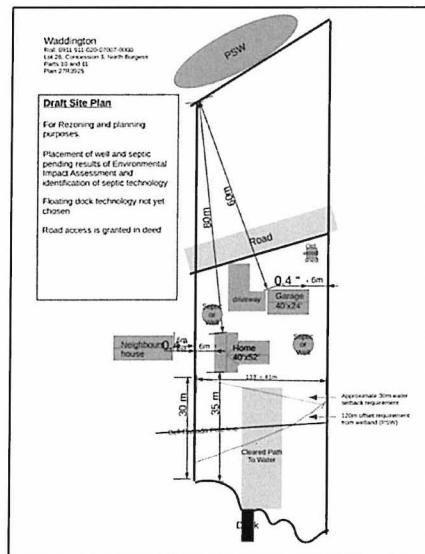


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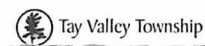


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Waddington Site Sketch



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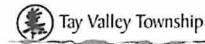


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Waddington Photos



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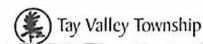


5

Waddington 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 proposed dwelling and septic exceed the 30m water setback. A permit will also be required from the Rideau Valley Conservation Authority for construction within the Provincially Significant Wetland Buffer. The dwelling will be infill between already developed lots.

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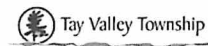


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Waddington Planner's Comments Provincial Policy Statement (PPS)

- Section 2.2 of the PPS requires planning authorities to protect Provincially Significant Wetlands (PSW) and improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning. There is a PSW located north of Big Rideau North Shore and the proposed dwelling will be located within the PSW buffer. However, an Environmental Impact Statement is required to ensure that the biodiversity of the PSW is protected.
- The proposed dwelling will also be located beyond the 30m water setback.
- Section 3.1 Natural Hazards is satisfied as the lot slopes gently toward the water, although it is steeper north of the road.

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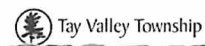


7

Waddington County Sustainable Communities Official Plan

- Section 3 Rural Land designation permits a variety of uses including residential uses.
- Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. This section is met.

8

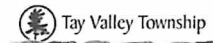


8

Waddington Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural, PSW buffer, and Significant Wildlife Habitat. Section 3.6 Rural designation permits residential uses.
- An Environmental Impact Statement will provide direction on location of the dwelling to protect the PSW across the road and any habitat toward the water.
- The proposed house location is located on a currently mowed field over 30 m from the lake and over 60m from the PSW.

9

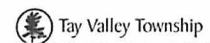


9

Waddington Planner's Comments Zoning

- The lot is currently zoned Seasonal Residential (RS).
- Section 3.29 of the Zoning By-Law requires a 30 m setback from water. No relief from the water setback of the Zoning By-law is required.

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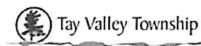


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Waddington Planner's Comments

- The applicants are proposing to rezone the lot to Residential Limited Services to allow a permanent dwelling to be located well beyond the 30m water setback on a lot on a private road.
- A Site Plan Control Agreement will provide protection to the water quality of the lake and the PSW by requiring eavestroughs that drain to the rear and retention of vegetation along the shoreline and between the road and the PSW.

11



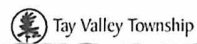
11

Waddington Comments

Rideau Waterfront Development Review Team (RWDRT)

- At the time of the report, the RWDRT had not expressed any objections to the application.
- The Rideau Valley Conservation Authority (RVCA) noted the water quality of Big Rideau Lake, a cold-water trout lake, is rated Fair. To protect water quality, maintenance of shoreline vegetation and minimizing runoff to waterbodies is important. This can be achieved by enhancing and protecting shoreline buffers within 30 m of the lake, directing runoff from downspouts away from the lake and minimizing the amount of hardened surface and that shoreline revegetation be considered where appropriate.

12



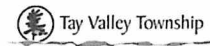
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Waddington Comments

Rideau Waterfront Development Review Team (RWDRT)

- RVCA also noted, that as is the case with most of Tay Valley Township, the subject property overlies a highly vulnerable aquifer so care should be taken to avoid land uses and practices that could lead to undesirable effects on ground water.
- A permit will be required from the RVCA, because the property lies within a PSW buffer.

13



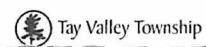
13

Waddington Comments

Rideau Waterfront Development Review Team (RWDRT)

- Regular Site Plan Control Agreement measures would apply including, "should any work be proposed along the shoreline of Big Rideau Lake, the prior written permission of the RVCA office is required in accordance with Ontario Regulation 174/06 (Development, Interference with Wetlands, Alterations to Shoreline and Watercourses) made under Section 28 of the Conservation Authorities Act". Parks Canada permits would also be required.

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14

Waddington Comments Continued

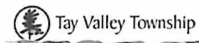
Mississippi-Rideau Septic System Office (MRSSO)

- The MRSSO does not object to the proposal. A new septic system located more than 30m from water will be applied for.

Public Comments

- No comments were received at the time of the report. Members of the public are welcome to speak to the application at this meeting.

15

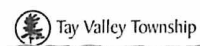


15

Waddington Recommendation

"THAT, Zoning By-Law No. 2002-121 be amended to rezone the lands at Concession 3, Part Lot 26, Big Rideau North Shore Road, Geographic Township of North Burgess (Roll #0911-911-020-07007) from Seasonal Residential (RS) to Residential Limited Services (RLS)."

16



16

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

June 7th, 2022

Noelle Reeve, Planner

APPLICATION ZA22-07 THOMPSON

STAFF RECOMMENDATION

It is recommended:

“**THAT**, an amendment to Zoning By-Law No. 02-121 be approved for the proposed rezoning of the lands at Farren Lake Lane 5, Lot 11 Concession 1 Geographic Township of South Sherbrooke (Roll #091191401509000 and #091191401509100) from Rural (RU) to Residential Limited Services Special Exception-190 (RLS-190) as a condition of severance to create a lot on a private road to be used for maple syrup production and as a place to hunt, without a residence.”

BACKGROUND

The application applies to an approximately 25-ha (62-acre) proposed severed lot on a private road, Farren Lake Lane Route 5.

The purpose of this application is to fulfil a condition of severance for application B20-143 that requires a change the zoning of the property from Rural to Residential Limited Services to permit a lot to be created on a private road.

The effect of the amendment is to create a new lot that meets the requirements for the Residential Limited Services (RLS) zone but with a Special Exception -190 because there is no intention to construct a building on the property as the intention is to use if for maple syrup production and hunting.

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 as the lot is created on a private road and will not require Township resources to maintain it.

Section 2.2 of the PPS requires planning authorities to protect Significant Woodlands. A Development Agreement is a condition of severance and will protect the area of Rare Forest and Species at Risk Habitat identified as no buildings are proposed for the lot.

Section 3.1 Natural Hazards is satisfied as there are no steep slopes, floodplain, etc. on the proposed lot.

Lanark County Sustainable Communities Official Plan

Section 3 Rural Land designation permits a variety of uses. Section 5.5.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on Significant Woodlands to ensure their long-term viability.

Official Plan

The subject property is designated in the Official Plan as Rural. Section 3.6 Rural designation permits maple syrup and hunting uses.

Section 2.22 Natural Heritage addresses protection of significant natural features. The Ministry of Natural Resources and Forest mapping identified potential locations of rare tree species and potential species at risk on the proposed severed lot.

The provisions of Sections 5.2.2 General Policies and 5.2.3 Consent Policies for Land Division will be met through rezoning the proposed severed lot to Residential Limited Services because it is accessed by a private road.

Zoning By-Law

The lot is currently zoned Rural. The lot is proposed to be rezoned to Residential Limited Services Special Exception -190 (RLS -190) as a condition of severance. The special exception is to permit maple syrup production and hunting but no residence or outbuilding.

Planner

The rezoning of the lot is required as a condition of severance to create the new lot. The Residential Limited Services Special Exception -190 restricts use of the lot to hunting and maple syrup production, without a residence or outbuilding. This allows protection of the natural heritage features.

Rideau Valley Conservation Authority (RVCA)

The RVCA stated they had no objection to the severance application. Staff noted that water from the property drains toward Farren Lake, a lake at capacity for phosphorous loading. RVCA recommend a Development Agreement to identify an appropriate development envelope to reduce the amount of tree cutting, etc. A development Agreement has been prepared for their review. This property, as are most in Tay Valley, is located over a highly vulnerable aquifer so care should be taken to avoid practices that would have a negative effect on groundwater e.g., changing motor oil straight onto the ground, etc.

Mississippi Rideau Septic System Office (MRSSO)

The MRSSO did not object to the severance.

Public Comment

Questions relating to the extent of development of the lot under the proposed zoning were raised and have been answered. The questioner was relieved to learn no residence or buildings were being proposed.

CONCLUSION

The Planner recommends that the proposed amendment to rezone the lands at Farren Lake Lane 5 Lot 11 Concession 1 Geographic Township of South Sherbrooke (Roll #091191401509000 and #091191401509100) from Rural (RU) to Residential Limited Services Special Exception–190 (RLS-190) be approved.

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 (THOMPSON – FARREN LAKE LANE 5) (LOT 11, CONCESSION 1, GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE)

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 polices 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 Residential Limited Services Special Exception-190 (RLS-190) on the lands legally described as Lot 11, Concession 1, Geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark (Roll #091191401509000 and #091191401509100), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **THAT** By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 5.1.4 (Exception Zones):

190. RLS-190 (Lot 11, Concession 1, South Sherbrooke)

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

Notwithstanding the provisions of Section 5.2, on the lands zoned RLS-190 the following provisions shall prevail:

- No dwelling or outbuilding permitted
- Maple syrup production and hunting permitted

1.3 **THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

4. ULTRA VIRES

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

5. EFFECTIVE DATE

ENACTED AND PASSED this XX day of XX 2022.

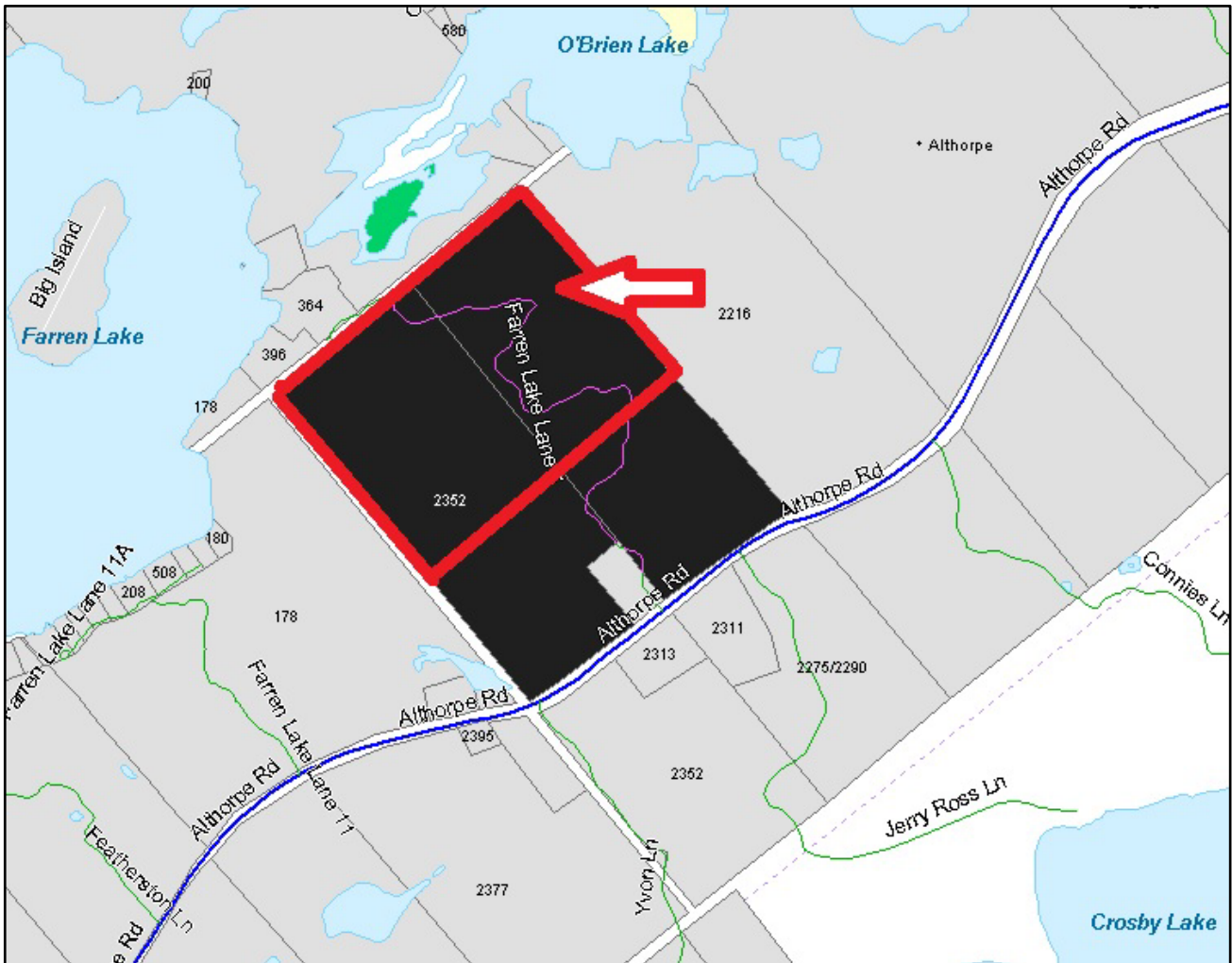
Brian Campbell, Reeve

Amanda Mabo, Clerk

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

SCHEDULE "A"

Thompson – Farren Lake Lane 5
Lot 11, Concession 1
Geographic Township of South Sherbrooke
Tay Valley Township



Area Subject to the By-Law

To amend the Zoning from
Rural (RU) to
Residential Limited Services Special Exception -190
(RLS-190)

Certificate of Authentication

This is Schedule "A" to By-Law 2022-XX
passed this XX day of XX 2022

Reeve

Clerk

Thompson

Zoning By-law Amendment

Public Notice

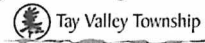
Pursuant to the Planning Act, Notice of public meeting is to be provided a minimum of 20 days prior for a Zoning By-law Amendment. Notice was duly given by both the posting of the notice in a visible area for the property and by mailing to adjacent property owners within 120 metres of the location. Notice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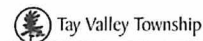
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Thompson

Farren Lake Lane 5

Part Lot 11, Concession 1, Geographic Township of South Sherbrooke

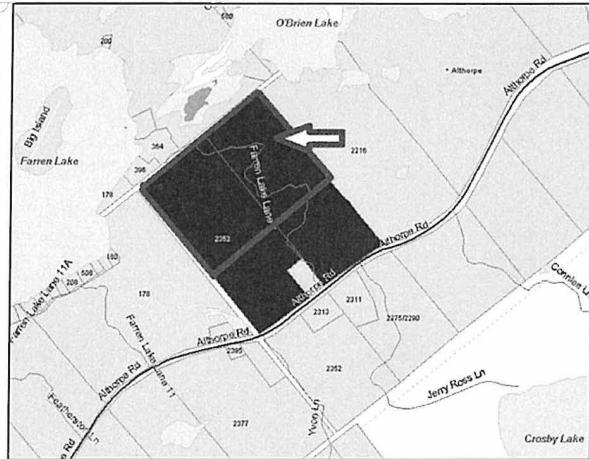
- The application applies to an approximately 25-ha (62-acre) proposed severed lot on a private road, Farren Lake Lane Route 5.
- The purpose of this application is to fulfil a condition of severance for application B20-143 that requires a change the zoning of the property from Rural to Residential Limited Services to permit a lot to be created on a private road.
- The effect of the amendment is to create a new lot that meets the requirements for the Residential Limited Services (RLS) zone but with a Special Exception -190 because there is no plan to construct a building on the property as the intention is to use it for maple syrup production and hunting.



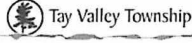
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Thompson Location

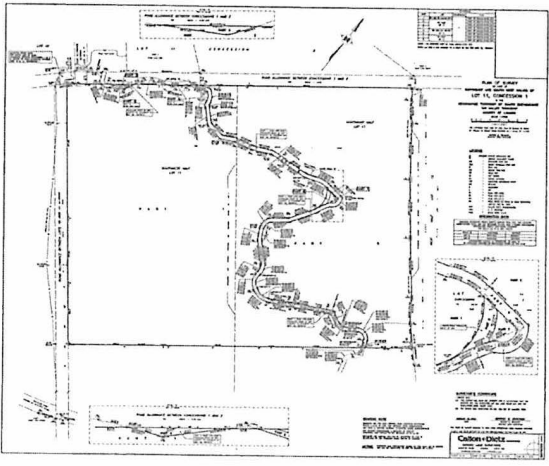


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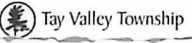


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Thompson Site Sketch



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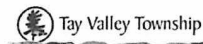


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Thompson Photos



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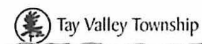


5

Thompson Planner's Comments Provincial Policy Statement (PPS)

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- This section can be met as the lot is created on a private road and will not require Township resources to maintain it.

6

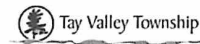


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Thompson Planner's Comments Provincial Policy Statement (PPS)

- Section 2.2 of the PPS requires planning authorities to protect Significant Woodlands. A Development Agreement is a condition of severance and will protect the area of Rare Forest and Species at Risk Habitat identified as no buildings are proposed for the lot.
- Section 3.1 Natural Hazards is satisfied as there are no steep slopes, floodplain, etc. on the proposed lot.

7

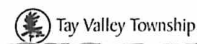


7

Thompson County Sustainable Communities Official Plan

- Section 3 Rural Land designation permits a variety of uses.
- Section 5.5.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on Significant Woodlands to ensure their long-term viability.

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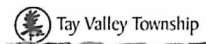


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Thompson Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural. Section 3.6 Rural designation permits maple syrup and hunting uses.
- Section 2.22 Natural Heritage addresses protection of significant natural features. The Ministry of Natural Resources and Forest mapping identified potential locations of rare tree species and potential species at risk on the proposed severed lot.
- The provisions of Sections 5.2.2 General Policies and 5.2.3 Consent Policies for Land Division will be met through rezoning the proposed severed lot to Residential Limited Services because it is accessed by a private road.

9

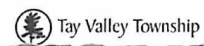


9

Thompson Planner's Comments Zoning

- The lot is currently zoned Rural. The lot is proposed to be rezoned to Residential Limited Services Special Exception -190 (RLS -190) as a condition of severance.
- The special exception is to permit maple syrup production and hunting but no residence or outbuilding.

10



10

Thompson Planner's Comments

- The rezoning of the lot is required as a condition of severance to create the new lot. The Residential Limited Services Special Exception -190 restricts use of the lot to hunting and maple syrup production, without a residence or outbuilding. This allows protection of the natural heritage features.

11



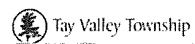
11

Thompson Comments

Rideau Valley Conservation Authority (RVCA)

- The RVCA stated they had no objection to the severance application. Staff noted that water from the property drains toward Farren Lake, a lake at capacity for phosphorous loading.
- RVCA recommend a Development Agreement to identify an appropriate development envelope to reduce the amount of tree cutting, etc. A Development Agreement has been prepared for their review.
- This property is located over a highly vulnerable aquifer so care should be taken to avoid practices that would have a negative effect on groundwater e.g., changing motor oil straight onto the ground, etc.

12



12

Thompson Comments Continued

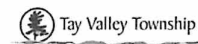
Mississippi-Rideau Septic System Office (MRSSO)

- The MRSSO did not object to the severance.

Public Comments

- Questions relating to the extent of development of the lot under the proposed zoning were raised and have been answered. The questioner was relieved to learn no residence or buildings were being proposed.

13

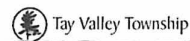


13

Thompson Recommendation

"THAT, Zoning By-Law No. 2002-121 be amended to rezone the lands at Farren Lake Lane 5 Part Lot 11, Concession 1, Geographic Township of South Sherbrooke (Roll #0911-914-015-0900 and #0911-914-015-09100) from Rural (RU) to Residential Limited Services Special Exception-190 (RLS-190)."

14



14