



“SPECIAL” COUNCIL MEETING AGENDA

Tuesday, September 28th, 2021
5:30 p.m.
Via GoToMeeting

GoToMeeting: <https://global.gotomeeting.com/join/814407101>

Members of the Public:

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

Video Conference Participation Etiquette

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

5:30 p.m. "Special" Council Meeting

Chair, Deputy Reeve Barrie Crampton

1. CALL TO ORDER

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

3. APPROVAL OF MINUTES

- i) **"Special" Council Meeting – September 21st, 2021 – attached, page 7.**

*Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer:
"THAT, the minutes of the Council Meeting held on September 21st, 2021, be approved as circulated."*

- ii) **Council Meeting – September 21st, 2021 – attached, page 10.**

*Suggested Motion by Rob Rainer Phillips/Councillor RoxAnne Darling:
"THAT, the minutes of the "Special" Council Meeting held on September 21st, 2021, be approved as circulated."*

4. MOTIONS

- i) **Report #C-2021-30 – Animal Control and Pound Service.**

*Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:
"THAT, the agreement with Frontenac Municipal Law Enforcement Services Inc. be amended to include animal control services;*

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

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

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

*Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie:
"THAT, the Park Plan (Forest Trail) be received for information;*

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

- installation of an entrance and parking area (10 parking spaces)*
- an accessible primary trail*

- an accessible fitness trail
- fitness equipment
- benches, picnic tables, a bike rack, a waste/recycling receptacle
- a site identification sign
- a site map/orientation sign and
- fencing between the adjacent residential properties;

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

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

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

Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson:
“THAT, Report #CBO-2021-06 – Building Department Report – January to August 2021 be received as information.”

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

Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips:
“THAT, the 21-08-26 Council Communication Package be received for information.”

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

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

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

Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:
“THAT, the Council of the Corporation of Tay Valley Township appoint the following as a volunteer for the ReUse Centre, subject to the Criminal Records Check Policy:

- James Beckett.”

- vii) **Appointment of Bolingbroke Cemetery Board Members.**
Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:
“THAT, the Council of the Corporation of Tay Valley Township appoint the following as a members to the Bolingbroke Cemetery Board, subject to the Criminal Records Check Policy:

- *Councillor RoxAnne Darling*
- *Ronald J. Fournier*
- *Betty Ann Gillespie*
- *Garnet Gray*
- *Darla Kilpatrick.”*

5. BY-LAWS

- i) **By-Law No. 2021-040: Appoint Chief Building Official (Shane Atkinson) – attached, page 18.**

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

- ii) **By-Law No. 2021-046: Appointment of Deputy Chief Building Officials and Building Inspectors – attached, page 20.**

Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson:
“THAT, By-Law No. 2021-046, being a by-law to Amend the Appointment of Deputy Chief Building Officials and Building Inspectors for Tay Valley Township be read a first, second and third time short and passed and signed by the Deputy Reeve and Clerk.”

- iv) **By-Law No. 2021-047: Official Plan Amendment – No. 6 – attached, page 22.**

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

- v) **By-Law No. 2021-048: Official Plan Amendment – No. 5 – attached, page 58.**

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

- vi) **By-Law No. 2021-049: Maximum Rate of Speed – Stanley Road – attached, page 77.**

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

- vii) **By-Law No. 2021-050: Animal Pound Services Agreement – attached, page 79.**

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

6. NEW/OTHER BUSINESS

None.

7. CALENDARING

Meeting	Date	Time	Location
Public Meeting – Zoning By-Law Amendment	October 5 th	5:30 p.m.	Virtual
Committee of the Whole Meeting	October 5 th	Following	Virtual
Committee of Adjustment Hearing	October 18 th	5:00 p.m.	Virtual
Library Board Meeting	October 18 th	5:30 p.m.	Virtual
Council	October 19 th	5:30 p.m.	Virtual

8. CONFIRMATION BY-LAW

- i) **By-Law No. 2021-051 - Confirmation By-Law – August 30th and September 7th, 21st and 28th, 2021 – attached, page 85.**

*Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie:
 “THAT, By-Law No. 2021-051, being a by-law to confirm the proceedings of the Council meetings held on August 30th and September 7th, 21st and 28th, 2021, be read a first, second and third time short and passed and signed by the Deputy Reeve and Clerk.”*

9. ADJOURNMENT

MINUTES

“SPECIAL” COUNCIL MEETING MINUTES

Tuesday, September 21st, 2021
6:00 p.m.
GoToMeeting

ATTENDANCE:

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

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

Regrets: Reeve Brian Campbell

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.
A quorum was present.

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

None at this time.

3. DELEGATIONS & PRESENTATIONS

i) Official Plan Five-Year Review and Update.

- **Planning Report and Presentation**
Forbes Symon, Senior Planner, Jp2g Consultants Inc.

F. Symon gave the PowerPoint Presentation that was attached to the agenda.

4. COMMENTS AND QUESTIONS

Councillor Rainer asked when the Lanark County Official Plan was last updated in 2012 and a lot has changed since then, Tay Valley's Official Plan is being updated in 2021, and must be in conformity with theirs, should it not be updated before the Township updates theirs?

F. Symon explained that while the Lanark County Plan is older and needs to be updated, staff has acknowledged that they are completing an update with the next Council. According to the Planning Act the lower tier must comply with the upper tiers plan, if the upper tiers plan is not up to date the lower tier can be more detailed and still conform and exceed it. If Tay Valley's Official Plan has a policy relating to Emergency Management which is new in the Provincial Policy Statements and that is not in the Lanark County Plan, that is not a problem that there is more detail than the Lanark County Plan.

Councillor Rainer asked about the Emergency Management policy and that there has been unprecedented weather and climate events, which can happen in any year, Tay Valley has been lucky this year, but there is concern that an event could happen, and we may not be ready, feels everyone should be ready for the worst-case scenario.

F. Symon agreed that Emergency Management is a key issue and Lanark County has had weather related events. The ice storm happened, and we have learned from it, Emergency Plans have been developed from what was learned, but need to be prepared for anything in the future. The Mississippi Valley Conservation Authority's watershed plan talks about emergency planning for more frequent extreme weather events.

K. Prytula, resident explained that she did not realize it was a Public Meeting since the agenda only said it was a Special Council Meeting. The report mentions that Council will have to manage growth, wondered if that is the law, and what if the Township does not want further growth, do they have to plan for it still?

F. Symon explained that the formal Notice of this meeting was posted in the paper for two consecutive weeks, that the agenda referred to it as a Special Council Meeting is not a concern. It is Council's responsibility to consider not accommodating the growth plan that is given to them, some areas are starting to see the positive and the negative with growth, Council will need to have a discussion about growth. Hoping that the report in October will provide some detail for Council to discuss on managing growth and where it should be located. If Council does not want growth, believes that is an option that Council has, does not see that very often, but if that is what they wanted, it would have to be worked through and conveyed to the County of Lanark. As part of completing the Official Plan Review and Update, was to complete a Growth Management Plan for the Township.

Councillor Rainer has concern with the lack of public engagement on stuff like this, not very many people attended the public meeting in August and there are not very many

at tonight's meeting. It is an important topic that should interest the public, what has been done in other municipalities for public engagement?

F. Symons explained that with Covid it is more difficult to have meaningful public engagement; normally the approach would be to go where the members of the public are, for example, having a booth at Ecotay or setting up in a hamlet where there is a community event happening or attending a lake annual general meeting. These options are not available now and the reality is that not many people get involved in the Official Plan, it does not attract them as they are not sure how it affects them. The Official Plan is pretty dry and does not get the attention that Planners think it should, hopefully there is a good representation on Council. If there are any other ways that the information can be presented to make an effort to get better public engagement, he is open to suggestions.

Deputy Reeve Crampton asked how far into the process are we and will there be time to review and address any concerns that do come up.

F. Symons explained that the process is at the beginning, the background work has been done, interviews with Council and staff have occurred and now looking for public comments, it has been a month since the first meeting, it is a tight timeline, hoping for some public comments by October 15th.

Teresa Perna, lives in Toronto and has been searching for vacant land in Tay Valley, interested in a lot on Pond Road and was told by the real estate agent and the Planner that there is a holding zone on the lots in this area, was wondering about the timeline for lifting the holding zone.

The Planner explained that the Zoning By-Law is different than the Official Plan and advised her to call or email tomorrow as it is a different process.

5. ADJOURNMENT

Council adjourned at 6:41 p.m.

COUNCIL MEETING MINUTES

Tuesday, September 21st, 2021
Following the “Special” Council Meeting at 6:00 p.m.
GotoMeeting

ATTENDANCE:

Members Present: Chair, Deputy Reeve Barrie Crampton
Councillor Fred Dobbie
Councillor Rob Rainer
Councillor Beverley Phillips (left at 7:00 p.m.)
Councillor Mick Wicklum (left at 6:59 p.m.)
Councillor RoxAnne Darling (left at 6:54 p.m.)
Councillor Gene Richardson

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

Regrets: Reeve Brian Campbell

1. CALL TO ORDER

The meeting was called to order at 6:45 p.m.
The Deputy Reeve conducted Roll Call.
A quorum was present.

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

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

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

None at this time.

4. APPROVAL OF MINUTES

i) **Council Meeting – August 24th, 2021.**

RESOLUTION #C-2021-09-02

MOVED BY: Gene Richardson
SECONDED BY: Beverley Phillips

“**THAT**, the minutes of the Council Meeting held on August 24th, 2021, be approved as circulated.”

ADOPTED

ii) **“Special” Council Meeting – August 30th, 2021.**

RESOLUTION #C-2021-09-03

MOVED BY: Beverley Phillips
SECONDED BY: Rob Rainer

“**THAT**, the minutes of the “Special” Council Meeting held on August 30th, 2021, be approved as circulated.”

ADOPTED

iii) **Committee of the Whole Meeting – September 7th, 2021.**

RESOLUTION #C-2021-09-04

MOVED BY: Rob Rainer
SECONDED BY: RoxAnne Darling

“**THAT**, the minutes of the Committee of the Whole Meeting held on September 7th, 2021, be approved as circulated.”

ADOPTED

iv) **“Special” Council Meeting – September 7th, 2021.**

RESOLUTION #C-2021-09-05

MOVED BY: RoxAnne Darling
SECONDED BY: Mick Wicklum

“**THAT**, the minutes of the “Special” Council Meeting held on September 7th, 2021, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. CORRESPONDENCE

None.

7. MOTIONS

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

RESOLUTION #C-2021-09-06

MOVED BY: Mick Wicklum
SECONDED BY: Fred Dobbie

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

ADOPTED

- ii) **Report #PD-2021-33 - Severance Application – Briggs.**

RESOLUTION #C-2021-09-07

MOVED BY: Fred Dobbie
SECONDED BY: Gene Richardson

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

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

That, the applicant pays any outstanding fees to the Township prior to final approval of the severances.

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

ADOPTED

iii) **Report #PD-2021-34 - Severance Application – Malloy.**

RESOLUTION #C-2021-09-08

MOVED BY: Gene Richardson

SECONDED BY: Beverley Phillips

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for Lisa and Paul Malloy B21/119 (Concession 9, Part Lot 16, geographic Township of North Burgess) 4180 Scotch Line to create a new lot, be approved subject to the following conditions:

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

That, the applicant pays any outstanding fees to the Township prior to final approval of the severances.

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

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

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

ADOPTED

iv) **Report #PD-2021-35 - Severance Application – VanAlstine.**

RESOLUTION #C-2021-09-09

MOVED BY: Beverley Phillips

SECONDED BY: Rob Rainer

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

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

That, the applicant pays any outstanding fees to the Township prior to final approval of the severances.

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

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

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

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

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

ADOPTED

Councillor R. Darling left at 6:54 p.m.

v) **Report #PD-2021-36 - Severance Application – Warwick.**

RESOLUTION #C-2021-09-10

MOVED BY: Rob Rainer

SECONDED BY: Gene Richardson

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

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

That, the applicant pays any outstanding fees to the Township prior to final approval of the severances.

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

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

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

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

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

ADOPTED

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

RESOLUTION #C-2021-09-11

MOVED BY: Gene Richardson
SECONDED BY: Mick Wicklum

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

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

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

ADOPTED

Councillor M. Wicklum left at 6:59 p.m.

- vii) **Report #C-2021-29 – Request to Close Forced Road – Doxey.**

RESOLUTION #C-2021-09-12

MOVED BY: Fred Dobbie
SECONDED BY: Gene Richardson

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

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

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

ADOPTED

Councillor B. Phillips explained that she was having technical difficulties and was going to sign out and sign back in to see if it resolved the issue.

Councillor B. Phillips left at 7:00 p.m.

The Acting CAO/Clerk explained that quorum has been lost, as per the Procedural By-Law Council is recessed and will wait for 15 minutes to see if quorum is regained.

8. ADJOURNMENT

Council adjourned at 7:15 p.m.

BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-040

APPOINTMENT OF CHIEF BUILDING OFFICIAL (SHANE ATKINSON)

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

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

1. CHIEF BUILDING OFFICIAL

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

2. ULTRA VIRES

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

3. BY-LAW REPEALED

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

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

4. EFFECTIVE DATE

4.1 ENACTED AND PASSED this 28th day of September, 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-046

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

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

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

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

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

1. GENERAL REGULATIONS

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

- Kyle McRae

2. ULTRA VIRES

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

3. BY-LAWS AMENDED

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

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

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

4. EFFECTIVE DATE

ENACTED AND PASSED this 28th day of September, 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-047

OFFICIAL PLAN - AMENDMENT NO. 6 ADAM LAKE

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

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

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

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

1. GENERAL REGULATIONS

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

2. BY-LAWS TO BE AMENDED

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

3. BY-LAW REPEALED

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

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

4. ULTRA VIRES

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

5. EFFECTIVE DATE

1.3 THAT, this By-Law shall come into force and take effect upon the approval of Tay Valley Township Official Plan Amendment No. 6, dated September 28th, 2021, by the County of Lanark.

1.4 ENACTED AND PASSED this 28th day of September, 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

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

SCHEDULE "A"

AMENDMENT No. 6

to the

TAY VALLEY TOWNSHIP OFFICIAL PLAN

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

PART A - THE PREAMBLE

LOCATION

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

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

PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT

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

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

BASIS OF OFFICIAL PLAN AMENDMENT

1. Background

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

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

- 1) collecting existing lot data for each lake, including total number of lots, number of seasonal dwellings, number of permanent dwellings and number of vacant lots; and,
- 2) further consultations with MOECP. Ultimately, no clearly defined, comprehensive solution to the phosphorous overcapacity of the lakes was identified as at that time

MOECP had not tested its Lake Capacity Model at the Ontario Municipal Board. (It has subsequently and been successful.)

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

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

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

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

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

2. Planning Rationale

This Official Plan Amendment is based on:

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

2.1 Overview of Current Policy and Regulatory Regime

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

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

2.2 Existing Development and Future Development Potential

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

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

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

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

2.3 Review of Current Official Plan Policies

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

This review confirmed that two planning tools suited to addressing the phosphorus overcapacity issue are contained in the Official Plan policies related to: Site Plan Control (Section 5.4) and Environmental Impact Assessment (Section 2.22.7). However, these tools

have not protected Adam Lake from becoming over capacity for phosphorus.

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

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

OVERALL CONCLUSIONS

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

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

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

PART B - THE AMENDMENT

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

Details of the Amendment

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

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

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

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

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

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

PART C - APPENDICES

APPENDIX A

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

PART C - APPENDICES

APPENDIX B

Fred Godard – President, Adam Lake Property Owners Association

PART C - APPENDICES

APPENDIX C

COMMITTEE OF THE WHOLE MINUTES

Tuesday, August 6th, 2019

6:00 p.m.

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

ATTENDANCE:

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

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

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 6:00 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

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

The agenda was adopted as amended.

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

None at this time.

4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

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

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

5. DELEGATIONS & PRESENTATIONS

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

Derek Needham, Detachment Commander.

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

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

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

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

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

Tammy MacKenzie, Resident.

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

Recommendation to Council:

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

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

The Committee recessed at 7:10 p.m.

The Committee returned to session 7:18 p.m.

6. PRIORITY ISSUES

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

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

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

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

Recommendation to Council:

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

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

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

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township.

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

iii) **Moratorium on Boathouses.**

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

Councillor R. Darling informed the Committee that there have been no complaints in the last ten years with regards to boathouses and would like to wait until the official plan and zoning by-law are up for review and to hear from the public on the matter.

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

Recommendation to Council:

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

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

Larry Donaldson, Chief Administrative Officer.

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

Recommendation to Council:

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

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

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

THAT, the volume of material be approximately 800m³, subject to the approval of the Township Public Works Manager;

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

THAT, applicable tipping fees be waived;

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

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

- v) **Report #CAO-2019-02 – Hospital Funding.**
Larry Donaldson, Chief Administrative Officer.

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

Recommendation to Council:

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

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

The Committee recessed at 9:00 p.m.
Councillor Fred Dobbie left at 9:00 p.m.
The Committee returned to session at 9:08 p.m.

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

Recommendation to Council:

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

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

Recommendation to Council:

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

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

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

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

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

Recommendation to Council:

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

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

Larry Donaldson, Chief Administrative Officer.

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

Recommendation to Council:

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

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

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

x) **Report #PW-2019-12 – Tender Award – Purchase of Two (2) Tandem Trucks.**

Sean Ervin, Public Works Manager.

Recommendation to Council:

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

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

xi) **Report #PW-2019-13 – Tender Award – Bathurst 6th Concession Culvert Replacement .**

Sean Ervin, Public Works Manager.

Recommendation to Council:

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

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

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

Recommendation to Council:

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

AND THAT, the necessary by-law be presented at the August 13th, 2019 Council meeting.”

8. CORRESPONDENCE

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

Recommendation to Council:

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

- ii) **19-07-26 Council Communication Package – *attached, page 45.***
Councillor Darling asked that item # 6 (Town of Halton Hills: Resolution – Litter and Waste in our Communities) be pulled and voted on separately.

Recommendation to Council:

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

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

Recommendation to Council:

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

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

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

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

Recommendation to Council:

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

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

9. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Green Energy and Climate Change Working Group.**
Deputy Reeve Barrie Crampton and Councillor Rob Rainer.

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

- ii) **Recreation Working Group** – *deferred to the next meeting.*
Councillor Fred Dobbie and Councillor Beverley Phillips.

- iii) **Fire Board** – *deferred to the next meeting.*
Councillor RoxAnne Darling, Councillor Fred Dobbie, Councillor Mick Wicklum.

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

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

- vi) **County of Lanark** – *deferred to the next meeting.*
Reeve Brian Campbell and Deputy Reeve Barrie Crampton.

- vii) **Mississippi Valley Conservation Authority Board** – *deferred to the next meeting.*
Councillor RoxAnne Darling.

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

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

- ix) **Rideau Corridor Landscape Strategy.**
Reeve Brian Campbell.

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

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

- xi) **Rural Mayors Forum** – *deferred to the next meeting.*
Reeve Brian Campbell.

- xii) **CAO – Active Files.**
Larry Donaldson, Chief Administrative Officer.

- Bolingbroke Bridge Public Information Centre – August 26th
- John Millar Park
- RED Funding, 2 new streams

- Maberly Fair

9. CLOSED SESSION

None.

10. DEFERRED ITEMS

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

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

11. ADJOURNMENT

The Committee adjourned at 10:14 p.m.

Chairperson

Clerk

APPLICATIONS

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

Public Notice

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

Local Planning Appeal Tribunal

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

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

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

1



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

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

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

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

2



Farren and Adam Lakes Provincial Policy Statement

- The *PPS* sections relevant to the Official Plan Amendment:
 - water and wastewater (Section 1.6.6.4)
 - natural heritage (Section 2.1)
 - water (Section 2.2)

- Section 1.6.6.4 states "individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long term provision of such services with no negative impacts. Negative impacts in this case are defined as, "degradation to the quality and quantity of water, sensitive surface features... due to single, multiple or successive development".

- Section 2.1.2 states that, "the diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity of natural heritage systems, should be maintained, restored or where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features".

3



Farren and Adam Lakes Provincial Policy Statement Cont'd

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

4



Farren and Adam Lakes Lanark County SCOP

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

5



Farren and Adam Lakes Tay Valley Township Official Plan

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

Farren and Adam Lakes Official Plan Amendment Process

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

7



Zoning By-law Amendment

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

8



Farren and Adam Lakes Comments

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

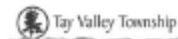
9



Public Comments

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

10



Farren and Adam Lakes Recommendation

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

TAY VALLEY TOWNSHIP OFFICIAL PLAN PROPOSED AMENDMENTS

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

ONLINE SURVEY FORM

Farren Lake Property Owners Survey

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

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

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

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

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

*REQUIRES

Email address *

Name *

Cottage/Property Address *

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

- Agree
 Disagree

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

- Agree
 Disagree

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

- Agree
 Disagree

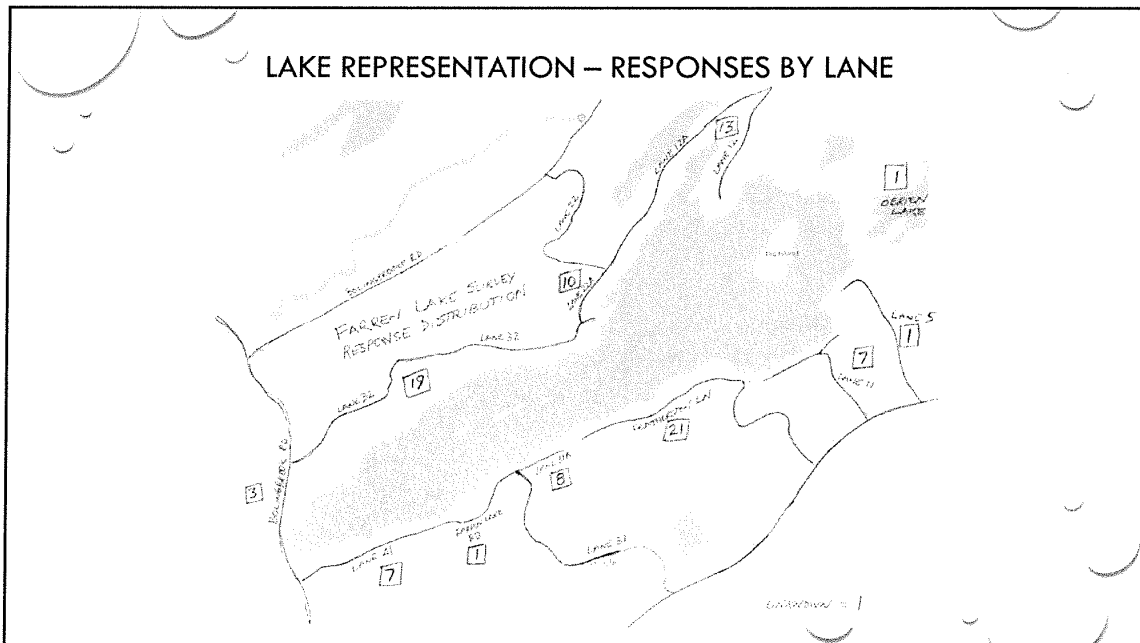
Comments

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

SAMPLE RATE

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

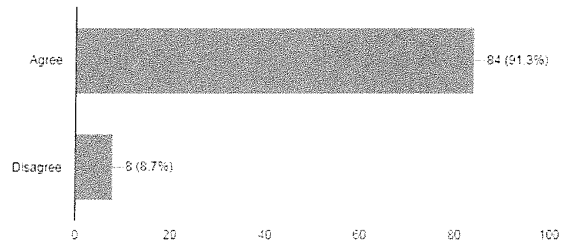
LAKE REPRESENTATION – RESPONSES BY LANE



PROPOSED CHANGE #1

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

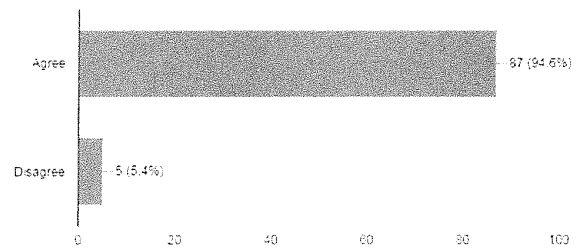
92 responses



PROPOSED CHANGE #2

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

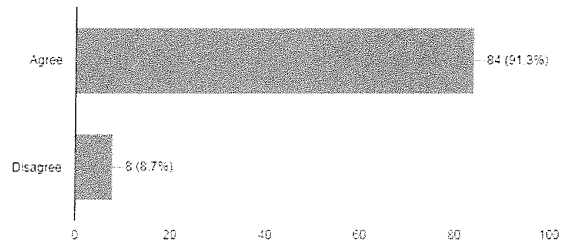
92 responses



PROPOSED CHANGE #1

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

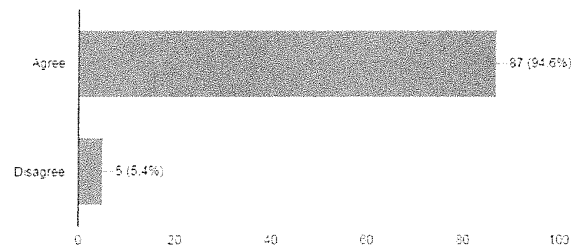
92 responses



PROPOSED CHANGE # 2

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

92 responses





PART C - APPENDICES

APPENDIX D

None

TVT Planning Assistant

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

Thank you for your circulation.

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

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@enbridge.com.

Casey O'Neil
Sr Analyst Municipal Planning
Long Range Network Analysis
—

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



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

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

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

Attention: Noelle Reeve, Planner

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

- Properties along Farren Lake;
- Properties along Adam Lake

Dear Ms. Reeve,

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

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

The Proposal

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

Proudly working in partnership
with our 18 watershed municipalities

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

The Area

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

Review Comments

Provincial Policy Statement

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

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

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

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

Conclusions

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

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

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-048

OFFICIAL PLAN – AMENDMENT NO. 5 FARREN LAKE

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

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

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

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

1. GENERAL REGULATIONS

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

2. BY-LAWS TO BE AMENDED

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

3. BY-LAW REPEALED

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

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

4. ULTRA VIRES

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

5. EFFECTIVE DATE

5.1 THAT, this By-Law shall come into force and take effect upon the approval of Tay Valley Township Official Plan Amendment No. 5, dated September 28th, 2021, by the County of Lanark.

5.2 ENACTED AND PASSED this 28th day of September, 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

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

SCHEDULE "A"

AMENDMENT No. 5

to the

TAY VALLEY TOWNSHIP OFFICIAL PLAN

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

PART A - THE PREAMBLE

LOCATION

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

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

PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT

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

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

BASIS OF OFFICIAL PLAN AMENDMENT

1. Background

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

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

- 3) collecting existing lot data for each lake, including total number of lots, number of seasonal dwellings, number of permanent dwellings and number of vacant lots; and,
- 4) further consultations with MOECP. Ultimately, no clearly defined, comprehensive solution to the phosphorous “overcapacity” of the lakes was identified as at that time

MOECP had not tested its Lake Capacity Model at the Ontario Municipal Board. (It has subsequently and been successful.)

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

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

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

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

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

2. Planning Rationale

This Official Plan Amendment is based on:

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

2.1 Overview of Current Policy and Regulatory Regime

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

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

2.2 Existing Development and Future Development Potential

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

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

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

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

2.3 Review of Current Official Plan Policies

A detailed review of the new Official Plan was undertaken based on the foregoing in order to identify any policy shortcomings that potentially inhibit implementation measures

designed to mitigate against phosphorus over-loading in the lakes, both for new development and for re-development.

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

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

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

OVERALL CONCLUSIONS

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

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

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

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

PART B - THE AMENDMENT

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

Details of the Amendment

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

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

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

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

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

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

PART C - APPENDICES

APPENDIX A

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

PART C - APPENDICES

APPENDIX B

Paul Seidl, Landowner

George Willet, President of the Farren Lake Association

Fred Godard, President of the Adam Lake Property Owners Association

PART C - APPENDICES

APPENDIX C

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

Tuesday, June 25th, 2019

5:30 p.m.

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

ATTENDANCE:

Members Present:

Chair, Reeve Brian Campbell
Deputy Reeve Barrie Crampton
Councillor Gene Richardson
Councillor RoxAnne Darling
Councillor Mick Wicklum
Councillor Fred Dobbie
Councillor Rob Rainer

Staff Present:

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

Public Present:

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

1. CALL TO ORDER

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

2. INTRODUCTION

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

- the purpose of the meeting

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

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

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

a) PLANNER FILE REVIEW & PROPOSED AMENDMENT

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

b) PUBLIC COMMENTS

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

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

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

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

c) RECOMMENDATION

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

4. ADJOURNMENT

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

Chairperson

Deputy Clerk

PART C - APPENDICES

APPENDIX D

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

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

I have a few questions:

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

Thanks very much,
Jennifer Foster and Timothy O'Dacre

TVT Planning Assistant

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

Thank you for your circulation.

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

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@enbridge.com.

Casey O'Neil
Sr Analyst Municipal Planning
Long Range Network Analysis
—

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



3889 Rideau Valley Drive
PO Box 599, Manotick ON K4M 1A5
T 613-692-3571 | 1-800-267-3504
F 613-692-0631 | www.rvca.ca

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

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

Attention: Noelle Reeve, Planner

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

- Properties along Farren Lake;
- Properties along Adam Lake

Dear Ms. Reeve,

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

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

The Proposal

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

Proudly working in partnership
with our 18 watershed municipalities

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

The Area

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

Review Comments

Provincial Policy Statement

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

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

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

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

Conclusions

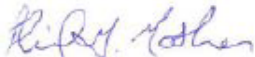
Through participation of the interagency working group, our office has viewed the draft official plan amendment and provided pre-consultation comments to the Township. The RVCA has appreciated the opportunity to be involved during pre-consultation of these amendments.

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

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

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

Yours truly,

A handwritten signature in blue ink that reads "Phil Mosher". The signature is written in a cursive style with a large initial "P" and "M".

Phil Mosher
Planner

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-049

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

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

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

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

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

1. GENERAL REGULATIONS

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

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

2. ULTRA VIRES

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

3. BY-LAW AMENDED

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

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

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

4. EFFECTIVE DATE

ENACTED AND PASSED this 28th day of September, 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-050

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

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

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

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

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

1. GENERAL REGULATIONS

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

2. ULTRA VIRES

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

3. BY-LAWS TO BE REPEALED

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

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

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

4. EFFECTIVE DATE

ENACTED AND PASSED this 28th day of September, 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

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

SCHEDULE "A"

ANIMAL POUND SERVICE AGREEMENT

THIS POUND SERVICE AGREEMENT dated the ____ day of _____
2021.

BETWEEN

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

AND

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

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

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

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

CONDITIONS FOR SUPPLY OF POUND SERVICE TO TAY VALLEY

GENERAL

1. "Animals" shall mean dogs only.
2. Tay Valley agrees to pay the monthly cost to operate the temporary pound facility as prescribed in Schedule "A" attached.
3. Tay Valley agrees to pay the cost per animal as prescribed in schedule "A" attached to house an impound animal for the impoundment period.

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

service of notice on such party of the appointment of an arbitrator by the other Party, the arbitrator so appointed shall act as the sole arbitrator. The award and determination of such arbitrator or arbitrators or any two of such arbitrators shall be binding upon the parties hereto and their respective successors and assigns.

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

Signed

Andrew Parent

Date

Tay Valley Township

Reeve

Clerk

Date

Schedule A

Monthly Cost \$ 150.00

Per animal impound Cost \$ 150.00

Per animal Health Cost as invoiced by the Veterinarian

Per animal Euthanization Cost as invoiced.

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2021-051

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETINGS HELD ON AUGUST 30th, SEPTEMBER 7, 21 and 28, 2021

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

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

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

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

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

1. GENERAL REGULATIONS

1.1 **THAT**, the actions of the Council of the Corporation of Tay Valley Township at its meetings held on the 30th day of August and the 7th, 21st and 28th days of September, 2021 in respect of each motion and resolution passed and other action taken by the Council of the Corporation of Tay Valley Township at its meetings is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.

1.2 **THAT**, the Reeve and Proper Signing Official of the Corporation of Tay Valley Township are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of Tay Valley Township referred to in the preceding section hereof.

1.3 **THAT**, the Reeve and/or Deputy Reeve and Clerk and/or Deputy Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of Tay Valley Township.

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

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 28th day of September 2021.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk