



COUNCIL MEETING AGENDA

Tuesday, December 13th, 2016
7:00 p.m.

Municipal Office – Council Chambers – 217 Harper Road

7:00 p.m. *Council Meeting*

Chair, Reeve Keith Kerr

1. **CALL TO ORDER**
2. **AMENDMENTS/APPROVAL OF AGENDA**
3. **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
4. **APPROVAL OF MINUTES**

- i) **Council Meeting – November 29th, 2016 – *attached page 10.***

Suggested Motion by Councillor Jennifer Dickson:

“THAT, the minutes of the Council Meeting held on November 29th, 2016, be approved as circulated.”

- ii) **Committee of the Whole Meeting – December 6th, 2016 – *attached, page 17.***

Suggested Motion by Councillor Greg Hallam:

“THAT, the minutes of the Committee of the Whole Meeting, held on December 6th, 2016, be approved as circulated.”

5. **DELEGATIONS & PRESENTATIONS**

- i) **Meeting - Request to Close Unopened Road Allowance – Day.**

- a. **CLERK REVIEW OF FILE**

Report #C-2016-13- Request to Close Unopened Road Allowance – Day – ***attached, page 29.***

- b. APPLICANT COMMENTS
- c. PUBLIC COMMENTS
- d. RECOMMENDATION

6. CORRESPONDENCE

None.

7. MOTIONS

i) **Report #CAO-2016-10 – Renewal of Strategic Plan.**

Suggested Motion by Councillor Mark Burnham:

“THAT, Council receive Report #CAO-2016-10 – Renewal of Strategic Plan and draft of the updated Strategic Plan, a copy of which forms Attachment #1 to this report, for information and review;

AND THAT, Council provide direction as to any revisions it wishes to see included in the final draft;

AND THAT, a final draft be brought forward to the Committee of the Whole meeting of February 7, 2017, with final Council approval scheduled for the regular meeting of February 14, 2017.”

ii) **Report #CBO-2016-11 - Building Department Report – January to November 2016.**

Suggested Motion by Councillor Judy Farrell:

“THAT, Report #CBO-2016-11 – Building Department Report – January to November 2016 be received as information.”

iii) **Report #PD-2016-34 – Severance Application - Ennis.**

Suggested Motion by Councillor RoxAnne Darling:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Ennis Severance Applications #B16/122 and 123 (Part Lot 14 Concession 10, Geographic Township of Bathurst) be approved subject to the following conditions:

1. *That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.*
2. *That, the applicant pay any outstanding fees to the Township prior to final approval.*

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

iv) **Report #PD-2016-35 – Severance Application - Jackson.**

Suggested Motion by Councillor Fred Dobbie:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Jackson Severance Application #B16/102 (Part Lot 13 and 14 Concession 5, Geographic Township of South Sherbrooke) be approved subject to the following conditions:

1. *That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.*
2. *That, the applicant pay any outstanding fees to the Township prior to final approval.*
3. *That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township.*
4. *That, the severed lot be rezoned to acknowledge the undersized lot.”*

v) **Report #PD-2016-36 – Severance Application - Thornton-Lally.**

Suggested Motion by Deputy Reeve Brian Campbell:

“THAT, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Lally/Thornton Severance Application #B16/101 (Part Lot 11 Concession 5, Geographic Township of North Burgess) be approved subject to the following conditions:

1. *That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.*
2. *That, the applicant pay any outstanding fees to the Township prior to final approval.*
3. *That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township.*
4. *That, a Development Agreement be drafted with the recommendations from the EIS for the creation of the new right of way.”*

- vi) **Report #PD-2016-37 – General Amendments to the Comprehensive Zoning By-Law 02-121 for Floodplain and Secondary Suites.**
Noelle Reeve, Planner.

Suggested Motion by Councillor Jennifer Dickson:

“THAT, the amendments to Zoning By-Law 02-121 as outlined in Report #PD-2016-37 - General Amendments to the Comprehensive Zoning By-Law 02-121 for Floodplain and Secondary Suites be approved;

AND THAT, the necessary By-Law be brought to Council at a future meeting.”

- vii) **Report #PD-2016-38 – Building Code Changes to Part 8 - Mandatory Septic Pumping.**

Suggested Motion by Councillor Greg Hallam:

“THAT, staff submit a letter to the Ministry of Affairs, the Ministry of Environment and Climate Change and Randy Hillier, MPP to reflect that Tay Valley Township is strongly opposed to the proposed changes to Part 8 of the Building Code regarding mandatory septic pumping.”

- viii) **Report #PD-2016-39 – 2016 OPPI Conference.**

Suggested Motion by Councillor Mark Burnham:

“THAT, Council receive Report #PD-2016-39 - 2016 OPPI Conference for information;

AND THAT, the relevant information be used in environmental land use planning and when planning the memorial wall and other public spaces projects;

AND THAT, the Planner continue to work with the County and local indigenous representatives on issues related to the Truth and Reconciliation report.”

- ix) **16-11-30 Council Communication Package.**

Suggested Motion by Councillor Judy Farrell:

“THAT, the 16-11-30 Council Communication Package be received for information.”

- x) **Lanark County Community Justice.**

Suggested Motion by Councillor RoxAnne Darling:

“THAT, The Lanark County Community Justice request for funding in the amount of \$1,000 be approved.”

xi) **AMO - Federal Infrastructure Phase 2 Incrementality Resolution.**

Suggested Motion by Councillor Fred Dobbie:

*“**WHEREAS**, municipal governments’ infrastructure is critical to our collective economic health;*

***AND WHEREAS**, stable, predictable and formula-based infrastructure funding allows municipal governments to plan and schedule investments in infrastructure;*

***AND WHEREAS**, Ontario municipal governments have asset management plans which set out a municipality’s longer term capital plan which reflects the infrastructure priorities of these asset management plans;*

***AND WHEREAS**, A federal incrementality rule interferes with municipal long-term infrastructure priorities and diminishes the value of municipal asset planning and management;*

***NOW THEREFORE BE IT RESOLVED THAT**, the Council of Tay Valley Township calls on the federal government to provide long-term, predictable, and formula-based funding in its Phase 2 programs for municipal governments;*

***AND THAT**, the Council of Tay Valley Township calls on the federal government to change incremental requirements in Phase 2 to recognize in Ontario that a municipal governments’ asset management plan meets a municipal incremental infrastructure requirement.”*

xii) **Connections Adult Learning.**

Suggested Motion by Deputy Reeve Brian Campbell:

*“**THAT**, the Maberly Hall rental fees be waived for Connections Adult Learning to use the hall twice a month for 2 hours until May 2017 to provide a Digital Drop-In Centre that will provide local access to digital devices along with digital guidance and training to members of the public.”*

8. BY-LAWS

i) **By-Law No. 2016-042: Road Access Agreement – attached, page 40.**

Suggested Motion by Councillor Jennifer Dickson:

*“**THAT**, By-Law No. 2016-042, being a by-law to enter into a Road Access Agreement with Floyd Wright be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”*

- ii) **By-Law No. 2016-043: Animal Control Services Agreement – attached, page 48.**

Suggested Motion by Councillor Greg Hallam:

“THAT, By-Law No. 2016-043, being a by-law to Authorize the Execution of an Animal Control Services Agreement with Anita Stuart, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- iii) **By-Law No. 2016-044: Animal Pound Services Agreement – attached, page 55.**

Suggested Motion by Councillor Mark Burnham:

“THAT, By-Law No. 2016-044, being a by-law to Authorize the Execution of an Animal Pound Services Agreement with Anita Stuart, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- iv) **By-Law No. 2016-045: 2017 Budget – attached, page 61.**

Suggested Motion by Councillor Judy Farrell:

“THAT, By-Law No. 2016-045, being a by-law to Adopt the Estimates for the Sums Required for Municipal Purposes for the Year 2017, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- v) **By-Law No. 2016-046: Zoning By-Law Amendment – Noel - attached, page 63.**

Suggested Motion by Councillor RoxAnne Darling:

“THAT, By-Law No. 2016-046, being a by-law to Amend Zoning By-Law No. 2002-121 (Noel – 1008 Noel Road – Part Lot 8, Concession 10, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- vi) **By-Law No. 2016-047: Zoning By-Law Amendment – Lee - attached, page 66.**

Suggested Motion by Councillor Fred Dobbie:

“THAT, By-Law No. 2016-047, being a by-law to Amend Zoning By-Law No. 2002-121 (Lee – 912 Slack Way – Part Lot 4, Concession 6, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- vii) **By-Law No. 2016-048: Zoning By-Law Amendment – Sinclair - attached, page 69.**

Suggested Motion by Deputy Reeve Brian Campbell:

“THAT, By-Law No. 2016-048, being a by-law to Amend Zoning By-Law No. 2002-121 (Sinclair – Big Rideau North Shore – Part Lot 18 & 19, Concession 3, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- viii) **By-Law No. 2016-049: Zoning By-Law Amendment – Nash - attached, page 72.**

Suggested Motion by Councillor Jennifer Dickson:

“THAT, By-Law No. 2016-049, being a by-law to Amend Zoning By-Law No. 2002-121 (Nash – 495 Big Rideau North Shore Road – Part Lot 18, Concession 3, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- ix) **By-Law No. 2016-050: Zoning By-Law Amendment – Moulton - attached, page 75.**

Suggested Motion by Councillor Greg Hallam:

“THAT, By-Law No. 2016-050, being a by-law to Amend Zoning By-Law No. 2002-121 (Moulton – 493 Big Rideau North Shore Road – Part Lot 18, Concession 3, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

- x) **By-Law No. 2016-051: Zoning By-Law Amendment – 4287371 Canada Inc - attached, page 78.**

Suggested Motion by Councillor Mark Burnham:

“THAT, By-Law No. 2016-051, being a by-law to Amend Zoning By-Law No. 2002-121 (4287371 Canada Inc – 463 Big Rideau North Shore Road – Part Lot 18 & 19, Concession 3, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

9. COMMITTEE AND STAFF REPORTS

- i) **Council Updates.**

10. OTHER BUSINESS/GIVING NOTICE

11. QUESTIONS FROM THE PRESS

12. CALENDARING: UPCOMING EVENTS

Meeting	Date	Time	Location
Tay Valley Choir – Christmas Concert	December 10 th	7:00 p.m.	Maberly Community Hall
Waste Management Working Group Meeting	December 12 th	5:30 p.m.	Municipal Office
200 th Anniversary Working Group Meeting	December 13 th	3:00 p.m.	Municipal Office
Council Meeting	December 13 th	7:00 p.m.	Municipal Office
Lanark County Police Services Board Meeting	December 14 th	9:30 a.m.	Beckwith Municipal Office
Council and Staff Christmas Lunch & Service Awards	December 16 th	11:30 a.m.	Municipal Office
Lanark County Municipal Trails Corporation Meeting	December 19 th	9:00 a.m.	Lanark County Administration Building
Library Board Meeting	December 19 th	5:00 p.m.	Library, Perth

13. CLOSED SESSION

None.

14. CONFIRMATION BY-LAW

- i) **By-Law No. 2016-052: Confirmation By-Law – December 13th, 2016 - attached, page 81.**

Suggested Motion by Councillor Judy Farrell:

“THAT, By-Law No. 2016-052 being a by-law to confirm the proceedings of the Council meeting held December 13th, 2016, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

15. ADJOURNMENT

MINUTES

COUNCIL MEETING MINUTES

Tuesday, November 29th, 2016

7:00 p.m.

Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario

Council Chambers

ATTENDANCE:

Members Present: Chair, Reeve Keith Kerr
Deputy Reeve Brian Campbell
Councillor Fred Dobbie
Councillor RoxAnne Darling
Councillor Jennifer Dickson
Councillor Greg Hallam
Councillor Mark Burnham
Councillor Judy Farrell

Staff Present: Janie Laidlaw, Acting Clerk
Noelle Reeve, Planner

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Councillor Darling declared a pecuniary interest on item #7 iii) as she is a part operator/owner of the property.

4. APPROVAL OF MINUTES

- i) **Council Meeting – November 8th, 2016.**

RESOLUTION #C-2016-11-14

MOVED BY: Brian Campbell
SECONDED BY: Jennifer Dickson

“**THAT**, the minutes of the Council Meeting held on November 8th, 2016, be approved as circulated.”

ADOPTED

- ii) **Committee of the Whole Meeting – November 22nd, 2016.**

RESOLUTION #C-2016-11-15

MOVED BY: Jennifer Dickson
SECONDED BY: Greg Hallam

“**THAT**, the minutes of the Committee of the Whole Meeting held on November 22nd, 2016, be approved as circulated.”

ADOPTED

- iii) **Committee of the Whole Meeting (Closed Session – Acquisition of Land – Glen Tay Waste Site Compliance Issues) – November 22nd, 2016.**

RESOLUTION #C-2016-11-16

MOVED BY: Greg Hallam
SECONDED BY: Mark Burnham

“**THAT**, the minutes of the Committee of the Whole Meeting (Closed Session – Acquisition of Land – Glen Tay Waste Site Compliance Issues), held on November 22nd, 2016, be approved as circulated.”

ADOPTED

- iv) **Committee of the Whole Meeting (Closed Session – Solicitor/Client Privilege - OMB Hearing) – November 22nd, 2016.**

RESOLUTION #C-2016-11-17

MOVED BY: Mark Burnham
SECONDED BY: Greg Hallam

“**THAT**, the minutes of the Committee of the Whole Meeting (Closed Session – Solicitor/Client Privilege - OMB Hearing), held on November 22nd, 2016, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

None.

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Appointment of Hockey Volunteer for the 2016/2017 Season.**

RESOLUTION #C-2016-11-18

MOVED BY: Judy Farrell

SECONDED BY: Fred Dobbie

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer for the 2016/2017 Hockey Season, subject to the Criminal Records Check Policy:

- Todd McGrimmon.”

ADOPTED

- ii) **Report #CBO-2016-10 - Building Department Report – January to October 2016.**

RESOLUTION #C-2016-11-19

MOVED BY: RoxAnne Darling

SECONDED BY: Fred Dobbie

“**THAT**, Report #CBO-2016-10 – Building Department Report – January to October 2016 be received as information.”

ADOPTED

- iii) **Report #PD-2016-32 – Condominium Exemption – Nordlaw Cottages Inc.**

RESOLUTION #C-2016-11-20

MOVED BY: Fred Dobbie

SECONDED BY: Judy Farrell

“**WHEREAS**, the proposed Plan of Condominium for Nordlaw Cottages Inc conforms to Tay Valley Township’s Official Plan;

AND WHEREAS, the lands are zoned appropriately as Tourist Commercial (CT);

AND WHEREAS, the proposed use has previously been reviewed through the site plan control agreement process;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township supports the condominium exemption application for Nordlaw Cottages Inc, 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 balance of any outstanding fees be paid to the Township.
- That, two (2) copies of the condominium plan be submitted to the Township.
- That, the owners shall obtain civic addressing from Tay Valley Township.
- That, the conditions of the Site Plan Control are implemented.
- That, payment for Cash in lieu of parkland be submitted to the Township not to exceed two percent of the land (CT zone)
- That, the Township receive a copy of a certificate of approval from Ministry of Environment and Climate Change for the communal septic system and water system.
- That, the Township receive a copy of the Approval of the Operation Plan for the communal water system from Lanark Leeds Grenville Health Unit.”

ADOPTED

- iv) **Report #PD-2016-33 – Canada 150 Working Group Terms of Reference and Historic Properties Project.**

RESOLUTION #C-2016-11-21

MOVED BY: Brian Campbell

SECONDED BY: Jennifer Dickson

“**THAT**, the Tay Valley Township Canada 150 Working Group - Terms of Reference be approved;

AND THAT, Council supports a Historic Properties recognition project as part of Tay Valley Township’s Canada 150 celebrations.”

ADOPTED

- v) **16-11-09 and 16-11-17 Council Communication Packages.**

RESOLUTION #C-2016-11-22

MOVED BY: Jennifer Dickson

SECONDED BY: Greg Hallam

“**THAT**, the 16-11-09 and 16-11-17 Council Communication Packages be received for information.”

ADOPTED

- vi) **Mailboxes Miner's Point Road – Request for a Letter of Support to Canada Post.**

RESOLUTION #C-2016-11-23

MOVED BY: Greg Hallam
SECONDED BY: Mark Burnham

“**THAT**, staff submit a letter of support for the request from residents on Miner's Point Road for Canada Post to reassess the new location of mailboxes on Miner's Point Road.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2016-037: Canada 150 Working Group – Terms of Reference.**

RESOLUTION #C-2016-11-24

MOVED BY: Mark Burnham
SECONDED BY: Greg Hallam

“**THAT**, By-Law No. 2016-037, being a by-law to Adopt Terms of Reference for the Canada 150 of Tay Valley Township Working Group, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

ADOPTED

- ii) **By-Law No. 2016-038: Interim & Final Tax Levy.**

RESOLUTION #C-2016-11-25

MOVED BY: Judy Farrell
SECONDED BY: Fred Dobbie

“**THAT**, By-Law No. 2016-038, being a by-law to Authorize an Interim and Final Tax Levy for the Year 2017, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

ADOPTED

- iii) **By-Law No. 2016-039: Zoning By-Law Amendment – Sullivan.**

RESOLUTION #C-2016-11-26

MOVED BY: RoxAnne Darling
SECONDED BY: Judy Farrell

“**THAT**, By-Law No. 2016-039, being a by-law to Amend Zoning By-Law No. 2002-121 (Sullivan – 584 Stanley Road – Part Lot 12, Concession 9, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

ADOPTED

iv) **By-Law No. 2016-040: Zoning By-Law Amendment – Donnelly.**

RESOLUTION #C-2016-11-27

MOVED BY: Fred Dobbie

SECONDED BY: RoxAnne Darling

“**THAT**, By-Law No. 2016-040, being a by-law to Amend Zoning By-Law No. 2002-121 (Donnelly – 620 Pike Lake Route 17A – Part Lot 20, Concession 8, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

ADOPTED

9. COMMITTEE AND STAFF REPORTS

i) **Council Updates.**

Councillor Dickson thanked Councillor Farrell for hosting the appreciation dinner for the 200th Anniversary Working Group members.

Councillor Dobbie spoke about the 2017 tax increase and expressed his displeasure and his opinion on what council should be doing to reduce taxes.

Councillor Farrell advised that she will be going to the Ontario Municipal Social Services Association: Promoting a Culture of Accessibility & Inclusion forum in Toronto on December 5th, 2016.

10. OTHER BUSINESS/GIVING NOTICE

None.

11. QUESTIONS FROM THE PRESS

None.

12. CALENDARING: UPCOMING EVENTS

Meeting	Date	Time	Location
Warden’s Banquet	November 25 th	6:00 p.m.	Farrell Hall
Age Friendly Communities Working Group Meeting	November 28 th	10:00 a.m.	Municipal Office
Municipal Drug Strategy Meeting	November 28 th	3:00 p.m.	YAK
Council Meeting	November 29 th	7:00 p.m.	Municipal Office
Rural Mayors Forum	December 2 nd	9:30 a.m.	Madawaska Valley
Ontario Association of Police Services Board – Zone 2 Meeting	December 2 nd	10:00 a.m.	Kingston Police Headquarters
Public Meeting – Zoning By-	December 6 th	6:00 p.m.	Municipal Office

Meeting	Date	Time	Location
Law Amendment			
Committee of the Whole Meeting	December 6 th	7:00 p.m.	Municipal Office
Mississippi Valley Conservation Authority Board Meeting	December 7 th	10:00 a.m.	Mississippi Valley Conservation Office
Waste Management Working Group Meeting	December 12 th	5:30 p.m.	Municipal Office
200 th Anniversary Working Group Meeting	December 13 th	3:00 p.m.	Municipal Office
Council Meeting	December 13 th	7:00 p.m.	Municipal Office

13. CLOSED SESSION

None.

14. CONFIRMATION BY-LAW

- i) **By-Law No. 2016-041: Confirmation By-Law – November 29th, 2016.**

RESOLUTION #C-2016-11-28

MOVED BY: Brian Campbell
SECONDED BY: Jennifer Dickson

“**THAT**, By-Law No. 2016-041 being a by-law to confirm the proceedings of the Council meeting held November 29th, 2016, be read a first, second and third time short and passed and signed by the Reeve and Acting Clerk.”

ADOPTED

15. ADJOURNMENT

Council adjourned at 7:13 p.m.

COMMITTEE OF THE WHOLE MINUTES

Tuesday, December 6th, 2016

7:00 p.m.

Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario

Council Chambers

ATTENDANCE:

Members Present: Chair, Deputy Reeve Brian Campbell
Reeve Keith Kerr
Councillor Mark Burnham
Councillor Greg Hallam
Councillor Jennifer Dickson
Councillor Judy Farrell
Councillor RoxAnne Darling
Councillor Fred Dobbie

Staff Present: Larry Donaldson, Chief Administrative Officer
Janie Laidlaw, Acting Clerk
Stephen Keeley, Public Works Manager (left at 8:06 p.m.)
Noelle Reeve, Planner
Angela Millar, Treasurer

Regrets: None.

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

The agenda was adopted as presented.

3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

None.

4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

i) **Public Meeting: Zoning By-Law Amendment – November 22nd, 2016.**

The minutes of the Zoning By-Law Amendment Public Meeting held on November 22nd, 2016 were approved.

ii) **Public Meeting: Budget – November 22nd, 2016.**

The minutes of the Public Meeting - Budget held on November 22nd, 2016 were approved.

5. DELEGATIONS & PRESENTATIONS

i) **Wesleyan Camp – Water and Wastewater System.**

Paul Gosse, Executive Director
Reg Gosse, Chief Financial Officer
Bernie Fast, Board Chair

B. Fast reviewed the history of the camp, the septic system issues and proposed solutions and R. Gosse reviewed the funding slides on the PowerPoint presentation that was attached to the agenda.

R. Gosse requested that Council provide a resolution of support in principle on moving forward for the replacement of the current septic systems with one large water and wastewater system, and asked for any assistance in applying for grants to get funding for the water and wastewater system.

Council discussed options for assisting the camp with the septic issues. There was a suggestion and discussion about the possibility of severing the property so that the property does not fall under Ministry of Environment and Climate Change, but rather it would fall under the Mississippi-Rideau Septic System Office. It was suggested that members of the Board meet with the Planner in the New Year to look at this possibility.

The Chief Administrative Officer discussed a grant that was available, but it was only for municipal owned water and wastewater systems. Any funding that does become available, staff will investigate the possibility of applying for non-municipal owned systems.

Staff will work with the Wesleyan Camp to draft a letter of support for Council's approval.

6. PRIORITY ISSUES

i) **Report #CAO-2016-10 – Renewal of Strategic Plan.**

Larry Donaldson, Chief Administrative Officer.

The Chief Administrative Officer explained the purpose of the report and introduced Jeff Kohl to give a PowerPoint Presentation.

Jeff Kohl from Ontario Healthy Communities Coalition gave a PowerPoint presentation to overview the Strategic Plan – *attached, page 13.*

Councillor Dickson commented on the strategic direction to seek funding to hire coordination and inquired as to why not use tax dollars? One of the Guiding Principles is to consider climate change in all of our decisions and operations, need to determine what that means.

Councillor Darling commented on the strategic direction to seek funding to hire a coordinator, given Council just went through budget process and are trying to find ways to cut costs, if funding for a coordinator was available it would be a start. She cautioned on strengthening the wording on climate change due to the possibility of financially burdening the municipality.

The Chief Administrative Officer explained that comments or suggestions will be included into the Plan that will be brought back to Council in the New Year.

Recommendation to Council:

“THAT, Council receive Report #CAO-2016-10 – Renewal of Strategic Plan and draft of the updated Strategic Plan, a copy of which forms Attachment #1 to this report, for information and review;

AND THAT, Council provide direction as to any revisions it wishes to see included in the final draft;

AND THAT, a final draft be brought forward to the Committee of the Whole meeting of February 7, 2017, with final Council approval scheduled for the regular meeting of February 14, 2017.”

ii) **Report #CBO-2016-11 - Building Department Report – January to November 2016.**

Noelle Reeve, Planner.

Recommendation to Council:

“THAT, Report #CBO-2016-11 – Building Department Report – January to November 2016 be received as information.”

The Public Works Manager left at 8:06 p.m.

- iii) **Report #PD-2016-34 – Severance Application - Ennis.**
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Ennis Severance Applications #B16/122 and 123 (Part Lot 14 Concession 10, Geographic Township of Bathurst) be approved subject to the following conditions:

1. That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
2. That, the applicant pay any outstanding fees to the Township prior to final approval.
3. That, for each severance, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township.”

- iv) **Report #PD-2016-35 – Severance Application - Jackson.**
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Jackson Severance Application #B16/102 (Part Lot 13 and 14 Concession 5, Geographic Township of South Sherbrooke) be approved subject to the following conditions:

1. That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
2. That, the applicant pay any outstanding fees to the Township prior to final approval.
3. That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township.
4. That, the severed lot be rezoned to acknowledge the undersized lot.”

- v) **Report #PD-2016-36 – Severance Application - Thornton-Lally.**
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Lally/Thornton Severance Application #B16/101 (Part Lot 11 Concession 5, Geographic Township of North Burgess) be approved subject to the following conditions:

1. That, the balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
2. That, the applicant pay any outstanding fees to the Township prior to final approval.
3. That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township.
4. That, a Development Agreement be drafted with the recommendations from the EIS for the creation of the new right of way.”

- vi) **Report #PD-2016-37 – General Amendments to the Comprehensive Zoning By-Law 02-121 for Floodplain and Secondary Suites.**
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, the amendments to Zoning By-Law 02-121 as outlined in Report #PD-2016-37 - General Amendments to the Comprehensive Zoning By-Law 02-121 for Floodplain and Secondary Suites be approved;

AND THAT, the necessary By-Law be brought to Council at a future meeting.”

- vii) **Report #PD-2016-38 – Building Code Changes to Part 8 - Mandatory Septic Pumping.**
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, staff submit a letter to the Ministry of Affairs, the Ministry of Environment and Climate Change and Randy Hillier, MPP to reflect that Tay Valley Township is strongly opposed to the proposed changes to Part 8 of the Building Code regarding mandatory septic pumping.”

- viii) **Report #PD-2016-39 – 2016 OPPI Conference.**
Noelle Reeve, Planner.

Recommendation to Council:

“**THAT**, Council receive Report #PD-2016-39 - 2016 OPPI Conference for information;

AND THAT, the relevant information be used in environmental land use planning and when planning the memorial wall and other public spaces projects;

AND THAT, the Planner continue to work with the County and local indigenous representatives on issues related to the Truth and Reconciliation report.”

- ix) **Report #C-2016-10 – Request to Use Unopened Road Allowance - Wright.**
Janie Laidlaw, Acting Clerk.

Recommendation to Council:

“**THAT**, Council authorize staff to proceed with entering into a Road Access Agreement with Floyd Wright for the use of the unopened road allowance between Concessions 7 & 8, Lots 4 &5, geographic Township of Bathurst;

AND THAT, the necessary by-law be brought back to Council.”

- x) **Report #C-2016-11 – Animal Control Services Agreement.**
Janie Laidlaw, Acting Clerk.

Recommendation to Council:

“**THAT**, the Animal Control Services Agreement be approved as presented in Report #C-2016-11;

AND THAT, the necessary by-law be brought forward at the December 13th, 2016 Council meeting.”

- xi) **Report #C-2016-12 – Animal Pound Services Agreement.**
Janie Laidlaw, Acting Clerk.

Recommendation to Council:

“**THAT**, the Pound Services Agreement be approved as presented in Report #C-2016-12;

AND THAT, the necessary by-law be brought forward at the December 13th, 2016 Council meeting.”

7. CORRESPONDENCE

- i) **16-11-30 Council Communication Package.**

Recommendation to Council:

“**THAT**, the 16-11-30 Council Communication Package be received for information.”

- ii) **Lanark County Community Justice.**

Recommendation to Council:

“**THAT**, The Lanark County Community Justice request for funding in the amount of \$1,000 be approved.”

iii) **AMO - Federal Infrastructure Phase 2 Incrementality Resolution.**

Recommendation to Council:

“**WHEREAS**, municipal governments’ infrastructure is critical to our collective economic health;

AND WHEREAS, stable, predictable and formula-based infrastructure funding allows municipal governments to plan and schedule investments in infrastructure;

AND WHEREAS, Ontario municipal governments have asset management plans which set out a municipality’s longer term capital plan which reflects the infrastructure priorities of these asset management plans;

AND WHEREAS, A federal incrementality rule interferes with municipal long-term infrastructure priorities and diminishes the value of municipal asset planning and management;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township calls on the federal government to provide long-term, predictable, and formula-based funding in its Phase 2 programs for municipal governments;

AND THAT, the Council of Tay Valley Township calls on the federal government to change incremental requirements in Phase 2 to recognize in Ontario that a municipal governments’ asset management plan meets a municipal incremental infrastructure requirement.”

8. UPDATES

i) **Age Friendly Communities Working Group.**

Councillor Judy Farrell.

Councillor Farrell attended a one day forum on promoting a culture of accessibility and inclusion; it was informative and interesting.

ii) **200th Anniversary Working Group.**

Councillor Jennifer Dickson.

Councillor Dickson reminded Council of the last 200th Anniversary event the Betwixt and Between Dinner and Dance on December 28th, 2016.

iii) **Recreation Working Group.**

Councillor Fred Dobbie and Councillor Judy Farrell.

No Report.

- iv) **Sustainable Economic Development Working Group.**
Councillor RoxAnne Darling and Councillor Jennifer Dickson.

No Report.

- v) **Waste Management Working Group.**
Councillor Mark Burnham.

No Report.

- vi) **Fire Board.**
Reeve Keith Kerr, Councillor RoxAnne Darling and Councillor Fred Dobbie.

- increase in calls for November, BBD&E have had 19 calls compared to 6 last year and Sherbrooke has had 6 compared to 3 last year
- Sherbooke station received 8 resumes for volunteer fire fighters and will be conducting interviews to fill those positions
- wells in the area of the large fire on County Road 43 have been contaminated, the residents affected have been provided drinking water
- the fire department budget was set, but will have a small increase, due to a review and implementation of a pay scale and merit increase for the Fire Chief and Administrative Assistant; neither position had received an increase beside a cost of living increase. The increase to Tay Valley would be approximately \$2,000. The new system will make it easier for budgeting in the future.

The Deputy Reeve expressed that Tay Valley's budget has already been set, and the residents know what the increase to the budget is, feels it should not be further increased. The Treasurer suggested that we include it in the budget and given the amount, there should be savings in the budget that will offset this increase.

- the CP Rail fire was billed back to CP Rail at \$110,000; approximately \$42,000 is what BBD&E would receive, the other departments that attended the fire would get a portion of the rest. CP Rail has offered to purchase the fire department a side by side off road vehicle to be equipped with equipment, water tank, a stretcher, and hoses, the remainder of the amount owed to BBD&E would be received as cash. The \$68,000 will be distributed to the other departments as originally invoiced.

- vii) **Library Board.**
Councillor Jennifer Dickson.

The Library is currently closed for renovations and will reopen on December 17th, 2016.

viii) **Police Services Board.**

Deputy Reeve, Brian Campbell.

- attended the OAPSB Zone 2 meeting on Friday in Kingston, there were presentations on the OPP Billing and a presentation from MPAC, no new information was provided
- Tay Valley Police Services Board now has a Provincial Appointee, Maureen Towaij was appointed for a two year term

ix) **County of Lanark.**

Reeve Keith Kerr and Deputy Reeve Brian Campbell.

The Reeve and Deputy Reeve reported the following:

- the 2017 Warden was elected, Bill Dobson is the 2017 Lanark County Warden
- committee chairpersons were selected at the meeting as well, including Gail Code (Drummond/North Elmsley Deputy Reeve) for corporate services, Brian Stewart (Lanark Highlands Mayor) for community services, Jane Torrance (Mississippi Mills Councillor) for economic development, and Brian Campbell (Tay Valley Deputy Reeve) for public works
- attended the official opening of the Lanark County Paramedic Service (LCPS) Administration Headquarters and Smiths Falls and Area Ambulance base

x) **Mississippi Valley Conservation Authority Board.**

Councillor Mark Burnham.

No Report.

xi) **Rideau Valley Conservation Authority Board.**

Deputy Reeve Brian Campbell.

- Attended the 50th Anniversary Celebration last week

xii) **Rideau Corridor Landscape Strategy Committee.**

Deputy Reeve Brian Campbell.

No Report.

xiii) **Municipal Drug Strategy Committee.**

Councillor Mark Burnham.

The Impairment Goggles that were ordered have arrived and have been paid for. The Goggles are available for functions.

- xiv) **Rural Mayors Forum.**
Deputy Reeve, Brian Campbell

No Report.

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

Accommodations Review Committee

The accommodation review for the potential school closure is ongoing, comment submissions are due by February 1, 2017, staff will bring forward a resolution for Council's approval to meet the February 1st deadline.

Connections Adult Learning

On the November 22nd Committee of the Whole agenda correspondence was received from the Connections Adult Learning requesting that Council waive the fee to rent the Maberly Community Hall for a program which will provide local access to digital devices and wi-fi connection along with digital guidance and training. The Acting Clerk reported back that the program will be marketed through the Frontenac News and through posters; the Township can also advertise the program. The program would be run on weekdays and therefore should not conflict with the rental of the Hall. The Custodian for the Maberly Hall is paid monthly and not per rental of the hall, there should be no additional costs.

Recommendation to Council:

"THAT, the Maberly Hall rental fees be waived for Connections Adult Learning to use the hall twice a month for 2 hours until May 2017 to provide a Digital Drop-In Centre that will provide local access to digital devices along with digital guidance and training to members of the public."

9. CLOSED SESSION

None.

10. PENDING ITEMS

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

- ***Social Media Policy***
- ***Potential Microfit for Municipal Office***
- ***Memorial Plaque Project***
- ***Mining Fee Policy (Peat Moss Extraction)***
- ***Dark Skies***

- *Fees and Charges – Cash-In-Lieu Fee*
- *Fees and Charges – Dog Tag Fee*
- *Lanark Animal Pound*
- *Accessibility – Individual Accommodation Plans – Policy*
- *Accessibility – Return to Work Process – Policy*
- *Glen Tay Waste Site – Weigh Scales*
- *Otty Lake Side Road*
- *Access to Township Roads Policy*
- *Economic Development Report*

11. ADJOURNMENT

The Committee adjourned at 9:00 p.m.

DELEGATIONS & PRESENTATIONS

COMMITTEE OF THE WHOLE
December 13th, 2016

Report #C-2016-13
Janie Laidlaw, Acting Clerk

**REQUEST TO CLOSE UNOPENED ROAD ALLOWANCE – Day
PUBLIC MEETING**

STAFF RECOMMENDATION(S)

“**THAT**, Council consider a by-law to stop up, close and sell the portion of the unopened road allowance (approximately 66 feet by 564 feet) between Concessions 10 & 11, Part Lot 22, South Sherbrooke, geographically located south of the Bennett Lake Road.”

BACKGROUND

Committee and Council have considered a request to stop up, close and sell the portion of the unopened road allowance between Concessions 10 & 11, Part Lot 22, South Sherbrooke, geographically located south of Bennett Lake Road. A resolution was passed on October 25th, 2016 declaring the land surplus to the Township’s needs and agreeing to a purchase price of \$0.03 per square foot.

DISCUSSION

The purpose of this report and public meeting is to solicit public feedback regarding the proposed road closing.

Pursuant to the Road Closing and Sale Policy, public notice was posted on site and in the general vicinity of the portion of the unopened road allowance to be closed, mailed to the adjacent property owner, published in the newspaper, published on the Township website and provided publicly via the agenda for the Committee of the Whole Meeting on October 18th, 2016, with such notice offering an opportunity for any person to address concerns related to the closing.

Agency Comment

There were no objections from the agencies that were circulated.

Hydro One

No objection to the proposed road allowance closing.

Bell Canada

No objection to the proposed road allowance closing.

Lanark County

No objection to the proposed road allowance closing

Public Comment

Bill Avery owns the land to the North of the Bennett Lake Road and has confirmed that he does not require access across the road allowance.

Mr. Gilpin owns the land to the east of Mr. Day and has verbally requested access over the unopened road allowance to access a portion of his land.

Mr. Gilpin's land does have access on the Old Burke Road to the east and McNaughton Road to the south. Staff sought legal advice on the Township's obligation to provide access via the unopened road allowance and the advice was, that given the land has access from two Township roads, the Township is not obligated to provide further access, it is Council discretion if they wish to grant access over the road allowance prior to the stopping up, closing and selling of the land. Keeping in mind Mr. Gilpin would also need to cross over road allowance owned by the Township and a Road Access Agreement would be required. If Council wishes to grant access over the road allowance, consideration should be given for Mr. Gilpin's contribution to the cost of the process, given the additional benefit to the value of his property.

Next Steps

The required survey has been completed. Should direction be given to provide Mr. Gilpin access across the road allowance, this will require parts to be identified for the purpose of legal access.

Council can then proceed to pass a by-law to stop up, close and sell the portion of the unopened road allowance to the applicants. The land will then be transferred upon payment of the required costs.

ATTACHMENTS

- i) Report #C-2016-08 – Request to Close Unopened Road Allowance – Day
- ii) GIS Map

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Janie Laidlaw,
Acting Clerk**

**Larry Donaldson,
Chief Administrative Officer**

COMMITTEE OF THE WHOLE
October 18th, 2016

Report #C-2016-08
Janie Laidlaw, Acting Clerk

REQUEST TO CLOSE UNOPENED ROAD ALLOWANCE – DAY

STAFF RECOMMENDATION(S)

“**THAT**, Council declares the portion of the unopened road allowance between, Concession 10 and 11, Part Lot 22, (approximately 564 feet by 66 feet) south of Bennett Lake Road, surplus to the Township’s needs;

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

AND THAT, the purchase price of \$0.03 per square foot be accepted should the sale be finalized.”

BACKGROUND

A written request – **attached, page 3** was received from Gary Noel requesting the closure of the identified portions of the unopened road allowance.

David Day is the owner of the property adjacent to the unopened road allowance; Gary Noel is in the process of purchasing the property. Mr. Day has confirmed that he is aware and in agreement with Mr. Noel proceeding with the road closing request.

The purpose of the road closing is to obtain access to Bennett Lake Road. Currently the property does not have road frontage.

DISCUSSION

The Clerk undertook a preliminary review.

The mapping available to the Township shows the unopened road allowance, a sliver of land (owned by Bill Avery), then the Bennett Lake Road. A survey was done to determine if the

road allowance touched Bennett Lake Road and therefore would give frontage on the Bennett Lake Road, if the road allowance was closed – *attached, page 5.*

Part 1 and Part 2 on the survey is the unopened road allowance. Part 3 is the Bennett Lake Road and Part 4 is property owned by Bill Avery the landowner to the north of the Bennett Lake Road.

The County of Lanark Public Works staff has been involved in the preliminary discussions and has provided written confirmation that they do not foresee any need for the unopened road allowance and have no objections to the road closing. With a survey now complete Part 2 of the road allowance will be deeded to the County to become part of Bennett Lake Road.

The preliminary review also indicates that Lanark County's title to the Bennett Lake Road needs to be corrected through the Avery property and the survey work was done in conjunction with the survey of the unopened road allowance.

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

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

The requestor will be required to pay all costs associated with the application, including purchase price, legal and advertising costs. A reference plan/survey has been undertaken by the applicant. A purchase price of \$0.03 per square foot is recommended.

ATTACHMENTS

- iii) Written Request
- iv) Maps
- v) Draft Survey

Prepared and Submitted By:

Approved for Submission By:

Original Signed

Original Signed

**Janie Laidlaw,
Acting Clerk**

**Larry Donaldson,
Chief Administrative Officer**


~~February 17,~~
January 27, 2016

Tay Valley Township
217 Harper Rd.
Tay Valley ON K7H 3C6

In advance of closing a Purchase Agreement between Gary and Karin Noel and David Carl Day, the current owner of PT LT 22 Con 10 South Sherbrooke PT 4 27R1603, Gary and Karin Noel wish to purchase the Road Allowance of the above noted lot boarding the Bennett Lake Rd (CR 19). The described Road Allowance, as per the enclosed survey copy (Plan #1), is 66' wide x 609.36' frontage along CR 19. Plan #2 outlines what we estimate the travelled route of CR 19. Also included is a copy of the Land Registry Office certificate identifying the property description.

A deposit on the actual lot purchase has been presented to Mr. Day and he has been made aware of our intention to purchase the Road Allowance in advance of closing.

Thank You,



Gary Noel

Gary and Karin Noel
1683 Route 500 West
Casselton ON K0A 1M0

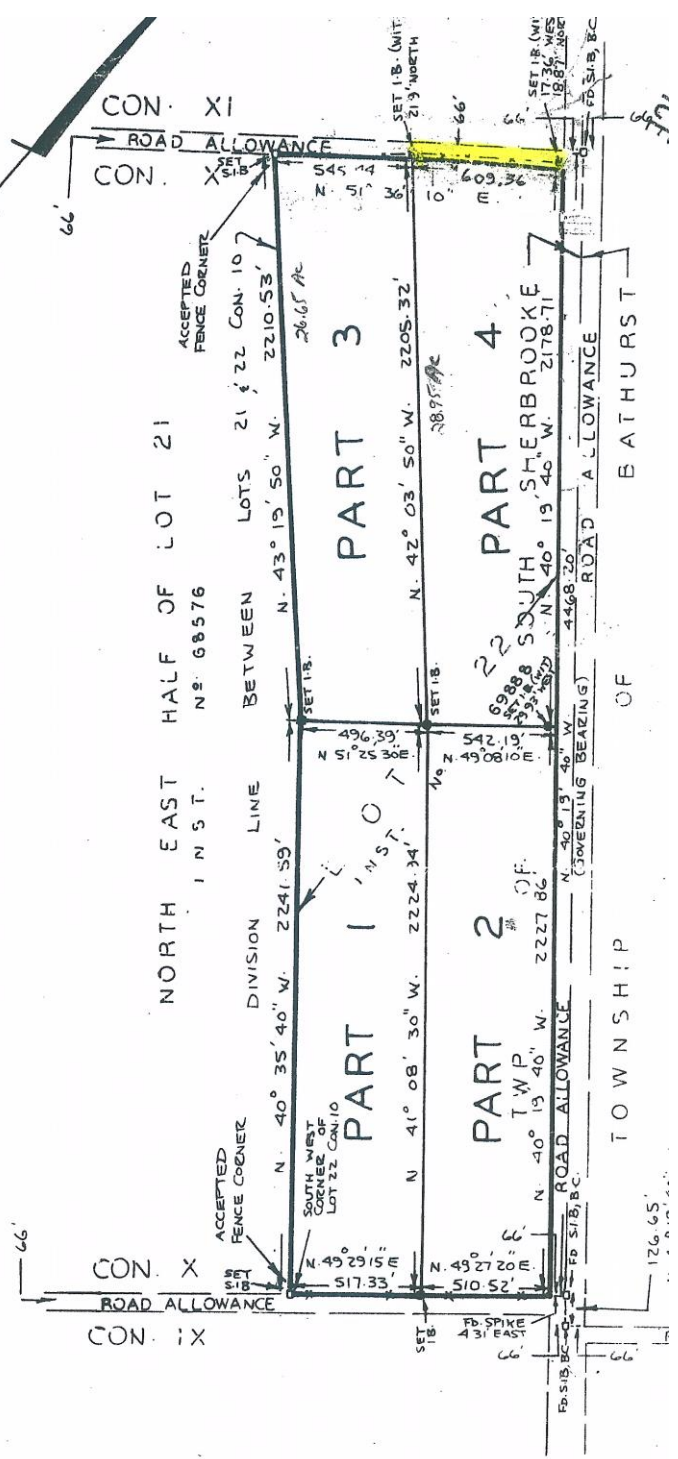
PLAN #1

- IDENTIFIES ROAD ALLOWANCE

PROPERTY OF THE
REGISTRY OFFICE

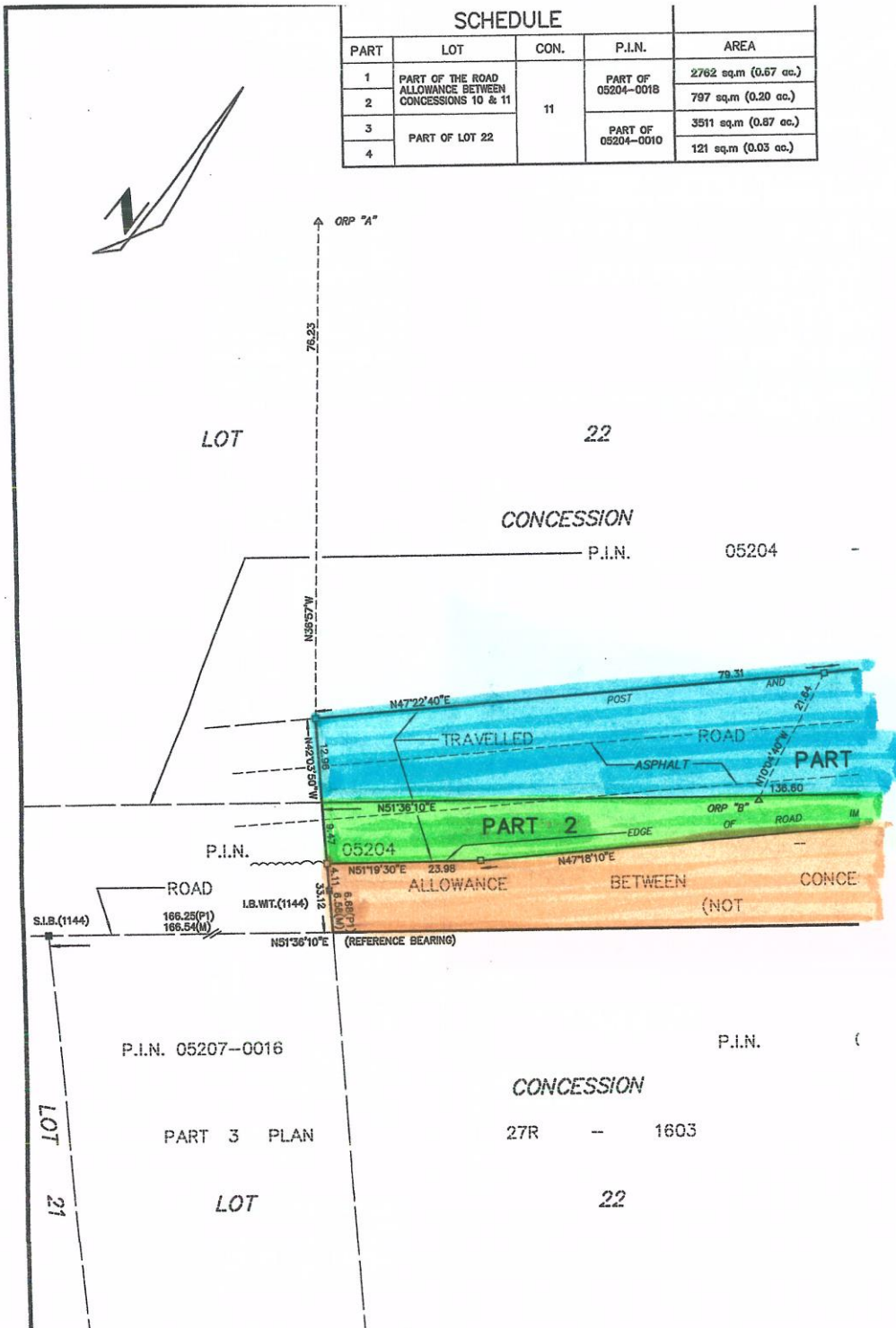
BEARING NOTE

SURVEYOR



SCHEDULE

PART	LOT	CON.	P.I.N.	AREA
1	PART OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 10 & 11	11	PART OF 05204-001B	2762 sq.m (0.67 ac.)
2				797 sq.m (0.20 ac.)
3	PART OF LOT 22		PART OF 05204-001D	3511 sq.m (0.87 ac.)
4				121 sq.m (0.03 ac.)



METRIC

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SCALE 1: 500



NOTES

BEARINGS SHOWN ON THIS PLAN ARE ASTROMOMIC, DERIVED FROM THE SOUTHERLY LIMIT OF THE ROAD ALLOWANCE BETWEEN CONCESSIONS 10 AND 11 AS SHOWN ON PLAN 27R-1603, HAVING A BEARING OF N51°36'10"E.

DISTANCES SHOWN ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999868

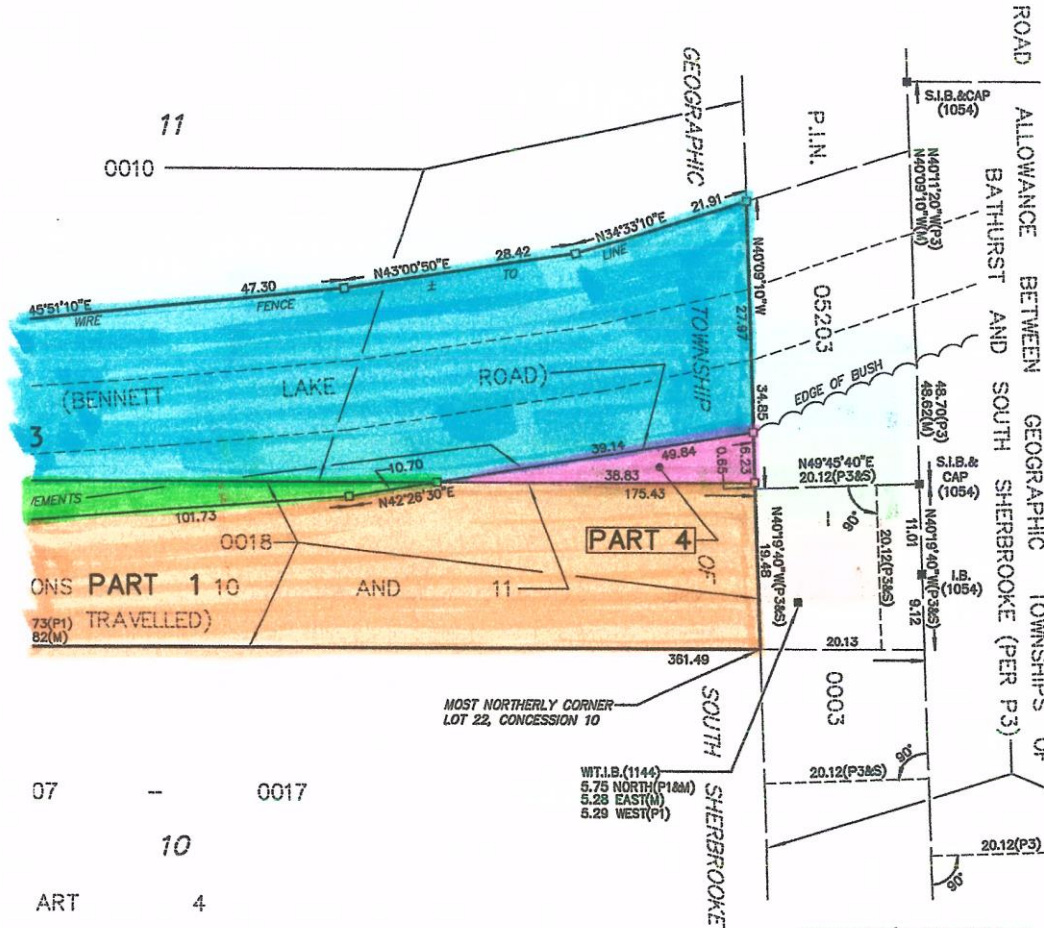
- S.I.B. DENOTES 0.025 SQ., 1.2 LONG, STANDARD IRON BAR
- S.S.I.B. DENOTES 0.025 SQ., 0.6 LONG, SHORT STANDARD IRON BAR
- I.B. DENOTES 0.016 SQ., 0.6 LONG, IRON BAR
- R.I.B. DENOTES ROUND IRON BAR
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT PLANTED
- WT. DENOTES WITNESS
- 1054 DENOTES G.W. BRACKEN O.L.S.
- 1144 DENOTES C.D. ROGERS, O.L.S.
- P1 DENOTES PLAN 27R-1603
- P2 DENOTES PLAN 27R-2501
- P3 DENOTES CROWN RESURVEY BY G.W. BRACKEN, O.L.S. DATED DECEMBER 16, 1968 (CONFIRMED NOVEMBER 1, 1967)
- M DENOTES MEASURED
- S DENOTES SET

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE -----

J.P. SHIPMAN

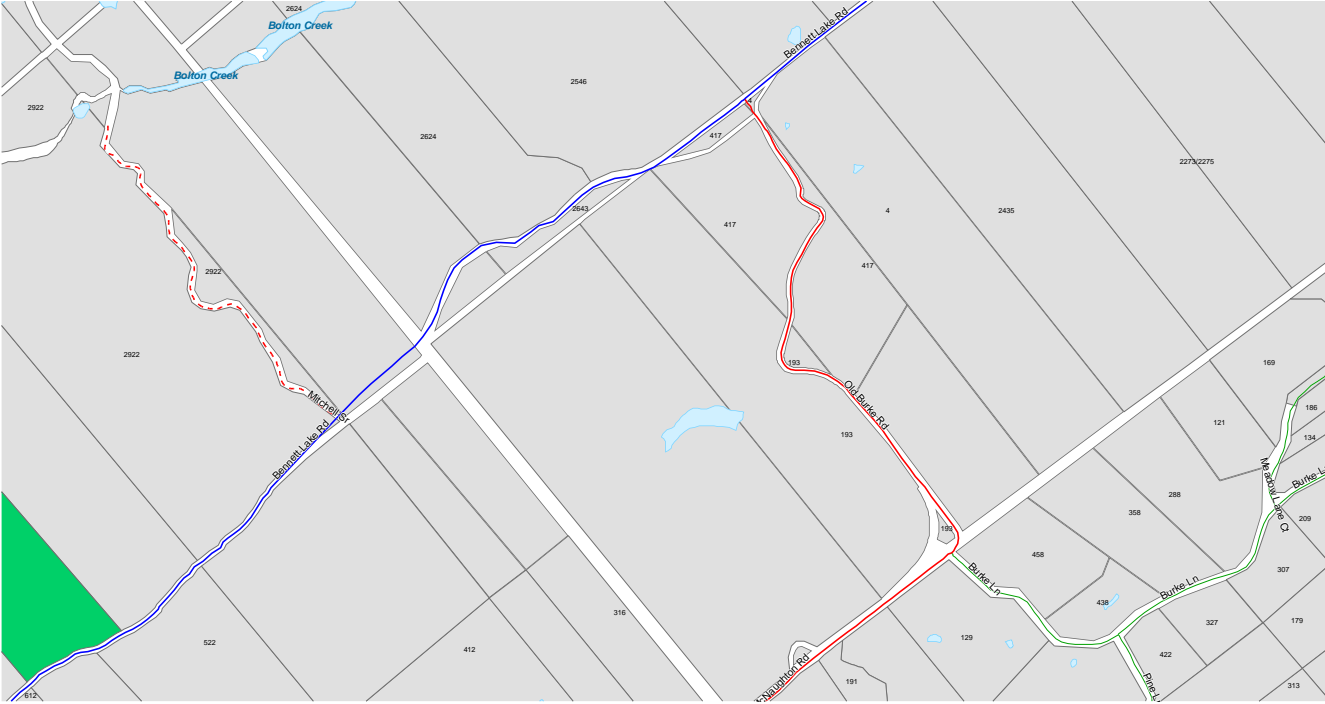
PLAN OF SURVEY OF
PART OF LOT 22
CONCESSION 11 A
PART OF THE RO,
BETWEEN CONCES
GEOGRAPHIC TOWNSHIP
TAY VALLEY TOWNSHIP
COUNTY OF LANARK



SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- (1) THIS SURVEY AND PLAN ARE CORRECTLY MADE UNDER THE SURVEY ACT, THE SURVEYORS ACT, AND REGULATIONS MADE UNDER THEM;
 - (2) THE SURVEY WAS COMPLETED ON

Attachment #2 - GIS Map



BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-042

A BY-LAW TO ENTER INTO A ROAD ACCESS AGREEMENT FOR THE USE OF AN UNOPENED ROAD ALLOWANCE (WRIGHT)

WHEREAS, Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides the municipality with the powers of a natural person and the authority to govern their affairs as they consider appropriate;

AND WHEREAS, Lorne Floyd Wright (hereinafter referred to as the “Developer”) have applied to Tay Valley Township to use a portion of the unopened road allowance, between Concessions 7 and 8, geographic Township of Bathurst, geographically located East of Doran Road, a distance of approximately 130 metres from the Doran Road,, for the purpose of constructing and maintaining a ‘driveway’ to access their lands;

AND WHEREAS, the Developer is desirous to entering into an Agreement for the development and use of the Unopened Road allowance with Tay Valley Township for registration on title to the Developer’s lands, more particularly described as Part Lot 5, Concession 8, Bathurst, Part 1, Plan 27R2298, Except Part 1, Plan 27R4956, Tay Valley Township, PIN 05202-0074 (LT);

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 Acting Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute a Road Access Agreement for the Use of an Unopened Road Allowance with Lorne Floyd Wright, attached hereto as Schedule “A”.

2. ULTRA VIRES

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-042**

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-042**

SCHEDULE "A"

THE CORPORATION OF TAY VALLEY TOWNSHIP

ROAD ACCESS AGREEMENT

THIS AGREEMENT made in triplicate this day of ,2016.

BETWEEN: **Lorne Floyd Wright**
 Herein called the "Owner" **OF THE FIRST PART**

AND: **The Corporation of Tay Valley Township,**
 Herein called the "Township" **OF THE SECOND PART**

WHEREAS, the Owner owns the Part Lot 5, Concession 8, Bathurst, Part 1, Plan 27R2298, Except Part 1, Plan 27R4956, Tay Valley Township, PIN 05202-0074 (LT) ("the Property"), in the Township;

AND WHEREAS, the Owner has applied to the Township to use a portion of the unopened road allowance, between Concessions 7 and 8, geographic Township of Bathurst, geographically located East of Doran Road, a distance of approximately 130 metres from the Doran Road, for the purpose of constructing and maintaining a "driveway" to access their Property, as described in Schedule "A", attached hereto;

AND WHEREAS, the Owner is desirous of entering into an Agreement with the Township for registration on title to the Owner's Property, and the Township is entitled to enforce the provisions of the Agreement against the Owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the Property;

AND WHEREAS, The Corporation of Tay Valley Township has passed By-Law No. 2014-013 granting the Reeve and Acting Clerk the authority to sign this Agreement;

AND WHEREAS, Section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides the municipality with the powers of a natural person and the authority to govern their affairs as they consider appropriate;

NOW THEREFORE THIS AGREEMENT WITNESSETH, that in consideration of the sum of TWO (\$2.00) DOLLARS paid by the Owner to the Township, the receipt of which is hereby acknowledged and in consideration of the mutual covenants hereinafter expressed, the parties hereto agree as follows:

1. **THAT** the Owner agrees:

- a) **THAT**, the Owner acknowledges that municipal services such as snow removal and road maintenance of the 'driveway' shall not be provided by the Township and that some public services such as garbage removal, school bussing and some emergency services may be severely restricted.
- b) **THAT**, the Owner reimburse the Township the cost to supply and install appropriate signage indicating that the 'driveway' is not maintained by the Township and to use at your own risk.
- c) **THAT**, if such sign is ever removed, it must be immediately replaced, failing such this Agreement shall be considered null and void.
- d) **THAT**, the Owner provide and keep in force during the term of this agreement, Commercial General Liability Insurance as required by the Township' insurer which shall include but not be limited to the following:
- A limit of liability of not less than \$5,000,000 per occurrence;
 - The Township shall be named as an additional insured;
 - The Policy shall contain a provision for cross liability;
 - Non-owned automobile coverage with a limit of at least \$5,000,000 including contractual non-owned coverage;
 - That 30 days prior notice of cancellation of the Policy shall be given in writing to the Township
- e) **THAT**, the required insurance coverage be received and approved by the Township prior to the commencement of any work on the said 'driveway'.
- f) **THAT**, the insurance requirements as outlined in item d) and e) above shall also apply to any third party that undertakes work on behalf of the Owner on the said 'driveway'.
- g) **THAT**, the Township shall not be responsible for any maintenance, construction or repair of the said 'driveway'.
- h) **THAT**, the Owner shall construct the proposed 'driveway' in accordance with the "Private Road Construction Standards" and the "Fire Department Access Route" - "Access Route Design" Section 3.2.5.6 of the Ontario Building Code, attached hereto as Schedule "B".
- i) **THAT**, the Owner provide the Township with engineered design drawings, showing plan & profile details and a typical cross-section identifying the proposed depths of granular material within the road base. That notwithstanding that the drawings and plans have been reviewed by the Township, the Township takes no responsibility for the design or adequacy of the work to be done.
- j) **THAT**, the Owner establish the physical center-line of the proposed 'driveway' construction based on the legal boundaries of the above noted unopened road allowance.

- k) **THAT**, the Owner must complete the construction of the proposed 'driveway' to the satisfaction of the Public Works Manager and the Fire Chief of the Township prior to the Township's Chief Building Official issuing a building permit for the above noted Property.
- l) **THAT**, any future and/or additional work, other than routine maintenance, to be done on the 'driveway' shall be itemized and approved by the Township.
- m) **THAT NOTHING**, in this Agreement obligates the Township to assume the works as a public highway. However, the Township maintains its right to assume ownership of the improvements at any time without compensation to the Owner.
- n) **THAT NOTHING**, in this Agreement gives the Owner sole use of the subject unopened road allowance or authority to prevent use by the general public.
- n) **THAT**, the Township maintains its right under the *Municipal Act, 2001* to establish a highway over the said unopened road allowance at any time.
- o) **THAT**, the Owner hereby indemnifies, protects and saves harmless the Township, its elected officials, employees and agents, from and against any and all claims, losses, damages, liabilities, costs and expenses, including legal fees and disbursements, which may be brought against the Township as a result of the use of the said 'driveway', or as a result of any delay in the provision or any failure to provide services or emergency vehicles to the Property.

2. Any **NOTICE** required to be given hereunder to the Township or the Owner shall be in writing and may be delivered personally or be sent by registered mail.

3. **NOTICE** shall be given to the Owner at the address shown on the tax roll for the Owner's Land. **NOTICE** shall be given to the Township at the following address:

The Corporation of Tay Valley Township
 Attn: Clerk
 217 Harper Road
 Perth, ON K7H 3C6

Any notice sent by registered mail shall be deemed to have been received by the party to whom it is addressed on the third (3rd) business day following such mailing.

4. **ALL COSTS** incurred by the Township in connection with the preparation, execution and registration of this Agreement shall be paid by the Owner.

5. **IF THE** Owner fails or refuses for any reason to comply with the requirement of this agreement, the Owner shall be in default and the Township may, jointly or severally on seven (7) days' notice require the Owner to remedy the default, failing which the Township may, jointly or severally without further notice and without prejudice to any other rights and remedies available to it, do such thing and perform such work as is necessary to rectify the default and recover the expense incurred in doing it by action

or in like manner as municipal taxes in accordance with the provisions of Section 446 – Orders and Remedial Action, of the *Municipal Act, 2001*, as required.

6. **THAT THIS AGREEMENT** be registered against the title of the subject lands described in Schedule “A” attached hereto and shall be binding upon and ensure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns and the Township shall be entitled to enforce the provisions against the Owner and all subsequent owners of the lands.

IN WITNESSETH WHEREOF the parties hereto have executed this agreement as of the date of the first above written.

SIGNED, SEALED and DELIVERED)
In the presence of)

Witness

Lorne Floyd Wright

**THE CORPORATION OF
TAY VALLEY TOWNSHIP**

**Keith Kerr
Reeve**
(I have the authority to bind the Corporation)

**Janie Laidlaw
Acting Clerk**
(I have the authority to bind the Corporation)

SCHEDULE "A"

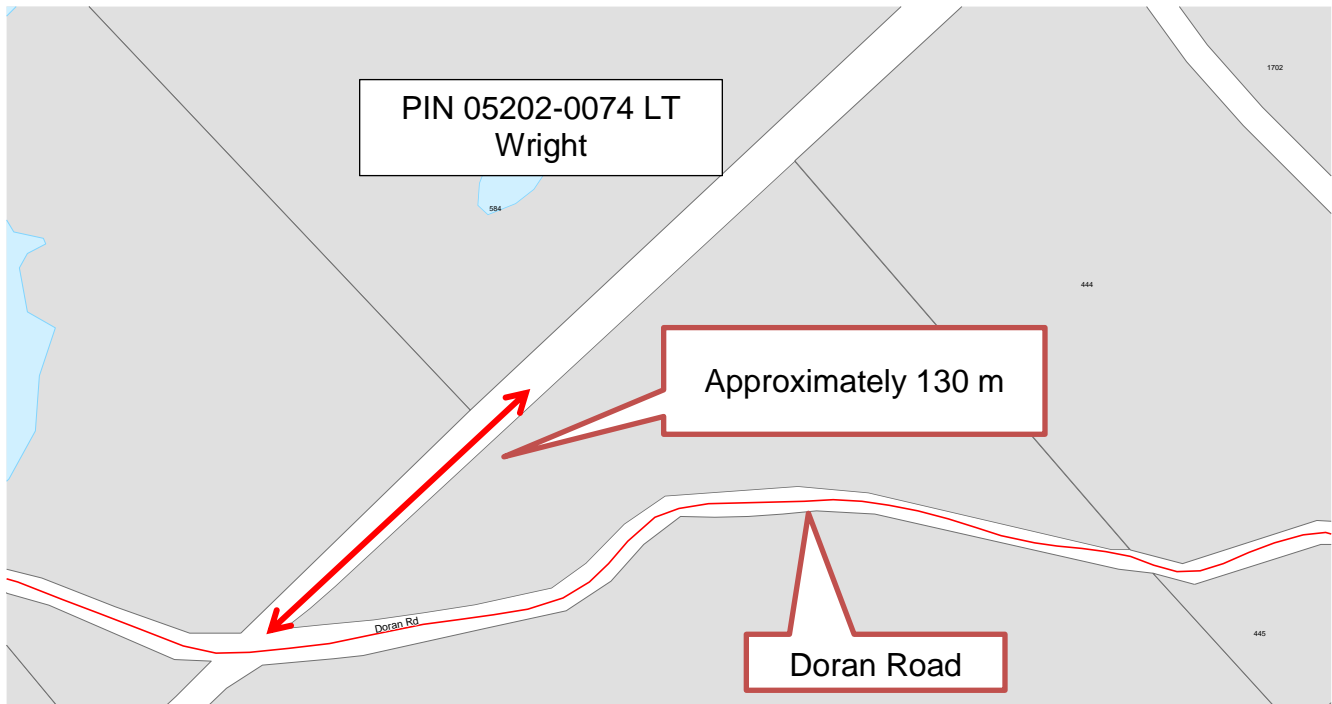
Road Access Agreement (Lorne Floyd Wright)

Description of the Owner's Lands

Part Lot 5, Concession 8, Bathurst, Part 1, Plan 27R2298, Except Part 1, Plan 27R4956, Tay Valley Township, PIN 05202-0074 (LT)
Roll Number – 0911-916-020-19701-0000

Description of the Unopened Road Allowance

A approximately 130 metres from the Doran Road,
between Concessions 7 and 8, geographic Township of Bathurst, geographically
located East of Doran Road



SCHEDULE "B"

Private Road or Unopened Road Allowance Construction Standards

Minimum Width of right of way	20.0 m (66 ft.)
Minimum width of clearing	9.0 m (30 ft.)
Surface	a) width - 4.5 m (15 ft.) b) depth - 100 mm (4 in.) c) type – crushed gravel or stone
Shoulder Width	1.0 m (3 ft.) each side (including rounding)
Depth of granular base	As determined after consolidation of sub-grade material
Ditches	Minimum depth from crown of road to bottom of ditch 0.5 m (1.5 ft.). All ditches to be carried to sufficient outlet.
Culverts	CSP, concrete or plastic. Minimum 300 mm (12 in.) diameter, or larger as required.
Geometrics	Such that fire protection equipment can pass safely
Grade (maximum)	12.5%
Cross Fall	3%

Ontario Building Code

Fire Department Access Route.

The design and construction of fire department access routes involves the consideration of many variables, some of which are specified in the requirements in the Ontario Building Code. All these variables should be considered in relation to the type and size of fire department vehicles available in the municipality or area where the building will be constructed. It is appropriate, therefore, that the local fire department be consulted prior to the design and construction of access routes.

3.2.5.6. Access Route Design

- (1) A portion of a roadway or yard provided as a required access route for fire department use shall:
 - (a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
 - (b) have a centre line radius not less than 12 m,
 - (c) have an overhead clearance not less than 5 m,
 - (d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,
 - (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
 - (f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and
 - (g) be connected with a public thoroughfare.

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-043

ANIMAL CONTROL SERVICES AGREEMENT (ANITA STUART)

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 a By-Law to Regulate the Keeping and Control of Animals;

AND WHEREAS, the Council of the Corporation of Tay Valley Township deems it expedient to enter into an Animal Control Services Agreement with Anita Stuart for the keeping and control of animals within the Township;

AND WHEREAS the terms of the Animal Control Services Agreement are satisfactory to the Council of the Corporation of Tay Valley Township, attached hereto as Schedule "A";

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 Acting Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute an Animal Control Services Agreement with Anita Stuart, 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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-043**

3. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 1st day of January 2017.

ENACTED AND PASSED this 13th day of December, 2016.

Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-043**

SCHEDULE "A"

ANIMAL CONTROL SERVICES AGREEMENT

ANITA STUART & TAY VALLEY TOWNSHIP

1. Contract Duration

January 1, 2017 and to terminate on December 31, 2017. The agreement will automatically renew unless written notice is provided by either party within 60 days of the renewal date.

2. Duties and Responsibilities of the Contractor

As set forth in Schedule "B"

3. Remuneration for Service

- Monthly Service Fee (Retainer) \$475.00
The monthly service fee shall compensate the contractor for being on call 24 hours per day, 7 days per week, providing coverage pursuant to this contract. The contractor shall carry a cell phone, pager, and utilize an answering service to communicate with clients.

- Animal Pick-Up Fee \$30.00 per animal
- Mileage Rate At current Township rate
- By-Law Enforcement \$15.00 per incident plus mileage
(1 hour minimum)
\$15.00 per hour attending court, related investigations, etc., plus applicable mileage
(1 hour minimum)
Mileage for pickups will be calculated from ACO office to delivery location.
Mileage for by-law enforcement will be calculated round trip.

4. Invoicing

Invoices for services rendered the preceding month shall be submitted to the Township by the contractor by the 5th of each subsequent month.

5. Termination

This contract may be terminated by either party hereto without cause upon the provision of sixty (60) days written notice to the other party. Such notice being provided by registered mail.

6. Other Conditions

- The contractor acknowledges and agrees that the effective performance of the required duties necessitates the highest level of integrity, trustworthiness and good organization.
- The contractor agrees to conform with all lawful instruction and direction given by the authorized representatives of the Township.
- The contractor acknowledges and agrees that this contract is not transferable and shall not be assigned without the express written permission of the Township.
- Notwithstanding the above clause, the Township recognizes Glen O'Neil as the Alternate Contractor, who shall abide by the Terms and Conditions of this Agreement while acting on behalf of or in the absence of the Contractor
- The contractor assumes full responsibility for complying with all applicable provincial legislation in performing her duties.
- The contractor acknowledges that all items supplied by the Township and all information pertaining to the Township shall remain and be considered the exclusive property of the Township at all times and shall be surrendered to the Township in good condition promptly upon the termination of this contract, irrespective of the time, manner or cause of termination.
- The contractor shall at all times maintain general liability insurance in an amount of at least \$2,000,000.00, such policy naming the Township as a co-insured. Proof of liability insurance coverage shall be furnished to the Township and shall also cover the Alternate Contractor.
- The Township acknowledges that all items or equipment furnished by the contractor shall remain and be considered the exclusive property of the contractor at all times and shall be surrendered to the contractor in good condition, promptly upon termination irrespective of the time, manner or cause of termination.
- There will be no service for holidays - Christmas Eve, Christmas Day, Boxing Day, New Years Eve, New Years Day, Easter Friday, Easter Sunday, Thanksgiving Day.

7. Status

The Contractor is a contractor independent of the municipality. Nothing herein shall be interpreted to create a relationship of employer/employee, partnership, franchise, agency or joint venture or other like arrangement.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-043**

SCHEDULE “B”

DUTIES AND RESPONSIBILITIES OF THE CONTRACTOR

Title	Animal Control Officer (ACO)
Purpose	The Animal Control Officer shall mean the person appointed by the Council of the Township to enforce the Animal Control By-Law and other legislation in effect from time to time regarding the control of animals within the Township.
Qualifications	<p>Good general knowledge of animal behaviour</p> <ul style="list-style-type: none">- Ability to identify and describe the general physical condition of animals.- Ability to handle and care for injured, distressed and/or frantic animals.- Ability to deal impartially and to communicate clearly in a professional manner with the public.- Ability to maintain accurate records.- Ability to prepare both routine and special reports.- Ability to prepare and organize detailed notes and reports, which may be used in court.- Ability to give attention to detail.- Provide conviction and judgement.- Dedication to animal welfare and education of the public regarding animal issues.- Work independently.
Responsibilities	<p>Respond to a call out from residents on an as-required basis.</p> <ul style="list-style-type: none">- Track down and apprehend the offending animal(s) using approved, humane methods.- Determine and record the general physical condition of the animal(s).- Make a reasonable attempt to identify the owner of the animal(s)- Transport the apprehended animal to the designated pound or veterinarian, according to the condition of the animal.- Attend at designated residence and issue verbal and/or written warnings of infractions to the owners/guardians of offending animals.- Advise members of the public on a variety of animal control related issues.- Maintain detailed notes of all apprehensions, incidents and encounters, including precise dates and times.- Maintain current list of emergency telephone numbers, i.e. veterinarians, police, pound keepers, or other Animal Control Officers.

- Ensure that cages, holding areas (including vehicle), collars and other “tools” are well maintained and sanitary.
- Report any incidents of animal abuse or suspected abuse to the OSPCA.
- Perform special projects as required by the CAO, e.g. speaking to groups, etc.
- May be required to attend and give evidence in court.
- Easy accessibility via telephone, pager, answering machine, cell phone, etc.
- Have a reliable licensed vehicle and necessary equipment, e.g. snare pole, uniform, leashes, collars, cages, live traps, etc.
- Willingness and ability to work irregular hours including weekends.

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-044

POUND SERVICES AGREEMENT

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 an Pound Services Agreement with Anita Stuart 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 Acting Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute an Pound Services Agreement with Anita Stuart, attached hereto as Schedule "A".

2. BY-LAWS TO BE REPEALED

2.1 By-Law No. 2015-057 is hereby repealed.

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. ULTRA VIRES

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-044**

4. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 1st day of January 2017.

ENACTED AND PASSED this 13th day of December, 2016.

Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-044**

SCHEDULE "A"

THIS POUND SERVICE AGREEMENT dated the ____ day of _____ 2015

BETWEEN

**Anita Stuart, Animal Control Services
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 January 1, 2017 and to terminate on December 31, 2017. 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

Anita Stuart

Date

Tay Valley Township

Reeve

Acting 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. 2016-045

A BY-LAW TO ADOPT THE ESTIMATES FOR THE SUMS REQUIRED FOR MUNICIPAL PURPOSES FOR THE YEAR 2017

WHEREAS, Section 290 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a local municipality shall, in the year or the immediately preceding year, prepare and adopt a budget including estimates of all sums required during the year for the purposes of the municipality;

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 2017 Budget, including revenue and expenditure estimates for the year, attached hereto as Schedule "A", is hereby adopted.

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 13th day of December, 2016.

Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-045**

Schedule "A"

TAY VALLEY TOWNSHIP				
2017 OPERATING AND CAPITAL BUDGET				
SUMMARY				
		2016	2016 YTD	2017
		BUDGET	SEPT. 30/16	BUDGET
EXPENDITURES:				
	General Government	1,019,818	718,579	1,065,575
	Protection Services	1,675,221	1,538,863	1,882,886
	Transportation Services	1,593,935	1,236,252	1,547,400
	Environmental Services	685,090	510,486	756,630
	Recreation, Cultural & Social Services	449,045	311,348	458,720
	Planning & Development	276,700	204,502	281,500
	Transfers to Reserves	855,180	855,180	852,680
	Capital out of Revenue	64,376	10,991	42,200
	Debt Financing	63,100	39,675	63,100
		6,682,465	5,425,877	6,950,691
REVENUES:				
	Grants	867,115	621,678	910,200
	Fees & Service Charges	162,800	135,930	162,800
	Other Revenue	605,180	478,491	606,430
	Transfers from Operating/other Reserves	67,261	0	46,500
		1,702,356	1,236,098	1,725,930
INFRASTRUCTURE REPLACEMENT:				
	Capital Program	1,107,540	389,312	853,750
	Transfers from Infrastructure Reserves	(1,082,540)	0	(803,750)
	OCIF Formula Funding applied to Roads Project	25,000	389,312	50,000
		5,005,109	4,579,090	5,274,761
TAX LEVY				

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-046

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121 (NOEL – 1008 NOEL ROAD) (PART LOT 8, CONCESSION 10, GEOGRAPHIC TOWNSHIP OF BATHURST)

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

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

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

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

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

1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Seasonal Residential (RS) to Residential Limited Services Exception-154 (RLS-154) on the lands legally described as Part Lot 8, Concession 10, geographic Township of Bathurst now in Tay Valley Township, County of Lanark (Roll # 091191603011100), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **NOTWITHSTANDING** the provisions of Section 5.3.2 and Section 3.26, on the lands zoned RLS-154, the following provisions shall prevail:

- Lot size (minimum) 1837m²
- Water frontage 38m
- Lot coverage 11.6%
- Water setback (minimum, cottage and addition) 7.6m

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-046**

1.3 THAT, all other applicable standards and requirements of the Official Plan and of By-Law No. 2002-121 shall continue to apply to the subject property.

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

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

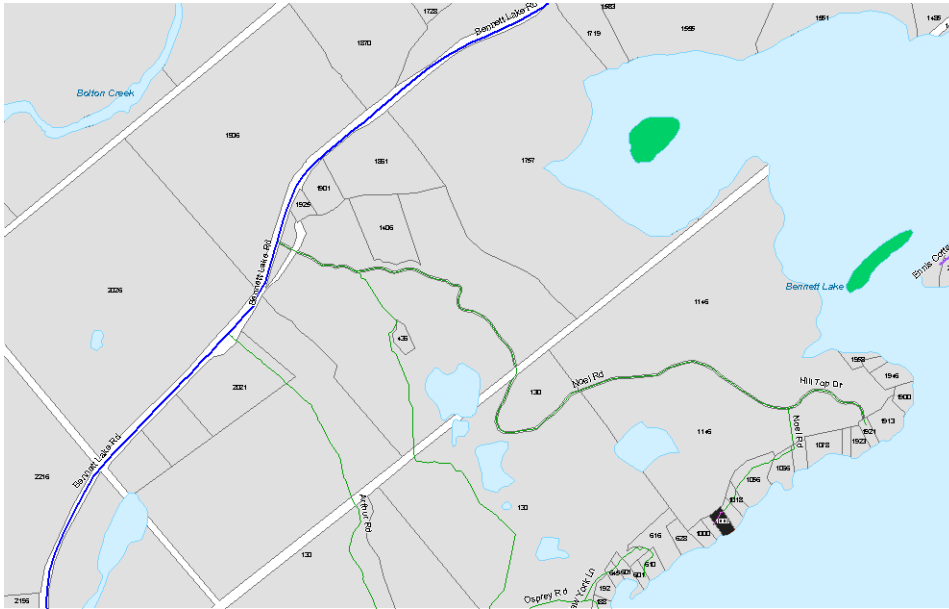
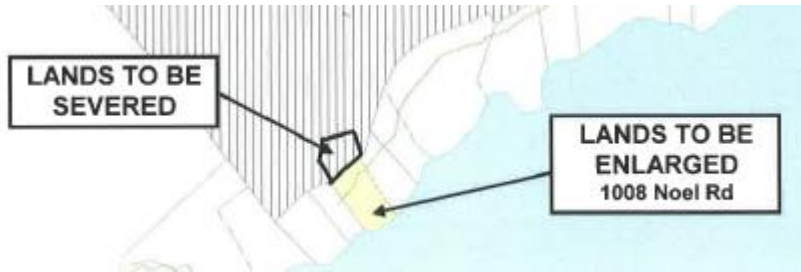
Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-046**

SCHEDULE "A"

Noel – 1008 Noel Road
Part Lot 8, Concession 10
Geographic Township of Bathurst
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from Rural (RU) and Seasonal Residential (RS) to Residential Limited Services Exception-154 (RLS-154) on "Lands to be Enlarged 1008 Noel Rd" And "Lands to be Severed."

Certificate of Authentication

This is Schedule "A" to By-Law 2016-046 passed this 13th day of December, 2016.

Reeve

Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-047

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121 (LEE – 912 SLACK WAY)

(PART LOT 4, CONCESSION 6, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Seasonal Residential (RS) to Residential Limited Services Exception-153 (RLS-153) on the lands legally described as Part Lot 4, Concession 6, geographic Township of North Burgess now in Tay Valley Township, County of Lanark (Roll # 091191102526900), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **NOTWITHSTANDING** the provisions of Section 5.3.2 and Section 3.26, on the lands zoned RLS-153, the following minimum provisions shall prevail:

- Lot size 1942m²
- Water frontage 48m
- Water setback (cottage and addition) 5.4m at the closest point on the north and 5.5 m on the west
- Water setback (addition) 16.5m

1.3 **THAT**, all other applicable standards and requirements of the Official Plan and of By-Law No. 2002-121 shall continue to apply to the subject property.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-047**

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

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

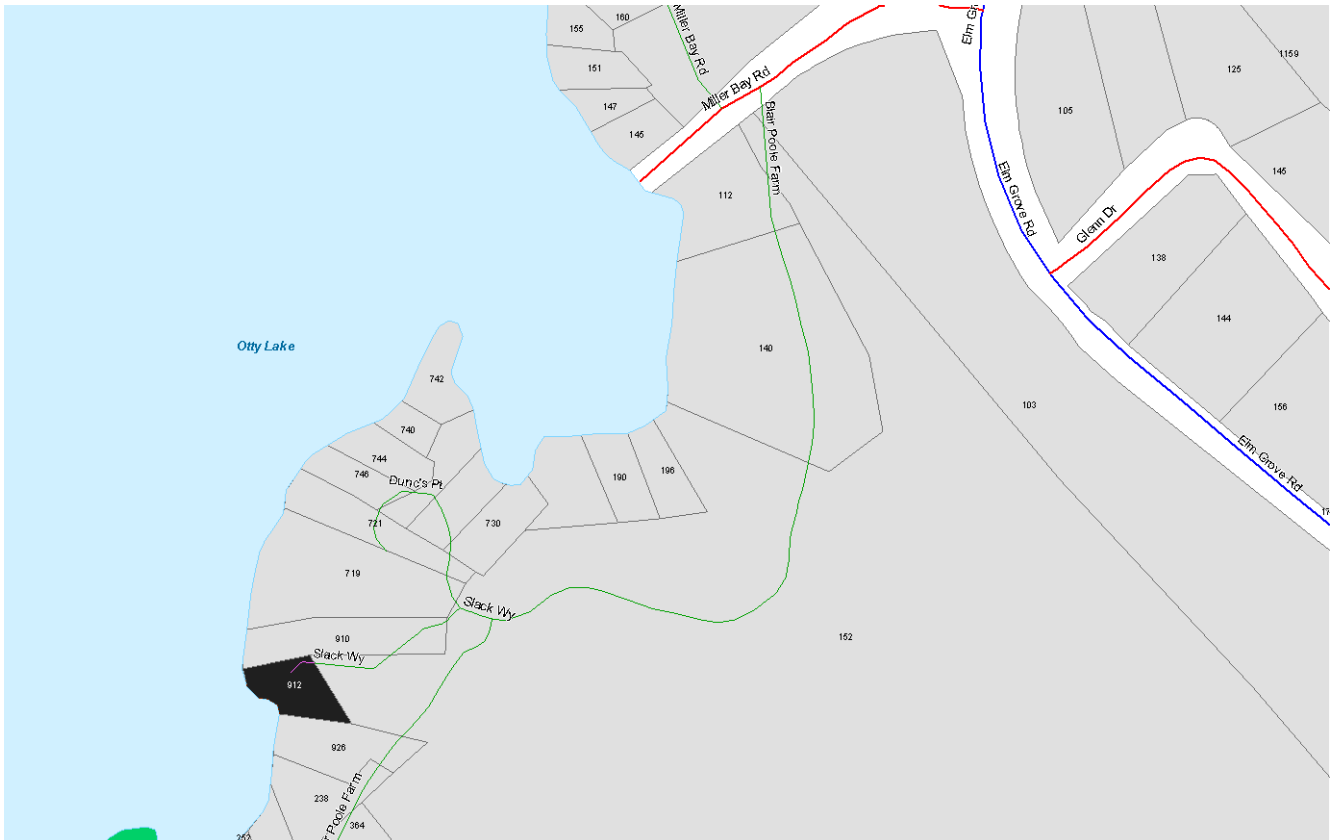
Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-047**

SCHEDULE "A"

Lee – 912 Slack Way
Part Lot 4, Concession 6
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from
Seasonal Residential (RS) to
Residential Limited Services Exception-153
(RLS-153).

Certificate of Authentication

This is Schedule "A" to By-Law 2016-047
passed this 13th day of December, 2016.

Reeve

Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-048

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121 (SINCLAIR – BIG RIDEAU NORTH SHORE ROAD) (PART LOT 18&19, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Residential Limited Services Exception-1 (RLS-1) to Residential Limited Services (RLS) on the lands legally described as Part Lot 19, Concession 3, geographic Township of North Burgess now in Tay Valley Township, County of Lanark (Roll # 091191102019205), in accordance with Schedule "A" attached hereto and forming part of this By-Law.
- 1.2 **THAT**, all other applicable standards and requirements of the Official Plan and of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.3 **THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-048**

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 13th day of December, 2016.

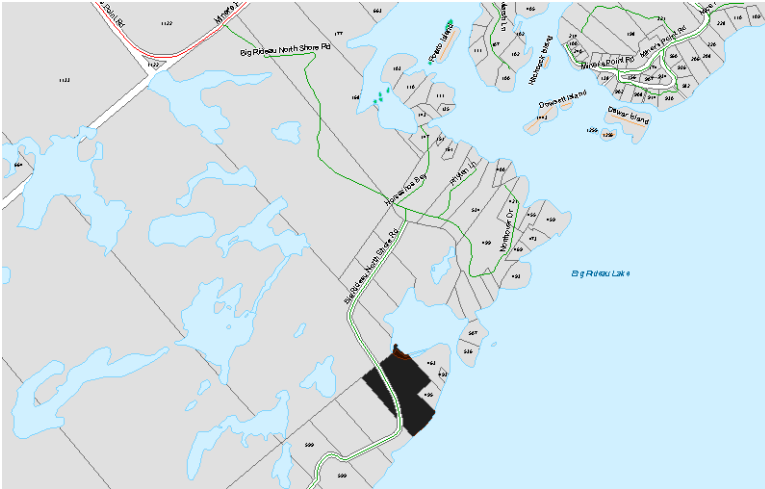
Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-048**

SCHEDULE "A"

Sinclair – Big Rideau North Shore Road
Part Lot 19, Concession 3
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law
To amend the Zoning from
Residential Limited Services Exception-1
(RLS-1) to Residential Limited Services (RLS)
on "Lands to be Retained (Sinclair)"
and the remaining portion of 0911-911-020-19205

Certificate of Authentication
This is Schedule "A" to By-Law 2016-048
passed this 13th day of December, 2016.

Reeve

Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-049

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121 (NASH – 495 BIG RIDEAU NORTH SHORE ROAD) (PART LOT 18, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

1.2 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from RLS and RLS-1 to Residential Limited Services Exception-157 (RLS-157) on the lands legally described as Part Lot 19, Concession 3, geographic Township of North Burgess now in Tay Valley Township, County of Lanark (Roll # 091191102020000), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **NOTWITHSTANDING** the provisions of Section 5.3.2, on the lands zoned RLS-158, the following provisions shall prevail:

- Lot size (minimum) 3950m²

1.3 **THAT**, all other applicable standards and requirements of the Official Plan and of By-Law No. 2002-121 shall continue to apply to the subject property.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-049**

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

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

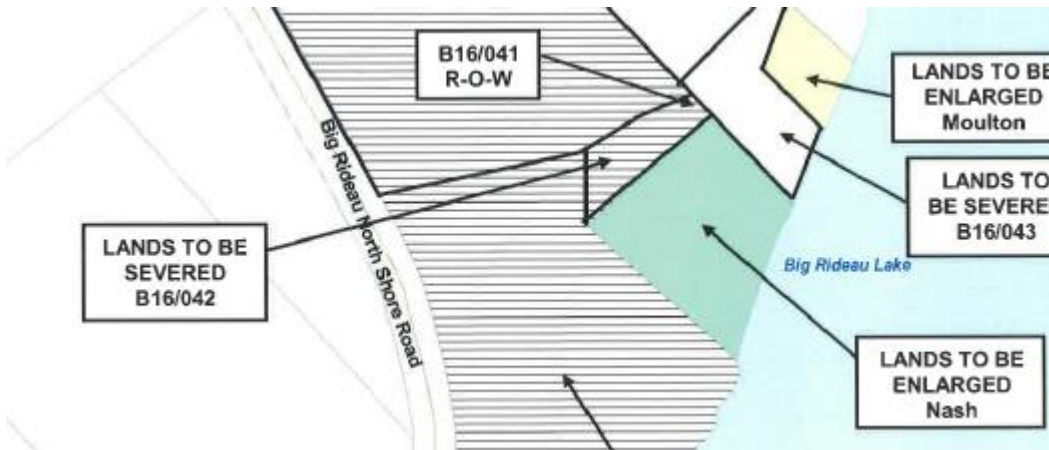
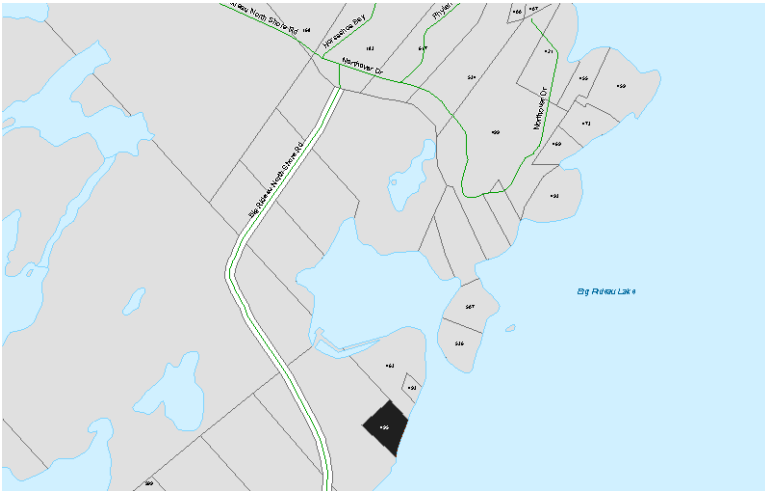
Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-049**

SCHEDULE "A"

Nash – 495 Big Rideau North Shore Road
Part Lot 19, Concession 3
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from
RLS-1 and RLS to
Residential Limited Services Exception-157
(RLS-157) on "Lands to be Enlarged (Nash)" and
"Lands to be Severed B16/042" and B16/041 R-O-W

Certificate of Authentication

This is Schedule "A" to By-Law 2016-049
passed this 13th day of December, 2016.

Reeve

Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-050

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121 (MOULTON – 493 BIG RIDEAU NORTH SHORE ROAD) (PART LOT 18, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Tourist Commercial (CT) and RLS-1 to Residential Limited Services Exception-158 (RLS-158) on the lands legally described as Part Lot 18, Concession 3, geographic Township of North Burgess now in Tay Valley Township, County of Lanark (Roll # 091191102019800), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **NOTWITHSTANDING** the provisions of Section 5.3.2, on the lands zoned RLS-158, the following provisions shall prevail:

- Lot size (minimum) 1587m²
- Water frontage (minimum) 23m

1.3 **THAT**, all other applicable standards and requirements of the Official Plan and of By-Law No. 2002-121 shall continue to apply to the subject property.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-050**

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

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

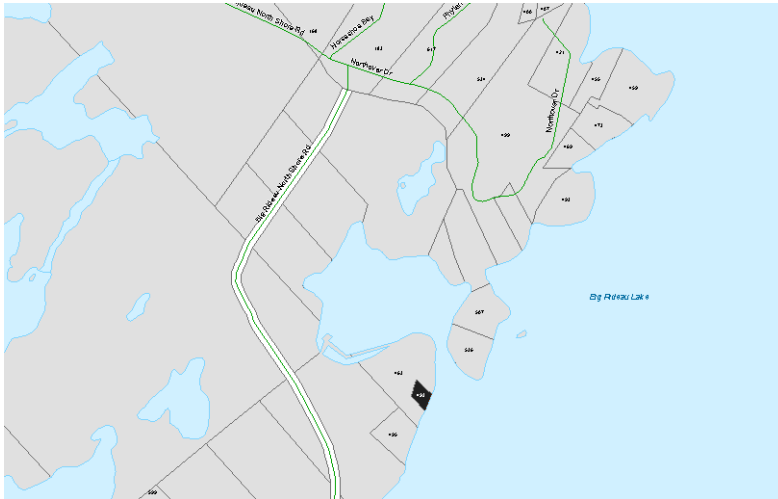
Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-050**

SCHEDULE "A"

Moulton – 493 Big Rideau North Shore Road
Part Lot 18, Concession 3
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from
RLS-1 and Tourist Commercial (CT) to
Residential Limited Services Exception-158
(RLS-158) on both "Lands to be Enlarged (Moulton)"
and "Lands to be Severed B16/043"

Certificate of Authentication

This is Schedule "A" to By-Law 2016-050
passed this 13th day of December, 2016.

Reeve

Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-051

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121 (4287371 CANADA INC – 463 BIG RIDEAU NORTH SHORE ROAD) (PART LOT 18&19, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning to Residential Limited Services Exception-1 (RLS-1) on the lands legally described as Part Lot 18 and 19, Concession 3, geographic Township of North Burgess now in Tay Valley Township, County of Lanark (Roll # 091191102019500), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

1.2 **NOTWITHSTANDING** the provisions of Section 5.3.1, on the lands zoned RLS-1, the following provisions shall prevail:

- Permitted uses and the number of dwellings shall include a maximum of 8 dwelling units, comprised of a multiple dwelling containing a maximum of 6 units and 2 single dwellings accessory to the multiple dwelling

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-051**

1.3 THAT, all other applicable standards and requirements of the Official Plan and of By-Law No. 2002-121 shall continue to apply to the subject property.

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

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

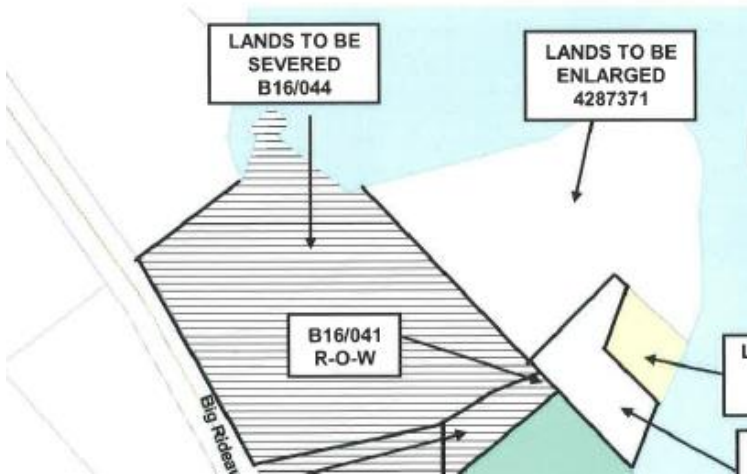
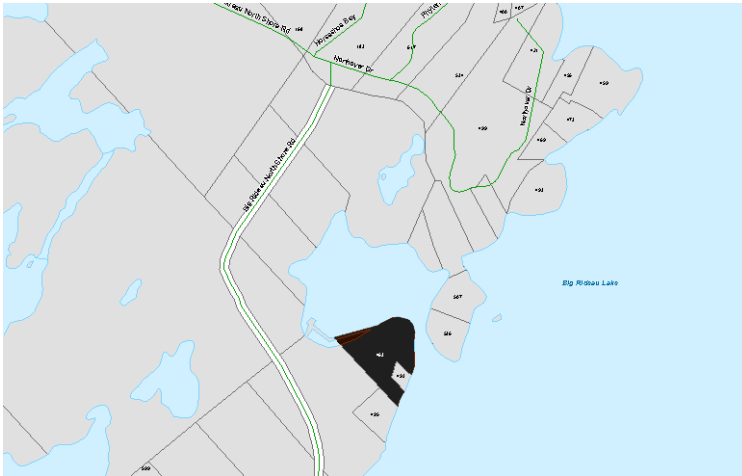
Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-051**

SCHEDULE "A"

4287371 CANADA INC – 463 Big Rideau North Shore Road
Part Lot 18 and 19, Concession 3
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law

To apply the Zoning
Residential Limited Services Exception-1
(RLS-1) to "Lands to be Enlarged (4287371)"
and "Lands to be Severed B16/044"

Certificate of Authentication

This is Schedule "A" to By-Law 2016-051
passed this 13th day of December, 2016.

Reeve

Acting Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2016-052

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON DECEMBER 13th, 2016

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 meeting held on the 13th day of December, 2016 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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2016-052**

1.3 THAT, the Reeve and/or Deputy Reeve and Acting 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.

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 13th day of December, 2016.

Keith Kerr, Reeve

Janie Laidlaw, Acting Clerk