



COUNCIL MEETING AGENDA

Tuesday, February 22nd, 2022
5:30 p.m.
Via GoToMeeting

GoToMeeting: <https://meet.goto.com/214245853>

Members of the Public:

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

Video Conference Participation Etiquette

- a meeting via video conference shall never be treated differently than a meeting in person, whereby all attendees shall abide by proper meeting procedure and etiquette;
 - we ask that all public attendees mute their cameras and mics; doing so will eliminate any background noise and create a much more seamless process (for Members only - if/when you wish to speak during the meeting, you will simply unmute your mic and upon completion of your thought, please re-mute)
 - the Chair will call the meeting to order at the time indicated on the agenda;
 - roll call will be completed visually by the Chair;
 - the Chair will then remind all attendees to place their devices on mute
 - as the Chair moves through the agenda, he will call on the appropriate staff person to speak to their reports;
 - we request that you retain your questions until the end of the report, at which time the Chair will ask if anyone has questions;
 - just as during an in-person meeting, members will be required to raise their hand and the Chair will call on you to speak;
 - when the Chair calls a vote, you will raise your hand for the vote in favour and then in opposition, if necessary.
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5:30 p.m. Council Meeting

Chair, Deputy Reeve Barrie Crampton

1. CALL TO ORDER

- i) Roll Call

2. AMENDMENTS/APPROVAL OF AGENDA

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

4. APPROVAL OF MINUTES

- i) **Council Meeting – January 18th, 2022 – attached, page 8.**

*Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer:
“THAT, the minutes of the Council Meeting held on January 18th, 2022, be approved as circulated.”*

- ii) **“Special” Committee of the Whole Meeting – January 25th, 2022 – attached, page 18.**

*Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:
“THAT, the minutes of the “Special” Committee of the Whole Meeting held on January 25th, 2022, be approved as circulated.”*

- iii) **Committee of the Whole Meeting – February 8th, 2022 – attached, page 24.**

*Suggested Motion by Councillor RoxAnne Daring/Councillor Mick Wicklum:
“THAT, the minutes of the Committee of the Whole Meeting held on February 8th, 2022, be approved as circulated.”*

- iv) **Special” Committee of the Whole Meeting – February 15th, 2022 – attached, page 31.**

*Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie:
“THAT, the minutes of the “Special” Committee of the Whole Meeting held on February 15th, 2022, be approved as circulated.”*

5. DELEGATIONS & PRESENTATIONS

- i) **Delegation: Town of Perth – Recreation Facilities.**
Mayor Fenik and Deputy Mayor McPherson.
- ii) **Public Meeting - Request to Close Unopened Road Allowance – White.**
 - a. CLERK REVIEW OF FILE

Report #C-2022-09 - Request to Close Unopened Road Allowance – White – *attached, page 39.*
 - b. APPLICANT COMMENTS
 - c. PUBLIC COMMENTS

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Report #PD-2022-05 – Maberly Pines Update and Little Silver and Rainbow Lake Capacity Update.**

Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson: “THAT, Report #PD-2022-05 – Maberly Pines Update and Little Silver and Rainbow Lake Capacity Update, be received for information.”
- ii) **Report #PD-2022-06 – Hydrogeological Review Services to be Discontinued by Rideau Valley Conservation Authority.**

Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips: “THAT, Report #PD-2022-06 – Hydrogeological Review Services to be Discontinued by Rideau Valley Conservation Authority, be received for information.”
- iii) **Report #PD-2022-07 – Ministry Draft Sub Watershed Planning Guide.**

Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer: “THAT, staff send a submission in support of the proposed Subwatershed Planning Guide to the Environmental Registry of Ontario.”
- iv) **Report #PW-2022-01 – Roads Needs Study.**

Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling: “THAT, a Request for Proposal for a Roads Needs Study be issued.”

v) **Report #C-2022-04 – Request to Close Portion of Unopened Road Allowance – McLuckie.**

Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum: “THAT, the Request to Close a Portion of an Unopened Road Allowance – McLuckie between Concession 3 & 4, Part Lot 16, North Burgess be put on hold until the Zoning By-Law infractions and unauthorized entrance have been resolved and are in conformity.”

vi) **Report #C-2022-05 – Council Chamber Projector Upgrade.**

Suggested Motion by Councillor Mick Wicklum/Councillor Fred Dobbie: “THAT, Nova Visual Products be retained to replace the projectors in the Council Chambers with 20,000-hour rated laser-based lamp projectors at an upset limit of \$9,945 plus HST;

THAT, section 7.2 of the Procurement Policy be waived;

AND THAT, the amount be funded from the Modernization Funds.”

vii) **Report #CBO-2022-02– Building Department Report – January 2022.**

Suggested Motion by Councillor Fred Dobbie/Councillor Gene Richardson: “THAT, Report #CBO-2022-02 – Building Department Report – January 2022 be received as information.”

viii) **22-01-19 and 22-02-02 – Council Communication Packages.**

Suggested Motion by Councillor Gene Richardson/Councillor Beverley Phillips: “THAT, the 22-01-19 and 22-02-02 Council Communication Packages be received for information.”

ix) **Official Plan Review and Update – Growth Management Options.**

Suggested Motion by Councillor Beverley Phillips/Councillor Rob Rainer: “THAT, Council consider the following, to be discussed during the red-line version of the proposed Official Plan update:

- *introducing wording to clarify and promote cluster lot development or subdivisions as the preferred source of lot creation;*
- *introducing wording to have as many options available as possible for cluster lot development or subdivisions including the possibility of allowing more lots if tiny homes, open space and playgrounds, etc. are required as part of these types of development;*
- *adopting a definition of strip development;*

- *adopting more robust wording in the Official Plan to screen development from view, or increase setbacks from Township roads, requiring the development of new lots to be subject to site plan control, where needed, to maintain trees and vegetation to help protect the rural landscape;*
- *requiring a financial impact analysis of development proposed on unopened road allowances, which could include a policy to make it cost recoverable;*

THAT, these considerations be brought forward as part of the public review;

THAT, all of the options related to the number of severances and the date from which severances can be taken be brought forward to the public as part of the public review for their feedback;

AND THAT, following the current update to the Official Plan, Council consider initiating a Comprehensive Review under the Planning Act of the Hamlet boundaries to identify potential preferred locations for growth by consolidating the vacant land potential scattered among the 8 Hamlets into one or two Hamlets to provide a threshold of development that could support a small grocery store or micro-transit (vans) to larger centres (Perth or Sharbot Lake).”

8. BY-LAWS

- i) **By-Law No. 2022-002: Joint Compliance Audit Committee – Terms of Reference – attached, page 46.**

*Suggested Motion by Councillor Rob Rainer/Councillor RoxAnne Darling:
“THAT, By-Law No. 2022-002, being a by-law to adopt the Joint Lanark County 2022 Election Compliance Audit Committee – Terms of Reference, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

9. NEW/OTHER BUSINESS

None.

10. CALENDARING

Meeting	Date	Time	Location
Council Meeting	February 22 nd	5:30 p.m.	Virtual
Rideau Valley Conservation Authority Board Meeting	February 24 th	6:30 p.m.	Virtual
Green Energy & Climate Change Working Group Meeting	February 25 th	10:00 am.	Virtual
Committee of Adjustment Hearing	February 28 th	5:00 p.m.	Virtual
Public Meeting Zoning By-Law Amendment	March 8 th	5:30 p.m.	Virtual

Committee of the Whole Meeting	March 8 th	Following	Virtual
Council Meeting	March 22 nd	5:30 p.m.	Virtual

11. CLOSED SESSIONS

None.

12. CONFIRMATION BY-LAW

- i) **By-Law No. 2022-003 - Confirmation By-Law – February 22nd, 2022 – attached, page 61.**

*Suggested Motion by Councillor RoxAnne Darling/Councillor Mick Wicklum:
“THAT, By-Law No. 2022-003, being a by-law to confirm the proceedings of the Council meeting held on February 22nd, 2022, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

13. ADJOURNMENT

MINUTES

COUNCIL MEETING MINUTES

Tuesday, January 18th, 2022
5:30 p.m.
GotoMeeting

ATTENDANCE:

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

Staff Present: Amanda Mabo, Acting CAO/Clerk
Janie Laidlaw, Deputy Clerk
Sean Ervin, Public Works Manager (left at 7:00 p.m.)
Noelle Reeve, Planner

Regrets: None.

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.
The Reeve conducted Roll Call.
A quorum was present.

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

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

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

None at this time.

4. APPROVAL OF MINUTES

- i) **“Special” Council Meeting – December 13th, 2021.**

RESOLUTION #C-2022-01-01

MOVED BY: Gene Richardson
SECONDED BY: Beverley Phillips

“THAT, the minutes of the “Special” Council Meeting held on December 13th, 2021, be approved as circulated.”

ADOPTED

- ii) **Council Meeting – December 14th, 2021.**

RESOLUTION #C-2022-01-02

MOVED BY: Beverley Phillips
SECONDED BY: Rob Rainer

“THAT, the minutes of the Council Meeting held on December 14th, 2021, be approved as circulated.”

ADOPTED

- iii) **Committee of the Whole Meeting – January 11th, 2022.**

Council discussed the wording on item 6 iv) Report #PD-2022-04 – Update on Maberly Pines Subdivision Review of the minutes. There is concern that the wording of the second motion regarding the Interim Control By-Law on Rainbow and Little Silver Lake is confusing. The Acting CAO/Clerk explained that the minutes although confusing is what occurred at the meeting and when that motion is before Council later in the agenda, it can be amended, if Council chooses to.

Council further discussed the wording in the minutes and what was discussed at the meeting.

RESOLUTION #C-2022-01-03

MOVED BY: Rob Rainer
SECONDED BY: RoxAnne Darling

“THAT, the minutes of the Committee of the Whole Meeting held on January 11th, 2022, be approved as circulated.”

(SEE RECORDED VOTE)

Councillor Wicklum called a recorded vote on Resolution #C-2022-01-03:

For:	Reeve Brian Campbell	1
	Deputy Reeve Barrie Crampton	1
	Councillor Gene Richardson	$\frac{1}{3}$

Against:	Councillor RoxAnne Darling	1
	Councillor Fred Dobbie	1
	Councillor Beverley Philips	1
	Councillor Rob Rainer	1
	Councillor Mick Wicklum	$\frac{1}{5}$

Absent: 0

Total: 8

DEFEATED

RESOLUTION #C-2022-01-04

MOVED BY: Fred Dobbie

SECONDED BY: RoxAnne Darling

“**THAT**, the minutes from the Committee of the Whole meeting on January 11th, 2022 be amended to remove the second recommendation to Council of item 6 iv);

AND THAT, further discussion wait until the results from the Ministry of Environment Conservation and Parks (MECP) are received.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation: 2021 Septic System Re-Inspection Program – Annual Report.**

E. Kohlsmith gave the PowerPoint Presentation that was attached to the agenda.

RESOLUTION #C-2022-01-05

MOVED BY: RoxAnne Darling

SECONDED BY: Mick Wicklum

“**THAT**, the 2021 Septic System Re-Inspection Program Annual Report be received for information.”

ADOPTED

ii) **Public Meeting - Request to Close Unopened Road Allowance – Cameron.**

a. CLERK REVIEW OF FILE

The Acting CAO/Clerk gave the PowerPoint Presentation that was attached to the agenda.

b. APPLICANT COMMENTS

S. Cameron, acting on behalf of his daughters who are the owners, explained the history of the property and that Brooks Corners is a private road and is not on the unopened road allowance that they are requesting to close, the survey will confirm that. They have reached out to the executive of the road association to see if there are any issues.

c. PUBLIC COMMENTS

Councillor Wicklum was contacted by a property owner on this issue. They are the only full-time residents on the road, all others are cottages and the Jacksons have asked him to speak on their behalf as do not have ability to attend tonight's meeting. They mentioned that it is an odd time to put forth the road closing given that most owners on the road are not at their properties right now, they are trying to let the other property owners and the road association know about the request, and they have asked for it to be deferred until other property owners are back at their cottages this spring. Councillor Phillips had a similar conversation with the Jacksons and their request that it be deferred until the spring.

The Acting CAO/Clerk explained that there is a Road Closing and Sale Policy and it provides that notice be given to adjacent landowners that are affected by road closings, the adjacent property owners were notified, but others were not as they are not affected and do not need an easement. According to the policy there is no reason to delay the request.

Council discussed deferring the road closing request until the spring.

S. Cameron explained that the owners of the property have been dealing with this for over two years and are anxious to move forward and understands Council's concern for transparency, but the portion of the road allowance to be closed does not affect any other landowner as they do not travel on it and could not see what objection they could have and that the result would be much the same this spring if it was deferred until then.

The Acting CAO/Clerk also noted that the Landowner Comments in the presentation are those of the Jacksons.

RESOLUTION #C-2022-01-06

MOVED BY: Mick Wicklum

SECONDED BY: Beverley Phillips

“**THAT**, the Request to Close a Portion of the Road Allowance for Cameron be deferred until April 30, 2022 in order to give the road association time to comment.”

(SEE RECORDED VOTE)

Councillor Dobbie called a recorded vote on Resolution #C-2022-01-06:

For:	Deputy Reeve Barrie Crampton	1
	Councillor Beverley Philips	1
	Councillor Mick Wicklum	$\frac{1}{3}$
		3

Against:	Reeve Brian Campbell	1
	Councillor RoxAnne Darling	1
	Councillor Fred Dobbie	1
	Councillor Rob Rainer	1
	Councillor Gene Richardson	$\frac{1}{5}$
		5

Absent:		0
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Total:		8
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DEFEATED

The Acting ACO/Clerk explained that the Road Closing process will continue as per the policy and if additional comments come in, they will be taken into consideration.

iii) **Public Meeting - Request to Close Unopened Road Allowance – Hudson.**

a. CLERK REVIEW OF FILE

The Acting CAO/Clerk gave the PowerPoint Presentation that was attached to the agenda.

b. APPLICANT COMMENTS

None.

c. PUBLIC COMMENTS

None.

6. CORRESPONDENCE

None.

7. MOTIONS

i) **Waste Management Master Plan.**

The Public Works Manager explained that a comment was received regarding the diversion rate for 2020, in the report it was noted at 50% for 2020, but the report was recommending that the diversion rate be increased to 50% further clarification will be added to the report to say: *Diversion objectives are based on rates reported for 2018 and 2019, considered more representative of current annual diversion. The discrepancy with the 2020 diversion rate is discussed in more detail in Section 3.2.2 of the report. Overall, the objective is to increase the current residential and overall diversion rates by 20% and 12%, respectively. Rates should be confirmed for 2021 and Plan objectives adjusted if necessary.*

RESOLUTION #C-2022-01-07

MOVED BY: Mick Wicklum
SECONDED BY: Fred Dobbie

“**THAT**, the Waste Management Master Plan, dated January 3, 2022, be received for information.”

ADOPTED

ii) **Delegation - 1 Foot Reserve.**

RESOLUTION #C-2022-01-08

MOVED BY: RoxAnne Darling
SECONDED BY: Beverley Phillips

“**THAT**, staff bring back a report for discussion purposes to develop a policy to implement a cost recovery mechanism for a developer that brings an unopened road allowance up to municipal standards for assumption by the Township, so that the adjacent landowners who may benefit from the extension of the road contribute to the cost of building the road.”

ADOPTED

Public Works Manager left at 7:00 p.m.

- iii) **Report #PD-2022-01 – Site Plan Control Agreement – The Rideau Group Inc – Storage Yard – 114 Sproule Road (SP-21-41).**

RESOLUTION #C-2022-01-09

MOVED BY: Barrie Crampton
SECONDED BY: Gene Richardson

“**THAT**, the proposed Site Plan Control Agreement (SP21-41) for The Rideau Group Inc. outdoor storage yard at 114 Sproule Road be approved.”

ADOPTED

- iv) **Report #PD-2022-02 – Site Plan Control Agreement – Perth Petroleum – Gas Station & Convenience Store 18318 Highway 7 (SP19-18).**

The Planner explained that the Company sent a new first page of the application to indicate the owners are now Perth Petroleum Inc. and it appears to be a name change to the company as the mailing address was the same.

Council discussed deferring the Site Plan Control Agreement until they speak with a representative from the Company. The Planner explained that there is a 30-day deadline under the Planning Act regarding approving Site Plan Control Agreements, the applicant could appeal for a non-decision, as there is no planning reason for deferring.

RESOLUTION #C-2022-01-10

MOVED BY: Gene Richardson
SECONDED BY: Beverley Phillips

“**THAT**, the proposed Site Plan Control Agreement (SP19-18) for the Perth Petroleum gas station and convenience store at 18318 Highway 7 be approved.”

ADOPTED

- v) **Report #PD-2022-03 – Planning Department – 2021 Year End Summary.**

RESOLUTION #C-2022-01-11

MOVED BY: Beverley Phillips
SECONDED BY: Rob Rainer

“**THAT**, Report #PD-2022-03 – Planning Department – 2021 Year End Summary be received for information.”

ADOPTED

- vi) **Report #PD-2022-04 – Update on Maberly Pines Subdivision Review.**

RESOLUTION #C-2022-01-12

MOVED BY: Rob Rainer

SECONDED BY: RoxAnne Darling

“**THAT**, staff continue to work with the Ministry of Environment Conservation and Parks staff and the Rideau Valley Conservation Authority (RVCA) staff to address any potential implications of the Maberly Pines development on the water quality of Little Silver and Rainbow Lakes.”

ADOPTED

- vii) **Interim Control By-Law – Little Silver and Rainbow Lakes.**

Council amended the minutes of the January 11th, 2022 meeting to reflect that the suggested motion regarding the Interim Control By-Law for Little Silver and Rainbow Lakes be deleted, therefore the recommendation to Council was removed.

- viii) **Report #CBO-2022-01– Building Department Report – January to December 2021.**

RESOLUTION #C-2022-01-13

MOVED BY: Mick Wicklum

SECONDED BY: Fred Dobbie

“**THAT**, Report #CBO-2022-01 – Building Department Report – January to December 2021 be received as information.”

ADOPTED

- ix) **21-12-15 and 22-01-05 – Council Communication Packages.**

RESOLUTION #C-2022-01-14

MOVED BY: Fred Dobbie

SECONDED BY: Barrie Crampton

“**THAT**, the 21-12-15 and 22-01-05 Council Communication Packages be received for information.”

ADOPTED

8. BY-LAWS

None.

9. NEW/OTHER BUSINESS

- i) **Condominium Exemption Application 09-CD-21001 - Whyte.**

RESOLUTION #C-2022-01-15

MOVED BY: Barrie Crampton

SECONDED BY: Gene Richardson

“THAT, the Council of Tay Valley Township hereby notifies the County of Lanark that the Township does not object to the Condominium Application tied to severance B19-068 being exempt from public notification, because there has been sufficient opportunity for public comment at: the Township’s Committee of the Whole and Council meetings when discussing the original severances and condominium road proposal; at the County Land Division Committee Hearing; as well as through the Local Planning Appeal Tribunal. Additional public consultation occurred as part of the rezoning of the lots to be serviced by the condominium road.

The Township supports the infill housing that would be serviced by the condominium road.

The Township is satisfied that the environmental features of the site have been protected through rezoning part of the property to Environmental Protection (EP) Zone.

The Township Public Works Manager was consulted by the applicant early in the process and made a subsequent site visit to examine the proposed road and is satisfied.

AND THAT, the Council of the Corporation of Tay Valley Township supports the proposed plan of condominium exemption, subject to the following conditions:

1. A common elements condominium shall be established for the private road which is to provide access to the lots to be severed and retained under Consent Applications B19/065, B19/066 and B19/067.
2. The conditions in the minutes of settlement Local Planning Appeal Tribunal case # PL2000569 decision are all met by the applicant.”

ADOPTED

10. CALENDARING

Meeting	Date	Time	Location
Fire Board Meeting	January 24 th	6:00 p.m.	Virtual
“Special” Committee of the Whole Meeting	January 25 th	5:30 p.m.	Virtual
Rideau Valley Conservation Authority Board Meeting	January 27 th	6:30 p.m.	Virtual
Police Service Board Meeting	February 8 th	2:00 p.m.	Council Chambers
Committee of the Whole Meeting	February 8 th	5:30 p.m.	Virtual
Council Meeting	February 22 nd	5:30 p.m.	Virtual

11. CLOSED SESSIONS

None.

12. CONFIRMATION BY-LAW

i) **By-Law No. 2022-001 - Confirmation By-Law – January 18th, 2022.**

RESOLUTION #C-2022-01-16

MOVED BY: Gene Richardson

SECONDED BY: Beverley Phillips

“**THAT**, By-Law No. 2022-001, being a by-law to confirm the proceedings of the Council meeting held on January 18th, 2022, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

13. ADJOURNMENT

Council adjourned at 7:21 p.m.

“SPECIAL” COMMITTEE OF THE WHOLE MINUTES

Tuesday, January 25th, 2022
5:30 p.m.
GoToMeeting

ATTENDANCE:

Members Present: Chair, Reeve Brian Campbell
Deputy Reeve Barrie Crampton
Councillor RoxAnne Darling
Councillor Fred Dobbie
Councillor Rob Rainer
Councillor Gene Richardson (left at 6:22 p.m.)
Councillor Mick Wicklum
Councillor Beverley Phillips

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

Regrets: None.

1. CALL TO ORDER

The meeting was called to order at 5:35 p.m.
The Reeve conducted Roll Call.
A quorum was present.

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

None at this time.

3. DELEGATIONS AND PRESENTATIONS

- i) **Official Plan Review – Issues and Options Detailed Review**
Forbes Symon, Senior Planner, Jp2g Consultants Inc.

The Planner explained the process for going through the Issues and Options Review. There are 70 issues for Council to give their opinion on and to decide if they want them included in the Official Plan. If Council wishes to add something to the plan, to bring it forward tonight for discussion. On February 8th, as part of the Committee of the Whole meeting, Council will have an opportunity to discuss and make decisions on growth management options for the Township. Specific wording for the Official Plan will be brought forward for Council to

review and discuss, as a red-lined version. This version will then be presented to the public for comment, likely in April. The Official Plan is a policy document and is meant to be high level, other documents implement the Official Plan policies.

The Consultant reviewed the Issues and Options in detail. The Committee had opportunity to ask questions and provide comments as follows:

Section 1.1 Background

Is to include reference to the occupation of the land pre-1800, it was recommended that the suggested wording say “The Township recognizes that the Anishinaabe peoples were the first known inhabitants of Tay Valley Township” rather than “were the first to inhabit Tay Valley Township”

Section 1.3.2 Basis of Plan

expand to be more encompassing of what is occurring today (ex. affordable housing, tiny homes, etc.)

Section 2.2.2 Agriculture and Tourism and Section 3.2.2 Agriculture

The permitted uses could be expanded to include “on-farm diversified uses”. The Committee asked for an explanation of this type of use. The Consultant explained, there is not specific uses, but agricultural organizations have been actively lobbying the province and what was heard was that agriculture has more business activities that operate on the farm than traditional agriculture uses and those are not mentioned in the Provincial Policy Statements (PPS). The Committee asked if there should be a cannabis farm policy since depending on what is sprayed in the area it can kill a cannabis crop. The Consultant has seen some policies that allow municipalities to manage that use and will include it in the wording developed for the amendment.

Section 2.2.5 Night Skies

The Committee asked about wording regarding night skies policies, the Consultant explained that the Township has a policy that is good, and it would be more effective to encourage greater education on this issue.

Section 2.3 Housing

To establish policies to encourage the retrofit of buildings to be energy efficient and to support the recommendations in the Climate Action Plan. The Committee mentioned that in Toronto and larger cities it is being required that buildings are pre-wired for electric charging stations and is this the section where that could go? The Consultant agreed and should also include pre-wiring and engineering for solar panels (green building design).

Section 2.3.1 c) Housing Policies

The Consultant mentioned the need to manage growth and direct it toward the hamlets.

Questions from the Committee included:

Is concentrated housing in hamlets realistic for the Township? Maybe instead there should be further setbacks from roads and clustered lots? These questions will be addressed as part of the growth management options report coming on February 8th.

Section 2.4 Climate Change and Energy Policies

The Consultant discussed the “Climate Lens” and that development be directed away from lands susceptible to severe weather events. The Committee stated since it is unknown what hazardous lands would be created by a weather event, it was suggested to use wording such as “obvious” hazardous lands. The Consultant explained that there are accurate prediction models for severe weather events, but the wording is general now and will be more specific when developed for review. The Committee asked if this is where forest fires should go and if it will mention forest management to remove some risk of forest fires? The Consultant explained that there is a new section proposed for the Official Plan for wildfire risks and those policies are a new requirement, but he has not seen many Official Plans that mention forest management.

Section 2.8 Accessory Uses

Agriculture should also be added to the list with aggregate and forestry.

Section 2.12 Parks and Recreational Facilities

The Committee asked about sharing resources with neighbouring communities. Although the Recreation Master Plan references that they would like it in the Official Plan. The Consultant mentioned enhancing Section 2.12 with recreation planning based on the “age 8 to 80” concept. The Committee would prefer not to use that wording as there are a lot of people over 80 and would not want to exclude or offend anyone. The Township does not have a goal for parkland, the percentage of parkland in the Township is small and the Committee wondered what the standard is for rural municipalities, and should there be an objective to strive for?

Councillor Richardson left at 6:22 p.m.

Section 2.19.2 Archaeological Resources

The recommendation is to amend the wording for consultation with the Algonquins of Ontario on a Stage 2 Archaeological Assessment. The Committee discussed if there could be more detail on the Stage 1 and 2 timelines, knowing that the process is long. The Consultant explained that it would depend on the area, the policy is only talking about Stage 2 and could add more detail to what the engagement would look like in a Stage 2 assessment.

Section 2.20 Natural Hazard Features

The Committee acknowledged that steep slopes and hazards are governed by provincial legislation, the Consultant explained that the Official Plan would reiterate that legislation and policies and the work covered by the Conservation Authorities, the wording would respect the provincial legislation with local context, the definitions would not change.

Section 2.22 Natural Heritage Features

The Committee discussed the mapping that is available, and directed that the policy should mention the natural capital (the monetary benefit to the community) of natural heritage features. The Consultant recommended that the Natural Heritage mapping for woodlands be included in both ecoregions 5 & 6 as well as identifying connecting corridors. The Committee asked what the implication would be on a landowner, the Consultant explained that it would not be much different than what happens now, Environmental Impact Studies may be required through the corridors and links, but most of those will be waterways or wetlands or public lands and they already have setbacks in place. The Planner explained that Council is committed to transparency and by mapping these areas it is not then a surprise to landowners. The Consultant will develop the mapping for Council to review. The recommendation to include the mapping for the west side of the Township in this section is an important way for the Township to mitigate a climate change by protecting natural heritage features. Possibly reference the Township's Tree Canopy Policy in the Official Plan.

2.22.3 Wildlife Habitat and Adjacent Lands

The boundaries currently identified as Deer Yard will be removed as they will be picked up in the Natural Heritage System Mapping. Therefore there is no need to have a separate section for Deer Yards in the Official Plan.

Section 2.23 Water Supply, Sewage Disposal and Other Services

Communal Services section will be updated with more supportive statements. One Member of the Committee discussed using the words "site specific" as the

policy may not be able to be all encompassing, where everyone is treated the same.

The Committee recessed at 6:51 p.m.

The Committee returned to session at 6:56 p.m.

Section 2.24 Water Quality and Quantity

The Consultant explained that intensification on water is concerning for water quality, secondary dwellings are intended to provide for affordable housing and waterfront properties are not affordable and they are usually rented out. A Member of the Committee was concerned this could penalize those that live year round on water. If they can meet the setback requirements, then it would be unfair to penalize them. However, other Committee Members voiced concern over rentals on the water. The Consultant suggested that the policy would address the balance between the right to good water quality as opposed to individual rights.

As per the PPS, a new section will be added to Section 2 referencing the Township's Emergency Plan. The Acting CAO/Clerk advised that the Emergency Plan is being updated this year. The Consultant explained that there will be acknowledgment of it and its main themes.

Section 3.6.8 Waste Disposal Site Policies

The Committee asked when the Official Plan refers to no use of lands that were waste disposal sites for 25 years, could the lands be used for a cell tower if the site is closed? The Consultant will investigate that.

The Committee discussed the Green Gems of Lanark County and expressed a concern for landowners to be consulted for them to be shown on a map.

The Committee asked if one large, clear map of the Township with roads, ward, and hamlet boundaries shown could be included in the Official Plan. The Consultant will check to see if that can be done. The boundaries of the Township are unclear to some residents.

The Committee asked about the timelines for the review of the draft Official Plan and adopting it. The Consultant explained that after the Committee of the Whole Meeting on February 8th, where the Growth Management Options report will be discussed, he will have all the direction needed to draft the Plan. He should have the red-lined version to the Township by the end of the third week in February, when it can be reviewed, discussed, and revised. Following public consultation at the end of March and the draft being reviewed by agencies, there will be a summary report with recommendations prior to Council adopting the Plan likely sometime in April.

4. NEXT STEPS

- February 8th, 2022 Presentation of Growth Management Report
- March 2022 Council Review of Red-Lined Version
- March 2022 Open House (scheduled time slots in person)
- March 2022 Public Meeting
- April 2022 Report on Comments from Open House and Public Meeting
- April Adoption of Official Plan Amendment

5. ADJOURNMENT

The Committee adjourned at 7:32 p.m.

COMMITTEE OF THE WHOLE MINUTES

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

ATTENDANCE:

Members Present: Chair, Reeve Brian Campbell
Deputy Reeve Barrie Crampton
Councillor Rob Rainer
Councillor Fred Dobbie
Councillor Gene Richardson (left at 7:33 p.m.)
Councillor RoxAnne Darling
Councillor Mick Wicklum
Councillor Beverley Phillips

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

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.
The Reeve conducted Roll Call.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

The agenda was adopted as presented.

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

None at this time.

4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

None.

5. DELEGATIONS & PRESENTATIONS

i) **Presentation: Official Plan Review and Update – Growth Management Options.**

The Planner explained that Tay Valley has not had to consider growth management in the past, but in the last few years growth and development has increased and it is now required by the province to have a Growth Management Plan. Council needs to determine what form of development they want in the Township. In the 1980's there was a lot of severances along some of the roads in the Township and those areas have a different look and feel to them than that of a rural setting. The Official Plan Policies can shape what the Township looks and feels like. The provincial government is looking for more housing and are allowing housing in many different forms and this could change the landscape in the rural areas. The Climate Action Plan and the Strategic Plan already speak to ensuring the rural character of the municipality remains, without sprawl.

F. Symon, gave a PowerPoint Presentation on the Growth Management Options – *attached, page 9.*

The Committee had opportunity to comment and/or ask questions as follows:

The date of consent is currently January 1, 1991, should that date be moved up by 5 years when the Official Plan Review is undertaken? The Consultant explained that that is an option, if that is the form of development Council would like, but it is more common to not change the date. The Reeve expressed that he would be in favour of reducing the number of consents but would like to see the date moved up.

The Committee asked and discussed how and when the public would be involved for their input on the various options and what the community wants to see in development patterns. The Planner explained that the input from the public on growth management will depend on what Council directs to the Consultant. If Council needs more time to ask questions to the Consultant and the Planner, a separate meeting may be required. It would be helpful to go to the public with an option and the explanation and reasons for that option. These decisions will change what the Township will look like over the next 20 years. The residents need to comment on what the Township will look like. The

Planner has heard from many lake associations over the years that they do not want their lake to look like the Muskoka's, and in order to achieve that, the Zoning By-Law needs to restrict or allow the development to match the vision.

The Committee agreed that there needs to be more consultation, as the report is a lot to absorb and felt the Planner's opinion on the options available would be beneficial. The Committee asked if the current 600 vacant lots are clear to be developed and could they also be severed? The Consultant explained that the current vacant lots are considered developable, and some would be able to be severed.

The Reeve feels that cottage conversions will continue to be a popular development and that the public needs to be involved as much as possible, but Council was elected to represent the public and have to make some tough and difficult decisions and that those decisions need to be ones that they can live with.

The Committee discussed the process for implementing a new zone and if a block of land could be zoned to allow certain types of housing also requiring Site Plan Control Agreements on lots other than waterfront properties may be beneficial.

The Committee agreed to hold a Special Committee of the Whole meeting on Tuesday, February 15th at 5:30 p.m. to discuss the Growth Management Options. Members are to send their questions and comments to the Planner prior to the meeting so that they can be addressed.

ii) **Presentation: Natural Asset Management.**
Bridget O'Flaherty, Co-op Program, Carleton University

The Planner explained that a resident of Tay Valley, while obtaining a degree, chose to do one of her projects on the Natural Assets in Tay Valley and to explore Natural Capital Accounting, which is something the Township will have to do in the next few years for asset management. This ties into the Growth Management Plan as growth should be located away from where natural assets are in the Township.

B. O'Flaherty gave a Natural Assets, Natural Capital Accounting PowerPoint Presentation – *attached, page 21.*

The Planner discussed that as mentioned in the Options and Issues Report for the Official Plan Review, a portion of the Township is not mapped for natural assets as the Province only requires Ecoregion 6 to be mapped, which is essentially where the agricultural lands are. Council did agree to having a layer for natural assets on the new mapping for the Official Plan. The next step will be to get more detail on the assets, e.g. type of rare trees, type of wetlands, etc. The value of natural assets is going to be required by the province for asset management planning in the next few years. This information will then need to

be communicated to the residents, as they may have these assets on their property and could benefit from tax credits for protecting them.

6. PRIORITY ISSUES

- i) **Report #PD-2022-05 – Maberly Pines Update and Little Silver and Rainbow Lake Capacity Update.**

Recommendation to Council:

“**THAT**, Report #PD-2022-05 – Maberly Pines Update and Little Silver and Rainbow Lake Capacity Update, be received for information.”

- ii) **Report #PD-2022-06 – Hydrogeological Review Services to be Discontinued by Rideau Valley Conservation Authority.**

Recommendation to Council:

“**THAT**, Report #PD-2022-06 – Hydrogeological Review Services to be Discontinued by Rideau Valley Conservation Authority, be received for information.”

- iii) **Report #PD-2022-07 – Ministry Draft Sub Watershed Planning Guide.**

Recommendation to Council:

“**THAT**, staff send a submission in support of the proposed Subwatershed Planning Guide to the Environmental Registry of Ontario.”

- iv) **Report #PW-2022-01 – Roads Needs Study.**

The Committee discussed if the pricing on the Request for Proposal (RFP) could be divided into gravel and paved roads.

The Acting CAO/Clerk advised that the Ministry has indicated that if the Asset Management Plan is not up to date that grant and the automatic base funding from the Province e.g., OMPF, etc. will not be available. This information is needed as part of the Asset Management Plan and needs to be completed either in house or by a consultant this year to meet next year’s provincial deadline.

The Committee asked that the RFP be broken down to gravel and paved roads. The Report to award the RFP will come back to Council with that financial detail.

Recommendation to Council:

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

Committee recessed at 7:14 p.m.

Committee returned to session at 7:19 p.m.

- v) **Report #C-2022-03 – Election – Joint Compliance Audit Committee Terms of Reference.**

Recommendation to Council:

“**THAT**, the Joint Lanark County 2022 Election Compliance Audit Committee – Terms of Reference be approved;

AND THAT, the necessary by-law be presented at the February 22nd Township Council meeting.”

- vi) **Report #C-2022-04 – Request to Close Portion of Unopened Road Allowance – McLuckie.**

Recommendation to Council:

“**THAT**, the Request to Close a Portion of an Unopened Road Allowance – McLuckie between Concession 3 & 4, Part Lot 16, North Burgess be put on hold until the Zoning By-Law infractions and unauthorized entrance have been resolved and are in conformity.”

- vii) **Report #C-2022-05 – Council Chamber Projector Upgrade.**

Recommendation to Council:

“**THAT**, Nova Visual Products be retained to replace the projectors in the Council Chambers with 20,000-hour rated laser-based lamp projectors at an upset limit of \$9,945 plus HST;

THAT, section 7.2 of the Procurement Policy be waived;

AND THAT, the amount be funded from the Modernization Funds.”

- viii) **Report #CBO-2022-02– Building Department Report – January 2022.**

Recommendation to Council:

“**THAT**, Report #CBO-2022-02 – Building Department Report – January 2022 be received as information.”

7. CORRESPONDENCE

- i) **22-01-19 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 22-01-19 Council Communication Package be received for information.”

- ii) **22-02-02 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 22-02-02 Council Communication Package be received for information.”

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Green Energy and Climate Change Working Group** – *deferred to the next meeting.*

Deputy Reeve Barrie Crampton and Councillor Rob Rainer.

- ii) **Recreation Working Group** – *deferred to the next meeting.*

Councillor Fred Dobbie and Councillor Beverley Phillips.

- iii) **Private Unassumed Roads Working Group** – *deferred to the next meeting.*

Councillor RoxAnne Darling and Councillor Gene Richardson.

- iv) **Fire Board.**

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

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

- iv) **Library Board.**

Councillor Rob Rainer.

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

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

Reeve Brian Campbell.

The Reeve reported that the Police Services Board met that afternoon, the Chair of the Board did ask the OPP if the increased presence of Police in Ottawa has or would impact the service provided in Lanark County, the Detachment Commander indicated that it would not impact the OPP levels in Lanark County.

- vi) **County of Lanark.**

Reeve Brian Campbell and Deputy Reeve Barrie Crampton.

The Reeve discussed that Lanark County had sold a piece of property to Perth Community Care and that they are building a new building on that property and are unsure what is being done with the existing building. Both Perth Community Care and Lanark Lodge are serviced by the Town of Perth for water and sewer. The Town of Perth is reluctant to move forward with servicing the new building and want to possibly change the water and sewer agreement they have with the Township. The Reeve, the Mayor of Perth and staff will be having

a meeting to discuss the agreement. The Committee asked if they could be brought up to date on the water and sewer agreement and what it entails.

The Deputy Reeve reported that Jasmine Ralph, the new County Clerk has started.

Councillor Richardson left at 7:33 p.m.

- vii) **Mississippi Valley Conservation Authority Board.**
Councillor RoxAnne Darling.

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

- viii) **Rideau Valley Conservation Authority Board – *deferred to the next meeting.***
Councillor Gene Richardson.
- ix) **Rideau Corridor Landscape Strategy – *deferred to the next meeting.***
Reeve Brian Campbell.
- x) **Municipal Drug Strategy Committee – *deferred to the next meeting.***
Councillor Gene Richardson.
- xi) **Committee of Adjustment – *deferred to the next meeting.***

9. CLOSED SESSION

None.

10. DEFERRED ITEMS

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

- ***See Township Action Plan – distributed separately to Council***

11. ADJOURNMENT

The Committee adjourned at 7:33 p.m.

“SPECIAL” COMMITTEE OF THE WHOLE MINUTES

Tuesday, February 15th, 2022
5:30 p.m.
GoToMeeting

ATTENDANCE:

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

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

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.
The Reeve conducted Roll Call.
A quorum was present.

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

None at this time.

3. PRIORITY ISSUES

- i) **Official Plan Review and Update – Growth Management Options.**
Forbes Symon, Senior Planner, Jp2g Consultants Inc.
 - a) A copy of the Growth Management Options can be viewed at:
[Calendar - Tay Valley Township \(tayvalleytp.ca\)](http://tayvalleytp.ca)
 - b) **Report #PD-2022-08 – Growth Management Options – Preliminary Discussion for the Official Plan Update.**

Noelle Reeve, Planner.

The Planner explained that the consultant is looking for direction in order to have wording for Council to review during the discussion of the red line version of the Official Plan. There are a few options for Council to explore, as outlined in the recommendation.

The Reeve asked for Council members to give their thoughts on each part of the recommendation.

Move from Status Quo of 3 severances on a lot existing as of January 1, 1991 to 1 severance on a lot existing as of January 1, 1991

Deputy Reeve Crampton has concerns about the impact to families that want to sever for the younger generation or for the older generation, in particular those in the farming community.

Councillor Richardson has the same concern, lot creation for a family member may be the way that family can move forward.

Councillor Phillips disagrees with the first two speakers in the recommendation. The Township has lots of existing and potential lots, the current policies have caused this and now there is scattered development. She would like the date left and only permit one severance.

Councillor Dobbie would like it to remain status quo, at one time, no one wanted to develop in Tay Valley and now we lead Lanark County in severances. Believes this increase in development will slow down and believes that more people paying taxes is a benefit, would like it to stay the same and see what the public says.

Councillor Rainer is uneasy about making a decision without hearing from the public. This is a complex issue and wondered how it will be presented to the public and how to engage them. Understands that Council represents the public, he personally agrees with Councillor Phillips concern about the sprawl effect and losing the rural qualities of Tay Valley but is also concerned with equality. How fair is it for one landowner to be able to sever and another cannot, as they did not meet the date. Asked if farmlands could have their own polices for severances?

Councillor Wicklum agrees with Councillor Rainer and feels there should be a public meeting first, before Council decides on important issues that impact the public and does not want Council wishes to be put forth first. Does not agree with reducing the number of severance or moving the date, feels there are other avenues available to deal with strip development.

Councillor Darling explained that the date was increased five years ago and at that time Tay Valley was struggling for development, how many severance applications were made that first year? and how many have been developed? If not for COVID and the development increase, would Council be talking about this? Also believes development will slow down. Feels that some of the lots created in the last five years are still vacant and being held for future needs of the family. Would like to leave the number of severances at three. Would also suggest a requirement of larger lots and supports having Site Plan Control Agreements in the residential and rural areas.

The Reeve agrees that Council needs input from the public on the number of severances and date and also agrees that lot creation may be the only option for some residents to get ahead or for retirement income. He would like to move the date up by five years and leave the number of severances at three.

The Planner explained the policies on severing land zoned agriculture. Severances must be 100 acres or more. They can sever off some land with the house if the rest of the farmland is consolidated with an active farm. The policies in the Provincial Policy Statement protect agriculture land from being carved up. Some of the farms in the rural zone are not traditional farms, but are lands for cutting hay, etc. and they can be severed. There are options for farmers that need help on the farm by building granny flats for workers or a second dwelling on the property or a second unit plus a second dwelling.

The Planner reviewed the maps of severances in the Township that were attached to the report and explained that by continuing to allow severances, the landscape will change to a suburban look. If there are too many lots, that excess supply will decrease the value of property. Individual decisions to sever add up to impact the look of the rural landscape and fragment habitat. In the Frontenacs and Lanark Highlands, they have reduced their severances. Beckwith's severance date is 1978 and the primarily only allow for estate subdivisions.

Tay Valley Township is unique with many lakes and rivers and forests and that is what people want to move here for. Is the Township going to maintain that uniqueness or are we going to let sprawl occur?

Wording to promote cluster lot development or subdivisions

The Committee discussed if there was a way to incentivize cluster lot development or compact subdivisions. The Consultant has concerns with incentivizing as this implies there is a monetary aspect in the Official Plan. The Official Plan could have a policy to allow cluster lot development on a lot that has already had the three severances. It is hard to promote cluster lot development and subdivisions when there is an abundance of vacant lots and severances are permitted, since severances are quicker, easier and cheaper. If cluster lot development was allowed on a lot where three severances have already been taken, would need to increase the profile of that being an option, so that landowners were aware.

Councillor Darling asked about what the Township would look like with lots of subdivisions, would need more information on what that would look like. Can subdivisions be smaller homes on smaller lots, would need more open spaces, gardens, parks, playgrounds etc. Does not want to limit options for people on their land.

The Committee asked that the definition or description of subdivisions and cluster lots be expanded to clarify what they mean, to consider allowing more lots in a subdivision or cluster development if tiny homes, open space and playgrounds are required, and allow as many options available for these types of development to encourage this type of development.

Definition of Strip Development

The Consultant explained that the current Official Plan talks about strip development but does not define it and it should be defined in case it is challenged.

The Committee agreed that there should be a clearer definition of Strip Development.

The Committee discussed how information was going to be presented to the public. It would be helpful for a visualization of the options for types of development. What will appeal to some may not be appealing to others.

More robust wording to screen development from view or increase setbacks

The Committee agreed that this management of the rural landscape needs to occur.

The Committee discussed requiring a revegetation plan similar to what is required for waterfront properties; requiring longer driveways to save the roadscape by requiring the development further from the road. Some members are not in favour of requiring a Site Plan Control Agreement in the rural and residential areas. The Committee discussed that whatever is decided, it needs to be achievable, if the rules are too restrictive it may hinder development.

The Planner explained that cluster development can happen on small lots with a communal system, they can be closer to each other and have open spaces. The Township is not bound by the old format of subdivisions anymore. Site Plan Control Agreements are not an expensive part of a home build. If the rural landscape is to be maintained, Site Plan Control Agreements are the tool to implement screening and vegetation.

Require financial impact analysis on development proposed on unopened road allowances

The Consultant explained that financial impact analysis would be a straightforward as obtaining an estimate from the Public Works Manager for the cost of maintaining a new section of a road, and the Treasurer would estimate the revenue from taxation on the new development to determine if it is financially feasible to take over a new section of road for what will be gained in revenue from taxes. Essentially, determining if it is financially in the best interest of the Township. The general taxpayer should not be subsidizing one or a couple of individual developments.

The Committee was in favour of this requirement, as allowing development that puts the Township in a deficit is not desirable.

The Committee requested the Consultant to look into the possibility of having a policy to make it cost recoverable, possible. The Consultant agreed but cautioned it would likely need a special tax rate if it was possible.

Next Steps

The Consultant will draft wording for the red line version. The red line version will show the polices being removed and the policies being added for Council to review.

The Committee discussed the open house and public meeting. With restrictions relaxing could they be held in person? Could there be three open houses, one in each ward? The Acting CAO/Clerk explained that originally the open house was going to be in person with registering to limit numbers at designated times, as things get lifted will continue to try to have the meetings in person.

The Committee clarified that after the growth management plan, the existing vacant lots are still lots of record and can be developed within the rules of the Zoning By-Law.

Councillor Wicklum addressed the last paragraph in the suggested recommendation that speaks to the review of hamlet boundaries, feels this affects all the other items in the Official Plan update and if it is done after the update to what end? Should it not be done first?

The Consultant explained that it is common that the Official Plan update determines the need for a comprehensive review. It is a large amount of work and the study typically stands alone. It would likely result in further changes to the Official Plan once complete and supported by Council.

The Consultant will have the red line version to Council by the end of February/early March. After Council reviews it, the public consultations will begin.

Recommendation to Council:

“THAT, Council consider the following, to be discussed during the red-line version of the proposed Official Plan update:

- introducing wording to clarify and promote cluster lot development or subdivisions as the preferred source of lot creation;
- introducing wording to have as many options available as possible for cluster lot development or subdivisions including the possibility of allowing more lots if tiny homes, open space and playgrounds, etc. are required as part of these types of development;
- adopting a definition of strip development;
- adopting more robust wording in the Official Plan to screen development from view, or increase setbacks from Township roads, requiring the development of new lots to be subject to site plan control, where needed, to maintain trees and vegetation to help protect the rural landscape;
- requiring a financial impact analysis of development proposed on unopened road allowances, which could include a policy to make it cost recoverable;

THAT, these considerations be brought forward as part of the public review;

THAT, all of the options related to the number of severances and the date from which severances can be taken be brought forward to the public as part of the public review for their feedback;

AND THAT, following the current update to the Official Plan, Council consider initiating a Comprehensive Review under the Planning Act of the Hamlet boundaries to identify potential preferred locations for growth by consolidating the vacant land potential scattered among the 8 Hamlets into one or two Hamlets to provide a threshold of development that could support a small grocery store or micro-transit (vans) to larger centres (Perth or Sharbot Lake).”

4. ADJOURNMENT

The Committee adjourned at 6:56 p.m.

DELEGATIONS & PRESENTATIONS

COUNCIL
February 22nd, 2022

Report #C-2022-09
Amanda Mabo, Acting CAO/Clerk

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE – WHITE
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 138 feet) between Lots 18 & 19, Concession 6, North Burgess, north of Lakeview Drive, subject to receipt of the required survey.”

BACKGROUND

Committee and Council have considered a request to stop up, close and sell the portion of the unopened road allowance (approximately 138 feet) between Lots 18 & 19, Concession 6, North Burgess, north of Lakeview Drive. A resolution was passed on December 14, 2021 declaring the land surplus to the Township’s needs and agreeing to a purchase price of \$0.08 per square foot, should the sale be finalized.

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 owners, published in the newspaper, published on the Township website and Facebook page and provided publicly via the agenda for the Committee of the Whole Meeting on December 7th, 2021, 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.

Adjacent Landowner Comment

One adjacent landowner is interested in purchasing the portion of the unopened road allowance that goes along her property depending on what the survey shows.

Next Steps

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

ATTACHMENTS

- i) Map
- ii) Report #C-2021-41 – Request to Close Unopened Road Allowance - White

Prepared and Submitted By:

Original Signed

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



COMMITTEE OF THE WHOLE
December 7th, 2021

Report #C-2021-41
Amanda Mabo, Acting Chief Administrative Officer/Clerk

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE –
WHITE**

STAFF RECOMMENDATION(S)

“THAT, Council declares the portion of the unopened road allowance (approximately 138 feet) between Lots 18 & 19, Concession 6, North Burgess, north of Lakeview Drive, surplus to the Township’s needs;

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

THAT, the purchase price of \$0.08 per square foot be accepted should the sale be finalized.”

BACKGROUND

A request was received from Robert & Judy White requesting the closure of the identified portion of the unopened road allowance.

DISCUSSION

The Clerk undertook a preliminary review.

The Applicant is requesting to close the portion of the unopened road allowance to enlarge their property size.

Until a draft survey is prepared it is unknown if the adjacent property owner will require a portion of the unopened road allowance in order that their property has the required road frontage on Lakeview Drive and legal access to their property.

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

Staff recommends proceeding with closing the portion of the unopened road allowance 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 will be undertaken by the applicant. A purchase price of \$0.08 per square foot is recommended.

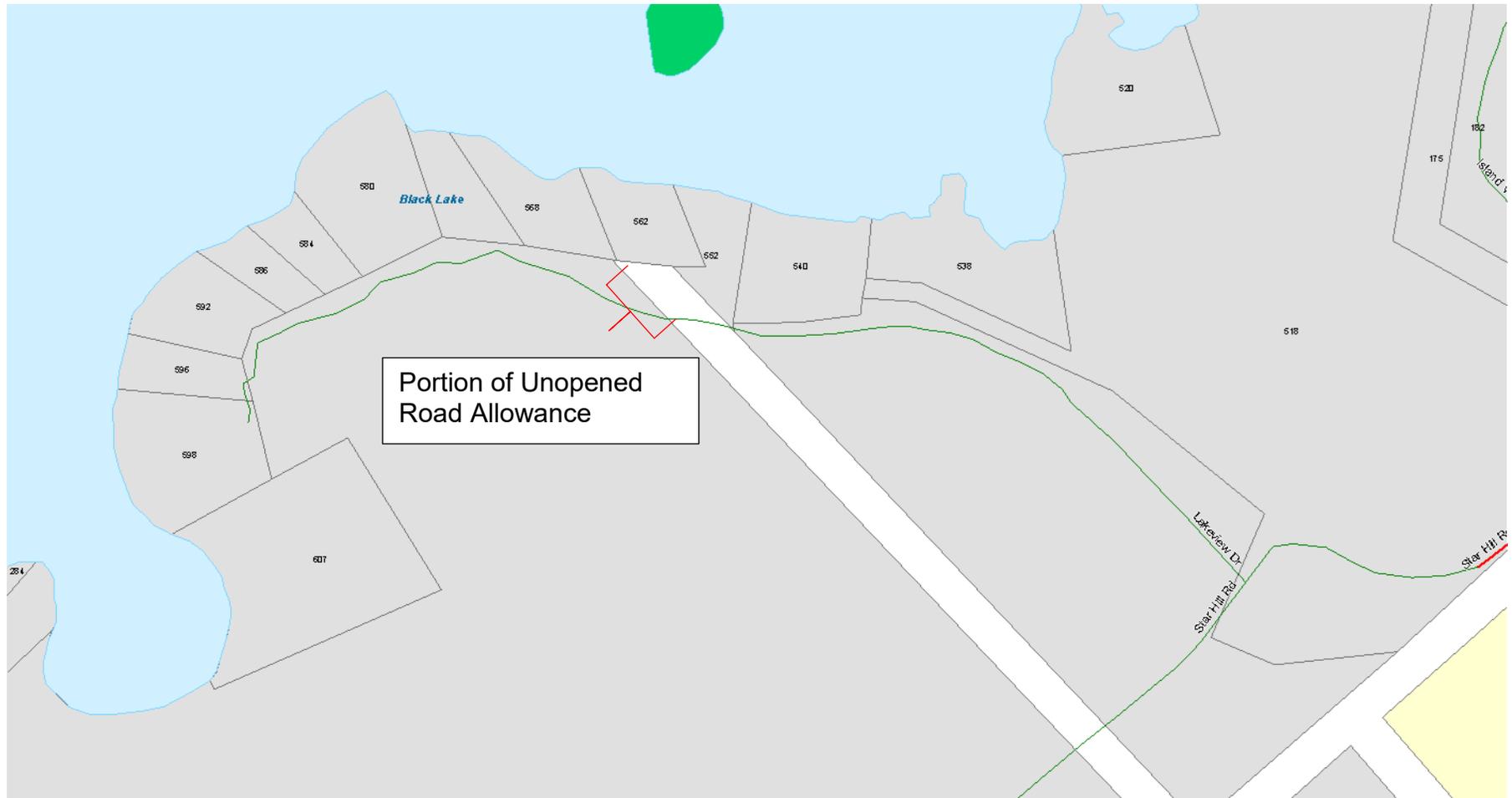
ATTACHMENTS

- i) Map

Prepared and Submitted By:

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

Road Closure - North Burgess - Concession 6 - Part of the Unopened Road Allowance between Part Lot 18, Part Lot 19, Part Lot 20, between 562 Lakeview Drive and Lakeview Drive (White)



BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2022-002

JOINT LANARK COUNTY 2022 ELECTION COMPLIANCE AUDIT COMMITTEE TERMS OF REFERENCE

WHEREAS, the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended, requires municipalities to establish a Compliance Audit Committee;

AND WHEREAS, the local municipalities within the County of Lanark deem it expedient to establish a Joint Compliance Audit Committee and adopt a terms of reference for the committee;

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 Joint Lanark County 2022 Election Compliance Audit Committee – Terms of Reference, attached hereto as Schedule “A”, be 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 22nd day of February, 2022.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-002**

SCHEDULE “A”

**Joint Lanark County 2022 Election
Compliance Audit Committee**

Terms of Reference	
1	<p><u>Name</u></p> <p>The name of the Committee is the “Joint Lanark County 2022 Election Compliance Audit Committee” consisting of the following municipalities:</p> <p style="padding-left: 40px;">Municipality of Mississippi Mills Tay Valley Township Town of Carleton Place Town of Perth Town of Smiths Falls Township of Beckwith Township of Drummond/North Elmsley Township of Lanark Highlands Township of Montague</p>
2	<p><u>Duration</u></p> <p>The term of office is from November 15, 2022 to November 14, 2026 to deal with applications from the 2022 election and any by-elections during Council’s term.</p>
3	<p><u>Mandate</u></p> <p>The powers and functions of the Committee are set out in Sections 88.33 to 88.36 of the <i>Municipal Elections Act, 1996</i> (Appendix “A”). The Committee will perform the functions relating to the compliance audit application process as outlined in the Act. These functions include:</p> <p style="padding-left: 40px;"><u>Candidate Contravention</u></p> <ol style="list-style-type: none"> a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected; b. give to the Candidate, the Clerk and the Applicant the decision of the Committee to grant or reject the application, and brief written reasons for the decision; c. if the application is granted, appoint a licensed auditor to conduct a compliance audit of the Candidate’s election campaign finances; d. receive the auditor’s report from the Clerk; e. within 30 days receipt of the auditor’s report, consider the report; f. if the report concludes that the candidate appears to have contravened a

provision of the Act relating to election campaign finances, decide whether to commence legal proceedings against the candidate for the apparent contravention;

- g. after reviewing the report, give to the Candidate, the Clerk and the Applicant the decision of the Committee, and brief written reasons for the decision.

Candidate Contributor Contravention

- a. within 30 days receipt of a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits, consider the report and decide whether to commence a legal proceeding against the contributor for an apparent contravention.
- b. after reviewing the report, give to the Contributor and the Clerk the decision of the Committee, and brief written reasons for the decision.

Registered Third Party Contravention

- a. within 30 days receipt of a compliance audit application by an elector, consider the application and decide whether it should be granted or rejected;
- b. give to the Candidate, the Clerk and the Applicant the decision of the Committee to grant or reject the application, and brief written reasons for the decision;
- c. if the application is granted, appoint a licensed auditor to conduct a compliance audit of the Registered Third Party's campaign finances;
- d. receive the auditor's report from the Clerk;
- e. within 30 days receipt of the auditor's report, consider the report;
- f. if the report concludes that the Registered Third Party appears to have contravened a provision of the Act relating to campaign finances, decide whether to commence legal proceedings against the Registered Third Party for the apparent contravention;
- g. after reviewing the report, give to the Registered Third Party, the Clerk and the Applicant the decision of the Committee, and brief written reasons for the decision.

Registered Third Party Contributor Contravention

- a. within 30 days receipt of the report, consider the report;
- b. if the report concludes that the Contributor appears to have contravened a provision of the Act relating to campaign finances, decide whether to commence legal proceedings against the Contributor for the apparent contravention;
- c. after reviewing the report, give to the Contributor and the Clerk the decision of the Committee, and brief written reasons for the decision.

Auditor Selection

	<p>If the committee decides to grant the application, it shall appoint an auditor licensed under the <i>Public Accounting Act, 2004</i> to conduct a compliance audit of the Candidate's election campaign finances.</p> <p>The selection process will be coordinated through the Clerk of the respective municipality.</p>
<p>4</p>	<p><u>Membership</u></p> <p>The Committee shall be composed of three (3) voting members, with three (3) alternate members that would assume all the rights and privileges of a voting member if called upon. Alternate members shall be ranked and will be called upon to replace a voting member that has resigned from the Committee.</p> <p>Membership will be drawn from the following groups:</p> <ul style="list-style-type: none"> a. accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates and registered third parties; b. legal; c. professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and/or d. other individuals with knowledge of the campaign financing rules of the <i>Municipal Elections Act, 1996</i>. <p>Municipal employees or officers of the municipality, members of Council or local board; any Candidates or any persons who are Registered Third Parties in the 2022 municipal election or in any by-election during the term of Council for any member municipality are ineligible to be appointed as a member of the Committee pursuant to subsection 88.37 (2) of the of the <i>Municipal Elections Act, 1996</i>.</p> <p>Members will be required to participate in an orientation session as a condition of appointment.</p>
<p>5</p>	<p><u>Membership Selection</u></p> <p>The terms of reference and application form will be posted, as a minimum, on the municipal websites of the member municipalities. Staff will also contact and solicit those individuals as set out under section 4 of the Terms of Reference. In addition, advertisements will be placed in a local paper.</p> <p>All applicants will be required to complete an application form outlining their qualifications and experience. Staff may interview applicants who meet the selection</p>

	<p>criteria and prepare a short list of three voting members and three alternate members. Recommended candidates will be submitted to the Council of each member municipality for consideration.</p> <p>Members will be selected on the basis of the following:</p> <ul style="list-style-type: none"> a. demonstrated knowledge and understanding of municipal election financing rules; b. proven analytical and decision-making skills; c. experience working on a committee, task force or similar setting; d. availability and willingness to attend meetings; and e. excellent oral and written communication skills. <p>Any members appointed must also agree in writing they will not be a candidate or an individual who is a Registered Third Party in the current municipal election or in any by-election during the term of Council for any member municipality. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p>
6	<p><u>Conflict of Interest</u></p> <p>The principles of the <i>Municipal Conflict of Interest Act</i>, apply to this Committee. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p> <p>To avoid a conflict, any person appointed to the Committee must agree in writing not to prepare or audit the election financial statements of any candidate or registered third party for any of the member municipalities in the current municipal election. Failure to adhere to this requirement will result in the individual being removed from the Committee.</p>
7	<p><u>Chair</u></p> <p>The Committee will select a Chair from amongst its members at its first meeting when a compliance audit application is received.</p> <p>The Chair is the liaison between the members and the Secretary of the Committee on matters of policy and process.</p> <p>The Chair shall enforce the observance of order and decorum among the Committee members and the public at all meetings.</p> <p>When the Chair is absent, the Committee may appoint another member as Acting Chair. While presiding, the Acting Chair shall have all the powers of the Chair.</p>
8	<p><u>Staffing and Funding</u></p>

	<p>The Clerk from the County shall act as Secretary to the Committee.</p> <p>The member municipality requiring the services of the Committee shall be responsible for all associated expenses, including the auditor’s costs.</p> <p>Committee Member Remuneration - \$150 per diem per meeting, plus mileage at a rate of \$0.50 cents per kilometre.</p>
9	<p><u>Meetings</u></p> <p>Meetings of the Committee shall be open to the public. The Committee may deliberate in private.</p> <p><i>Timing of Meetings</i> Meetings shall be called by the Clerk from the County in coordination with the Clerk of the member municipality when required. The date and time of the meeting will be determined by the Clerk of the County and communicated directly to the Committee members. Subsequent meetings will be held at the call of the Chair in consultation with the Clerk from the County.</p> <p>Committee activity shall be determined primarily by the number and complexity of applications for compliance audits that may be received. The frequency and duration of meetings will be determined by the Committee in consultation with the Clerk from the County.</p> <p><i>Meeting Location</i> The Committee shall meet at the location determined by the member municipality. The Committee may meet by electronic means.</p> <p><i>Meeting Notices, Agendas & Minutes</i> The agenda shall constitute notice. The Clerk of the member municipality requiring the services of the Committee shall cause notice of the meetings to be provided:</p> <ul style="list-style-type: none"> • to members of the Committee, Candidate, and the Public for a meeting regarding an application by an elector; • to members of the Committee, Contributor, Candidate and the Public for a meeting regarding a Candidate Contributor Contravention report; • to members of the Committee, Contributor, Registered Third Party and the public for a meeting regarding a Registered Third Party Contributor Contravention. <p>A minimum of two (2) business days prior to the date of each meeting, not including weekends or holidays. The agendas and minutes of meetings shall be posted on the member municipality’s website.</p> <p>Minutes of each meeting shall outline the general deliberations and specific actions and recommendations that result.</p>

Agenda Format

1. Call to Order
2. Disclosure of Pecuniary Interest and General Nature Thereof
3. Consideration of Compliance Audit Application, Clerk's Report or Auditor's Report
4. Adjournment

Quorum

Quorum for meetings shall consist of a majority of the members of the Committee.

If no quorum is present thirty (30) minutes after the time appointed for a meeting, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next meeting.

Meeting Attendance

Any member of the Committee, who misses three (3) consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations, by a report to Council for the removal of any member.

Motions & Voting

A motion shall only need to be formally moved before the Chair can put the question or a motion can be recorded in the minutes.

A motion shall be reduced to writing and shall be signed by the Chair and Secretary.

Every Member present shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.

In the case of a tie vote, the motion shall be considered to have been lost.

The manner of determining the vote on a motion shall be by show of hands.

The Chair shall announce the result of every vote.

10 Administrative Practices and Procedures

The Terms of Reference constitute the Administrative Practices and Procedures of the Committee. Any responsibilities not clearly identified within these Terms of Reference shall be in accordance with Section 88.33 to 88.37 of the *Municipal Elections Act, 1996*.

The Clerk at any time has the right to develop additional administrative practices and procedures.

APPENDIX "A"

Municipal Elections Act, 1996 S.O. 1996, c. 32 (for reference only)

COMPLIANCE AUDITS AND REVIEWS OF CONTRIBUTIONS

Compliance audit of candidates' campaign finances

Application by elector

88.33 (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances, even if the candidate has not filed a financial statement under section 88.25. 2016, c. 15, s. 63.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office, and it shall be in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 63.

Deadline for applications

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the candidate filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The candidate's supplementary filing date, if any, under section 88.30.
4. The date on which the candidate's extension, if any, under subsection 88.23 (6) expires. 2016, c. 15, s. 63.

Compliance audit committee

(4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee. 2016, c. 15, s. 63.

Notice of meetings

(5) Reasonable notice of the meetings of the committee under this section shall be given to the candidate, the applicant and the public. 2017, c. 20, Sched. 10, s. 1.

Open meetings

(5.1) The meetings of the committee under this section shall be open to the public, but the committee may deliberate in private. 2017, c. 20, Sched. 10, s. 1.

Same

(6) Subsection (5.1) applies despite sections 207 and 208.1 of the *Education Act*. 2017, c. 20, Sched. 10, s. 1.

Decision of committee

(7) Within 30 days after the committee has received the application, the committee shall consider the application and decide whether it should be granted or rejected. 2016, c. 15, s. 63.

Same

(8) The decision of the committee to grant or reject the application, and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Appeal

(9) The decision of the committee under subsection (7) may be appealed to the Superior Court of Justice within 15 days after the decision is made, and the court may make any decision the committee could have made. 2016, c. 15, s. 63.

Appointment of auditor

(10) If the committee decides under subsection (7) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2016, c. 15, s. 63.

Same

(11) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (10). 2016, c. 15, s. 63.

Duty of auditor

(12) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2016, c. 15, s. 63.

Who receives report

(13) The auditor shall submit the report to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Report to be forwarded to committee

(14) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2016, c. 15, s. 63.

Powers of auditor

- (15) For the purpose of the audit, the auditor,
- (a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
 - (b) has the powers set out in section 33 of the *Public Inquiries Act, 2009* and section 33 applies to the audit. 2016, c. 15, s. 63.

Costs

(16) The municipality or local board shall pay the auditor's costs of performing the audit. 2016, c. 15, s. 63.

Decision

(17) The committee shall consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. 2016, c. 15, s. 63.

Notice of decision, reasons

(18) The decision of the committee under subsection (17), and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Immunity

(19) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (10) for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2016, c. 15, s. 63.

Saving provision

(20) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2016, c. 15, s. 63.

Section Amendments with date in force (d/m/y)**Review of contributions to candidates**

88.34 (1) The clerk shall review the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Report, contributions to candidates for council

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under section 88.9 and,

- (a) if the contributor's total contributions to a candidate for office on a council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and
- (b) if the contributor's total contributions to two or more candidates for office on the same council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same council. 2016, c. 15, s. 64.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 64.

Report, contributions to candidates for a local board

(5) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a local board who appears to have contravened any of the contribution limits under section 88.9 and,

- (a) if the contributor's total contributions to a candidate for office on a local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and
- (b) if the contributor's total contributions to two or more candidates for office on the same local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same local board. 2016, c. 15, s. 64.

Same

(6) The clerk shall prepare a separate report under subsection (5) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(7) The clerk shall forward each report prepared under subsection (5) to the secretary of the local board for which the candidate was nominated for office and, within 10 days after receiving the report, the secretary of the local board shall forward it to the compliance audit committee. 2016, c. 15, s. 64.

Decision of compliance audit committee

(8) Within 30 days after receiving a report under subsection (4) or (7), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 64.

Notice of meetings

(9) Reasonable notice of the meetings of the committee under subsection (8) shall be given to the contributor, the applicable candidate and the public. 2017, c. 20, Sched. 10, s. 2.

Open meetings

(9.1) The meetings of the committee under subsection (8) shall be open to the public, but the committee may deliberate in private. 2017, c. 20, Sched. 10, s. 2.

Same

(10) Subsection (9.1) applies despite sections 207 and 208.1 of the *Education Act*. 2017, c. 20, Sched. 10, s. 2.

Notice of decision, reasons

(11) The decision of the committee under subsection (8), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality or the secretary of the local board, as the case may be. 2016, c. 15, s. 64.

Saving provision

(12) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 64.

Section Amendments with date in force (d/m/y)**Compliance audit of registered third parties****Application by elector**

88.35 (1) An elector who is entitled to vote in an election in a municipality and believes on reasonable grounds that a registered third party who is registered in relation to the election in the municipality has contravened a provision of this Act relating to campaign finances may apply for a compliance audit of the campaign finances of the registered third party in relation to third party advertisements, even if the registered third party has not filed a financial statement under section 88.29. 2016, c. 15, s. 65.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality in which the registered third party was registered, and it shall be made in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 65.

Deadline

- (3) The application must be made within 90 days after the latest of the following dates:
1. The filing date under section 88.30.
 2. The date the registered third party filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
 3. The supplementary filing date, if any, for the registered third party under section 88.30.
 4. The date on which the registered third party's extension, if any, under subsection 88.27 (3) expires. 2016, c. 15, s. 65.

Application of s. 88.33 (4) to (20)

(4) Subsections 88.33 (4) to (20) apply to a compliance audit under this section, with the following modifications:

1. A reference to a candidate shall be read as a reference to the registered third party.
2. A reference to the clerk with whom the candidate filed his or her nomination shall be read as a reference to the clerk of the municipality in which the registered third party is registered.

3. A reference to election campaign finances shall be read as a reference to the campaign finances of the registered third party in relation to third party advertisements that appear during an election in the municipality. 2016, c. 15, s. 65.

Section Amendments with date in force (d/m/y)

Review of contributions to registered third parties

88.36 (1) The clerk shall review the contributions reported on the financial statements submitted by a registered third party under section 88.29 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Report by the clerk

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30 for a registered third party, the clerk shall prepare a report identifying each contributor to the registered third party who appears to have contravened any of the contribution limits under section 88.13 and,

- (a) if the contributor's total contributions to a registered third party that is registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to the registered third party in relation to third party advertisements; and
- (b) if the contributor's total contributions to two or more registered third parties that are registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to all registered third parties in the municipality in relation to third party advertisements. 2016, c. 15, s. 65.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 65.

Decision of compliance audit committee

(5) Within 30 days after receiving a report under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 65.

Notice of meetings

(6) Reasonable notice of the meetings of the committee under subsection (5) shall be given to the contributor, the registered third party and the public. 2017, c. 20, Sched. 10, s. 3.

Open meetings

(6.1) The meetings of the committee under subsection (5) shall be open to the public, but the committee may deliberate in private. 2017, c. 20, Sched. 10, s. 3.

Notice of decision, reasons

(7) The decision of the committee under subsection (5), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality. 2016, c. 15, s. 65.

Saving provision

(8) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 65.

Section Amendments with date in force (d/m/y)

Compliance audit committee

88.37 (1) A council or local board shall establish a compliance audit committee before October 1 of an election year for the purposes of this Act. 2016, c. 15, s. 66.

Composition

(2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,

- (a) employees or officers of the municipality or local board;
- (b) members of the council or local board;
- (c) any persons who are candidates in the election for which the committee is established; or
- (d) any persons who are registered third parties in the municipality in the election for which the committee is established. 2016, c. 15, s. 66.

Eligibility for appointment

(3) A person who has such qualifications and satisfies such eligibility requirements as may be prescribed is eligible for appointment to the committee. 2016, c. 15, s. 66.

Same

(4) In appointing persons to the committee, the council or local board shall have regard to the prescribed eligibility criteria. 2016, c. 15, s. 66.

Term of office

(5) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2016, c. 15, s. 66.

Role of clerk or secretary

(6) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2016, c. 15, s. 66.

Costs

(7) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2016, c. 15, s. 66.

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2022-003

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON FEBRUARY 22ND, 2022

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 22nd day of February, 2022 in respect of each motion and resolution passed and other action taken by the Council of the Corporation of Tay Valley Township at its meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
- 1.2 **THAT**, the Reeve and Proper Signing Official of the Corporation of Tay Valley Township are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of Tay Valley Township referred to in the preceding section hereof.
- 1.3 **THAT**, the Reeve and/or Deputy Reeve and Clerk and/or Deputy Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of Tay Valley Township.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2022-003**

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 22nd day of February 2022.

Barrie Crampton, Deputy Reeve

Amanda Mabo, Clerk