



## **COMMITTEE OF THE WHOLE MINUTES**

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**Tuesday, April 12<sup>th</sup>, 2022**

**Following the Public Meeting – Zoning By-Law Amendment at 5:30 p.m.**

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

**Council Chambers**

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### **ATTENDANCE:**

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

**Staff Present:** Amanda Mabo, Acting CAO/Clerk  
Janie Laidlaw, Deputy Clerk  
Noelle Reeve, Planner  
Ashley Liznick, Treasurer

**Regrets:** Reeve Brian Campbell

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### **1. CALL TO ORDER**

The meeting was called to order at 5:38 p.m.  
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**

##### **i) Public Meeting: Zoning By-Law Amendment – March 8<sup>th</sup>, 2022.**

The minutes of the Public Meeting – Zoning By-Law Amendment held on March 8<sup>th</sup>, 2022, were approved.

#### **5. DELEGATIONS & PRESENTATIONS**

None.

#### **6. PRIORITY ISSUES**

##### **i) Report #PD-2022-16 – Severance Application – McParland.**

###### Recommendation to Council:

**“THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for McParland B21/ B21/198/199/200/201/202 & B21/203 (Pt Lot 22 Con 8 & 9 geographic Township of North Burgess) for three new lots and a condominium road, be approved subject to the following conditions:

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

That, the applicant pays any outstanding fees to the Township prior to final approval;

That, two (2) copies of an acceptable reference plan (or legal description) and transfer document be submitted to the Township for each severance, both hard copy and electronically: for the three lots that will be Parcels of Tied Land (POTL), the condominium road and the easements;

That, payment for each lot created by B21/198/199/200 shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lots proposed in B21/198/199/200 shall be rezoned to Residential Limited Services;

That, the recommendations of the Lake Impact Study be incorporated into Development Agreements for the lots proposed in B21/198/199/200 as well as any requirements due to steep slopes, including identifying developable areas;

That, the applicant shall obtain Civic Address Numbers for the severed lots from the Township;

That an archaeological study be completed as a condition of severance for B21/198/199/200 and any recommendations be incorporated into Development Agreements;

That a condominium declaration for the three severed lots as Parcels of Tied Land (POTL) and the condominium road be provided;

That, confirmation of the legal location and description for Pike Lake Route 10 be confirmed in order for the condominium road to proceed;

That, B21/201 for the proposed condominium road conforms to the Township standards for private roads (20m right of way maintained at a minimum of 6m with a 1m shoulder on either side); and

That the condominium road be named in accordance with the Rural Addressing Project standards.”

ii) **Report #PD-2022-17 – Severance Application –Vaters.**

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Applications for VATERS, B21/205 (Con 10 Part Lot 10, geographic Township of South Sherbrooke) known municipally as 631 Zealand Road (roll number 091191401044400) for a new lot be approved subject to the following conditions:

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

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

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

That, the applicant shall obtain a Civic Address Number for the severed land;

That, the applicant shall submit a full entrance application to the Township Public Works Department and install the entrance as required in the permit;

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands

That, sufficient lands shall be dedicated to the Township along the frontage of the lots to be severed and the lot to be retained in order to meet the Township’s road widening requirements at no cost to the Township, if required. These

requirements may also include, sight triangles on parcels adjacent to existing public or private roads, as well as the dedication of a 0.3 metre reserve along the frontage of the severed and/or retained parcel.”

iii) **Report #PD-2022-18 – Severance Application – ter Haar.**

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for ter Haar B21/191 (Pt Lots 14,15 Con 8 geographic Township of South Sherbrooke) municipally known as 823 Cohen Way (roll number 091191101026100) for a new lot, be approved subject to the following conditions:

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

That, the applicant pays any outstanding fees to the Township prior to final approval;

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

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the applicant shall obtain an Entrance Permit and a Civic Address Number for the severed lots from the Township; and

That the applicant pay for the fees materials to extend Cohen Way so that the Township can assume the extension of the road to meet the frontage requirement for the retained lot, if required, to be determined by the Township Public Works Manager.”

iv) **Report #PD-2022-19 – Severance Application – Collinson and Ferry.**

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township recommend to the Land Division Committee of Lanark County that the Severance Application for Ferry and Collinson B22/009 (Pt Lot 16 Con 3 geographic Township of North Burgess) for a new lot, be approved subject to the following conditions:

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

That, the applicant pays any outstanding fees to the Township prior to final approval;

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

That, payment shall be made to Tay Valley Township representing Cash-in-Lieu of Parklands;

That, the lot proposed in B22/009 shall be rezoned to Residential Limited Services;

That, the applicant shall obtain an Entrance Permit and Civic Address Number for the severed lot from the Township;

That an archaeological study be completed as a condition of severance and any recommendations be incorporated into a Development Agreement;

That the 15m setback from top of slope be indicated on a Development Agreement so the developable area is clearly identified;

That the requirement for a native shoreline buffer to be retained or Enhanced on each lot to protect and improve water quality in Big Rideau Lake be included in a Development Agreement;

That the requirement for a Road Access Agreement prior to issuance of a Building Permit be included in the Development Agreement;

Water frontage should be confirmed by a licensed surveyor to determine the minimum 60 m is available for each lot as the shoreline appears to be bifurcated by inlets of water from air photography.”

v) **Report #PD-2022-20 – Input on Floating Container Residences.**

The Committee discussed the difference between house boats and floating containers, there are currently no regulations regarding the size of house boats or a minimum lake size to allow them.

The Planner clarified that the submission to the Ministry would be the discussion section from the report.

Recommendation to Council:

“**THAT**, staff send a submission to the Environmental Registry of Ontario calling for the Ministry of Northern Development Mines Natural Resources and Forestry to clarify its regulations regarding watercraft as “camping units”.”

x) **Report #PD-2022-21 – Comment Opportunities on Four Aspects of the More Homes for Everyone Act 2022.**

The Acting CAO/Clerk will circulate a report from Lanark County on affordable housing that contains recommendations and in the future those recommendations will be taken into consideration by the Township, some of the recommendations Tay Valley Township has already implemented.

The Deputy Reeve will contact Lanark County to obtain a printed copy for Council members and would like the document available at the Official Plan discussion at the “Special” Committee of the Whole meeting on April 19.

Recommendation to Council:

“**THAT**, staff send comments on to the Environmental Registry of Ontario on four housing proposals: Housing Needs in Rural and Northern Municipalities; Community Infrastructure and Housing Accelerator Guideline; Opportunities to Increase Missing Middle Housing and Gentle Density Including Multigenerational Housing; and Proposed Planning Act Changes from the More Homes for Everyone Act, 2022.”

vi) **Report #PD-2022-22 – Maberly Pines Subdivision Update.**

The Committee asked if the final assessment will give all the answers needed for the Rideau Valley Conservation Authority (RVCA) to sign off. The Planner believed so.

Recommendation to Council:

“**THAT**, staff obtain the required information in order for a final assessment of the development capacity of the Maberly Pines Subdivision be made by the Rideau Valley Conservation Authority.”

vii) **Report #PD-2022-23 – Update on Ministry of Environment Conservation and Parks Lake Capacity Handbook Assessment of Little Silver and Rainbow Lake.**

F. Johnson, President of the Little Silver and Rainbow Lakes Property Owners Association had requested to speak at tonight’s meeting and the Acting CAO/Clerk had explained that to speak at a meeting, the process is to request to be a delegation prior to the agenda being distributed. His questions and comments were submitted to staff and answered and circulated to all Councillors prior to tonight’s meeting.

The Planner reviewed the questions and comments submitted by F. Johnson, President of the Little Silver and Rainbow Lakes Property Owners Association – *attached, page 13.*

The Committee discussed how many lots would be affected by the new restrictions on development. The Committee asked if the new information from the assessment would change any of the recommendations in the original Blue Metric report, the Planner did not believe so as that information should not impact what the water quantity or quality is.

Recommendation to Council:

**“THAT**, staff work with Little Silver and Rainbow Lakes residents on an amendment to the Official Plan to restrict severances to minimum lot frontages of 91m with minimum lot size of 0.8 ha, to require phosphorous removal septic systems if the septic system cannot meet the 30m setback, and maintain a 15m buffer of vegetation.”

The Committee recessed at 7:12 p.m.

The Committee returned to session at 7:22 p.m.

A member explained that F. Johnson, President of the Little Silver and Rainbow Lakes Property Owners Association is looking for a proper, fair and just outcome and wondered if he was approved to be a delegation at the Council meeting on April 26<sup>th</sup>.

The Acting CAO/Clerk explained that as of now, there is no request for a delegation from anyone for that meeting. Council also does not accept delegations at Council meetings. The Acting CAO/Clerk reminded the Committee that once all of the information has been gathered there will be public outreach. If Council wished to have F. Johnson speak at the Council meeting than Council would have to give direction to allow him as a delegation at a Council meeting.

The Committee discussed the process and when the public would be involved. Staff explained that after working with the residents and the lake association and through the Official Plan process, a separate meeting regarding this Official Plan change would be scheduled to receive public feedback.

The Committee agreed to allow F. Johnson, President of the Little Silver and Rainbow Lakes Property Owners Association to be a delegation at the April 26<sup>th</sup> Council meeting and clarified that no other delegation on this subject would be permitted at that meeting.

- viii) **Report #CBO-2022-04 – Building Department Report – January – March 2022.**

Recommendation to Council:

**“THAT**, Report #CBO-2022-04 – Building Department Report – January - March 2022 be received as information.”

- ix) **Report #FIN-2022-05 – 2022 Budget – PSAB Restatement.**

Recommendation to Council:

**“THAT**, Report #FIN-2022-05 - 2022 Budget – PSAB Restatement, be received as information.”

- x) **Report #FIN-2022-06 – Asset Management Software & Asset Management Plan.**

Recommendation to Council:

**“THAT**, Section 7.2 of the Township’s Procurement Policy be waived to single-source Asset Management Software from PSD/CityWide;

**AND THAT**, Section 7.4 of the Township’s Procurement Policy be waived to single-source the completion of an Asset Management Plan to meet the requirements of O.Reg 588/17 to PSD/CityWide.”

- xi) **Report #PW-2022-10 – Facilities Lawn Maintenance – Tender Award.**

A Member asked about the Climate Considerations in the report where it says there is no direct link, the use of gas-powered equipment is a climate consideration, and the contractors should be encouraged to use electric equipment. The Acting CAO/Clerk explained that the lack of wording in the report was an oversight, staff does consider it and the tender document does speak to it, there were no bidders that use electric equipment on this tender.

Recommendation to Council:

**“THAT**, the Facility Lawn Maintenance, #2022-PW-004, be awarded to Bosman’s All Weather Property Maintenance in the amount of \$22,320.00;

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

- xi) **Report #PW-2022-09 - Comprehensive Roads Needs Study – RFP Award.**

Recommendation to Council:

**“THAT**, the Roads Needs Study, #2022-PW-006, be awarded to Golder Associates Ltd.



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

xii) **Report #PW-2022-08 – Second Line Bridge Rehabilitation – Tender Award.**

Recommendation to Council:

“**THAT**, Tender #2022-PW-003 – Second Line Bridge Rehabilitation, be awarded to DW Building Restoration Services Inc. in the amount of \$297,772.00 plus H.S.T.;

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

xiii) **Report #C-2022-10 – Lanark Library Financial Contribution.**

After a lengthy discussion on the options in the report, the Committee agreed to bring option 3 forward to Council.

Recommendation to Council:

“**THAT**, as of 2023, Tay Valley Township discontinue providing an annual donation to the Lanark Highlands Public Library.”

xiv) **Report #C-2022-011 – Dogs at Swimming Areas.**

After a lengthy discussion, the Committee agreed to continue to allow dogs to be permitted at the Township swimming areas with the installation of waste bag receptacles and signage to be installed as the areas are upgraded, the Glen Tay Swimming Area is being upgraded this year. The Committee agreed to continue to monitor this matter.

Recommendation to Council:

“**THAT**, dogs continue to be permitted at Tay Valley Township swimming areas;

**AND THAT**, as the swimming areas are upgraded dog running at large signs and waste bag receptacles be installed.”

xv) **22-03-15 and 22-04-06 – Council Communication Packages.**

Recommendation to Council:

“**THAT**, the 22-03-15 and 22-06-16 Council Communication Packages be received for information.”

xvi) **AMO – Firefighter Certification.**

Recommendation to Council:

**“THAT**, the Council of Tay Valley Township supports Association of Municipalities of Ontario’s letter to the Solicitor General of Ontario outlining their concerns with the draft regulations regarding firefighter certification;

**AND THAT**, this resolution be forwarded to Association of Municipalities of Ontario, the Premier of Ontario, the Solicitor General, the Association of Fire Chiefs and all municipalities in Ontario.”

**7. CORRESPONDENCE**

None.

**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** – *deferred to the next meeting.*  
Councillor RoxAnne Darling, Councillor Fred Dobbie, Councillor Mick Wicklum.
- iv) **Library Board** – *deferred to the next meeting.*  
Councillor Rob Rainer.
- v) **Police Services Board** – *deferred to the next meeting.*  
Reeve Brian Campbell.
- vi) **County of Lanark.**  
Reeve Brian Campbell and Deputy Reeve Barrie Crampton.

Deputy Reeve Crampton reported at the last Green Energy and Climate Change Working Group meeting a member had brought to their attention an advertisement in the Perth Courier for a Request for Proposal (RFP) to retrofit electric heated homes that are owned by Lanark County to natural gas. The Deputy Reeve had contacted the Warden and the Lanark County Chief Administrative Officer (CAO), the CAO will be discussing this with staff and will be rewriting the RFP to seek an alternative to natural gas such as heat pumps.

- 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.**  
Councillor Gene Richardson.

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

- 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.

- ix) **Committee of Adjustment.**

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

## 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 8:45 p.m.

  
Brian Campbell, Reeve

  
Janie Laidlaw, Deputy Clerk

# **PRIORITY ISSUES**

Submission to Committee of the Whole for Tuesday April 12<sup>th</sup> 2022

From Dr F. Johnson, President, Little Silver and Rainbow Lakes Property Owners Association

**Under report PD-2022-22**

Note that the MECP report on Lakeshore Capacity specifically included the Maberly Pines subdivision as a part of the watershed of Little Silver and Rainbow Lakes. That report's findings should be explicitly mentioned as part of the review of development capacity for Maberly Pines.

Yes the report did include the MP subdivision as part of the watershed of Little Silver and Rainbow Lakes. (I have attached the report to this email.)

The report listed 3 items under its Conclusions and Recommendations.

Item 1) was a fact – Victor Castro undertook a separate review for each of the two lakes.

Item 2) provided three conclusions – the model predicted acceptably; the lakes are at capacity; and “future development of the existing registered vacant lots represents an additional phosphorus load to the system”. In addition, Item 2) provides a recommendation – “all best management practices should be undertaken to mitigate phosphorus loadings from the development of these future lots”.

Item 3) recommends the MECP memo “be provided to TVT to guide further lakeshore policy development and/or support any amendments to their Official Plan.

The RVCA is aware of the location of the MP subdivision within the watershed for the two lakes. Report PD 2022-22 identifies that part of the work BluMetric needs to undertake to complete their final report is to “address RVCA questions about phosphorous potential to impact surface water”.

We suggest that the words “and Ministry of Environment, Conservation and Parks” be added to the Option #1.

I don't agree. The development capacity of the MP subdivision is based on BluMetric's determination of the ability of the subdivision to supply sufficient potable water and nitrogen dilution, which RVCA will peer review, not MECP.

The development capacity of Little Silver and Rainbow Lakes is the purview of MECP and has been determined by MECP.

**Under report PD-2022-23**

The words “Lake Capacity” in the title of this update should read “Lakeshore Capacity”. Yes.

In the first sentence of the Discussion, page 65, the following words in bold should be added:

“..the implications of LSRL being over capacity are for the lakes now and if the **subdivision of Maberly Pines** was built out.” Yes that provides clarity.

Whether this emphasis and recognition will alter the staff recommendation for an Interim Control By-Law will be for the Planner and Council to judge, since the total number of vacant lots within the watershed is actually the five mentioned plus a further 48 in the MP subdivision.

No it does not change my mind about an Interim Control By-law. Yes there are five lots abutting the lakes and 48 in the watershed. However, protecting the lakes from potential severances on the five lots abutting the

lakes can be dealt with through the Lakeshore Capacity Handbook prohibition against new lot creation unless the septic beds are located 300m from the shoreline as well as the current update process for the Official Plan.

#### **Further Comments added 11<sup>th</sup> April**

The linkage between these two reports is illustrated by the composite map on the next page. This shows the watershed boundary of LSARL overlaid on the development map provided in Attachment C of PD-2022-23.

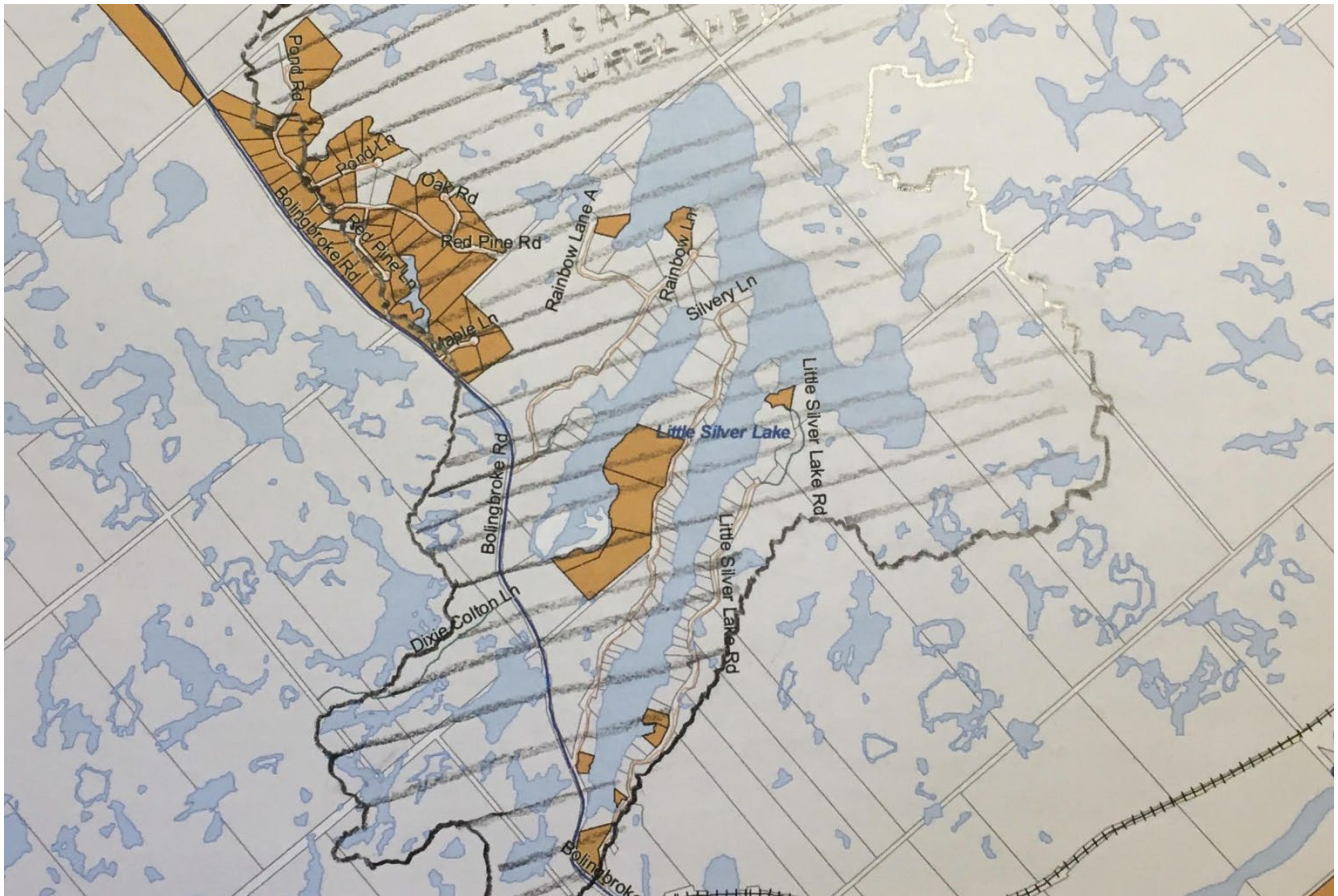
It was noted that the section entitled “Requirements and restrictions for development on lakes at capacity” in Section 5.2 of the Lakeshore Capacity Assessment Handbook appears to suggest that “all new tile field would be set back at least 300 metres from the shoreline of lakes”.

However, Section 5.2 begins with the statement “Where these circumstances exist [lakes that have been modeled to be at-capacity for phosphorus], **new lot creation and other planning approvals should only be allowed**” when separating existing swellings; tile fields would drain into a drainage basin not at capacity; or tile fields would be setback 300 m from the shoreline of lakes.

MECP was very careful to state in the conclusions and recommendations of their report that, “all best management practices should be taken to mitigate phosphorus from these lots”. They did not state no development could take place. In fact, during our zoom meeting with MECP, that the Clerk participated in, MECP staff were at pains to state that development of the MP subdivision lots could not be prevented by the Handbook provisions because the MP subdivision had already been approved under the Planning Act.

The lots in the subdivision are lots of record. It is a matter of how the lots can be developed that is under discussion.

Finally, according to measurements using the CGIS system available to Township staff, the closest tile bed to Little Silver would be 451m and the closest tile bed to Rainbow lake would be 350m.



Undeveloped lots, from PD-2022-22 Attachment C, with overlay of watershed boundary, Attachment B

Little Silver and Rainbow Lakes with vacant properties marked in brown. The subdivision to the north west is Maberly Pines. It is connected to the lakes by two major streams and about 30 of the 48 undeveloped lots are within the watershed and influence the Lakeshore Capacity Model of the lakes.