

### COUNCIL MEETING MINUTES

Tuesday, April 26<sup>th</sup>, 2022 6:00 p.m. Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario Council Chambers

#### ATTENDANCE:

Members Present: Chair, Reeve, Brian Campbell

Deputy Reeve Barrie Crampton

Councillor 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 7:33 p.m.)

Noelle Reeve, Planner (left at 7:33 p.m.) Ashley Liznick, Treasurer (left at 7:33 p.m.)

Regrets: None.

#### 1. CALL TO ORDER

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

#### 2. AMENDMENTS/APPROVAL OF AGENDA

Under Motions: Items 7 vi) and vii) be moved to 7 i) and ii)

The Agenda was adopted as amended.

### 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 (Closed Session – Identifiable Individual – Staffing Update) – December 13<sup>th</sup>, 2021.

#### **RESOLUTION #C-2022-04-01**

MOVED BY: RoxAnne Darling SECONDED BY: Mick Wicklum

"THAT, the minutes of the "Special" Council Meeting (Closed Session – Identifiable Individual – Staffing Update) held on December 13<sup>th</sup>, 2021, be approved as circulated."

**ADOPTED** 

ii) Council Meeting – March 22<sup>nd</sup>, 2022.

#### **RESOLUTION #C-2022-04-02**

MOVED BY: Mick Wicklum SECONDED BY: Fred Dobbie

"THAT, the minutes of the Council Meeting held on March 22<sup>nd</sup>, 2022, be approved as circulated."

**ADOPTED** 

iii) Committee of the Whole Meeting – April 12<sup>th</sup>, 2022.

#### **RESOLUTION #C-2022-04-03**

MOVED BY: Fred Dobbie SECONDED BY: Mick Wicklum

"**THAT**, the minutes of the Committee of the Whole Meeting held on April 12<sup>th</sup>, 2022, be approved as circulated."

**ADOPTED** 

iv) "Special" Committee of the Whole Meeting – April 19<sup>th</sup>, 2022.

#### **RESOLUTION #C-2022-04-04**

MOVED BY: Barrie Crampton SECONDED BY: Gene Richardson

"THAT, the minutes of the "Special" Committee of the Whole Meeting held on April 19<sup>th</sup>, 2022, be approved as circulated."

**ADOPTED** 

#### 5. DELEGATIONS & PRESENTATIONS

Delegation: Town of Perth – Recreation Facilities.
 Mayor John Fenik and Deputy Mayor Ed McPherson.

Deputy Mayor Ed McPherson gave a PowerPoint Presentation that was attached to the agenda.

ii) Delegation: Little Silver and Rainbow Lakes – Integrated Approach to Study the Limits of Development.

Frank Johnson, President, Little Silver and Rainbow Lakes Property Owners Association.

F. Johnson gave a presentation – attached, page 16.

A Member asked F. Johnson about the linked issues he talked about, but there was nothing said further about the private unassumed roads and the special development charges. F. Johnson explained that the development charges for the private unassumed roads encourages development which affects the watershed and that it seems like the roads in the Maberly Pines subdivision might be some of the first roads being improved which again affects the watershed.

A Member asked about the slide showing the levels of phosphorus. F. Johnson explained that it is based on the Ministry's Lake Capacity Model, the last column is showing what the phosphorus levels could be with the lots in Maberly Pines being developed. A Member asked the Planner if that means the Township is putting the cart before the horse and should the workshop that F. Johnson suggested in the presentation be held first. The Planner explained that the hydrogeological study conducted was based on all the lots except four or five having a conventional septic system and having a pump test from one well, they have asked for another well to conduct a pump test on to give them the information to finalize and understand what the capacity is to develop Maberly Pines, the Planner does not want to defer the motion as it is needed to provide sufficient information. She does not disagree with F. Johnson's presentation, but those future phosphorus levels are based on development without using best practices, there are a list of best practices to mitigate the impact on the lakes. That would be a discussion for the Lake Association. Rideau Valley Conservation Authority (RVCA), the Ministry and Staff to determine what is an appropriate level of mitigation to not increase the level of phosphorus. The Planner informed Council that Mike Yee from RVCA does not have a lot of faith in the model as it does not determine if the wetland will filter out some phosphorus or be impacted to release more, he would like more research on the wetland and that is why RVCA is asking BluMetric to test the background phosphorus in order to determine how to best mitigate it.

#### 6. CORRESPONDENCE

None.

#### 7. MOTIONS

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

#### **RESOLUTION #C-2022-04-05**

MOVED BY: Barrie Crampton SECONDED BY: Gene Richardson

**"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-06**

**MOVED BY:** Beverley Phillips **SECONDED BY:** Gene Richardson

"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."

(SEE RESOLUTION #C-2022-04-07)

#### **RESOLUTION #C-2022-04-07**

MOVED BY: Mick Wicklum

**SECONDED BY:** Barrie Crampton

"THAT, resolution #C-2022-04-06 be amended as follows:

"THAT, staff work with Little Silver and Rainbow Lake residents and relevant agencies on an amendment to the Official Plan to consider new severance parameters in a manner that will encourage a healthy watershed"."

**ADOPTED** 

#### **RESOLUTION #C-2022-04-06**

MOVED BY: Beverley Phillips SECONDED BY: Gene Richardson

"THAT, staff work with Little Silver and Rainbow Lake residents and relevant agencies on an amendment to the Official Plan to consider new severance parameters in a manner that will encourage a healthy watershed."

**ADOPTED** 

#### iii) Report #PD-2022-16 - Severance Application - McParland.

#### **RESOLUTION #C-2022-04-08**

**MOVED BY:** Gene Richardson **SECONDED BY:** Barrie Crampton

"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."

**ADOPTED** 

iv) Report #PD-2022-17 - Severance Application -Vaters.

#### **RESOLUTION #C-2022-04-09**

**MOVED BY:** Beverley Phillips **SECONDED BY:** Gene Richardson

"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-10**

MOVED BY: Rob Rainer

**SECONDED BY:** Beverly Phillips

"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."

**ADOPTED** 

vi) Report #PD-2022-19 - Severance Application - Collinson and Ferry.

#### **RESOLUTION #C-2022-04-11**

MOVED BY: RoxAnne Darling SECONDED BY: Mick Wicklum

**"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-12**

MOVED BY: Mick Wicklum SECONDED BY: Fred Dobbie

"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"."

ADOPTED

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

#### **RESOLUTION #C-2022-04-13**

MOVED BY: Fred Dobbie SECONDED BY: Mick Wicklum

"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-14**

MOVED BY: Rob Rainer SECONDED BY: Beverley Phillips

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

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-15**

MOVED BY: RoxAnne Darling SECONDED BY: Mick Wicklum

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

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-16**

MOVED BY: Mick Wicklum SECONDED BY: Fred Dobbie

**"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." **ADOPTED** 

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

#### **RESOLUTION #C-2022-04-17**

MOVED BY: Fred Dobbie SECONDED BY: Mick Wicklum

"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-18**

MOVED BY: Barrie Crampton SECONDED BY: Gene Richardson

"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-19**

MOVED BY: Gene Richardson SECONDED BY: Barrie Crampton

"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-20**

MOVED BY: Beverley Phillips SECONDED BY: Gene Richardson

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

(SEE RECORDED VOTE)

Councillor Richardson called a recorded vote on Resolution #C-2022-04-20:

For:	Councillor Fred Dobbie Councillor Beverley Philips Councillor Rob Rainer Councillor Mick Wicklum	1 1 1 1	
		4	
Against:	Reeve Brian Campbell Deputy Reeve Barrie Crampton Councillor RoxAnne Darling Councillor Gene Richardson	1 1 1 1	
		4	
Absent:		0	
Total:		8	DEFEATED

The Acting CAO/Clerk clarified that the annual donation to the Lanark Library would continue.

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

#### **RESOLUTION #C-2022-04-21**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Beverley Phillips

"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."

**ADOPTED** 

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

#### **RESOLUTION #C-2022-04-22**

MOVED BY: RoxAnne Darling SECONDED BY: Mick Wicklum

"THAT, the 22-03-15 and 22-04-06 Council Communication Packages be received for information."

**ADOPTED** 

#### xvi) AMO – Firefighter Certification.

#### **RESOLUTION #C-2022-04-23**

MOVED BY: Mick Wicklum SECONDED BY: Fred Dobbie

"THAT, the Council of Tay Valley Township supports the 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."

ADOPTED

#### 8. BY-LAWS

i) By-Law No. 2022-006: Zoning By-Law Amendment – Tay Valley Township.

#### **RESOLUTION #C-2022-04-24**

MOVED BY: Fred Dobbie SECONDED BY: Mick Wicklum

"THAT, By-Law No. 2022-006, being a by-law to Amend Zoning By-Law No. 2002-121 (217 Harper Road, E Part Lot 20, Concession 3, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk."

**ADOPTED** 

#### 10. NEW/OTHER BUSINESS

None.

#### 11. CALENDARING

Meeting	Date	Time	Location
Fire Board Meeting	April 28 <sup>th</sup>	6:00 p.m.	BBD&E Fire Hall
Rideau Valley Conservation Authority Board Meeting	April 28 <sup>th</sup>	6:30 p.m.	Virtual
Farren Lake Property Owners Association (FLPOA) AGM	April 28 <sup>th</sup>	7:00 p.m.	Virtual
"Special" Committee of the Whole Meeting	May 3 <sup>rd</sup>	5:30 p.m.	Municipal Office
Private Unassumed Roads Working Group Meeting	May 4 <sup>th</sup>	5:00 p.m.	Municipal Office
Public Meeting – Zoning By-Law Amendment	May 10 <sup>th</sup>	5:30 p.m.	Municipal Office

Committee of the Whole Meeting	May 10 <sup>th</sup>	Following	Municipal Office
Committee of Adjustment Hearing	May 16 <sup>th</sup>	5:00 p.m.	Municipal Office
Police Services Board Meeting	May 24 <sup>th</sup>	2:00 p.m.	Municipal Office
Council Meeting	May 24 <sup>th</sup>	6:00 p.m.	Municipal Office

Council recessed at 7:28 p.m.

Council returned to session at 7:33 p.m.

The Public Works Manager, Planner and Treasurer left at 7:33 p.m.

#### 12. CLOSED SESSIONS

i) CONFIDENTIAL: Identifiable Individual – Staffing Update.

#### **RESOLUTION #C-2022-04-25**

MOVED BY: Barrie Crampton SECONDED BY: Gene Richardson

**"THAT**, Council move "in camera" at 7:33 p.m. to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, regarding a staffing update;

**AND THAT,** the Acting Chief Administrative Officer/Clerk, Deputy Clerk and Shane Kelford, Legal Counsel remain in the room."

**ADOPTED** 

#### **RESOLUTION #C-2022-04-26**

MOVED BY: Barrie Crampton SECONDED BY: Gene Richardson

"THAT, Council return to open session at 8:25 p.m."

**ADOPTED** 

The Chair rose and reported that Council gave the Solicitor, Reeve and Acting CAO/Clerk direction.

#### 13. CONFIRMATION BY-LAW

i) By-Law No. 2022-007 - Confirmation By-Law - April 26th, 2022.

#### **RESOLUTION #C-2022-04-27**

MOVED BY: Gene Richardson SECONDED BY: Barrie Crampton

**"THAT**, By-Law No. 2022-007, being a by-law to confirm the proceedings of the Council meeting held on April 26<sup>th</sup>, 2022, be read a first, second and third time short and passed and signed by the Reeve and Clerk."

**ADOPTED** 

#### 14. ADJOURNMENT

Council adjourned at 8:26 p.m.

Brian Campbell, Reeve

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# DELEGATIONS & PRESENTATIONS

## **AGENDA ITEM 5 (ii)**

An integrated approach to the limits of **development of the watershed** of Little Silver and Rainbow Lakes.

Dr Frank Johnson

President,

Little Silver and Rainbow Lakes Property Owners Association (LSRLpoa)

### Background

- Why we need to address the entire watershed, not in parts
- 2) Previous Actions by LSARLpoa:
  - i. Mandatory septic inspections
  - ii. Friendship of Bolingbroke Road
  - iii. Lakeshore Capacity Assessment
  - iv. Aerial surveys of algae formation
- 3) Concerns of members include:
  - i. Persistent TVT Efforts to promote development of MP subdivision
  - ii. Agenda Item 7(vi) -- sign off terms unclear
  - iii. Agenda Item 7(vii) Should include entire watershed

### The Contiguous watershed

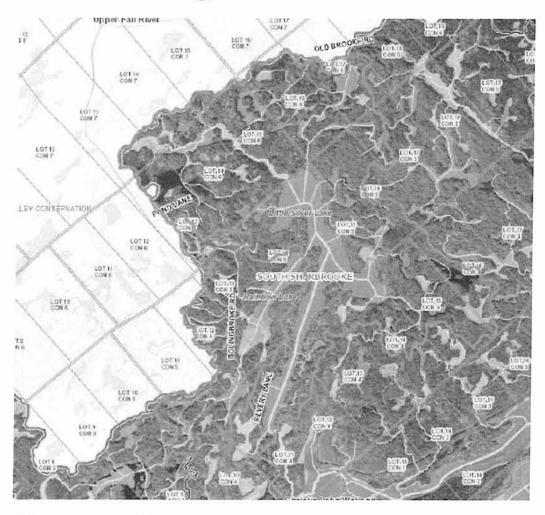


Illustration from Report #PD-2022-23

Note N-W boundary

## Undeveloped lots within the watershed

#### ATTACHMENT C - VACANT LAND ON LITTLE SILVER AND RAINBOW LAKES

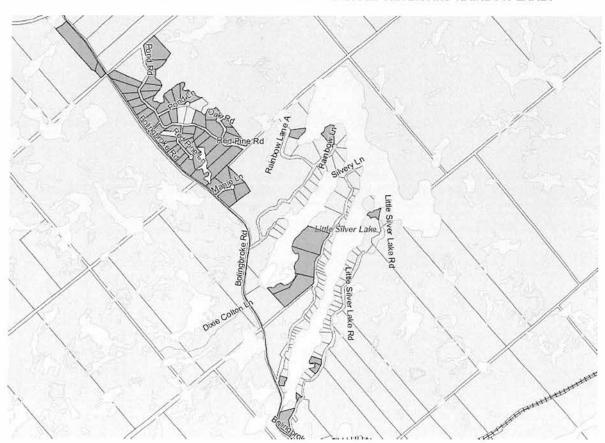


Illustration from Report #PD-2022-23

## The Boundary of the watershed transects Maberly Pines

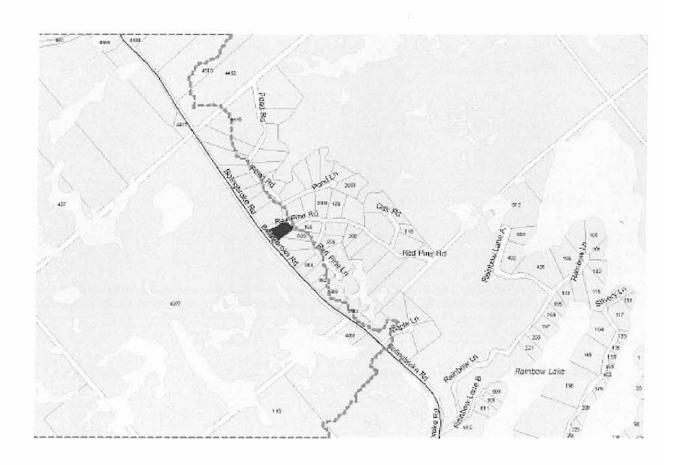


Illustration from Planner by email 14 April 2022

### Three conclusions

 MECP Confirmed that any development within the watershed will influence the lakes

And

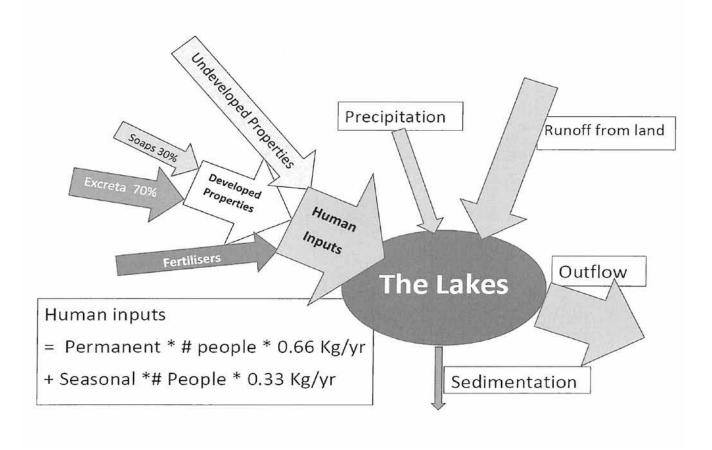
2) 30 properties in Maberly Pines are entirely within the watershed.

And

3) The undeveloped properties at Maberly Pines are the major sources of future concern for lake phosphates

## Phosphates And Lakeshore Capacity

#### **Sources and Destinations**

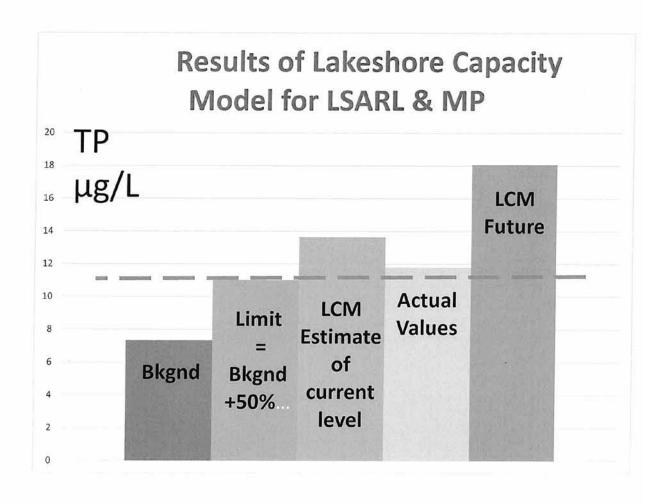


## Too little TP and the lake dies. Too much, and this happens:



Lake Dianchi, Hunnan Province, China Searching for the "Goldilocks Zone"

## MECP Estimate of Total Phosphate



### **Actions needed**

To develop the "Properties of Record"

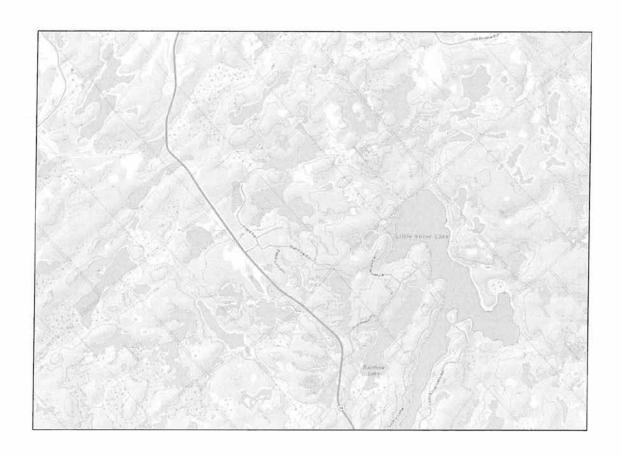
- Workshop to consider
   "Appropriate Development of the Entire Watershed"
- Do not consider Agenda Items
   7(vi) and 7(vii) of this meeting in isolation
- Further Options:

O MECP: 300m setback?

OP: Deficient Subdivision?

O DFO: Deleterious substances?

## Supplementary information A Topography



## Supplementary Information B OFAT boundary

