



## **COUNCIL MEETING AGENDA**

Thursday, August 24<sup>th</sup>, 2023  
6:00 p.m.

Municipal Office – Council Chambers – 217 Harper Road

---

6:00 p.m. *Council Meeting*

**Chair, Reeve Rob Rainer**

1. **CALL TO ORDER**
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 – June 20<sup>th</sup>, 2023 – *attached, page 10.***

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, the minutes of the Council Meeting held on June 20<sup>th</sup>, 2023, be approved as circulated.”*

- ii) **Council Meeting (Closed Session – Emergency Meeting Minutes) – June 20<sup>th</sup>, 2023 – *to be distributed at the meeting.***

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, the minutes of the Council Meeting (Closed Session – Emergency Meeting Minutes) held on June 20<sup>th</sup>, 2023, be approved as circulated.”*

- iii) **“Special” Council Meeting – June 22<sup>nd</sup>, 2023 – *attached, page 18.***

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, the minutes of the “Special” Council Meeting held on June 22<sup>nd</sup>, 2023, be approved as circulated.”*

- iv) **“Special” Council Meeting (Closed Session – Building Permit #115-2017) – June 22<sup>nd</sup>, 2023 – to be distributed at the meeting.**

*Suggested Motion by Councillor Andrew Kendrick:*

*“THAT, the minutes of the Council Meeting (Closed Session – Building Permit #115-2017) held on June 22<sup>nd</sup>, 2023, be approved as circulated.”*

- v) **“Special” Council Meeting – June 27<sup>th</sup>, 2023 – attached, page 20.**

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, the minutes of the “Special” Council Meeting held on June 27<sup>th</sup>, 2023, be approved as circulated.”*

- vi) **“Special” Council Meeting (Closed Session – Judicial Review) – June 27<sup>th</sup>, 2023 – to be distributed at the meeting.**

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, the minutes of the “Special” Council Meeting (Closed Session – Judicial Review) held on June 27<sup>th</sup>, 2023, be approved as circulated.”*

- vii) **“Special” Council Meeting – August 3<sup>rd</sup>, 2023 – attached, page 32.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“THAT, the minutes of the “Special” Council Meeting held on August 3<sup>rd</sup>, 2023, be approved as circulated.”*

- viii) **“Special” Council Meeting (Closed Session – Staffing Update) – August 3<sup>rd</sup>, 2023 – to be distributed at the meeting.**

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, the minutes of the “Special” Council Meeting (Closed Session – Staffing Update) held on August 3<sup>rd</sup>, 2023, be approved as circulated.”*

- ix) **Committee of the Whole Meeting – August 8<sup>th</sup>, 2023 – attached, page 35.**

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, the minutes of the Committee of the Whole meeting held on August 8<sup>th</sup>, 2023, be approved as circulated.”*

- x) **Committee of the Whole Meeting (Closed Session – Potential Acquisition of Land) – August 8<sup>th</sup>, 2023 – to be distributed at the meeting.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, the minutes of the Committee of the Whole Meeting (Closed Session – Potential Acquisition of Land) held on August 8<sup>th</sup>, 2023, be approved as circulated.”*

- xi) **“Special” Council Meeting – August 10<sup>th</sup>, 2023 – attached, page 42.**

*Suggested Motion by Councillor Andrew Kendrick:*

**“THAT**, the minutes of the “Special” Council Meeting held on August 10<sup>th</sup>, 2023, be approved as circulated.”

- xii) **“Special” Council Meeting (Closed Session – Building Permit #115-2017) – August 10<sup>th</sup>, 2023 – to be distributed at the meeting.**

*Suggested Motion by Councillor Greg Hallam:*

**“THAT**, the minutes of the “Special Council Meeting (Closed Session – Building Permit #115-2017) held on August 10<sup>th</sup>, 2023, be approved as circulated.”

## 5. DELEGATIONS & PRESENTATIONS

None.

## 6. CORRESPONDENCE

None.

## 7. MOTIONS

- i) **Presentation: History Scholarship Annual Update.**

*Suggested Motion by Councillor Korrine Jordan:*

**“THAT**, the History Scholarship Annual Update presentation to Tay Valley Township Council on August 8<sup>th</sup>, 2023, be received for information.”

- ii) **Presentation: Valley Heartland Community Futures Development Corporation.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

**“THAT**, the Valley Heartland Community Futures Development Corporation presentation to Tay Valley Township Council on August 8<sup>th</sup>, 2023, be received for information.”

- iii) **Report #PD-2023-16 – Proposed Cell Tower – Bathurst 2<sup>nd</sup> Concession.**

*Suggested Motion by Councillor Marilyn Thomas:*

**“THAT**, the Council of the Corporation of Tay Valley Township support the application for a communication tower by Xplore Inc at 2145 Bathurst 2nd Concession in order to increase access to service;

**AND THAT**, Staff write a letter of concurrence.”

iv) **Report #PD-2023-18 – Housing Accelerator Fund**

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, the Municipality submit an application to the Federal Housing Accelerator Fund.”*

v) **Report #PD-2023-17 – Comments on Draft Lanark County Climate Action Plan.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, the Township submit its comments on the Draft County Climate Action Plan to the Lanark County Clerk;*

*AND THAT, the comments also be shared with the other Lanark County lower tier municipalities and the Town of Smiths Falls.”*

vi) **Report #CBO-2023-07 – Building Department Report - January to June 2023.**

*Suggested Motion by Councillor Andrew Kendrick:*

*“THAT, Report #CBO-2023-07 – Building Department Report - January to June 2023 be received for information.”*

vii) **Report #CBO-2023-08 – Building Department Report - January to July 2023.**

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, Report #CBO-2023-08 – Building Department Report - January to July 2023 be received for information.”*

viii) **Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements.**

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, the Railway Safety Improvement Program Funding Agreement for the railway warning system improvements at the Christie Lake North Shore Road Crossing as outlined in Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements, be approved;*

*THAT, the estimated cost of \$39,910 be funded from the Contingency Reserve unless funding is received from the Railway Safety Improvement Program, with the estimated costs would then be \$19,995.00;*

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

ix) **Report #PW-2023-17 – Glen Tay Culvert Tender Award.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“THAT, Tender #2023-RF-002 – Glen Tay Culvert Rehabilitation be cancelled for the reasons outlined in Report #PW-2023-17 – Glen Tay Culvert - Tender Award;*

*AND THAT, the project be deferred to 2024.”*

x) **Report #PW-2023-15 – Forest Trail Fencing – Request for Quotation**

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, Request for Quotation #2023-PW-003 – Perimeter Fencing for the Forest Trail be awarded to Crains’ Construction Limited;*

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

xi) **Report #CAO-2023-16 – Bolingbroke Cemetery By-Law.**

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, proposed Bolingbroke Cemetery By-Law be brought forward to the next Council meeting for approval in order to be submitted to the Bereavement Authority of Ontario (BAO) for final approval.”*

xii) **23-06-28 and 23-08-01 – Council Communication Packages.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, the 23-06-28 and 23-08-01 Council Communication Packages be received for information.”*

xiii) **23-07-27 – Harper Road Petition in Support of Traffic Calming Measures.**

*Suggested Motion by Councillor Andrew Kendrick:*

*“THAT, the petition dated July 27<sup>th</sup>, 2023, regarding traffic calming measures for a portion of Harper Road be referred to staff;*

*AND THAT, staff bring back a report to Council at the September Committee of the Whole meeting that addresses the petition.”*

## 8. BY-LAWS

- i) **By-Law No. 2023-034 – Road Naming – Lampman Hill – attached, page 53.**

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, By-law No. 2023-034, being a by-law to Amend Road Naming By-Law No. 98.87 (Lampman Hill), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- ii) **By-Law No. 2023-035: Bolingbroke Cemetery By-Law – attached, page 57.**

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, By-Law No. 2023-035, being a by-law providing for the operations of the Bolingbroke Cemetery, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- iii) **By-Law No. 2023-036 – Zoning By-Law Amendment - Roberts – attached, page 73.**

*Suggested Motion by Councillor Deputy Reeve Fred Dobbie:*

*“THAT, By-Law No. 2023-036, being a by-law to amend Zoning By-Law No. 2002-121, as amended (Roberts – 709 Clarchris Road, Part Lots 22 and 23, Concession 4, Geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- iv) **By-Law No. 2023-037 – Zoning By-Law Amendment – Weeks – attached, page 76.**

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, By-Law No. 2023-037, being a by-law to amend Zoning By-Law No. 2002-121, as amended (Weeks - Bathurst Upper 4th Concession, Part Lot 11, Concession 3, Geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

- v) **By-Law No. 2023-038 – Zoning By-Law Amendment – Multi-Residential and Cohousing – attached, page 79.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, By-law No. 2023-038, being a by-law to amend Zoning By-Law No. 2002-121, as amended (Section 2 Definitions, Section 4.2 Zones and Zone Symbols, and Section 5 Residential Zones), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

## 9. NEW/OTHER BUSINESS

- i) **Notice of Intention to Reconsider – Forest Trail Name.**  
Amanda Mabo, Chief Administrative Officer/Clerk.

## 10. CALENDARING

Meeting	Date	Time	Location
Fire Board Meeting	August 21 <sup>st</sup>	6:00 p.m.	BBD&E Station – Training Room
Bolingbroke Cemetery Board Meeting	August 24 <sup>th</sup>	1:00 p.m.	Municipal Office
Council Meeting	August 24 <sup>th</sup>	6:00 p.m.	Municipal Office
Maberly Fair	August 26 <sup>th</sup>	8:00 a.m.	4884 Bolingbroke Road, Maberly
Lanark County Warden's Golf Tournament	August 31 <sup>st</sup>	11:30 a.m.	Timber Run Golf Course, Lanark Highlands
Ontario East Municipal Conference	September 6 <sup>th</sup> – 8 <sup>th</sup>		Ottawa
Pinehurst Cemetery - Memorial Service	September 10 <sup>th</sup>	2:30 p.m.	Pinehurst Cemetery
"Special" Council Meeting	September 11 <sup>th</sup>	5:30 p.m.	Municipal Office
Public Meeting – Zoning Amendment	September 12 <sup>th</sup>	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	September 12 <sup>th</sup>	Following	Municipal Office
OAPSB Zone 2 Meeting	September 15 <sup>th</sup>	9:00 a.m.	Russell
Green Energy and Climate Change Working Group Meeting	September 15 <sup>th</sup>	2:00 p.m.	Municipal Office
MVCA Board of Directors Meeting	September 20 <sup>th</sup>	1:00 p.m.	MVCA Offices
"Special" Council Meeting	September 21 <sup>st</sup>	5:30 p.m.	Municipal Office
Police Services Board Meeting	September 26 <sup>th</sup>	2:00 p.m.	Municipal Office
Council Meeting	September 26 <sup>th</sup>	6:00 p.m.	Municipal Office

## 11. CLOSED SESSIONS

### i) **CONFIDENTIAL: Potential Litigation – 502 Pike Lake Route 5.**

*Suggested Motion by Councillor Andrew Kendrick:*

**“THAT**, Council move “in camera” at \_\_\_ p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding 500 Pike Lake Route 5;

**AND THAT**, the Chief Administrative Officer/Clerk, Planner, and Deputy Clerk remain in the room.”

*Suggested Motion by Councillor Andrew Kendrick:*

**“THAT**, Council return to open session at \_\_\_\_\_p.m.”

· *Chair's Rise and Report.*

ii) **CONFIDENTIAL: Potential Land Acquisition.**

*Suggested Motion by Councillor Greg Hallam:*

***“THAT,** Council move “in camera” at \_\_\_ p.m. to address a matter pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board regarding a potential land acquisition;*

***AND THAT,** the Chief Administrative Officer/Clerk and Deputy Clerk remain in the room.”*

*Suggested Motion Councillor Greg Hallam:*

***“THAT,** Council return to open session at \_\_\_\_\_p.m.”*

· *Chair's Rise and Report.*

**12. CONFIRMATION BY-LAW**

i) **By-Law No. 2023-039 - Confirmation By-Law – August 24<sup>th</sup>, 2023 – attached, page 83.**

*Suggested Motion by Councillor Korrine Jordan:*

***“THAT,** By-Law No. 2023-039, being a by-law to confirm the proceedings of the Council meeting held on August 24<sup>th</sup>, 2023, 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, June 20<sup>th</sup>, 2023**

**6:00 p.m.**

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

---

### **ATTENDANCE:**

**Members Present:** Chair, Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Wayne Baker  
Councillor Greg Hallam  
Councillor Marilyn Thomas  
Councillor Korrine Jordan  
Councillor Andrew Kendrick  
Councillor Angela Pierman

**Staff Present:** Amanda Mabo, Chief Administrative Officer/Clerk  
Olivia Trudel, Executive Assistant/Recording Secretary  
Sean Ervin, Public Works Manager

---

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

The meeting was called to order at 6:01 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**

Councillor Hallam declared a conflict of interest on item 7 ix) of tonight's agenda and item 7 iii) of the June Committee of the Whole agendas because his spouse is the CEO of the Perth and Smiths Falls District Hospital Foundation.

#### 4. APPROVAL OF MINUTES

- i) **“Emergency” Council Meeting – May 18<sup>th</sup>, 2023.**

**RESOLUTION #C-2023-06-01**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Marilyn Thomas

**“THAT**, the minutes of the Council Meeting held on May 18<sup>th</sup>, 2023, be approved as circulated.”

**ADOPTED**

- ii) **“Emergency” Council Meeting (Closed Session – Potential Litigation) – May 18<sup>th</sup>, 2023.**

Councillor Kendrick requested that Council move into closed session to discuss the “Emergency” Council Meeting (Closed Session – Potential Litigation) May 18<sup>th</sup>, 2023 minutes.

**RESOLUTION #C2023-06-02**

**MOVED BY:** Angela Pierman

**SECONDED BY:** Marilyn Thomas

**“THAT**, Council move “in camera” at 6:06 p.m. to address a matter pertaining to the minutes of the “Emergency” Council Meeting (Closed Session – Potential Litigation) May 18<sup>th</sup>, 2023;

**AND THAT**, the Chief Administrative Officer/Clerk and Executive Assistant remain in the room.”

**ADOPTED**

**RESOLUTION #C2023-06-03**

**MOVED BY:** Marilyn Thomas

**SECONDED BY:** Greg Hallam

**“THAT**, Council return to open session at 6:15 p.m.”

**ADOPTED**

The Chair rose and reported that Council discussed questions related to the “Emergency” Council Meeting (Closed Session – Potential Litigation) May 18<sup>th</sup>, 2023 minutes.

**RESOLUTION #C-2023-06-04**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Fred Dobbie

“**THAT**, the minutes of the “Emergency” Council Meeting (Closed Session – Potential Litigation) held on May 18<sup>th</sup>, 2023, be approved as circulated.”

**ADOPTED**

iii) **Council Meeting – May 23<sup>rd</sup>, 2023**

**RESOLUTION #C-2023-06-05**

**MOVED BY:** Fred Dobbie  
**SECONDED BY:** Marilyn Thomas

“**THAT**, the minutes of the Council Meeting held on May 23<sup>rd</sup>, 2023, be approved as circulated.”

**ADOPTED**

iv) **Committee of the Whole Meeting – June 6<sup>th</sup>, 2023**

**RESOLUTION #C-2023-06-06**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Fred Dobbie

“**THAT**, the minutes of the Committee of the Whole Meeting held on June 6<sup>th</sup>, 2023, be approved as circulated.”

**ADOPTED**

v) **Committee of the Whole Meeting (Closed Session – Identifiable Individual – Staffing Update) – June 6<sup>th</sup>, 2023**

**RESOLUTION #C-2023-06-07**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Fred Dobbie

“**THAT**, the minutes of the Committee of the Whole Meeting held on June 6<sup>th</sup>, 2023, be approved as circulated.”

**ADOPTED**

**5. DELEGATIONS & PRESENTATIONS**

None.

**6. CORRESPONDENCE**

None.

## 7. MOTIONS

- i) **Report #CAO-2023-15 – Municipal Report Card.**

**RESOLUTION #C-2023-06-08**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Fred Dobbie

“**THAT**, the Municipal Report Card be produced annually as outlined in Report #CAO-2023-15 – Municipal Report Card.”

**ADOPTED**

- ii) **Integrity Commissioner Services Annual Report – 2022.**

**RESOLUTION #C-2023-06-09**

**MOVED BY:** Angela Pierman  
**SECONDED BY:** Wayne Baker

“**THAT**, the Integrity Commissioner Service Annual Report – 2022 be received for information.”

**ADOPTED**

- iii) **Proposed 2023 Provincial Policy Statement – Comments Be Forwarded to Media.**

**RESOLUTION #C-2023-06-10**

**MOVED BY:** Wayne Baker  
**SECONDED BY:** Angela Pierman

“**THAT**, the Municipality’s response to the Environmental Registry of Ontario (ERO) regarding ERO Number 019-6813 Review of Proposed Policies Adapted from A Place to Grow and the Provincial Policy Statement to Form a New Provincial Planning Policy Instrument be forwarded to local media for information.”

**ADOPTED**

- iv) **Report #CBO-2023-06 – Building Department Report – January – May 2023.**

**RESOLUTION #C-2023-06-11**

**MOVED BY:** Andrew Kendrick  
**SECONDED BY:** Greg Hallam

“**THAT**, Report #CBO-2023-06 – Building Department Report – January - May 2023 be received as information.”

**ADOPTED**

v) **Appointment of Soccer Volunteer.**

**RESOLUTION #C-2023-06-12**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Korrine Jordan

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer for the 2023 Tay Valley Soccer Program, subject to the Criminal Records Check Policy:

· Kiefer McBride.”

**ADOPTED**

vi) **23-06-01 – Council Communication Package.**

**RESOLUTION #C-2023-06-13**

**MOVED BY:** Korrine Jordan

**SECONDED BY:** Greg Hallam

“**THAT**, the 23-06-01 Council Communication Package, excluding items 11 to 14, be received for information.”

**ADOPTED**

vii) **Municipal Letter of Support for the Application of the Perth Family Health Organization to Become the Perth Family Health Team.**

**RESOLUTION #C-2023-06-14**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Marilyn Thomas

“**THAT**, the Council of the Corporation of Tay Valley Township send a letter of support to Ontario Health in support of the application of the Perth Family Health Organization to become the Perth Family Health Team.”

**ADOPTED**

viii) **Reducing Municipal Insurance Costs.**

**RESOLUTION #C-2023-06-15**

**MOVED BY:** Marilyn Thomas

**SECONDED BY:** Fred Dobbie

“**WHEREAS**, escalating insurance costs are one of Tay Valley Township’s top financial concerns;

**AND WHEREAS**, the costs of insurance are having a significant impact on municipal budgets in Tay Valley Township and around the Province;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of the Corporation of Tay Valley Township supports the Municipality of Chatham-Kent’s resolution regarding the reduction of Municipal Insurance Costs;

**AND THAT**, a letter of support be sent to the Municipality of Chatham-Kent and all Ontario Municipalities.”

**ADOPTED**

ix) **OPP Council Crimes Event Fundraiser.**

Councillor Hallam left the room at 6:22 p.m. as he declared a conflict of interest on this item.

**RESOLUTION #C-2023-06-16**

**MOVED BY:** Angela Pierman

**SECONDED BY:** Wayne Baker

“**THAT**, the Council of the Corporation of Tay Valley Township nominate Councillor Marilyn Thomas and Councillor Korrine Jordan to be arrested for a Council Crime to support the OPP Council Crimes Fundraiser;

**THAT**, the charity of choice be the Perth and Smiths Falls District Hospital Foundation with funds raised being directed towards the purchase of a MRI machine;

**AND THAT**, the goal of \$5000.00 be set.”

**ADOPTED**

Councillor Hallam returned to the room at 6:23 p.m.

**8. BY-LAWS**

i) **By-Law No. 2023-026: Animal Pound Contract.**

**RESOLUTION #C-2023-06-17**

**MOVED BY:** Wayne Baker

**SECONDED BY:** Angela Pierman

“**THAT**, By-Law No. 2023-026, being a by-law to authorize the execution of a Pound Services Agreement, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

ii) **By-Law No. 2023-027 – Ontario 211 Service Agreement.**

**RESOLUTION #C-2023-06-18**

**MOVED BY:** Andrew Kendrick

**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2023-027, being a by-law to authorize the execution of a Service Agreement with Community Navigation of Eastern Ontario/211 Eastern Region, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

iii) **By-Law No. 2023-028 – Deputy Clerk.**

**RESOLUTION #C-2023-06-19**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Korrine Jordan

“**THAT**, By-Law No. 2023-028, being a by-law to appoint a Deputy Clerk (Aaron Watt), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

Mr. Watt was in attendance and read and signed the Declaration of Appointed Office.

**9. NEW/OTHER BUSINESS**

i) **Report #PW-2023-14 – Fencing – Tender Award**

**RESOLUTION #C-2023-06-20**

**MOVED BY:** Korrine Jordan

**SECONDED BY:** Greg Hallam

“**THAT**, Tender #2023-RF-002 – Fencing, be cancelled as the bids came in significantly over budget;

**THAT**, Section 7 of the Procurement Policy be waived;

**AND THAT**, Staff be authorized to obtain three quotes from local companies.”

**ADOPTED**



**10. CALENDARING**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
<b>“Special” Council Meeting</b>	June 22 <sup>nd</sup>	5:30 p.m.	Municipal Office
<b>“Special” Council Meeting</b>	June 27 <sup>th</sup>	5:30 p.m.	Municipal Office
<b>Bolingbroke Cemetery – Memorial Service</b>	July 9 <sup>th</sup>	10:30 a.m.	Bolingbroke Cemetery
<b>Lanark County Association of Police Services Boards</b>	July 19 <sup>th</sup>	10:00 a.m.	Lanark Highlands
<b>Mississippi Valley Conservation Authority Board Meeting</b>	July 19 <sup>th</sup>	1:00 p.m.	MVCA Office
<b>Rideau Valley Conservation Authority Board of Directors Meeting</b>	July 27 <sup>th</sup>	6:30 p.m.	RVCA Office
<b>Public Meeting – Zoning By-Law Amendments</b>	August 8 <sup>th</sup>	5:30 p.m.	Municipal Office
<b>Committee of the Whole Meeting</b>	August 8 <sup>th</sup>	Following	Municipal Office
<b>Green Energy and Climate Change Working Group Meeting</b>	August 11 <sup>th</sup>	2:00 p.m.	Municipal Office
<b>“Special” Council Meeting</b>	August 15 <sup>th</sup>	5:30 p.m.	Municipal Office
<b>Mississippi Valley Conservation Authority Board Meeting</b>	July 19 <sup>th</sup>	1:00 p.m.	MVCA Office
<b>Council Meeting</b>	August 22 <sup>nd</sup>	6:00 p.m.	Municipal Office

**11. CLOSED SESSIONS**

None.

**12. CONFIRMATION BY-LAW**

i) **By-Law No. 2023-029 - Confirmation By-Law – June 20<sup>th</sup>, 2023.**

**RESOLUTION #C-2023-06-21**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Marilyn Thomas

“**THAT**, By-Law No. 2023-029, being a by-law to confirm the proceedings of the Council meeting held on June 20<sup>th</sup>, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**13. ADJOURNMENT**

Council adjourned at 6:33 p.m.

## **“SPECIAL” COUNCIL MEETING MINUTES**

---

**Thursday, June 22<sup>nd</sup>, 2023**

**5:30 p.m.**

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

**Council Chambers**

---

### **ATTENDANCE:**

#### **Members Present:**

Chair, Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Wayne Baker  
Councillor Greg Hallam  
Councillor Marilyn Thomas  
Councillor Korrine Jordan  
Councillor Andrew Kendrick  
Councillor Angela Pierman

#### **Staff Present:**

Amanda Mabo, Chief Administrative Officer/Clerk  
Olivia Trudel, Executive Assistant/Recording Secretary  
Noelle Reeve, Planner

#### **Others Present:**

Tony Fleming, Solicitor

#### **Members & Staff Absent:**

None.

---

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

The meeting was called to order at 5:45 p.m.  
A quorum was present.

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

None at this time.

**3. CLOSED SESSION**

- i) **CONFIDENTIAL: Litigation – Building Permit #115-2017.**

**RESOLUTION #C-2023-06-22**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Fred Dobbie

“**THAT**, Council move “in camera” at 5:46 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding Building Permit #115-2017;

**AND THAT**, the Chief Administrative Officer/Clerk, Planner, Executive Assistant and Tony Fleming, Legal Counsel remain in the room.”

**ADOPTED**

**RESOLUTION #C-2023-06-23**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Fred Dobbie

“**THAT**, Council return to open session at 6:57 p.m.”

**ADOPTED**

The Chair rose and reported that Council was provided an update and provided direction regarding Building Permit #115-2017.

**4. CONFIRMATION BY-LAW**

- i) **By-Law No. 2023-030 - Confirmation By-Law – June 22<sup>nd</sup>, 2023**

**RESOLUTION #C-2023-06-24**

**MOVED BY:** Angela Pierman  
**SECONDED BY:** Wayne Baker

“**THAT**, By-Law No. 2023-030, being a by-law to confirm the proceedings of the Council meeting held on June 22<sup>nd</sup>, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**5. ADJOURNMENT**

Council adjourned at 6:57 p.m.

## **“SPECIAL” COUNCIL MEETING MINUTES**

---

**Tuesday, June 27<sup>th</sup>, 2023**

**5:30 p.m.**

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

**Council Chambers**

---

### **ATTENDANCE:**

#### **Members Present:**

Chair, Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Wayne Baker  
Councillor Greg Hallam  
Councillor Marilyn Thomas  
Councillor Andrew Kendrick  
Councillor Angela Pierman

#### **Staff Present:**

Amanda Mabo, Chief Administrative Officer/Clerk  
Olivia Trudel, Executive Assistant/Recording Secretary

#### **Others Present:**

Tony Fleming, Solicitor

#### **Members & Staff Absent:**

Councillor Korrine Jordan

---

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

The meeting was called to order at 5:33 p.m.  
A quorum was present.

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

None at this time.

### 3. CLOSED SESSION

#### i) **CONFIDENTIAL: Litigation – Judicial Review.**

##### **RESOLUTION #C-2023-06-25**

**MOVED BY:** Wayne Baker

**SECONDED BY:** Angela Pierman

“**THAT**, Council move “in camera” at 5:34 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding Judicial Review;

**AND THAT**, the Chief Administrative Officer/Clerk, Planner, Executive Assistant and Tony Fleming, Legal Counsel remain in the room.”

**ADOPTED**

##### **RESOLUTION #C-2023-06-26**

**MOVED BY:** Wayne Baker

**SECONDED BY:** Angela Pierman

“**THAT**, Council return to open session at 6:37 p.m.”

**ADOPTED**

The Chair rose and reported that Council was provided an update and provided direction regarding a Judicial Review.

Council recessed at 6:38 p.m.

Council returned to session at 6:43 p.m.

### 4. NEW/OTHER BUSINESS

#### i) **DRAFT 2023-2026 Strategic Plan and DRAFT Survey to the Public**

The CAO/Clerk reviewed the PowerPoint presentation of the Strategic Plan with Council – *attached, page 5.*

Council suggested that brief descriptions of the Values be added to the Strategic Plan. A one-page document will be produced with the Mission, Vision, and Values and the explanations will be provided in the larger document.

Council agreed that they would like time to review the DRAFT 2023-2026 Strategic Plan and would like to schedule a “Special” Council meeting in the fall to have time to discuss further.

**5. CONFIRMATION BY-LAW**

- i) **By-Law No. 2023-030 - Confirmation By-Law – June 22<sup>nd</sup>, 2023**

**RESOLUTION #C-2023-06-27**

**MOVED BY:** Angela Pierman

**SECONDED BY:** Wayne Baker

“**THAT**, By-Law No. 2023-031, being a by-law to confirm the proceedings of the Council meeting held on June 27<sup>th</sup>, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**6. ADJOURNMENT**

Council adjourned at 7:19 p.m.

---

# DRAFT STRATEGIC PLAN

(2023-2026)

Council  
June 27, 2023



1

---

## What is Strategic Planning?

- Preparing for the future
- Establishing a long-term vision (what will the future look like) with goals
- Developing and executing an action plan
- An overarching plan that integrates with the annual budget



2

## Why Plan Strategically?

---

- Builds an organization wide understanding of what fundamental issues or future choices are important
- Provides guidance to Council on future policy matters
- A guiding document for staff within the organization to inform strategic and operational decisions
- An opportunity to review activities, programs and services delivered by a municipality to ensure they remain relevant and worthy of continued investment



3

## Why Plan Strategically? (continued)

---

- A formal document with communications value provides guidance to supporters, partners, and the community to understand municipal priorities
- A tool to install confidence to invest in the community and for other organizations to provide financial support to the municipality



4



## Components of a Strategic Plan

---

- Mission
- Vision
- Values
- Strategic Priorities
- Strategic Initiatives
- Action Items



5

## How did we get here

---

- February 2023      Individual Interviews held with Members and Senior Staff
- March 11, 2023      All day Strategic Planning Session with Consultant
- April/May, 2023      Initial Drafts reviewed by Senior Management, comments provided to Consultant
- June 27, 2023      Draft Plan to Council



6

## How did we get here (continued)

---

- The Mission, Vision and Values were developed at the all-day working session
- Feedback provided during the individual interviews, the all-day working session and from Township master plans were combined to create the Action Items that would be achievable during the current term of Council
- The Action Items were then group appropriately under Strategic Initiatives
- Those Strategic Initiatives were then grouped under five Strategic Priorities



7

## Our Vision

---

Tay Valley Township is an inclusive rural community that honours our culture, heritage and natural landscape, where people strive to improve the quality of life for all



8

## Our Mission

---

To deliver efficient and effective services for the benefit of residents, visitors and businesses



9

## Our Values

---

Respectful

Accountable

Future-Focused



10

## Strategic Priorities

---

- Strong Community
- Healthy Environment
- Thriving Culture, Economy and Tourism
- Sustainable Finances
- Good Governance



11

## Strategic Initiatives

---

- Strong Community
  - Planning and Development
  - Waste Management Master Plan
  - Accessibility
  - Age-Friendly Community Plan
- Healthy Environment
  - Climate Action Plan
  - Environmental Protection



12

## Strategic Initiatives (continued)

---

### ➤ Thriving Culture, Economy and Tourism

- Recreation Master Plan
- Economic Development and Tourism
- Cemeteries

### ➤ Sustainable Finances

- Asset Management
- Fiscal Responsibility



13

## Strategic Initiatives (continued)

---

### ➤ Good Governance

- Human Capital
- Communications
- Process Improvement



14

## Next Steps

---

- Council as a whole provide feedback on the draft
- Release survey to the public
- Council as a whole consider feedback from the public
- Adopt Strategic Plan
- Communicate Plan to the Public
- Staff to establish a monitoring program to track progress



15

## Promote Plan to the Public

---

- Newsfeed, Website, Social Media
- Full Strategic Plan, Brochure, Summary Page



16

# Sample - Summary Page

The Valley Township - Strategic Plan 2013-2016

## Top Valley Township - Strategic Plan - Executive Summary

**Strategic Priorities 2013-2016**

1	2	3	4	5	6
<b>Asset Management Plan - 10 Year Capital Plan</b> <ul style="list-style-type: none"> <li>1. Complete an asset management plan.</li> <li>2. Review the 10 Year Capital Plan.</li> <li>3. Create funding plan for replacement infrastructure.</li> <li>4. Implement public communication strategy.</li> </ul>	<b>Official Plan and Zoning By Law</b> <ul style="list-style-type: none"> <li>1. Identify and use any existing zoning bylaws to implement through the Official Plan for the Township.</li> <li>2. Update the Zoning By Law to reflect the updated Official Plan.</li> </ul>	<b>Water Stewardship and Environmental Management</b> <ul style="list-style-type: none"> <li>1. Identify existing water use in the Township.</li> <li>2. Develop a water stewardship strategy to maximize existing water capacity.</li> <li>3. Develop and implement a Water Conservation Program.</li> <li>4. Conduct an assessment of the Township's water resources.</li> </ul>	<b>People Plan</b> <ul style="list-style-type: none"> <li>1. Develop a multi-faceted performance management system.</li> <li>2. Conduct an organizational review.</li> <li>3. Create and implement a human resources and development plan.</li> <li>4. Identify, develop, retain and replace key personnel and staff.</li> </ul>	<b>Economic Development</b> <ul style="list-style-type: none"> <li>1. Create an Economic Development Strategy using existing local assets (business, health, recreation, arts, agriculture, etc.) to attract investment.</li> <li>2. Support the growth of existing and potential small and medium-sized businesses.</li> <li>3. Encourage a high quality business environment.</li> </ul>	<b>Recruitment and Education Response</b> <ul style="list-style-type: none"> <li>1. Develop and implement a recruitment and retention strategy.</li> <li>2. Develop a long-term educational plan.</li> </ul>

**Mission:**  
To deliver local, real services for the benefit of all taxpayers in a way that is sustainable and long-term for residents of the Municipality.

**Values:**  
The Valley Township is a proud community that honours our culture and heritage, where citizens and business alike to improve the quality of their life, residents and visitors find sustainable, affordable and secure environment.

Housing Accessibility	Public & Active Transportation	Communication & Connectivity
<p>1. Research, promote and support a variety of transportation and housing alternatives by means, corridors, nodes, transit focus, or housing cluster development and land use development.</p> <p>2. Assess existing by-law and zoning to permit and support a variety of housing options.</p> <p>3. Work with local housing groups to permit and promote housing options.</p> <p>4. Promote new housing options in the public and private through our various policies, programming, and marketing initiatives.</p> <p>5. Visit our planning staff to help in finding other alternative housing options.</p>	<p>1. Work with the Local Transportation Association, the Council of town and other to develop and promote sustainable public transportation options.</p> <p>2. Coordinate with Council, County and others to improve, expand and promote services to inter-connected modes of public transportation such as connecting, learning, riding, and transit quality.</p> <p>3. Coordinate with the Council of town and others to support the development of roads with transit stations, including with the SMARTLINK transit through the Township.</p> <p>4. Consider joint initiatives and identify other modes to enhance transit and public transportation through the town, including water rail.</p>	<p>1. Conduct community meetings to identify their communication needs and requirements.</p> <p>2. Enhance methods of communication with residents to encourage their engagement and collaboration with public, social media, networking, meetings, etc.</p> <p>3. Enhance and promote the Township's website to help content, improve navigation, bring community events and provide opportunities for residents to share information.</p> <p>4. Work with service providers to develop and promote Township-wide events to help share coverage and affordable high speed internet.</p>

## **“SPECIAL” COUNCIL MEETING MINUTES**

---

**Thursday, August 3<sup>rd</sup>, 2023**

**5:30 p.m.**

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

**Council Chambers**

---

### **ATTENDANCE:**

#### **Members Present:**

Chair, Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Wayne Baker  
Councillor Greg Hallam  
Councillor Marilyn Thomas  
Councillor Andrew Kendrick  
Councillor Angela Pierman  
Councillor Korrine Jordan

#### **Staff Present:**

Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk

#### **Others Present:**

None

#### **Members & Staff Absent:**

None

---

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

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

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

None at this time.



**3. CLOSED SESSION**

i) **CONFIDENTIAL: Staffing Update.**

**RESOLUTION #C-2023-08-01**

**MOVED BY:** Wayne Baker  
**SECONDED BY:** Marilyn Thomas

**“THAT**, Council move “in camera” at 5:32 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 Chief Administrative Officer/Clerk and Deputy Clerk remain in the room.”

**ADOPTED**

**RESOLUTION #C-2023-08-02**

**MOVED BY:** Wayne Baker  
**SECONDED BY:** Marilyn Thomas

**“THAT**, Council return to open session at 6:43 p.m.”

**ADOPTED**

**RESOLUTION #C-2023-08-03**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Marilyn Thomas

**“WHEREAS**, a pay equity and compensation review has not been completed since 2009;

**AND WHEREAS**, the Township has considered an interim market equity adjustment pending finalization of the 2023 Compensation Review to address attraction/retention challenges for the Senior Team: Chief Administrative Officer/Clerk, Public Works Manager, Treasurer and Planner positions;

**NOWHEREFORE BE IT RESOLVED THAT**, the hours of work for the Public Works Manager be increased from 35 hours/week to 40 hours/week;

**THAT**, the hours of work for the Treasurer and Planner be increased from 35 hours/week to 37.5 hours/week;

**AND THAT**, in order to bring the pay rates of the positions closer to the competitive market that the following interim market equity adjustments be made:

- Chief Administrative Officer/Clerk      \$73.90/hour (\$153,371 annually)
- Public Works Manager                      \$57.78/hour (\$120,182 annually)
- Treasurer and Planner                      \$54.90/hour (\$107,055 annually).”

**4. CONFIRMATION BY-LAW**

- i) **By-Law No. 2023-032 - Confirmation By-Law – August 3<sup>rd</sup>, 2023.**

**RESOLUTION #C-2023-08-04**

**MOVED BY:** Andrew Kendrick

**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2023-032, being a by-law to confirm the proceedings of the Council meeting held on August 3<sup>rd</sup>, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**5. ADJOURNMENT**

Council adjourned at 6:45 p.m.

## **COMMITTEE OF THE WHOLE MINUTES**

---

**Tuesday, August 8<sup>th</sup>, 2023**

**Immediately following the Public Meeting – Zoning By-Law Amendment(s) at 5:30 p.m.  
Tay Valley Municipal Office – 217 Harper Road, Perth, Ontario  
Council Chambers**

---

### **ATTENDANCE:**

**Members Present:** Chair, Councillor Marilyn Thomas  
Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Korrine Jordan  
Councillor Greg Hallam  
Councillor Angela Pierman  
Councillor Wayne Baker

**Staff Present:** Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk  
Noelle Reeve, Planner (left at 7:35 p.m.)  
Sean Ervin, Public Works Manager (left at 8:19 p.m.)

**Regrets:** Councillor Andrew Kendrick

---

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

The meeting was called to order at 6:20 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

None.

#### 5. DELEGATIONS & PRESENTATIONS

i) **Presentation: History Scholarship Annual Update.**

K. Rogers gave a PowerPoint presentation that was attached to the agenda.

A Member asked how many applications in a year? And if consideration has been made for a second prize?

K. Rogers explained that 6-8 applications are received annually from both local high schools. When in discussion with the financial organizers of the Foundation, it has been suggested that awards be kept to just a winner as they are to ensure the longevity. She went on to explain that other investment and indexing options are being considered as the scholarship award is likely to grow in the coming years. While donations to the fund are always welcome, they are not currently campaigning for such.

Recommendation to Council:

**THAT**, the History Scholarship Annual Update presentation to Tay Valley Township Council on August 8<sup>th</sup>, 2023, be received for information.”

ii) **Presentation: Valley Heartland Community Futures Development Corporation.**

T. Stevens gave a PowerPoint presentation that was attached to the agenda.

General discussion followed, a Member asked in order to get services, must a business first have a loan?

T. Stevens explained that services are available whether a loan is part of their dealing with clients or not. Clients and potential clients have access to their location by telephone or visit, and all website resources. Valley Heartland Community Futures Development Corporation is increasing communications through radio ads, Google ads, social media, and print material at local municipal offices and Chambers of Commerce.

Recommendation to Council:

**“THAT**, the Valley Heartland Community Futures Development Corporation presentation to Tay Valley Township Council on August 8<sup>th</sup>, 2023, be received for information.”

## 6. PRIORITY ISSUES

### i) **Report #PD-2023-16 – Proposed Cell Tower – Bathurst 2nd Concession.**

A Member requested clarification on the report, that the proposed tower is one of communications – broadband internet, not cellular service. The Planner confirmed that the tower is classified as communications, not cellular.

Recommendation to Council:

**“THAT**, the Council of the Corporation of Tay Valley Township support the application for a communication tower by Xplore Inc at 2145 Bathurst 2nd Concession in order to increase access to service;

**AND THAT**, Staff write a letter of concurrence.”

### ii) **Report #PD-2023-18 – Housing Accelerator Fund**

Recommendation to Council:

**“THAT**, the Municipality submit an application to the Federal Housing Accelerator Fund.”

### iii) **Report #PD-2023-17 – Comments on Draft Lanark County Climate Action Plan.**

Recommendation to Council:

**“THAT**, the Township submit its comments on the Draft County Climate Action Plan to the Lanark County Clerk;

**AND THAT**, the comments also be shared with the other Lanark County lower tier municipalities and the Town of Smiths Falls.”

### iv) **Report #CBO-2023-07 – Building Department Report - January to June 2023**

Recommendation to Council:

**“THAT**, Report #CBO-2023-07 – Building Department Report - January to June 2023 be received for information.”

### v) **Report #CBO-2023-08 – Building Department Report - January to July 2023.**

Recommendation to Council:

**“THAT**, Report #CBO-2023-08 – Building Department Report - January to July 2023 be received for information.”

The Planner left at 7:35 p.m.

- vi) **Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements.**

Recommendation to Council:

“**THAT**, the Railway Safety Improvement Program Funding Agreement for the railway warning system improvements at the Christie Lake North Shore Road Crossing as outlined in Report #PW-2023-16 – Christie Lake North Shore Road Railway Warning System Improvements, be approved;

**THAT**, the estimated cost of \$39,910 be funded from the Contingency Reserve unless funding is received from the Railway Safety Improvement Program, with the estimated costs would then be \$19,995.00;

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

- vii) **Report #PW-2023-17 – Glen Tay Culvert Tender Award**

Recommendation to Council:

“**THAT**, Tender #2023-RF-002 – Glen Tay Culvert Rehabilitation be cancelled for the reasons outlined in Report #PW-2023-17 – Glen Tay Culvert - Tender Award;

**AND THAT**, the project be deferred to 2024.”

- viii) **Report #PW-2023-15 – Forest Trail Fencing – Request for Quotation Award**

Recommendation to Council:

“**THAT**, Request for Quotation #2023-PW-003 – Perimeter Fencing for the Forest Trail be awarded to Crains’ Construction Limited;

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

- ix) **Report #CAO-2023-16 – Bolingbroke Cemetery By-Law.**

Recommendation to Council:

“**THAT**, proposed Bolingbroke Cemetery By-Law be brought forward to the next Council meeting for approval in order to be submitted to the Bereavement Authority of Ontario (BAO) for final approval.”

- x) **August Council Meeting Schedule.**

The CAO reviewed recent scheduling changes made to the existing Council and Committee of the Whole dates.

## 7. CORRESPONDENCE

i) **23-06-28 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 23-06-28 Council Communication Package, be received for information.”

ii) **23-08-01 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 23-08-01 Council Communication Package be received for information.”

iii) **23-07-27 – Harper Road Petition in Support of Traffic Calming Measures.**

Recommendation to Council:

“**THAT**, the petition dated July 27<sup>th</sup>, 2023 regarding traffic calming measures for a portion of Harper Road be referred to staff;

**AND THAT**, staff bring back a report to Council at the September Committee of the Whole meeting that addresses the petition.”

Public Works Manager left at 8:19 p.m.

## 8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

i) **Bolingbroke Cemetery Board** – *deferred to the next meeting.*  
Councillor Wayne Baker.

ii) **Committee of Adjustment** – *deferred to the next meeting.*

iii) **Fire Board.** – *deferred to the next meeting.*  
Councillor Wayne Baker, Councillor Greg Hallam, Councillor Marilyn Thomas

iv) **Library Board** – *deferred to the next meeting.*  
Councillor Andrew Kendrick.

v) **Pinehurst Cemetery Board** – *deferred to the next meeting.*  
Councillor Fred Dobbie.

vi) **Police Services Board** – *deferred to the next meeting.*  
Reeve Rob Rainer.

vii) **Green Energy and Climate Change Working Group.**  
Councillor Greg Hallam and Councillor Angela Pierman

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

viii) **Municipal Drug Strategy Committee** – *deferred to the next meeting.*

Councillor Korrine Jordan.

- ix) **Mississippi Valley Conservation Authority Board – *deferred to the next meeting.***  
Councillor Andrew Kendrick.
- iv) **Rideau Valley Conservation Authority Board – *deferred to the next meeting.***  
Councillor Angela Pierman
- xi) **County of Lanark.**  
Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

The Reeve and Deputy Reeve provided the following updates:

- The County is looking at strategic priorities for the term; top three are social and affordable housing, land use planning to accommodate the projected growth in population and staff recruitment and retention, specifically Lanark Lodge
- A presentation was held for a 60 unit housing development in Perth where 20 units will be affordable housing; preliminary approval has been granted by the Town

The Committee recessed at 8:25 p.m.

The Committee returned to session at 8:30 p.m.

## 9. CLOSED SESSION

- i) **CONFIDENTIAL: Potential Land Acquisition.**

The Committee moved “in camera” at 8:30 p.m. to address a matter pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board regarding a potential land acquisition and the Chief Administrative Officer/Clerk and Deputy Clerk remained in the room.

The Committee returned to open session at 8:58 p.m.”

The Chair rose and reported that the Committee provided staff direction regarding a potential acquisition of land.

## 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 8:59 p.m.

## **“SPECIAL” COUNCIL MEETING MINUTES**

---

**Thursday, August 10<sup>th</sup>, 2023**

**5:30 p.m.**

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

**Council Chambers**

---

### **ATTENDANCE:**

#### **Members Present:**

Chair, Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Wayne Baker  
Councillor Greg Hallam  
Councillor Marilyn Thomas  
Councillor Andrew Kendrick  
Councillor Angela Pierman  
Councillor Korrine Jordan

#### **Staff Present:**

Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk

#### **Others Present:**

Tony Fleming, Solicitor (left at 6:20 p.m.)

#### **Members & Staff Absent:**

None.

---

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

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

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

None at this time.

**3. CLOSED SESSION**

- i) **CONFIDENTIAL: Litigation - Building Permit #115-2017.**

**RESOLUTION #C-2023-08-05**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Andrew Kendrick

**“THAT**, Council move “in camera” at 5:30 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding Building Permit #115-2017;

**AND THAT**, the Chief Administrative Officer/Clerk, Planner, Deputy Clerk and Tony Fleming, Legal Counsel remain in the room.”

**ADOPTED**

**RESOLUTION #C-2023-08-06**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Andrew Kenrick

**“THAT**, Council return to open session at 6:20 p.m.”

**ADOPTED**

The Chair rose and reported that Council provided staff and the solicitor direction with regards to Building Permit #115-2017.

The meeting recessed at 6:21 p.m.  
The meeting returned to session at 6:26 p.m.

**4. NEW/OTHER BUSINESS**

- i) **Report #PD-2023-19 - Comments on Caivan Development of Perth Golf Course Lands – *attached, page 5.***

**RESOLUTION #C-2023-08- 07**

**MOVED BY:** Korrine Jordan  
**SECONDED BY:** Greg Hallam

**“THAT**, the Corporation of Tay Valley Township submit its comments on the Proposed Town of Perth Official Plan Amendment-01-2023 and Zoning By-Law Amendment-03-2023 Owner: Caivan Ltd. (Perth Golf Course lands) to the Town as outlined in Report #PD-2023-17 – Comments on Caivan Development of Perth Golf Course Lands and as discussed in the August 10<sup>th</sup> Council meeting.”

**ADOPTED**

**5. CONFIRMATION BY-LAW**

- i) **By-Law No. 2023-032 - Confirmation By-Law – August 10<sup>th</sup>, 2023.**

**RESOLUTION #C-2023-08-08**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Marilyn Thomas

“**THAT**, By-Law No. 2023-033, being a by-law to confirm the proceedings of the Council meeting held on August 10<sup>th</sup>, 2023, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**6. ADJOURNMENT**

Council adjourned at 6:57 p.m.

**COMMITTEE OF THE WHOLE**  
**August 10, 2023**

**Report #PD-2023-19**  
**Noelle Reeve, Planner**

**COMMENTS ON CAIVAN LTD DEVELOPMENT OF PERTH GOLF COURSE LANDS**

**STAFF RECOMMENDATION**

It is recommended:

**“THAT**, the Corporation of Tay Valley Township submit its comments on the Proposed Town of Perth Official Plan Amendment-01-2023 and Zoning By-Law Amendment-03-2023 Owner: Caivan Ltd. (Perth Golf Course lands) to the Town as outlined in Report #PD-2023-17 – Comments on Caivan Ltd. Development of Perth Golf Course Lands.”

**BACKGROUND**

The subject property is located within the Western Annex Lands of the Town of Perth and is located within the urban settlement area boundary. The subject property is approximately 300 hectares in size and is currently used as the Perth Golf Course Lands. Surrounding lands include residential uses, golf course uses and some vacant lands. The Tay River and Grants Creek are found throughout and surrounding the property. Access to the property is via the Peter Street bridge.

The proposed amendments to the Town of Perth Official Plan and Zoning By-Law are to prepare the lands to be developed for a plan of subdivision of approximately 940 homes, currently proposed as single-family and townhouse units, parkland, stormwater management ponds, open space and contemplates additional functions for the existing clubhouse.

The purpose of the Official Plan Amendment is to introduce a new policy section for the Western Annex Lands and to establish a detailed policy framework for the development of the lands. The amendment would also remove the Special Study Area designation and modify the boundaries of the current Residential, Environmental Protection, Parks and Open Space designations within the subject lands.

The effect of the Official Plan Amendment would be to accommodate the future development of the lands.

The purpose of the Zoning By-Law Amendment is to create a new Residential zone for the Western Annex Lands and establish a range of permitted land uses and related performance standards that would apply to the development of the Western Annex Lands.

The effect of the amendment would be to accommodate a residential plan of subdivision.

Tay Valley Township was provided notice of the proposed amendments to the Town of Perth's Official Plan and Zoning By-Law because the property is bordered to the west and south by Tay Valley Township. To review all of the plans and studies submitted with the application, please visit the Town of Perth's website at [Perth.ca/Planning](http://Perth.ca/Planning).

The Open House for these applications is Thursday, August 10, 2023, at 5:30 pm, at Algonquin College. A number of residents of Tay Valley Township have asked if the Township will be commenting on the applications for environmental and social reasons.

## **DISCUSSION**

The Town of Perth's Planner, their Public Works Manager, consulting engineers Jp2g, and Planning Committee members prepared a thorough analysis (18 pages in total) of the original Caivan proposal which can be found here, along with Caivan's responses: <https://www.perth.ca/en/do-business/resources/Documents/1st-Submission-Comment-Response-Matrix.pdf>

When submitting a planning proposal, it is the responsibility of the developer to prove that the plan for the property is appropriate and represents good land use planning. The applicant must prove the "principle of development". In this case, there are three main topics to be reviewed:

- Provision of affordable housing;
- Energy efficiency/mitigation of climate change;
- Environmental impacts.

These topics are discussed in the documents that guide land use planning in Ontario – the Provincial Policy Statement (PPS) 2020, County and local Official Plans, and the local Zoning By-Law. The Planner offers the following comments on the requirements of these documents under the topic areas.

### **Provincial Policy Statement (PPS) 2020**

#### **Housing**

The Town of Perth identified PPS Section 1.1.1.b) as relevant to their review of the application. This section states "Healthy, liveable and safe communities are sustained by: "Accommodating an appropriate affordable and market-based range and mix of residential types including single detached, additional residential units, multiunit housing, affordable housing, and housing for older persons...".

Caivan Ltd responded to the Town's concern that there was no affordable housing identified in their application by stating that by allowing rough-in for future accessory dwelling units (ADUs) they meet this requirement.

The Planner disagrees. One question that does not seem to be answered is, has the Town of Perth approved the sewer and water capacity associated with these potential ADUs being built? But a more important consideration is that a future potential choice by individual

homeowners does not meet the developer's obligation to provide affordable housing now and there is no guarantee that the ARU's will be built.

### **Climate Change/Energy Efficiency**

Section 1.1.1 c) states "Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns".

Caivan Ltd. states that through the Hydrogeological study by Gemtec and the Environmental Impact Study by Kilgour, "No environmental, public health, or safety concerns shall be created."

However, the World Health Organization and Canadian Association of Physicians for the Environment "call climate change the biggest health threat facing humanity". Heating the proposed subdivision with fossil fuels (natural gas) will, therefore, contribute to a public health concern.

Section 1.7.1 k) states, "Long-term economic prosperity should be supported by: minimizing negative impacts from a changing climate and considering the economic benefit provided by nature".

Caivan Ltd. points to their engineering studies to assure that the development will not suffer from increased flooding due to climate change.

But that is not the requirement the PPS 2020 is making which is further emphasized in Section 1.8.1 f) which states that, "Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which: promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure".

Using fossil fuels to heat a proposed subdivision is not consistent with the requirement that "Planning authorities **shall** support energy conservation and efficiency, improve air quality, and reduce greenhouse gas emissions".

The Watercolour development by Land Ark Homes in nearby Westport proposes a net-zero subdivision that Ontario Minister of Municipal Affairs and Housing, Steve Clark, is quoted as saying "is the future of development for small communities".

### **Environment**

Section 1.1.1.h) states "Healthy, liveable, and safe communities are sustained by promoting development and land use patterns that conserve biodiversity".

New information has been provided to support the application, including a detailed Environmental Impact Assessment <https://www.perth.ca/en/town-hall/resources/Documents/Planning/Caivan/230223---Kilgour---Environmental-Impact-Statement.pdf>

While the assessment does indicate some impacts will occur, mitigation by creating new habitat has been proposed. Permits for development will be required both from the Rideau Valley Conservation Authority and the Ministry of Natural Resources. The Town should assure itself that the compensating wetlands are sufficient for the damage.

### **County Sustainable Community Plan**

This plan essentially repeats the requirements of the PPS while allowing for some interpretation by lower tier municipalities so will not be discussed.

### **Town of Perth Official Plan**

#### **Housing**

The Town of Perth Official Plan Section 8.1.3.9.2 states, "Ensure creation of affordable housing when approving new residential development and redevelopment to meet targets of... 25% of all new ownership housing to be affordable to households up to the 60th income percentile for the Count of Lanark regional market area."

Caivan Ltd's response to the Town of Perth is, "No affordable housing is proposed. Houses will be priced at market rates however Caivan Ltd. plans to rough-in fixtures to allow for additional dwelling units within single detached dwellings and townhomes which provides rental housing options and can offset mortgages costs".

This approach is a concern given the recent Perth and District Community Foundation's *Vital Signs Report* on Lanark County determined that, "24 percent of households found themselves in dwellings that were not suitable, required major repairs or were costing them more than 30 percent of their income".

Leaving affordable housing up to individual homeowners rather than it being directly provided by the developer does not appear to meet the requirements of the Perth Official Plan.

#### **Climate Change/Energy Efficiency**

Section 3.10 Healthy and Sustainable Communities, of Perth's Official Plan states that, "Building a strong, healthy and sustainable community is a key objective of the Official Plan and the basis for good land use planning over the long-term. Section 5.9 sets out an extensive menu of policies designed to promote energy conservation, sensitive urban design and the development of a high-quality urban environment. Section 5.9 further states that, "Consideration will be given to best practices in energy and water conservation, green infrastructure and the conservation of the natural environment in making future land use decisions."

While a peer review of the infrastructure plan (which to its credit includes Low Impact Development (LID) green infrastructure) and a peer review of the Environmental Impact Study are proposed by the Town, no peer review of the energy proposal (natural gas vs heat pumps) has been proposed by the Town.



The Town of Perth review of the Caivan Ltd. application identified Section 5.9.1.b) under Objectives for Energy Conservation and Community Sustainability for Caivan Ltd. to respond to, "Individuals and representatives of the development industry when filing planning applications will be expected to demonstrate how their development proposals have taken into account the applicable principles of this plan with regard to community sustainability, energy conservation and environmental protection".

Caivan Ltd. stated that the southern exposure of a number of the dwellings (for heating) and street trees (for cooling) would address energy conservation. They also pointed to their energy-conserving construction process. However, fossil fuel use for heating does not support sustainability. Air source heat pumps provide both heating and cooling and do not emit the level of GHG emissions that natural gas (methane) does.

The Town could also include 5.9.1.c) in their review which contains a strong statement about energy use. "The underlying objective for energy and resource efficiency is to minimize the consumption of non-renewable energy sources, to reuse and recycle manufactured or human-made materials and to reduce the amount of waste generated by individuals, households, businesses and institutions. The extent to which energy may be saved will depend on an integrated approach which involves municipal planning approvals, building and site design, consumer behavior and lifestyle changes. The municipality in playing a leadership role will influence change in the pattern of energy consumption through pre-consultation, through ongoing grant, refund and incentive programs that encourage energy and resource efficient building components and designs, and by providing information that influences the decisions made during the design and development process."

The Town could also include Section 5.9.2.1 Principles for Energy Conservation in its review which states, "Reducing the dependence on non-renewable energy sources by: • supporting increased use of innovative, renewable energy sources such as: solar, geothermal and wind power when approving new development or redevelopment; • Building and site design undertaken with the intent to minimize the amount of non-renewable energy that is needed to service the structure in terms of efficient heating, hot water, cooling, lighting and other sources of power demand and ventilation".

The Town could also include Section 5.9.2.2, "Optimizing energy use through: • supporting energy efficiency in building and infrastructure design by encouraging use of innovative technologies such as passive solar, wind and geothermal energy sources, energy efficient appliances, and more durable and reusable building materials (example is construction of LEED - Leadership in Energy and Environmental Design buildings).

The Town could also include the powerful Section 5.9.2.7, "Building in a life-cycle costing analysis of energy use, including maintenance cost, into planning approvals, particularly, but not exclusively, with regard to services being assumed by the Town.

Finally on the topic of energy, the Town could also include Section "8.1.3.1 Residential Area Designation Objectives b) To provide for compact, energy efficient development that is fully serviced."

## **OPTIONS TO BE CONSIDERED**

Option #1 (Recommended) – The Township forward this report to the Town of Perth.

Option #2 – Council receives the report for information.

## **FINANCIAL CONSIDERATIONS**

Compact development on sewer and water services is the most efficient form of development. This development in Perth could alleviate the cost of scattered development that would otherwise occur in Tay Valley Township, thereby reducing cost on the Township related to roads and other assets.

## **STRATEGIC PLAN LINK**

**Housing:** Residents have access to a wide range of affordable and healthy housing options.

**Environment:** Our residents have access to clean lakes and a healthy, sustainable environment.

## **CLIMATE CONSIDERATIONS**

The Township asks that the Towns of Perth analyze the impact of the proposed 940 new homes fuelled by natural gas on its ability to meet its Climate Action Plan targets because climate change is an issue that impacts Tay Valley residents and others beyond the Town of Perth's borders.

## **CONCLUSIONS**

The Planner recommends that the Township should comment on the proposed changes to the Town of Perth's Official Plan and Zoning By-law as the type of housing approved, the impact on the Tay River and Grants Creek Provincially Significant Wetland, and the type of energy use in the subdivision have effects on its residents.

## **ATTACHMENTS**

- 1) Location of Subject Lands

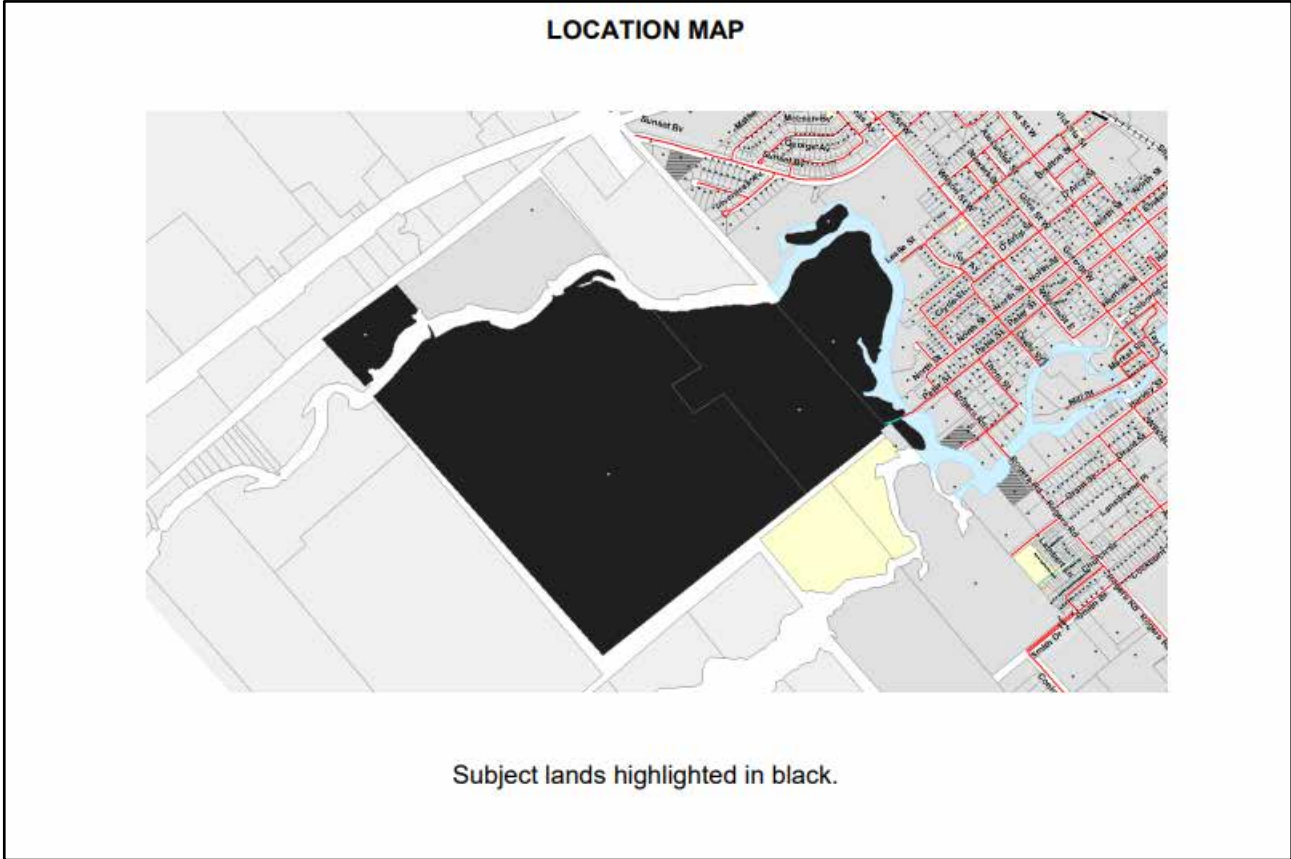
**Prepared and Submitted By:**

**Noelle Reeve,  
Planner**

**Approved for Submission By:**

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

Attachment 1 Location of Western Annex (Golf Course) Lands



# BY-LAWS

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

---

## BY-LAW NO. 2023-034

---

---

### BEING A BY-LAW TO AMEND ROAD NAMING BY-LAW NO. 98-87 (LAMPMAN HILL)

---

---

**WHEREAS**, Section 48 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may name or change the name of a private road after giving public notice of its intention to pass the by-law;

**AND WHEREAS**, Lampman Hill is a Private Road within Tay Valley Township;

**AND WHEREAS**, the private right-of-way has been registered on title for many decades and was never added to the Township's Road Naming By-Law;

**AND WHEREAS**, public notice was provided by email to each affected property owner and was given on August 17<sup>th</sup>, 2023 via the agenda for the Council Meeting on August 24<sup>th</sup>, 2023;

**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 private right-of-way shown as Parts 4, 5, and 6 on Plan 27R-3383 be named Lampman Hill.
- 1.2 **THAT**, Plan 27R-3383 is attached hereto as Schedule "A" and shall be for information purposes only, and not form part of this bylaw.
- 1.3 **THAT**, Lampman Hill, located in the geographic Township of Bathurst, as shown on Schedule "B" attached, be included within the designated roads as set out in the Road Naming By-Law No. 98-87, specifically Schedule "B", Bathurst Ward, Private Roads.
- 1.4 **THAT**, the Location and Description for Lampman Hill in Schedule "B", Bathurst Ward, Private Roads to Road Naming By-Law No. 98-87 read as follows:

From Scott Court to the lot line between Lots 31 and 32 on Plan 30,  
shown as Parts 4, 5, and 6 on Plan 27R-3383
- 1.5 **THAT**, the Clerk be authorized to register a certified copy of this by-law on title in the Land Registry Office.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-034**

**2. BY-LAWS TO BE AMENDED**

**2.1** By-Law No. 98-87 is hereby amended.

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

**3. ULTRA VIRES**

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

**4. EFFECTIVE DATE**

**4.1** **THAT**, this by-law shall come into force and effect with the posting of the applicable Road Signage and when a certified copy of this by-law has been registered at the Land Registry Office.

**4.2** ENACTED AND PASSED this 24<sup>th</sup> day of August 2023.

---

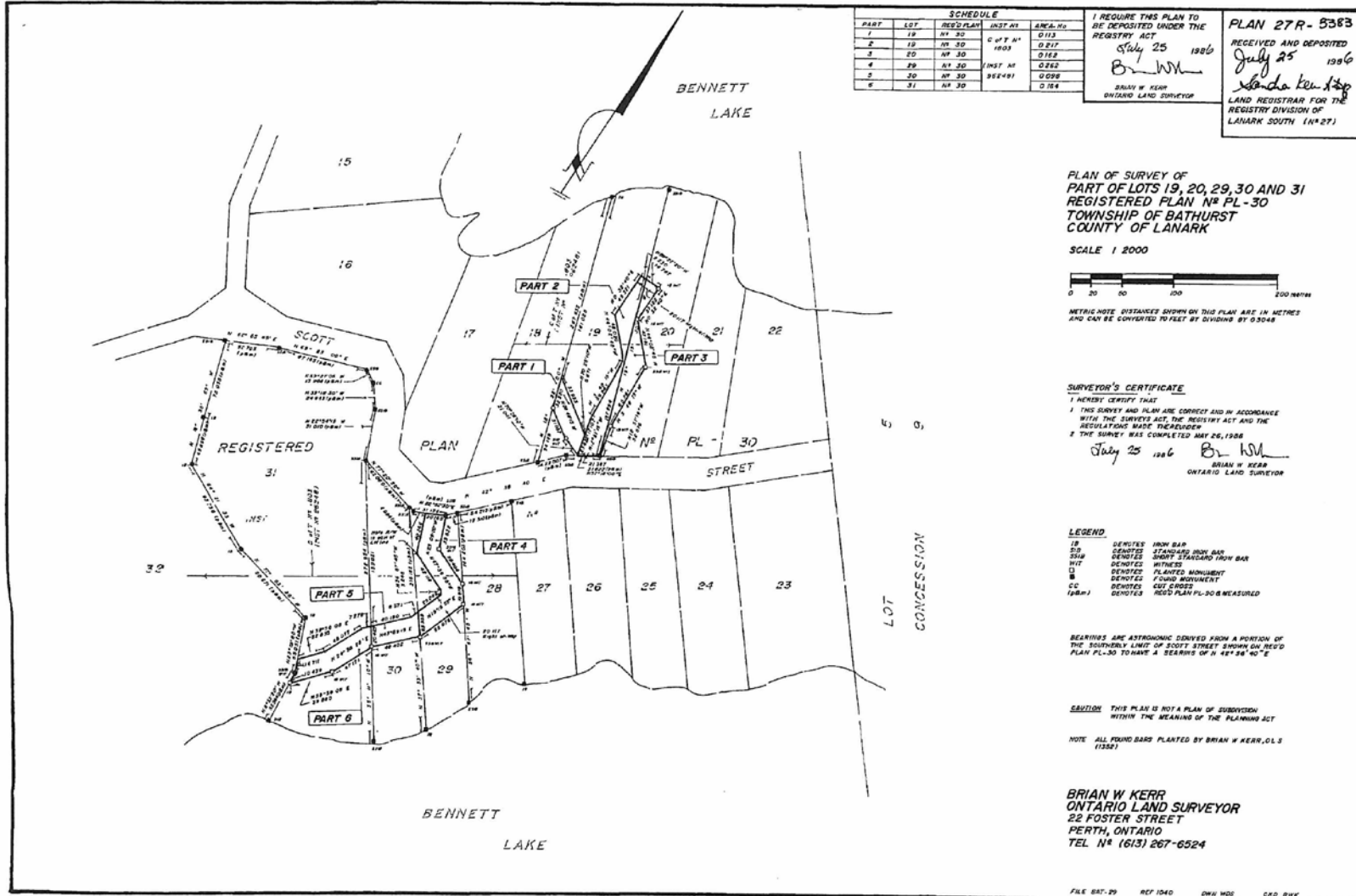
**Rob Rainer, Reeve**

---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-034**

**SCHEDULE "A"**



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-034**

**SCHEDULE "B"**





# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2023-035

### BOLINGBROKE CEMETERY BY-LAW

---

**WHEREAS**, under the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended, a Cemetery Operator shall ensure that the cemetery is operated in accordance with the *Funeral, Burial and Cremation Services Act, 2002* and the regulations;

**AND WHEREAS**, the Corporation of Tay Valley Township is both the Licensee and the Operator for the Bolingbroke Cemetery;

**AND WHEREAS**, the Bolingbroke Cemetery Board was established by By-Law. No. 2021-037, to oversee the administration, operation, care and maintenance of the Bolingbroke Cemetery;

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

#### 1. DEFINITIONS

- 1.1 **“Act”** – shall mean the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended.
- 1.2 **“Burial (Interment)”** - shall mean the opening of a Lot and then the placing of the dead human remains or cremated human remains in that Lot, followed by closing the Lot.
- 1.3 **“By-Laws”** – shall mean the rules and regulations under which the Cemetery operates.
- 1.4 **“Care and Maintenance Fund”** – shall mean the fund where a prescribed amount or a percentage of the purchase price (excluding tax) of all Interment and Scattering Rights sold, transferred, assigned or permitted, and prescribed amounts for Markers, is contributed, or if no Scattering Rights are sold but scattering is permitted the prescribed amount when the scattering is conducted.
- 1.5 **“Cemetery”** – shall mean the Bolingbroke Cemetery.
- 1.6 **“Cemetery Board”** – shall mean the Bolingbroke Cemetery Board as established by By-Law No. 2021-037 of the Corporation of Tay Valley Township.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

- 1.7 “Cemetery Operator (and Cemetery Owner)”** – shall mean the Corporation of Tay Valley Township.
- 1.8 “Disinterment”** - shall mean the opening of a Lot, the removal of human remains, or cremated human remains from that Lot, followed by closing the Lot.
- 1.9 “Disinterment Right”** – shall mean the right to require or direct the disinterment of human remains, or cremated human remains, from a Grave or Lot and to authorize the removal of a monument or marker.
- 1.10 “Disinterment Rights Certificate”** – shall mean the document issued by the Cemetery Operator to the Disinterment Rights Holder once the Disinterment Rights to a specific Lot have been paid in full, identifying ownership and authority over those specific Disinterment Rights.
- 1.11 “Disinterment Rights Holder”** – shall mean the person(s) authorized or entitled to disinter human remains in a specified Lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.
- 1.12 “Grave” (also known as a Lot)** – shall mean one inground burial space intended for the interment of a child, adult or cremated human remains.
- 1.13 “Interment”** - shall mean the opening of a Lot and then the placement of human remains, or cremated human remains in that Lot, followed by closing the Lot.
- 1.14 “Interment Right”** – shall mean the right to require or direct the interment of human remains or cremated human remains in a Grave or Lot and to authorize the installation of a monument or marker.
- 1.15 “Interment Rights Certificate”** – shall mean document issued by the Cemetery Operator to the purchaser once the Interment Rights to a specific Lot have been paid in full, identifying ownership and authority over those specific Interment Rights.
- 1.16 “Interment Rights Holder”** – shall mean the person(s) authorized or entitled to inter human remains in a specified Lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.
- 1.17 “Lot”** – shall mean a single Grave space.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

- 1.18 “Marker”** – shall mean any permanent memorial structure – monument, plaque, headstone, cornerstone or other structure or ornament affixed or intended to be affixed to a burial Lot or other structure or place intended for the deposit of human remains and may be used to indicate the location of a burial.
- 1.19 “Pleasure ORV”** – shall mean a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel, (a) on not more than three wheels, or (b) on more than three wheels and being of a prescribed class of vehicle, and not used for the operation of the Cemetery.
- 1.20 “Plot”** – shall mean two or more Lots in respect of which the rights to inter have been sold as a unit.
- 1.21 “Registrar”** – means the registrar appointed under the Act.
- 1.22 “Treasurer”** – shall mean the Treasurer or designate duly appointed by the Municipality as prescribed in Section 286 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**2. GENERAL INFORMATION**

**2.1 Hours of Operation**

2.1.1 Visitation Hours: Daylight hours.

2.1.2 Burial Hours: Daylight Hours.  
No burials shall take place from November 1 to April 30

2.1.3 Office Hours: To view cemetery records.

Tay Valley Township  
Municipal Office  
217 Harper Road, Perth, Ontario  
613-267-5353 ext. 110  
[www.tayvalleytwp.ca](http://www.tayvalleytwp.ca)

2.1.4 After Hours: Person in Charge of Day-to-Day Operations  
Darla Kilpatrick  
613-273-5441

**2.2 General Conduct**

2.2.1 The Cemetery Operator reserves full control over the Cemetery operations and management of land within the Cemetery grounds.

2.2.2 The Cemetery Board shall oversee the administration, operation, care and maintenance of the Cemetery.

2.2.3 No person shall damage, destroy, remove or deface any property within the Cemetery.

2.2.4 All visitors shall conduct themselves in a quiet manner that shall not disturb any service being held.

2.2.5 Vehicles within the Cemetery shall be driven with due decorum at a moderate rate of speed and shall not leave the roadways.

2.2.6 Owners of vehicles shall be responsible for any damages done by them or their drivers.

2.2.7 No Pleasure ORV's or snowmobiles are allowed in the Cemetery.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

2.2.8 Pets or other animals, including cremated animal remains, are not allowed to be buried on Cemetery grounds.

2.2.9 Dogs or other domestic pets are not permitted in the Cemetery.

2.2.10 Children under the age of 12 years are not permitted on the grounds of the Cemetery except under the charge of an adult who shall be responsible for their appropriate behaviour.

**2.3 Liability**

2.3.1 The Cemetery Operator or Cemetery Board will not be held liable for any loss or damage, without limitation (including damage by the elements, Acts of God, or vandals) to, any Lot, Plot, Marker, or other article that has been placed in relation to an Interment Right, save and except for direct loss or damage caused by gross negligence of the Cemetery Operator or Cemetery Board.

**2.4 Public Register**

2.4.1 Section 110 of *Ontario Regulation 30/11 – General*, as amended, requires all cemeteries and crematoriums to maintain a public register that is available to the public during regular office hours.

**2.5 Right to Re-Survey**

2.5.1 The Cemetery Operator has the right at any time to re-survey, enlarge, diminish, re-plot, change or remove plantings, grade, close pathways or roads, alter in shape or size, or otherwise change all or any part of the Cemetery, subject to approval of the appropriate authorities.

**3. DONATIONS**

**3.1 Donations**

3.1.1 Donations to the Cemetery are welcomed and will be used to support the operations and maintenance of the Cemetery.

3.1.2 All donations to the Cemetery over \$25.00 will receive an official receipt.

**3.2 Bequest**

3.2.1 A bequest made through a will is a simple and impactful way of giving to the Cemetery.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**3.3 Memorial Services**

3.3.1 An annual memorial service will be held to raise funds to support the operations and maintenance of the Cemetery.

**4. SALE AND PURCHASE OF INTERMENT AND DISINTERMENT RIGHTS**

**4.1 Rights of Interment Rights Holders**

4.1.1 The purchase of Interment Rights is not a purchase of real estate or real property.

**4.2 Fees for Interment and Disinterment Rights**

4.2.1 Interment and Disinterment Rights may be purchased at the rates on file at the Municipal Office.

4.2.2 The prices for Interment Rights include the applicable portion for deposit to the Care and Maintenance Fund.

4.2.3 Contributions to the Care and Maintenance Fund are not refundable except when Interment Rights are cancelled within the 30-Day Cooling-Off Period.

**4.3 Payments**

4.3.1 Payments for Interment and Disinterment Rights shall be made to a member of the Cemetery Board.

4.3.2 Lots and Plots must be paid in full at the time of purchase.

4.3.3 No burial, disinterment, installation or removal of any Marker, or memorialization is permitted until the Interment Rights or Disinterment Rights have been paid in full.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**4.4 Documentation Provided to Purchaser**

4.4.1 The purchaser, prior to entering in a contract for Interment Rights or Disinterment Rights will be provided with the following documents:

- a copy of the Cemetery's current By-Laws;
- a copy of the Cemetery's current price list;
- a copy of the contract for Interment Rights or Disinterment Rights detailing the obligations of both parties; and
- a copy of the Consumer's Information Guide.

**4.5 Cancellation of Interment Rights or Disinterment Rights within 30 Days of Purchase**

4.5.1 A purchaser has the right to cancel an Interment Rights or Disinterment Rights contract within thirty (30) days of signing the Interment Rights or Disinterment Rights contract, by providing written notice of the cancellation to a member of the Cemetery Board.

4.5.2 The Cemetery Operator will refund all monies paid by the purchaser within thirty (30) days from the date of the request for cancellation.

**4.6 Cancellation of Interment Rights or Disinterment Rights after the 30-Days Following Purchase**

4.6.1 Upon receiving written notice from the purchaser of the Interment Rights or Disinterment Rights, the Cemetery Operator will cancel the contract and issue a refund to the purchaser for the amount paid for the Interment Rights less the appropriate amount that is required to be deposited into the Care and Maintenance Fund or issue a refund to the purchaser for the amount paid for the Disinterment.

4.6.2 This refund will be made within thirty (30) days of receiving said notice.

4.6.3 If the Interment Rights Certificate has been issued to the Interment Rights Holder(s) or Disinterment Rights Holder(s), the certificate must be returned to a member of the Cemetery Board along with the written notice of cancellation.

4.6.4 If any portion of the Interment Rights or Disinterment Rights has been exercised, the purchaser, or the Interment Rights Holder(s) or Disinterment Rights Holder(s) are not entitled to cancel the contract or re-sell the Interment Rights or Disinterment Rights.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**4.7 Repurchase of Interment Rights by Cemetery Operator**

- 4.7.1 The resale of Interment Rights to a third party is prohibited.
- 4.7.2 The repurchase of unused Interment Rights in a Plot is not permitted if one of the Interment Rights in the Plot has been exercised.
- 4.7.3 An Interment Rights Holder may require, in writing, the Cemetery Board to repurchase the rights at any time before they are used.
- 4.7.4 Should a written request be made to repurchase the Interment Rights, the repurchase price of the Interment Rights shall be at the current price list amount less any Care and Maintenance Fund contribution amount previously made.
- 4.7.5 The Interment Rights Holder requesting the repurchase of the rights must return the Interment Rights Certificate to a member of the Cemetery Board and the rights holder(s) must endorse the Interment Rights Certificate, transferring all rights, title and interest back to the Cemetery Board.
- 4.7.6 The appropriate paperwork must be completed before the Cemetery Operator reimburses the rights holder(s).
- 4.7.7 The repurchase and payment to the rights holder will be made within thirty (30) days of receiving said request.
- 4.7.8 Notwithstanding 4.7.2 above, if the repurchase of Interment Rights become available as a result of a Disinterment, the repurchase of Interment Rights in a Plot is only permitted if the rest of the Interment Rights in the Plot have not been exercised.
- 4.7.9 Should the repurchase of Interment Rights occur under 4.7.8 above, the repurchase price shall be waived. The Interment Rights holder is not entitled to any repurchase price.

**4.8 Abandoned Interment Rights**

- 4.8.1 If any Interment Rights have not been used after a twenty (20) year period has passed, they may be considered abandoned.
- 4.8.2 The Cemetery Operator may apply to the registrar for a declaration that the rights are abandoned as outlined in Section 49 of the Act.



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**4.9 Abandoned Disinterment Rights**

4.9.1 If any Disinterment Rights have not been used after a sixty (60) day period has passed, they may be considered abandoned.

**5. CONFIRMATION OF INTERMENT AND DISINTERMENT RIGHTS**

**5.1** Interment Rights Holders or Disinterment Rights Holders may confirm burial locations for themselves or their family members in specific Lots or Plots.

**5.2** All confirmations are to be completed through a member of the Cemetery Board.

**5.3** Interment Rights Holders, or their authorized representatives, may purchase Disinterment Rights.

**5.4** Before confirmation can be made, the following documentation must be provided to a member of the Cemetery Board:

- a current Interment Rights Certificate;
- a written request for the confirmation of the Interment Rights, which includes the names and addresses of the current rights holder(s), and the exact location of the Interment Rights;
- legal proof of identity (e.g. passport, driver's license);
- written permission from all persons having inherited Interment Rights; and
- any other documentation in the Interment Rights Holder(s) possession relating to the rights.

**5.5** Where there is a question of inheritance of Interment Rights, or where there are multiple family members with equal claim to Interment Rights, reservations cannot be made without written consent of all parties with claim to the Interment Rights.

**6. INTERMENTS AND DISINTERMENTS**

**6.1 Authorization**

6.1.1 Interment Rights Holder(s) or Disinterment Rights Holder(s) must contact the person in charge of day-to-day operations prior to a burial or disinterment taking place.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

- 6.1.2 Should the Interment Rights Holder be deceased, authorization must be provided in writing by the person authorized to act on behalf of the Interment Rights Holder in keeping with the *Succession Law Reform Act* (i.e. Personal Representative, Estate Trustee, Executor or next of kin).
- 6.1.3 A burial permit issued by the Registrar General or equivalent document showing that the death has been registered with the province must be provided to a member of the Cemetery Board prior to a burial taking place.
- 6.1.4 A certificate of cremation must be submitted to a member of the Cemetery Board prior to the burial of cremated remains taking place.
- 6.1.5 In accordance with the Act, the purchaser of Interment Rights or Disinterment Rights must enter into a Cemetery contract, providing such information as may be required by the Cemetery Board for the completion of the contract and the public register prior to each burial or disinterment of human remains.

**6.2 Documentation Provided to Purchaser**

- 6.2.1 The purchaser, after entering in a contract for Interment Rights or Disinterment Rights will be provided with the following documents:
  - an Interment Rights Certificate or Disinterment Rights Certificate; and
  - a copy of the signed contract for Interment Rights or Disinterment Rights detailing the obligations of both parties.

**6.3 Payment**

- 6.3.1 Persons requesting Interments in Lots or Plots or Disinterments shall be held responsible for any charges incurred.
- 6.3.2 Payment must be made to the Cemetery Board before a Burial can take place unless payment has already been made to the funeral home.
- 6.3.3. Payment must be made to the Cemetery Board before a Disinterment can take place.

**6.4 Opening and Closing Graves**

- 6.4.1 The family of the deceased or the funeral home shall arrange the opening and closing of graves.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**6.5 General Provisions**

- 6.5.1 Human remains to be buried in a grave must be enclosed in a container, sealed securely and of sufficient strength to permit burial with the container remaining intact.
- 6.5.2 Not more than one (1) burial of human remains, or two (2) burials of cremated human remains may be made in any single Lot.
- 6.5.3 A member of the Cemetery Board shall be given a minimum of forty-eight (48) hours notice for each burial.

**7. DISINTERMENTS**

- 7.1 Human remains may be disinterred from a Lot provided that the written consent (authorization) of the Interment Rights Holder has been received by the Cemetery Board and the prior notification of the medical officer of health.
- 7.2 A certificate from the local medical officer of health must be received at the Municipal Office before the removal of casketed human remains from the Cemetery may take place.
- 7.3 A certificate from the local medical officer of health is not required for the disinterment of cremated remains from a Lot.
- 7.4 In special circumstances the removal of human remains may also be ordered by certain public officials without the consent of the Interment Rights Holder and/or next of kin(s).
- 7.5 The Cemetery Operator or Cemetery Board is not responsible for any damage to caskets, urns or other containers sustained during disinterment.

**8. MEMORIALIZATION**

- 8.1 No Marker shall be erected or permitted on a Lot until all charges have been paid in full and/or a permit is obtained from a member of the Cemetery Board.
- 8.2 No Marker of any description shall be placed, moved, altered, or removed without permission from a member of the Cemetery Board.
- 8.3 Within thirty (30) days of the purchase of a Plot, it is the responsibility of the Interment Rights Holder to supply four (4) cornerstones (Plot Markers) to be installed by a member of the Cemetery Board.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

- 8.4** Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered normal wear and tear.
- 8.5** The Cemetery Board will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to any Marker, or part thereof.
- 8.6** Markers are owned by the Interment Rights Holder and the Cemetery Board or Cemetery Operator is not responsible for their loss or deterioration. These memorials should be protected by the Interment Rights Holder's own insurance coverage.
- 8.7** The Cemetery Board reserves the right to determine the maximum size of Markers, their number and their location on each Lot or Plot. They must not be of a size that would interfere with any future interments.
- 8.8** All foundations for Markers shall be built by the monument company at the expense of the Interment Rights Holder.
- 8.9** Should any Marker present a risk to public safety because it has become unstable, the Cemetery Board shall do whatever it deems necessary by way of repairing, resetting, or laying down the Marker or any other remedy to remove the risk.
- 8.10** The Cemetery Board reserves the right to remove at its sole discretion any Marker or inscription which is not in keeping with the dignity and decorum of the Cemetery as determined by the Cemetery Board.
- 8.11** A Marker shall be erected only after the specific design plans have been approved by a member of the Cemetery Board including: dimensions, material of structure, construction details, and proposed location.
- 8.12** The minimum thickness for flat Markers including footstones is 4 inches or 10 cm.
- 8.13** No monument shall be delivered to the Cemetery for installation until the monument foundation has been completed, and the Interment Rights Holder(s) and/or retailer have been notified by a member of the Cemetery Board.
- 8.14** The placement of a Marker shall not interfere with future interments.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**8.15** The following are the Lot sizes:

Single Lot: 4' 6" x 11' long

Double Lot: 9' x 11' long

**8.16** One (1) Casket or two (2) urns may be placed in each Lot.

**9. CARE AND PLANTING**

**9.1** A portion of the price of Interment Rights is trusted into the Care and Maintenance Fund. The interest income generated from this fund is used to maintain, secure and preserve the Cemetery grounds and Markers. Services that can be provided through this fund include:

- re-levelling and sodding or seeding of Lots or scattering grounds;
- maintenance of Cemetery roads, sewers and water systems;
- maintenance of perimeter walls and fences;
- maintenance of Cemetery landscaping; and
- repairs and general upkeep of Cemetery maintenance buildings and equipment.

**9.2** No person other than a member of the Cemetery Board shall remove any sod or in any other way change the surface of the burial Lot in the Cemetery.

**9.3** No person shall plant trees, flower beds or shrubs in the Cemetery except with the approval of a member of the Cemetery Board.

**9.4** If any trees or shrubs in any Lot have become by means of their roots or branches or in any other way, detrimental to the adjacent Lots, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public, the Cemetery Board may remove such trees, shrubs, or parts thereof after 30 days notice to the Internment or Scattering Rights Holder.

**9.5** Flowers placed on a grave for a funeral shall be removed by a member of the Cemetery Board after a reasonable time to protect the sod and maintain the tidy appearance of the Cemetery.

**9.6** Permission is not required before removing flowers, plants, ribbons or other articles from the Rights Holder's graves or Lots.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

**10. ITEMS THAT ARE PROHIBITED AND PERMITTED**

- 10.1** The Cemetery reserves the right to regulate the articles placed on Lots or Plots that pose a threat to the safety of all Interment and Scattering Rights Holders, visitors to the Cemetery and Cemetery volunteers, prevents the Cemetery from performing general cemetery operations, or are not in keeping with the respect and dignity of the Cemetery.
- 10.2** Prohibited articles will be removed and disposed of without notification.
- 10.3** The following articles are **prohibited** from being placed on Lots within the Cemetery: articles made of hazardous materials such as non-heat resistant glass (excludes glass attached to monuments), or corrosive metals; loose stones or sharp objects; trellises or arches; chairs or benches, except those used as markers.
- 10.4** The Cemetery reserves the right to disallow or remove quantities of memorial wreaths or flowers considered to be excessive and that diminishes the otherwise tidy appearance of the Cemetery.
- 10.5** The Cemetery shall not be responsible for loss or damage to any articles left upon any Lot or Pot.

**11. RULES FOR CONTRACTOR/MONUMENT DEALER AND WORKERS**

- 11.1** All Cemetery By-Laws apply to all contractors and all work carried out by contractors within the Cemetery grounds.
- 11.2** Any contracted work to be performed within the Cemetery requires the pre-approval of a member of the Cemetery Board before the work may begin.
- 11.3** Pre-approval includes but is not limited to: landscaping, delivery of Markers, inscriptions, designs, drawings, plans and detailed specifications relating to the work, proof of all applicable government approvals and permits, and the location of the work to be performed.
- 11.4** It is the responsibility of all contractors to report to a member of the Cemetery Board and provide the necessary approvals before commencing work at any location on the Cemetery property.
- 11.5** Prior to the start of any said work, contractors shall have WSIB coverage for their workers, be compliant with the Occupational Health and Safety Act and Accessibility for Ontarians with Disabilities Act, as well as have sufficient liability insurance.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

- 11.6** Contractors shall temporarily cease all operations if they are working within 100 metres of a funeral until the conclusion of the service.
- 11.7** The Cemetery reserves the right to temporarily cease contractor operations at their sole discretion if the noise of the work being performed by the contractor is deemed to be a disturbance to any funeral or public gathering within the Cemetery.
- 11.8** No Marker shall be delivered to the Cemetery until the foundation is completed and the contractor is ready to proceed with the work of installation.
- 11.9** Contractors, monument dealers and suppliers shall lay wooden planks on the burial Lots and paths over which heavy materials are to be moved to protect the surface from damage.
- 11.10** No Marker shall be removed without the written permission of the Cemetery Operator.
- 11.11** All rubbish shall be removed by the contractor from the Cemetery, otherwise the obstructions will be removed, and the expenses charged to the contractor.

**12. FINANCIALS**

- 12.1** All monies for the Cemetery shall be submitted to the Cemetery Operator.
- 12.2** The Treasurer shall keep full and accurate books of account in which receipts and disbursements of the Cemetery shall be recorded, and under the direction of the Cemetery Board, shall deposit all monies with respect to the operation of the Cemetery in a special bank account, designated for that purpose, and to the Care and Maintenance Fund, and shall render to the Cemetery Board at their meetings, or whenever required, an account of all transactions and of the financial position of the Cemetery.

**13. CARE AND MAINTENANCE FUND**

- 13.1** The deposit to the Care and Maintenance Fund shall be as specified in the Act.
- 13.2** Interest earned from this fund shall be used to provide care and maintenance of Lots, Plots, and Markers at the Cemetery.

**14. AMENDMENT OF BY-LAW**

- 14.1** No amendment or repeal of this by-law or any part thereof shall be considered at any Meeting of Council unless:

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-035**

14.1.1 Notice of intention of proposed amendment or repeal has been published once in a newspaper with general circulation in the locality in which the Cemetery is located;

14.1.2 Conspicuously posted on a sign at the entrance of the Cemetery; and

14.1.3 Delivered to each supplier of Markers who has delivered a Marker to the Cemetery during the previous year if the by-law or by-law amendment pertains to Markers or their installation.

**14.2** All by-laws and by-law amendments are subject to the approval of the Bereavement Authority of Ontario and the Registrar.

**15. ULTRA VIRES**

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

**16. BY-LAWS REPEALED**

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

**17. EFFECTIVE DATE**

**17.1** **THAT**, this by-law shall come into force and effect upon approval of the Registrar.

**17.2** ENACTED AND PASSED this 24<sup>th</sup> day of August, 2023.

---

**Robert Rainer, Reeve**

---

**Amanda Mabo, Clerk**



# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2023-036

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (ROBERTS – 709 CLARCHRIS ROAD) (PART LOTS 22 and 23, CONCESSION 4, GEOGRAPHIC TOWNSHIP OF BATHURST)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Rural (C) to General Industrial (M) on a portion of the lands legally described as Part Lots 22 and 23, Concession 4, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll # 091191601548204), in accordance with Schedule "A" attached hereto and forming part of this By-Law.
- 1.2 **THAT**, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.3 **THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

#### 2. ULTRA VIRES

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-036**

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 24<sup>th</sup> day of August, 2023.

---

**Robert Rainer, Reeve**

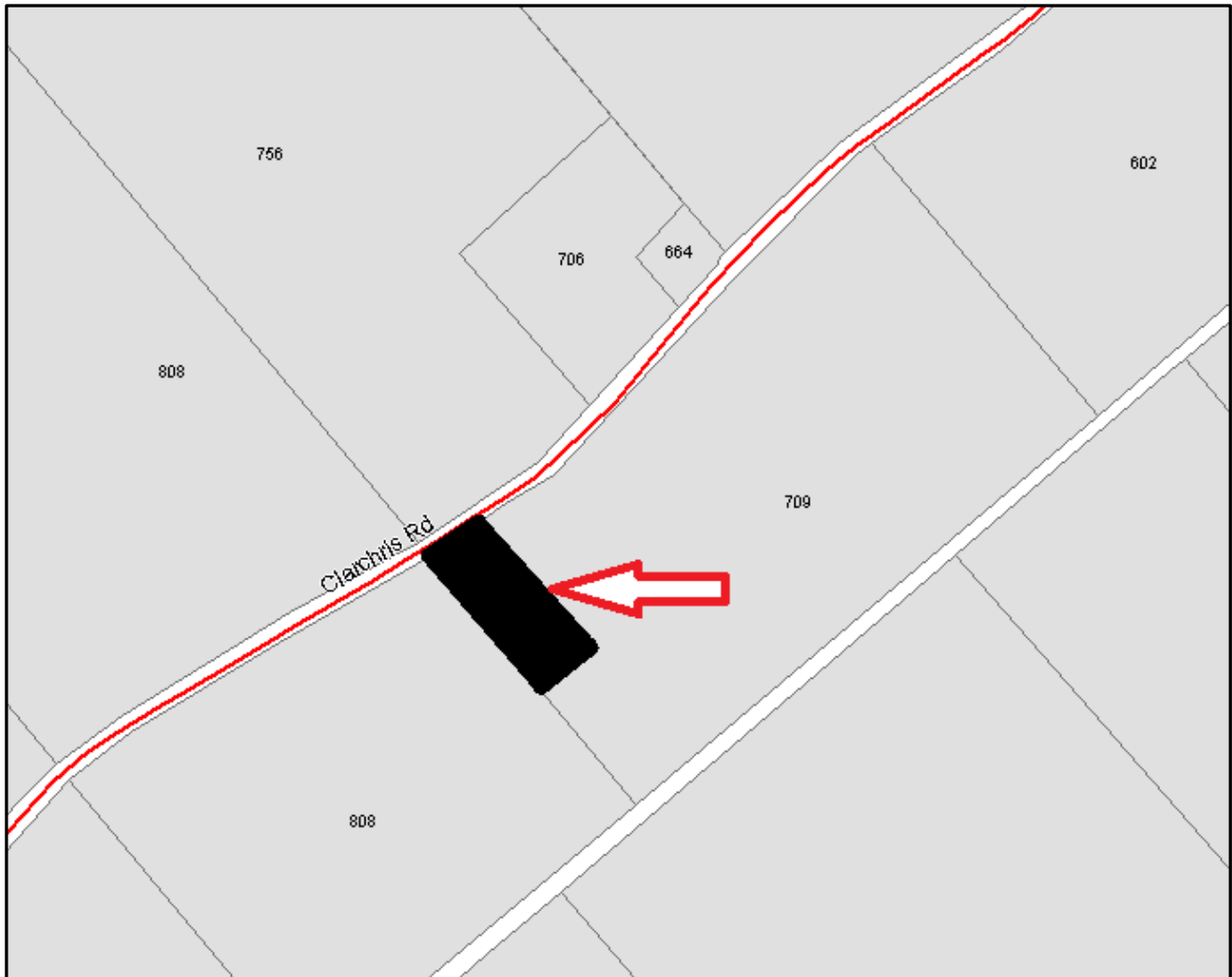
---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-036**

**SCHEDULE "A"**

Roberts and Shannan – 709 Clarchris Road  
Part Lots 22 and 23, Concession 4  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from  
Rural (RU) to General Industrial (M)

Certificate of Authentication

This is Schedule "A" to By-Law 2023-036  
passed this 24<sup>th</sup> day of August 2023.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2023-037

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (WEEKS – BATHURST UPPER 4<sup>TH</sup> CONCESSION) (PART LOT 11, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF BATHURST)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

**1.1 THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Rural (RU) to Rural Exception-21 (RU-21) on a portion of the lands legally described as Part Lot 11, Concession 3, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll # 091191601018000), in accordance with Schedule “A” attached hereto and forming part of this By-Law.

**1.2 THAT** By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 10.1.4 (Exception Zones):

21. RU-21 (Part Lot 11, Concession 3, Bathurst)

Notwithstanding the provisions of Section 10.2, on the lands zoned RU-21 the following provisions shall prevail:

- Dwellings per Lot (maximum) 1 Fourplex

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-037**

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

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

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this XX day of XX, 2023.

---

**Robert Rainer, Reeve**

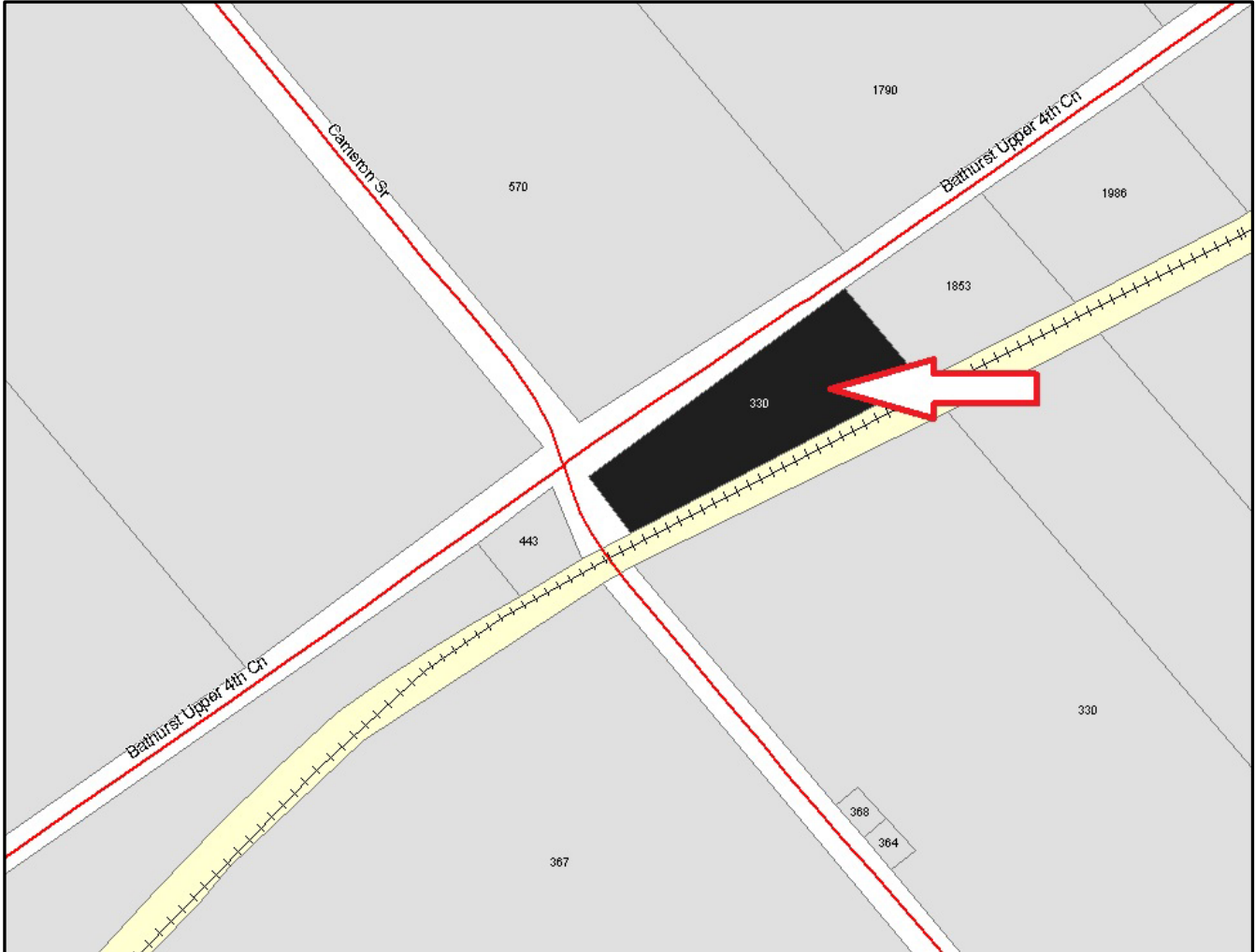
---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-037**

**SCHEDULE "A"**

Weeks – Bathurst Upper 4<sup>th</sup> Concession  
Part Lot 11, Concession 3  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from Rural (RU)  
to Rural Special Exception-21 (RU-21)

\_\_\_\_\_  
Reeve

Certificate of Authentication

This is Schedule "A" to By-Law 2023-037  
passed this 24<sup>th</sup> day of August 2023.

\_\_\_\_\_  
Clerk

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2023-038

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED

#### SECTION 2 DEFINITIONS, SECTION 4.2 ZONES AND ZONE SYMBOLS, AND SECTION 5 RESIDENTIAL ZONES AMENDMENT TO COMPREHENSIVE ZONING BY-LAW NO. 02-121

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, Section 2 (Definitions) is hereby amended by adding the following definition between Carport and Cellar:

**COHOUSING DWELLING UNIT** shall mean a building containing two or more dwelling units designed and occupied by persons as an independent dwelling in which living and kitchen facilities are shared. Living and kitchen facilities may be a mix of exclusive or shared use. Each dwelling unit within the building shall contain a bathroom for exclusive use of the dwelling unit, but which is not required to contain exclusive living and kitchen facilities. Each dwelling unit shall have an independent entrance from outside the building or a common hallway or stairway inside the building.

- 1.2 **THAT**, Section 4.2 (Zones and Zone Symbols) is hereby amended by adding two new zone names and symbols after the General Residential Zone as follows:

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-038**

**4.2 Zones and Zone Symbols**

- Residential Five (R5)
- Residential Six (R6)

**1.3 THAT**, Section 5 (Residential Zones) is hereby amended by adding two new zones after 5.4 Mobile Home Park Residential as follows:

**5.5 Residential 5 (R5)**

**1. Permitted Uses**

Cohousing dwelling units  
Duplex dwelling  
Multiple dwelling  
Semi-detached dwelling  
Townhouse dwelling

**2. Zone Provisions**

- Lot Area (minimum)
  - Multiple dwelling 4,050m<sup>2</sup>
  - All other 2 ha
- Lot Frontage (minimum)
  - Lots in **Hamlet** designation in Official Plan 45 m
  - All other lots 60 m
- Yards (minimum)
  - Front 10 m if screened from road by topography or vegetation otherwise 20m
  - Exterior Side 10 m
  - Interior Side 6 m
  - Rear 7.5 m
- Dwelling Unit Area (minimum) 231m<sup>2</sup>
- Dwelling Height (maximum) 11 m (three storeys)
- Lot Coverage (maximum) 20%
- Dwelling Units per Lot (maximum) 5



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-038**

**3. Additional Provisions**

**1. General Provisions**

Must have frontage on an Improved Street and all dwelling units must share a single entrance.  
Must not be located on waterfront.

**5.6 Residential Six (R6)**

**1. Permitted Uses**

Cohousing dwelling units  
Duplex dwelling  
Multiple dwelling  
Semi-detached dwelling  
Townhouse dwelling

**2. Zone Provisions**

- Lot Area (minimum)
  - Multiple dwelling 1 ha
  - All other 2 ha
- Lot Frontage (minimum)
  - Lots in **Hamlet** designation in Official Plan 45 m
  - All other lots 60 m
- Yards (minimum)
  - Front 10 m if screened from road by topography or vegetation otherwise 20m
  - Exterior Side 10 m
  - Interior Side 6 m
  - Rear 7.5 m
- Dwelling Unit Area (minimum) 231m<sup>2</sup>
- Dwelling Height (maximum) 11 m (three storeys)
- Lot Coverage (maximum) 20%
- Dwelling Units per Lot (maximum) 20

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2023-038**

**3. Additional Provisions**

**1. General Provisions**

Must have frontage on an Improved Street and all dwelling units must share a single entrance.  
Must not be located on waterfront.

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

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 24<sup>th</sup> day of August 2023.

---

**Robert Rainer, Reeve**

---

**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2023-039

### A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON AUGUST 24<sup>TH</sup>, 2023

---

**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 24<sup>th</sup> day of August, 2023 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. 2023-039**

**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 24<sup>th</sup> day of August 2023.

---

**Rob Rainer, Reeve**

---

**Amanda Mabo, Clerk**