



COUNCIL MEETING AGENDA

Tuesday, February 27th, 2024
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 (Closed Session – Litigation – Building Permit #115-2017) – November 21st, 2023 – to be distributed at the meeting.**

Suggested Motion by Councillor Andrew Kendrick:

“THAT, the minutes of the Council Meeting (Closed Session – Litigation – Building Permit #115-2017) held on November 21st, 2023, be approved as circulated.”

- ii) **Council Meeting – December 12th, 2023 – attached, page 15.**

Suggested Motion by Councillor Greg Hallam:

“THAT, the minutes of the Council Meeting held on December 12th, 2023, be approved as circulated.”

- iii) **Committee of the Whole Meeting – February 13th, 2024 – attached, page 29.**

Suggested Motion by Councillor Korrine Jordan:

“THAT, the minutes of the Committee of the Whole Meeting held on February 13th, 2024, be approved as circulated.”

- iv) **Committee of the Whole Meeting (Closed Session – Litigation – Dog Owners Liability Act) – February 13th, 2024 – to be distributed at the meeting.**

Suggested Motion by Deputy Reeve Fred Dobbie:

“THAT, the minutes of the Committee of the Whole Meeting (Closed Session – Litigation – Dog Owners Liability Act) held on February 13th, 2024, be approved as circulated.”

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation: Septic System Re-Inspection Program & 2023 Annual Report – attached, page 44.**

Eric Kohlsmith, Mississippi-Rideau Septic System Office.

Suggested Motion by Councillor Marilyn Thomas:

“THAT, the 2023 Septic System Re-Inspection Program Annual Report be received for information.”

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Report #PD-2024-05 – Manie Daniels Centre Update (261 Maberly Elphin Road).**

Suggested Motion by Councillor Angela Pierman:

“THAT, Report #PD-2024-05 – Manie Daniels Centre Update (261 Maberly Elphin Road) be received for information.”

AND THAT, Council commits to reviewing the provisions in the Official Plan and Zoning By-Law regarding group homes at a future meeting,

AND THAT, the Township encourages Mr. Spencer Kell to hold a public information session and that a Ministry representative be present to answer questions regarding public safety and operational oversight.”

- ii) **Report #PD-2024-04 – Mississippi-Rideau Source Protection Committee Member Reappointment for 2024 to 2029.**

Suggested Motion by Councillor Wayne Baker:

“THAT, the Council of Tay Valley Township nominate Eleanor Renaud to be reappointed as the Mississippi-Rideau Source Protection Committee Member, on behalf of Tay Valley Township, from 2024 to 2029.”

iii) **Report #PD-2024-03 – Rideau Corridor Landscape Strategy Steering Committee Appointment.**

Suggested Motion by Councillor Andrew Kendrick:

*“**THAT**, Wayne Baker be appointed as a Municipal Representative on the Rideau Corridor Landscape Strategy Steering Committee;*

***AND THAT**, Noelle Reeve, Planner continue to serve as the alternate Municipal Representative and continue to sit on the Planners’ Technical Advisory Committee.”*

iv) **Report #PD-2024-02 – Sewage System Management Services Agreement Amendment (Payment Process).**

Suggested Motion by Councillor Greg Hallam:

*“**THAT**, the Sewage System Management Services Agreement for the provision of septic inspection and septic re-inspection services with the Mississippi Valley Conservation Authority be amended as outlined in Report #PD-2024-02 – Sewage System Maintenance Services Agreement Amendment (Payment Process);*

***AND THAT**, the necessary By-Law be brought forward for approval.”*

v) **Report #PD-2024-01 – Declaration of a Climate Change Crisis.**

Suggested Motion by Councillor Korrine Jordan:

*“**WHEREAS**, climate change annually contributes to hundreds of billions of dollars in property and infrastructure damage worldwide, stressing local to national and international economies;*

***WHEREAS**, climate change jeopardizes the health and risks the extinction of millions of species worldwide, stressing and weakening the health and integrity of ecosystems everywhere;*

***WHEREAS**, climate change harms the health and security of people through intense wildfires, flooding, storms, droughts, rising sea levels, the spread of invasive insects bearing diseases, negative impacts on agriculture, and food supply interruption, thus further stressing social, economic, and political systems;*

***WHEREAS**, there is now a large body of evidence and climate change risk scenarios which point to the imperative for steep and permanent reductions in greenhouse gas emissions, immediately and in the coming decades, in order to avoid many climate change “tipping points” which, if crossed, will render further and devastating ecological, economic, and societal losses;*

***AND WHEREAS**, a crisis can be defined as "a dangerous situation requiring immediate action";*

NOW THEREFORE BE IT RESOLVED THAT, *Tay Valley Township officially declares a climate change crisis for the purposes of naming, framing, and deepening our commitment to protecting our local ecosystems, local economy, and our community from climate change;*

AND THAT, *this resolution be provided to Prime Minister Trudeau and all federal ministers with portfolios related to climate change; to all federal Opposition party leaders; to MP Scott Reid; to Premier Ford and all Ontario ministers with portfolios related to climate change; to MPP John Jordan and all other Ontario MPPs; and to all Ontario Municipalities.”*

vi) **Report #FIN-2024-01 – Property Tax Resolution.**

Suggested Motion by Deputy Reeve Fred Dobbie:

“WHEREAS, *current provincial-municipal fiscal arrangements are undermining Ontario’s economic prosperity and quality of life;*

WHEREAS, *nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year;*

WHEREAS, *municipal revenues, such as property taxes, do not grow with the economy or inflation;*

WHEREAS, *unprecedented population and housing growth will require significant investments in municipal infrastructure;*

WHEREAS, *municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises;*

WHEREAS, *inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity;*

WHEREAS, *property taxpayers – including people on fixed incomes and small businesses – can not afford to subsidize income re-distribution programs for those most in need;*

WHEREAS, *the province can, and should, invest more in the prosperity of communities;*

AND WHEREAS, *municipalities and the provincial government have a strong history of collaboration;*

NOW THEREFORE BE IT RESOLVED THAT, *the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario;*

AND FURTHER THAT, a copy of this motion be sent to the Premier of Ontario (premier@ontario.ca); Minister of Municipal Affairs and Housing (minister.mah@ontario.ca); the Minister of Finance (minister.fin@ontario.ca); and to the Association of Municipalities of Ontario (amo@amo.on.ca).”

vii) **Report #FIN-2024-02 – Development Charges Background Study & By-Law.**

Suggested Motion by Councillor Marilyn Thomas:

“THAT, section 7.4 of the Township’s procurement policy, “professional consulting services estimated to cost more than \$2,000 shall be requested through a competitive Request for Proposal process”, be waived;

THAT, Watson & Associates Economists Ltd. be awarded the consulting services contract for the 2024 Development Charges Background Study and development of corresponding by-law at a cost of \$33,280 + net HST;

THAT, Watson & Associates Economists Ltd. be awarded the consulting services contract for the 2024 Area Specific Study at a cost of \$6,720 + net HST;

THAT, the provisional item, the Development Charges implementation workshop, for \$3,600 + net HST, be covered by the 2024 operational training budget lines;

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

viii) **Report #PW-2024-03 – Tayside Estates Subdivision.**

Suggested Motion by Councillor Angela Pierman:

“THAT, Tay Valley Township waive the four (4) outstanding items to the Tayside Estates Subdivision Agreement as outlined in Report #PW-2024-03 - Tayside Estates Subdivision;

THAT, Tay Valley Township approve Final Acceptance of the Works for the Tayside Estates Subdivision;

THAT, the necessary by-law to assume Ernest Way in the Tayside Estates Subdivision be brought forward to the next Council meeting for approval;

AND THAT, once the Final Acceptance of the Works for the Tayside Estates Subdivision has been approved and the necessary by-law to assume Ernest Way been adopted and registered on title that the remaining securities be released.”

ix) **Report #PW-2024-04 – Pavilion Projects – Tender Awards.**

Suggested Motion by Councillor Wayne Baker:

“THAT, Tender 2024-RF-001, Timber Framed Pavilion, be awarded to Hemlock Ridge Timberframes Inc.;

THAT, Tender 2024-RF-002, Pavilion Site Works, be awarded to Vanderheyden Excavating;

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

x) **Report #PW-2024-02 – Road Patrol Software.**

Suggested Motion by Councillor Andrew Kendrick:

“THAT, Section 7.2 of the Township’s Procurement Policy be waived to single source Road Patrol Software from Go Evo Inc.;

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

xi) **Report #PW-2024-01 – Blue Box Transition Update.**

Suggested Motion by Councillor Greg Hallam:

“THAT, Report #PW-2024-01 – Blue Box Transition Update be received for information.”

xii) **Report #CAO-2024-01 – Request to Close a Portion of an Unopened Road Allowance – Illman.**

Suggested Motion by Councillor Korrine Jordan:

“THAT, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-01 – Request to Close a Portion of an Unopened Road Allowance (Illman), as per the Road Closing and Sale Policy and call a Public Meeting.”

xiii) **Report #CAO-2024-02 – Proposed New Road Name – Murpubar Bay Lane.**

Suggested Motion by Deputy Reeve Fred Dobbie:

“THAT, the necessary by-law to name an existing Private Road to Murpubar Bay Lane as outlined in Report #CAO-2024-02 – Proposed New Road Name – Murpubar Bay Lane, be brought forward for approval.”

- xiv) **Report #CAO-2024-03 – Request to Close a Portion of an Unopened Road Allowance – Gervais.**

Suggested Motion by Councillor Marilyn Thomas:

*“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-03 – Request to Close a Portion of an Unopened Road Allowance – Gervais, as per the Road Closing and Sale Policy and call a Public Meeting.”*

- xv) **Report #CAO-2024-05 – Lanark County OPP Detachment Board Terms of Reference.**

Suggested Motion by Councillor Angela Pierman:

*“**THAT**, the Lanark County OPP Detachment Board – Terms of Reference be approved;*

***AND THAT**, the necessary by-law be brought forward for approval.”*

- xvi) **23-12-19 – Council Communication Package.**

Suggested Motion by Councillor Wayne Baker:

*“**THAT**, the 23-12-19 Council Communication Package, excluding items 13, 14, and 15, be received for information.”*

- xvii) **Request to Amend the Legislation Act, 2006 to include Digital Publications.**

Suggested Motion by Councillor Andrew Kendrick:

*“**WHEREAS**, Metroland Media Group has sought bankruptcy protection and will cease the print publication of its weekly community newspapers across Ontario, moving to an online-only model;*

***AND WHEREAS**, Neil Oliver, Chief Executive Officer and President of Metroland Media Group, said the 71 Metroland community publications will be digital only going forward;*

***AND WHEREAS**, the Legislation Act, 2006 provides a definition of “newspaper” which applies to every Ontario Act and Regulation, as in a provision requiring publication, means a document that, (a) **is printed in sheet form**, published at regular intervals of a week or less and circulated to the general public, and (b) consists primarily of news of current events of general interest; (“journal”);*

***AND WHEREAS**, Ontario Municipalities are required to follow publication and notice requirements for Provincial Acts and Regulations;*

AND WHEREAS, communities such as Tay Valley Township cannot comply with publication requirements in Provincial Acts and Regulations as the Metroland Media Group news publication is no longer being printed in sheet form and there are no other local news publications fitting the definition of “newspaper”;

AND WHEREAS, some small, rural, Ontario Municipalities may not have the means to bring an application to the Court to ask for directions and approval of an alternate manner of providing notice;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township does hereby request the Provincial government to make an amendment to the Legislation Act, 2006 to include digital publications as an acceptable means of publication and notice requirements for Provincial Acts and Regulations;

AND FURTHER, requests the support of all Ontario Municipalities;

AND FURTHER THAT, this resolution be forwarded to the Minister of Municipal Affairs and Housing, Paul Calandra; Lanark Frontenac Kingston MPP, John Jordan; The Association of Ontario Municipalities (AMO); CEO and President of Metroland Media Group, Neil Oliver and all Ontario Municipalities.”

xviii) **24-02-07 – Council Communication Package.**

Suggested Motion by Councillor Greg Hallam:

“THAT, the 24-02-07 Council Communication Package, excluding items 38-42, be received for information.”

xix) **Request to Assist Municipalities in the Growing Concern of Cemetery Transfers.**

Suggested Motion by Councillor Korrine Jordan:

“WHEREAS, under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

AND WHEREAS, over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

AND WHEREAS, municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within their jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

AND WHEREAS, cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

AND WHEREAS, the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- amend the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- provide free training opportunities for municipalities regarding cemetery administration; and,
- investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost;

AND THAT, this resolution be circulated to the Honourable Todd McCarthy, Ministry of Public and Business Service Delivery, Jim Cassimatis, BAO Interim CEO/Registrar, MPP John Jordan and all Ontario municipalities.”

xx) **Association of Municipalities Ontario Policy Update – Social and Economic Prosperity Review.**

Suggested Motion by Deputy Reeve Fred Dobbie:

*“**WHEREAS**, current provincial-municipal fiscal arrangements are undermining Ontario’s economic prosperity and quality of life;*

***WHEREAS**, nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year;*

***WHEREAS**, municipal revenues, such as property taxes, do not grow with the economy or inflation;*

***WHEREAS**, unprecedented population and housing growth will require significant investments in municipal infrastructure;*

***WHEREAS**, municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises;*

***WHEREAS**, inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity;*

***WHEREAS**, property taxpayers – including people on fixed incomes and small businesses – can’t afford to subsidize income re-distribution programs for those most in need*

***WHEREAS**, the province can, and should, invest more in the prosperity of communities*

***AND WHEREAS**, municipalities and the provincial government have a strong history of collaboration*

***THEREFORE, BE IT RESOLVED THAT** the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario.”*

xxi) **Association of Ontario Roads Supervisors – Support the Creation of a Municipal Equipment Operator Course.**

Suggested Motion by Councillor Marilyn Thomas:

*“**WHEREAS**, municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents;*

AND WHEREAS, municipal public works departments are already feeling the impacts of a labour shortage, which will only be exasperated over the next three to five years, which will cause levels of service municipalities are able to provide to ensure the health and safety of our residents to decrease;

AND WHEREAS, there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment.

THEREFORE IT BE RESOLVED, that Tay Valley Township supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue;

AND THAT, Tay Valley Township calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund;

AND THAT, a copy of this resolution be sent to the Minister of Labour, Training, Immigration and Skilled Trades David Piccini, Tay Valley Township's Member of Provincial Parliament John Jordan and the Association of Ontario Road Supervisors."

8. BY-LAWS

- i) **By-Law No. 2024-001 – Stop Up, Close & Sell Portion of Unopened Road Allowance (White) – attached, page 90.**

Suggested Motion by Councillor Angela Pierman:

“THAT, By-Law No. 2024-001, being a by-law to Stop Up, Close & Sell a Portion of an Unopened Road Allowance between Lots 18 & 19, Concession 6, geographic Township of North Burgess (White), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- ii) **By-Law No. 2024-002 – Stop Up, Close & Sell Portion of Unopened Road Allowance (Edwards/Wolfe) – attached, page 94.**

Suggested Motion by Councillor Wayne Baker:

“THAT, By-Law No. 2024-002, being a by-law to Stop Up, Close & Sell a Portion of an Unopened Road Allowance between Lot 22, Concession 8, geographic Township of South Sherbrooke and Lot 1, Concession 9, geographic Township of Bathurst (Edwards/Wolfe), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- iii) **By-Law No. 2024-003 – Road Naming – Murpubar Bay Lane – attached, page 98.**

Suggested Motion by Councillor Andrew Kendrick:

“THAT, By-Law No. 2024-003, being a by-law to amend Road Naming By-Law No. 98-87 (Murpubar Bay Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- iv) **By-Law No. 2024-004 – Lanark County OPP Detachment Board – Terms of Reference – attached, page 103.**

Suggested Motion by Councillor Greg Hallam:

“THAT, By-Law No. 2024-004, being a by-law to adopt the Lanark County OPP Detachment Board – Terms of Reference, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- v) **By-Law No. 2024-005 – Assume Road for Public Use within Tayside Estates Subdivision (Ernest Way) – attached, page 110.**

Suggested Motion by Councillor Korrine Jordan:

“THAT, By-Law No. 2024-005, being a by-law to assume a road for public use within Tayside Estates Subdivision (Ernest Way), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- vi) **By-Law No. 2024-006 – Zoning By-Law Amendment – Anderson and Beck – attached, page 115.**

Suggested Motion by Deputy Reeve Fred Dobbie:

“THAT, By-Law No. 2024-006, being a by-law to amend Zoning By-Law No. 2002-121 (472 Star Hill Road, Part Lot 21, Concession 6, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- vii) **By-Law No. 2024-007 – Sewage System Management Agreement (MVCA) - Amendment – attached, page 118.**

Suggested Motion by Councillor Marilyn Thomas:

“THAT, By-Law No. 2024-007, being a by-law to amend By-Law No. 2020-009 being a by-law to authorize a Sewage System Management Agreement (MVCA), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

9. NEW/OTHER BUSINESS

None.

10. CALENDARING

Meeting	Date	Time	Location
Committee of Adjustment Meeting	February 26 th	5:00 p.m.	Municipal Office
Council Meeting	February 27 th	6:00 p.m.	Municipal Office
Lanark County OPP Detachment Board of Transition Committee Meeting	March 1 st	8:30 a.m.	Carleton Place
Committee of the Whole Meeting	March 5 th	6:00 p.m.	Municipal Office
Committee of Adjustment Meeting	March 18 th	5:00 p.m.	Municipal Office
Police Services Board Meeting	March 26 th	2:00 p.m.	Municipal Office
Council Meeting	March 26 th	6:00 p.m.	Municipal Office

11. CLOSED SESSIONS

- i) **CONFIDENTIAL: Solicitor/Client Privilege – 261 Maberly Elphin Road.**
Amanda Mabo, Chief Administrative Officer/Clerk.

Suggested Motion by Councillor Angela Pierman:

“THAT, Council move “in camera” at ___ p.m. to address a matter pertaining to the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose regarding 261 Maberly Elphin Road;

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

Suggested Motion by Councillor Wayne Baker:

“THAT, Council return to open session at ___ p.m.”

- Chair’s Rise and Report.

12. CONFIRMATION BY-LAW

- i) **By-Law No. 2024-008 - Confirmation By-Law – February 27th, 2024 – attached, page 120.**

Suggested Motion by Councillor Andrew Kendrick:

“THAT, By-Law No. 2024-008 being a by-law to confirm the proceedings of the Council meeting held on February 27th, 2024, 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, December 12th, 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 Korrine Jordan
Councillor Andrew Kendrick
Councillor Angela Pierman
Councillor Marilyn Thomas

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Aaron Watt, Deputy Clerk
Noelle Reeve, Planner
Ashley Liznick, Treasurer
Sean Ervin, Public Works Manager

Regrets: None.

1. CALL TO ORDER

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

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

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

None at this time.

4. APPROVAL OF MINUTES

- i) **Council Meeting – November 21st, 2023.**

RESOLUTION #C-2023-12-01

MOVED BY: Andrew Kendrick
SECONDED BY: Greg Hallam

“**THAT**, the minutes of the Council Meeting held on November 21st, 2023, be approved as circulated.”

ADOPTED

- ii) **Committee of the Whole Meeting – December 5th, 2023.**

RESOLUTION #C-2023-12-02

MOVED BY: Greg Hallam
SECONDED BY: Andrew Kendrick

“**THAT**, the minutes of the Committee of the Whole Meeting held on December 5th, 2023, be approved as presented.”

(SEE RESOLUTION #C-2023-12-03)

RESOLUTION #C-2023-12-03

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“**THAT**, the minutes of the Committee of the Whole Meeting held on December 5th, 2023, be amended by adding the following to item 6 (vii) Report #CAO-2023-24 – Recreation Cost Sharing Agreement, after the sentence “Discussion followed regarding the importance of inter-municipality collaboration and the shared use of facilities and services:

The Chief Administrative Officer/Clerk noted that the staff of Drummond/North Elmsley and Lanark Highlands were bringing similar reports to their Councils to assist in negotiating a final approach with the Town of Perth.”

ADOPTED

RESOLUTION #C-2023-12-02

MOVED BY: Greg Hallam
SECONDED BY: Andrew Kendrick

“**THAT**, the minutes of the Committee of the Whole Meeting held on December 5th, 2023, be approved as amended.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

- i) **Presentation: 2022 Audited Financial Statements.**

RESOLUTION #C-2023-12-04

MOVED BY: Korrine Jordan
SECONDED BY: Greg Hallam

“**THAT**, the Council of the Corporation of Tay Valley Township adopt the 2022 Audited Financial Statements as presented.”

ADOPTED

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **FILE #ZA23-04: Candice St. Pierre (147 Horseshoe Bay, Concession 3, Part Lot 17, Geographic Township of North Burgess).**

RESOLUTION #C-2023-12-05

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“**THAT**, the proposed zoning amendment for File #ZA23-04: Candice St. Pierre (147 Horseshoe Bay, Concession 3, Part Lot 17, geographic Township of North Burgess) be denied.”

ADOPTED

The Reeve stepped down as Chair in order to discuss the next item on the Agenda.
The Deputy Reeve assumed the Chair.

- ii) **Report #PD-2023-28 – Response to Enbridge Request for Blanket Support for Expansion of Natural Gas.**

RESOLUTION #C-2023-12-06

MOVED BY: Angela Pierman
SECONDED BY: Marilyn Thomas

“**WHEREAS**, Ontario Residents are struggling with energy bill increases and need relief;

AND WHEREAS, Natural gas is no longer the cheapest way to heat homes because electric heat pumps are now much more efficient, can provide all heating needs even in cold climates, and result in far lower energy bills compared to gas heating;

AND WHEREAS, Natural gas is methane gas, which is a fossil fuel that causes approximately one-third of Ontario's GHG emissions and must be phased out because it is inconsistent with all climate targets, while heat pumps powered by low-carbon electricity result in the lowest GHG emissions and are consistent with a zero-carbon future;

AND WHEREAS, The Natural Gas Expansion Program provides subsidies to bring natural gas to communities across Ontario but currently cannot be redirected by municipalities toward the best option for their residents – upgrading the electricity grid and supporting heat pumps;

AND WHEREAS, Far more residents could achieve far lower energy bills if municipalities were allowed to redirect those subsidies toward heat pumps for their residents, which would also benefit existing natural gas customers by reducing the financial risks they bear in relation to the gas expansion projects;

AND WHEREAS, The Government of Ontario is considering requests from Enbridge Gas Inc. to reduce oversight by the Ontario Energy Board over gas expansion and other pipeline projects at a time when the Ontario Energy Board's technical and financial expertise is critical as the energy transition takes place;

NOW THEREFORE BE IT RESOLVED THAT, the Corporation of Tay Valley Township petitions the Ontario Government to expedite the implementation of the following recommendations:

THAT, the Government of Ontario amend the Natural Gas Expansion Program to allow municipalities to redirect funds toward electricity grid upgrades and heat pumps, including for ongoing Phase II projects;

THAT, the Government of Ontario maintain the existing Ontario Energy Board oversight mechanisms and thresholds for gas pipeline projects; and Page 29 of 113;

THAT, the Government of Ontario ask the Ontario Energy Board to determine in gas expansion leave-to-construct applications which option would result in the lowest energy bills-directing the subsidy to gas expansion or to electricity grid and heat pump subsidies;

AND THAT, this resolution be circulated to the President of AMO, Colin Best, Premier Doug Ford, the Minister of Energy, Todd Smith, the Minister of Finance, Peter Bethlenfalvy and to all regional municipalities for whom Enbridge has requested support of the proposed changes."

(SEE RESOLUTION #C-2023-12-07)

RESOLUTION #C-2023-12-07

MOVED BY: Rob Rainer

SECONDED BY: Wayne Baker

“**THAT**, the last paragraph in Resolution #C-2023-12-06 be amended to read as follows:

AND THAT, this resolution be circulated to the Premier of Ontario, the provincial ministers of Energy and Finance, the provincial opposition party leaders, the AMO President, and all municipalities in Ontario.”

ADOPTED

RESOLUTION #C-2023-12-06

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“**WHEREAS**, Ontario Residents are struggling with energy bill increases and need relief;

AND WHEREAS, Natural gas is no longer the cheapest way to heat homes because electric heat pumps are now much more efficient, can provide all heating needs even in cold climates, and result in far lower energy bills compared to gas heating;

AND WHEREAS, Natural gas is methane gas, which is a fossil fuel that causes approximately one-third of Ontario's GHG emissions and must be phased out because it is inconsistent with all climate targets, while heat pumps powered by low-carbon electricity result in the lowest GHG emissions and are consistent with a zero-carbon future;

AND WHEREAS, The Natural Gas Expansion Program provides subsidies to bring natural gas to communities across Ontario but currently cannot be redirected by municipalities toward the best option for their residents – upgrading the electricity grid and supporting heat pumps;

AND WHEREAS, Far more residents could achieve far lower energy bills if municipalities were allowed to redirect those subsidies toward heat pumps for their residents, which would also benefit existing natural gas customers by reducing the financial risks they bear in relation to the gas expansion projects;

AND WHEREAS, The Government of Ontario is considering requests from Enbridge Gas Inc. to reduce oversight by the Ontario Energy Board over gas expansion and other pipeline projects at a time when the Ontario Energy Board's technical and financial expertise is critical as the energy transition takes place;

NOW THEREFORE BE IT RESOLVED THAT, the Corporation of Tay Valley Township petitions the Ontario Government to expedite the implementation of the following recommendations:

THAT, the Government of Ontario amend the Natural Gas Expansion Program to allow municipalities to redirect funds toward electricity grid upgrades and heat pumps, including for ongoing Phase II projects;

THAT, the Government of Ontario maintain the existing Ontario Energy Board oversight mechanisms and thresholds for gas pipeline projects; and Page 29 of 113;

THAT, the Government of Ontario ask the Ontario Energy Board to determine in gas expansion leave-to-construct applications which option would result in the lowest energy bills-directing the subsidy to gas expansion or to electricity grid and heat pump subsidies;

AND THAT, this resolution be circulated to the Premier of Ontario, the provincial ministers of Energy and Finance, the provincial opposition party leaders, the AMO President, and all municipalities in Ontario."

ADOPTED

The Deputy Reeve stepped down as Chair.
The Reeve resumed the Chair.

iii) **Report #PW-2023-25 – EV ChargeOn Grant Application.**

Council discussed the following:

- concern over installing four chargers, consuming four parking spaces, at the municipal office that would otherwise be available for constituent use
- the ability to determine how much the chargers are being used
- concern over vehicle charge received versus charge time required
- long term commitment costs of maintaining the chargers, if an agreement or contract will be required
- approaches used by other municipalities in regard to installing either level 2 or level 3 electric vehicle charging stations

The Public Works Manager reported the following:

- confirmed that the grant requires four chargers, and four parking spots.
- Noted that Maberly Hall would be an ideal location, but there is not enough parking space available
- the municipal building is the only location with a parking area big enough to accommodate four charging spaces.
- will reach out to the Town of Perth with inquiries of their ability to track usage of their municipal chargers
- confirmed there is an annual cost to the Township to operate the charging stations, that the cost covers data reporting and troubleshooting

- confirmed that the annual cost is not a contract, it only exists as long as the charging stations are in operation

RESOLUTION #C-2023-12-08

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, the Corporation of Tay Valley Township commit to the upset limit of \$11,600 as the municipality’s contribution of the EV ChargeON Grant Application;

THAT, the \$11,600 be funded from the Contingency Reserve unless other grant opportunities are available;

AND THAT, the Chief Administrative Officer/Clerk be authorized to submit an application under the EV ChargeON program for the installation of two Level 2 EV Chargers at the Municipal Office prior to the January 31, 2024 deadline.”

ADOPTED

- iv) **Report #FIN-2023-10 – Property Tax Due Dates.**

RESOLUTION #C-2023-12-09

MOVED BY: Andrew Kendrick
SECONDED BY: Greg Hallam

“**THAT**, the interim tax due dates be on February 27th, 2024 and April 26th, 2024;

AND THAT, the final tax due dates be on July 29th, 2024 and September 26th, 2024.”

ADOPTED

- v) **Report #CAO-2023-23 – Lanark County OPP Detachment Police Services Board Council Appointee.**

RESOLUTION #C-2023-12-10

MOVED BY: Greg Hallam
SECONDED BY: Korrine Jordan

“**THAT**, the Reeve for Tay Valley Township be appointed as the Council representative to the new Lanark County OPP Detachment Police Services Board which is scheduled to come into effect sometime in 2024.”

ADOPTED

vi) **Report #CAO-2023-24 – Recreation Cost Sharing Agreement.**

RESOLUTION #C-2023-12-11

MOVED BY: Korrine Jordan

SECONDED BY: Greg Hallam

“**THAT**, the Council of Tay Valley Township notify the Town of Perth and the Townships of Drummond/North Elmsley and Lanark Highlands that Tay Valley Township is prepared to enter into a new Recreation Cost Sharing Agreement with the four (4) municipalities, effective January 1, 2024 that would include the Perth Arena, Perth Pool and Lanark Highlands Arena subject to the final agreement being brought back to Council for approval and subject to the following parameters:

- 5-year agreement so that it does not end in an election year
- annual review of the agreement by all parties (with meeting at the staff level)
- based on weighted assessment formula and
- operating costs not to include third-party services (ex. canteen, skate sharpening, etc.)
- annual contribution to include:
 - operating costs – audited actual expenses minus revenues
 - overhead allocation – actuals
 - capital contribution - 5% of gross operating expenditures
- maximum year over year increase will be October Total CPI as reported by the Bank of Canada unless otherwise agreed to by the parties
- a clause in the agreement addressing what happens with a surplus or deficit
- annual user metrics will be provided and a current revenue/expenditure report for each facility by March of the following year
- each municipality will charge regular user rates (non-contributing fees will not apply) for recreation facilities/amenities not covered by the Recreation Cost Sharing Agreement.”

ADOPTED

vii) **Traffic Advisory Working Group.**

RESOLUTION #C-2023-12-12

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, Councillor Greg Hallam be appointed to the Traffic Advisory Working Group for the County of Lanark.”

ADOPTED

viii) **Traffic Speed on Scotch Line.**

RESOLUTION #C-2023-12-13

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, the Reeve on behalf of Tay Valley Township send a letter to the Lanark County Director of Public Works in support of reducing the speed limit on Scotch Line in front of the Perth Children’s House – Montessori School located at 2345 Scotch Line.”

ADOPTED

ix) **23-11-30 – Council Communication Package.**

RESOLUTION #C-2023-12-14

MOVED BY: Andrew Kendrick
SECONDED BY: Greg Hallam

“**THAT**, the 23-11-30 Council Communication Package be received for information.”

ADOPTED

x) **Rideau Lake Road Petition.**

RESOLUTION #C-2023-12-15

MOVED BY: Greg Hallam
SECONDED BY: Korrine Jordan

“**THAT**, the Rideau Lake Road Petition dated November 28, 2023 be received for information.”

ADOPTED

xi) **Heritage Property Selection Committee - Resignation.**

RESOLUTION #C-2023-12-16

MOVED BY: Korrine Jordan
SECONDED BY: Greg Hallam

“**THAT**, Brenda Kennett be removed from the Heritage Property Selection Committee.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2023-055 – Zoning By-Law Amendment – 1000654129 Ontario Inc.**

RESOLUTION #C-2023-12-17

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“**THAT**, Zoning By-Law No. 2023-055, being a by-law to amend Zoning By-Law No. 2002-121 (30 Highway 511, Part Lot 27, Concession 3, geographic Township of Bathurst), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ii) **By-Law No. 2023-056 – Zoning By-Law Amendment – Morrison.**

RESOLUTION #C-2023-12-18

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, Zoning By-Law No. 2023-056, being a by-law to amend Zoning By-Law No. 2002-121 (313 Silvery Lane, Part Lot 13, Concession 4 and 5, geographic Township of South Sherbrooke), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iii) **By-Law No. 2023-057 – Zoning By-Law Amendment – Perth Children’s House.**

RESOLUTION #C-2023-12-19

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“**THAT**, Zoning By-Law No. 2023-057, being a by-law to amend Zoning By-Law No. 2002-121 (2345, Part Lot 1, Concession 10, geographic Township of North Burgess), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

iv) **By-Law No. 2023-058 – 2024 Budget.**

RESOLUTION #C-2023-12-20

MOVED BY: Angela Pierman

SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2023-058, being a by-law to adopt the Estimates for the Sums Required for Municipal Purposes for the Year 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

(SEE RECORDED VOTE)

Councillor Wayne Baker requested a recorded vote on Resolution #C-2023-12-20:

For:	Reeve Rob Rainer	1
	Deputy Reeve Fred Dobbie	1
	Councillor Greg Hallam	1
	Councillor Andrew Kendrick	1
	Councillor Angela Pierman	1
	Councillor Marilyn Thomas	<u>1</u>
		6
Against:	Councillor Wayne Baker	1
	Councillor Korrine Jordan	<u>1</u>
		2
Absent:		0
Total:		8

ADOPTED

v) **By-Law No. 2023-059 – Interim & Final Tax Levy.**

RESOLUTION #C-2023-12-21

MOVED BY: Wayne Baker

SECONDED BY: Angela Pierman

“**THAT**, By-Law No. 2023-059, being a by-law to authorize an Interim and Final Tax Levy for the Year 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- vi) **By-Law No. 2023-060 – Tariff of Fees.**

RESOLUTION #C-2023-12-22

MOVED BY: Andrew Kendrick

SECONDED BY: Greg Hallam

“**THAT**, By-Law No. 2023-060, being a by-law to adopt a Tariff of Fees, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- vii) **By-Law No. 2023-061 – Refreshment Vehicle Licensing By-Law.**

RESOLUTION #C-2023-12-23

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“**THAT**, By-Law No. 2023-061, being a by-law to amend By-Law No. 2011-052 being a Refreshment Vehicle Licensing By-Law, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- viii) **By-Law No. 2023-062 – Road Closing & Sale Policy.**

RESOLUTION #C-2023-12-24

MOVED BY: Korrine Jordan

SECONDED BY:

“**THAT**, By-Law No. 2023-062, being a by-law to amend By-Law No. 2020-055 being a Road Closing & Sale Policy, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ix) **By-Law No. 2023-063 – Building By-Law Amendment.**

RESOLUTION #C-2023-12-25

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2023-063, being a by-law to amend By-Law No. 2013-005 being a Building By-Law and repeal By-Law No. 2020-054 and By-Law No. 2013-005, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- x) **By-Law No. 2023-064 – Waste Disposal, Composting & Recycling By-Law Amendment.**

RESOLUTION #C-2023-12-26

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“THAT, By-Law No. 2023-064, being a by-law to amend By-Law No. 2015-043 being a Waste Disposal, Composting & Recycling By-Law and to repeal By-Law No. 2019-047 and By-Law No. 2022-043, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- xi) **By-Law No. 2023-065 – Part Lot Control Exemption - Burgesswood Subdivision.**

RESOLUTION #C-2023-12-27

MOVED BY: Angela Pierman
SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2023-065, being a by-law to provide that Subsection (5) of the Planning Act, R.S.O. 1990 C.P.13, as amended, does not apply to certain lands in Tay Valley Township (Lots 49 and 50, PL-25, Burgesswood Subdivision), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

9. NEW/OTHER BUSINESS

None.

10. CALENDARING

The Chief Administrative Officer/Clerk recommended to cancel the scheduled Committee of the Whole and Council meetings in January 2024 as there are currently no items for the agendas, reaffirming the option to call a special meeting during that month if necessary. Council agreed.

Meeting	Date	Time	Location
Fire Board Meeting	December 14th	2:00 p.m.	BBDNE Fire Station
Lanark County Joint Police Service Board Meeting	January 17 th	10:00 a.m.	Montague
Rural Ontario Municipal Association (ROMA) Conference	January 21 st – January 23 rd		Toronto
Committee of Adjustment Meeting	January 22 nd	5:00 p.m.	Municipal Office

RVCA Board of Directors Meeting	January 25 th	6:30 p.m.	RVCA Offices
Pinehurst Cemetery Board Meeting	February 1 st	2:00 p.m.	Municipal Office
MANDATORY - Indigenous Cultural Competency Training by Ontario Federation of Indigenous Friendship Centres	February 3 rd	9:00 a.m.	Municipal Office
Public Meeting – Zoning By-Law Amendment	February 13 th	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	February 13 th	Following	Municipal Office
Police Services Board Meeting	February 27 th	2:00 p.m.	Municipal Office
Council Meeting	February 27 th	6:00 p.m.	Municipal Office

11. CLOSED SESSIONS

None.

12. CONFIRMATION BY-LAW

i) **By-Law No. 2023-066 - Confirmation By-Law – December 12th, 2023.**

RESOLUTION #C-2023-12-28

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, By-Law No. 2023-066 being a by-law to confirm the proceedings of the Council meeting held on December 12th, 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 7:18 p.m.

COMMITTEE OF THE WHOLE MINUTES

Tuesday, February 13th, 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 Angela Pierman
Reeve Rob Rainer
Deputy Reeve Fred Dobbie
Councillor Wayne Baker
Councillor Greg Hallam
Councillor Korrine Jordan
Councillor Andrew Kendrick
Councillor Marilyn Thomas

Staff Present: Amanda Mabo, Chief Administrative Officer/Clerk
Aaron Watt, Deputy Clerk
Sean Ervin, Public Works Manager (left at 8:05 p.m.)
Ashley Liznick, Treasurer (left at 8:32 p.m.)
Noelle Reeve, Planner (left at 8:32 p.m.)

Regrets: None

1. CALL TO ORDER

The meeting was called to order at 5:40 p.m.
A quorum was present.

2. AMENDMENTS/APPROVAL OF AGENDA

The Agenda was adopted as presented.

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

None at this time.

4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

i) **Public Meeting: Budget – November 28th, 2023.**

The minutes of the Public Meeting – Budget held on November 28th, 2023, were approved.

ii) **Public Meeting: Zoning By-Law Amendment(s) – December 5th, 2023.**

The minutes of the Public Meeting – Zoning By-Law Amendment(s) held on December 5th, 2023, were approved.

5. DELEGATIONS & PRESENTATIONS

None.

6. PRIORITY ISSUES

i) **Report #PD-2024-05 – Manie Daniels Centre Update (261 Maberly Elphin Road).**

The Planner explained that the report is not for decision at this meeting, but for information only. Staff thought that an information report should come forward to this meeting so that it could be explained why the Zoning Amendment Application was withdrawn.

Through discussion with stakeholders, it was determined that the project is a group home and is a permitted use under the Zoning By-Law, the Planning Act, The Lanark County Sustainable Communities Official Plan, and the Tay Valley Township Official Plan.

The Planner explained that pursuant to the requirements, the application is properly a minor variance and that a public meeting will occur through the Committee of Adjustment on March 18, 2024. The Centre is also planning a community open house and information session in the Spring.

A Member called into question the facility's compatibility with the performance standards tests for a group home, and if the Centre should ask for a variance because they do not meet one of the performance standards.

The Planner stated yes, they are asking for a variance.

A Member asked about the requirements for certification for the site. Privately funded facilities such as this one do not have to follow the same rules and requirements as publicly funded addiction centres.

The Planner explained that it is important to distinguish between addiction treatment and group homes. The proposed site in Maberly is proposed to be a

group home for those who have already completed a treatment program supporting sobriety, and that the residential setting is to further support those efforts.

Members discussed and questioned information and details contained in the zoning application submitted to the Township, details and information provided by the media, and Love Soluble Inc.'s website noting that much of the public information available is inconsistent or unclear.

The Planner explained that through consultation with the property owner, a board member, and the Township Solicitor it was determined that the application more properly fit the description of a group home. The Planner also explained that it is not unusual for applications to change after they are submitted and the details are more closely reviewed, applications evolve over time.

Questions from Members, and explanations and information from the Planner, and the Chief Administrative Officer/Clerk followed regarding the change in application, the requirements under The Planning Act, existing case law, and the purpose, scope, and authority of the Committee of Adjustment.

It was agreed that while this is currently classified as a minor variance under the Planning Act, it is a topic of major importance for the community.

The CAO/Clerk and Planner will request a meeting with the owner and a board member to fully review the intentions of the Centre and to answer any outstanding questions.

Recommendation to Council:

"THAT, Report #PD-2024-05 – Manie Daniels Centre Update (261 Maberly Elphin Road) be received for information."

THAT, Council commits to reviewing the provisions in the Official Plan and Zoning By-Law regarding group homes at a future meeting;

AND THAT, the Township encourages Mr. Spencer Kell to hold a public information session regarding the Manie Daniels Centre with a Ministry representative present to answer questions regarding public safety and operational oversight."

The Committee recessed at 6:52 p.m.

The Committee returned to session at 7:11 p.m.

- ii) **Report #PD-2024-04 – Mississippi-Rideau Source Protection Committee Member Reappointment for 2024 to 2029.**

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township nominate Eleanor Renaud to be reappointed as the Mississippi-Rideau Source Protection Committee Member, on behalf of Tay Valley Township, from 2024 to 2029.”

- iii) **Report #PD-2024-03 – Rideau Corridor Landscape Strategy Steering Committee Appointment.**

Recommendation to Council:

“**THAT**, Councillor Wayne Baker be appointed as a Municipal Representative on the Rideau Corridor Landscape Strategy Steering Committee;

AND THAT, Noelle Reeve, Planner continue to serve as the alternate Municipal Representative and continue to sit on the Planners’ Technical Advisory Committee.”

- iv) **Report #PD-2024-02 – Sewage System Management Services Agreement Amendment (Payment Process).**

Recommendation to Council:

“**THAT**, the Sewage System Management Services Agreement for the provision of septic inspection and septic re-inspection services with the Mississippi Valley Conservation Authority be amended as outlined in Report #PD-2024-02 – Sewage System Maintenance Services Agreement Amendment (Payment Process);

AND THAT, the necessary by-law be brought forward to the next Council meeting.”

- v) **Report #PD-2024-01 – Declaration of a Climate Change Crisis.**

Recommendation to Council:

“**WHEREAS**, climate change annually contributes to hundreds of billions of dollars in property and infrastructure damage worldwide, stressing local to national and international economies;

WHEREAS, climate change jeopardizes the health and risks the extinction of millions of species worldwide, stressing and weakening the health and integrity of ecosystems everywhere;

WHEREAS, climate change harms the health and security of people through intense wildfires, flooding, storms, droughts, rising sea levels, the spread of invasive insects bearing diseases, negative impacts on agriculture, and food supply interruption, thus further stressing social, economic, and political systems;

WHEREAS, there is now a large body of evidence and climate change risk scenarios which point to the imperative for steep and permanent reductions in greenhouse gas emissions, immediately and in the coming decades, in order to avoid many climate change “tipping points” which, if crossed, will render further and devastating ecological, economic, and societal losses;

AND WHEREAS, a crisis can be defined as "a dangerous situation requiring immediate action";

NOW THEREFORE BE IT RESOLVED THAT, Tay Valley Township officially declares a climate change crisis for the purposes of naming, framing, and deepening our commitment to protecting our local ecosystems, local economy, and our community from climate change;

AND THAT, this resolution be provided to Prime Minister Trudeau and all federal ministers with portfolios related to climate change; to all federal Opposition party leaders; to MP Scott Reid; to Premier Ford and all Ontario ministers with portfolios related to climate change; to MPP John Jordan and all other Ontario MPPs; and to all Ontario Municipalities.”

vi) **Report #FIN-2024-01 – Property Tax Resolution.**

Recommendation to Council:

“**WHEREAS**, current provincial-municipal fiscal arrangements are undermining Ontario’s economic prosperity and quality of life;

WHEREAS, nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year;

WHEREAS, municipal revenues, such as property taxes, do not grow with the economy or inflation;

WHEREAS, unprecedented population and housing growth will require significant investments in municipal infrastructure;

WHEREAS, municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises;

WHEREAS, inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity;

WHEREAS, property taxpayers – including people on fixed incomes and small businesses – can not afford to subsidize income re-distribution programs for those most in need;

WHEREAS, the province can, and should, invest more in the prosperity of communities;

AND WHEREAS, municipalities and the provincial government have a strong history of collaboration;

NOW THEREFORE BE IT RESOLVED THAT, the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario;

AND FURTHER THAT, a copy of this motion be sent to the Premier of Ontario (premier@ontario.ca); Minister of Municipal Affairs and Housing (minister.mah@ontario.ca); the Minister of Finance (minister.fin@ontario.ca); and to the Association of Municipalities of Ontario (amo@amo.on.ca).

vii) **Report #FIN-2024-02 – Development Charges Background Study & By-Law.**

Recommendation to Council:

“THAT, section 7.4 of the Township’s procurement policy, “professional consulting services estimated to cost more than \$2,000 shall be requested through a competitive Request for Proposal process”, be waived;

THAT, Watson & Associates Economists Ltd. be awarded the consulting services contract for the 2024 Development Charges Background Study and development of corresponding by-law at a cost of \$33,280 + net HST;

THAT, Watson & Associates Economists Ltd. be awarded the consulting services contract for the 2024 Area Specific Study at a cost of \$6,720 + net HST;

THAT, the provisional item, the Development Charges implementation workshop, for \$3,600 + net HST, be covered by the 2024 operational training budget lines;

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

viii) **Report #PW-2024-03 – Tayside Estates Subdivision.**

Recommendation to Council:

“THAT, Tay Valley Township waive the four (4) outstanding items to the Tayside Estates Subdivision Agreement as outlined in Report #PW-2024-03 - Tayside Estates Subdivision;

THAT, Tay Valley Township approve Final Acceptance of the Works for the Tayside Estates Subdivision;

THAT, the necessary by-law to assume Ernest Way in the Tayside Estates Subdivision be brought forward to the next Council meeting for approval;

AND THAT, once the Final Acceptance of the Works for the Tayside Estates Subdivision has been approved and the necessary by-law to assume Ernest Way been adopted and registered on title that the remaining securities be released.”

ix) **Report #PW-2024-04 – Pavilion Projects – Tender Awards.**

Recommendation to Council:

“**THAT**, Tender 2024-RF-001, Timber Framed Pavilion, be awarded to Hemlock Ridge Timberframes Inc.;

THAT, Tender 2024-RF-002, Pavilion Site Works, be awarded to Vanderheyden Excavating;

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

x) **Report #PW-2024-02 – Road Patrol Software.**

Recommendation to Council:

“**THAT**, Section 7.2 of the Township’s Procurement Policy be waived to single source Road Patrol Software from Go Evo Inc.;

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

xi) **Report #PW-2024-01 – Blue Box Transition Update.**

Recommendation to Council:

“**THAT**, Report #PW-2024-01 – Blue Box Transition Update be received for information.”

xii) **Report #CAO-2024-01 – Request to Close a Portion of an Unopened Road Allowance – Illman.**

Recommendation to Council:

“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-01 – Request to Close a Portion of an Unopened Road Allowance (Illman), as per the Road Closing and Sale Policy and call a Public Meeting.”

- xiii) **Report #CAO-2024-02 – Proposed New Road Name – Murpubar Bay Lane.**

Recommendation to Council:

“**THAT**, the necessary by-law to name an existing Private Road to Murpubar Bay Lane as outlined in Report #CAO-2024-02 – Proposed New Road Name – Murpubar Bay Lane, be brought forward for approval.”

- xiv) **Report #CAO-2024-03 – Request to Close a Portion of an Unopened Road Allowance – Gervais.**

Recommendation to Council:

“**THAT**, Council agrees to proceed with the application to stop up, close and sell the said portion of the unopened road allowance as outlined in Report #CAO-2024-03 – Request to Close a Portion of an Unopened Road Allowance – Gervais, as per the Road Closing and Sale Policy and call a Public Meeting.”

- xv) **Report #CAO-2024-05 – Lanark County OPP Detachment Board Terms of Reference.**

Recommendation to Council:

“**THAT**, the Lanark County OPP Detachment Board – Terms of Reference be approved;

AND THAT, the necessary by-law be brought forward at the next Council meeting.”

7. CORRESPONDENCE

- i) **23-12-19 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 23-12-19 Council Communication Package, excluding items 13, 14, and 15, be received for information.”

Recommendation to Council:

“**WHEREAS**, Metroland Media Group has sought bankruptcy protection and will cease the print publication of its weekly community newspapers across Ontario, moving to an online-only model;

AND WHEREAS, Neil Oliver, Chief Executive Officer and President of Metroland Media Group, said the 71 Metroland community publications will be digital only going forward;

AND WHEREAS, the *Legislation Act, 2006* provides a definition of “newspaper” which applies to every Ontario Act and Regulation, as in a provision requiring publication, means a document that, (a) **is printed in sheet form**, published at regular intervals of a week or less and circulated to

the general public, and (b) consists primarily of news of current events of general interest; (“journal”);

AND WHEREAS, Ontario Municipalities are required to follow publication and notice requirements for Provincial Acts and Regulations;

AND WHEREAS, communities such as Tay Valley Township cannot comply with publication requirements in Provincial Acts and Regulations as the Metroland Media Group news publication is no longer being printed in sheet form and there are no other local news publications fitting the definition of “newspaper”;

AND WHEREAS, some small, rural, Ontario Municipalities may not have the means to bring an application to the Court to ask for directions and approval of an alternate manner of providing notice;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township does hereby request the Provincial government to make an amendment to the *Legislation Act, 2006* to include digital publications as an acceptable means of publication and notice requirements for Provincial Acts and Regulations;

AND FURTHER, requests the support of all Ontario Municipalities;

AND FURTHER THAT, this resolution be forwarded to the Minister of Municipal Affairs and Housing, Paul Calandra; Lanark Frontenac Kingston MPP, John Jordan; The Association of Ontario Municipalities (AMO); CEO and President of Metroland Media Group, Neil Oliver and all Ontario Municipalities.”

ii) **24-02-07 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 24-02-07 Council Communication Package, excluding items 38-42, be received for information.”

Recommendation to Council:

“**WHEREAS**, under the *Funeral, Burial and Cremation Services Act, 2002* (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

AND WHEREAS, over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to

the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

AND WHEREAS, municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within their jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

AND WHEREAS, cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

AND WHEREAS, the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- amend the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- provide free training opportunities for municipalities regarding cemetery administration; and,
- investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost;

AND THAT, this resolution be circulated to the Honourable Todd McCarthy, Ministry of Public and Business Service Delivery, Jim Cassimatis, BAO Interim CEO/Registrar, MPP John Jordan and all Ontario municipalities.”

iii) **Association of Municipalities Ontario Policy Update – Social and Economic Prosperity Review.**

Recommendation to Council:

“**WHEREAS** current provincial-municipal fiscal arrangements are undermining Ontario’s economic prosperity and quality of life

WHEREAS nearly a third of municipal spending in Ontario is for services in areas of provincial responsibility and expenditures are outpacing provincial contributions by nearly \$4 billion a year

WHEREAS municipal revenues, such as property taxes, do not grow with the economy or inflation

WHEREAS unprecedented population and housing growth will require significant investments in municipal infrastructure

WHEREAS municipalities are being asked to take on complex health and social challenges – like homelessness, supporting asylum seekers and addressing the mental health and addictions crises

WHEREAS inflation, rising interest rates, and provincial policy decisions are sharply constraining municipal fiscal capacity

WHEREAS property taxpayers – including people on fixed incomes and small businesses – can’t afford to subsidize income re-distribution programs for those most in need

WHEREAS the province can, and should, invest more in the prosperity of communities

WHEREAS municipalities and the provincial government have a strong history of collaboration

THEREFORE, BE IT RESOLVED THAT the Province of Ontario commit to undertaking with the Association of Municipalities of Ontario a comprehensive social and economic prosperity review to promote the stability and sustainability of municipal finances across Ontario.”

iv) **Association of Ontario Roads Supervisors – Support the Creation of a Municipal Equipment Operator Course.**

Recommendation to Council:

“**WHEREAS**, municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents;

AND WHEREAS, if it was not for our municipal public works employees from across the Province of Ontario maintaining our public roads systems, our communities would not be able to function as emergency personnel could not respond to calls, school buses could not get our children to school, residents would not be able to get to work, school or appointments and many more basic functions would not be able to happen;

AND WHEREAS, municipal public works departments are already feeling the impacts of a labour shortage, which will only be exasperated over the next three to five years, which will cause levels of service municipalities are able to provide to ensure the health and safety of our residents to decrease;

AND WHEREAS, there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment.

THEREFORE IT BE RESOLVED, that Tay Valley Township supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue;

AND THAT, Tay Valley Township calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund;

AND THAT, a copy of this resolution be sent to the Minister of Labour, Training, Immigration and Skilled Trades David Piccini, Tay Valley Township's Member of Provincial Parliament John Jordan and the Association of Ontario Road Supervisors."

The Public Works Manager left at 8:05 p.m.

8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board.**
Councillor Wayne Baker.

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

- ii) **Committee of Adjustment.**

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

- iii) **Fire Board.**
Councillor Wayne Baker, Councillor Greg Hallam, Councillor Marilyn Thomas

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

- iv) **Library Board.**
Councillor Andrew Kendrick.

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

- v) **Pinehurst Cemetery Board** – *deferred to the next meeting.*
Deputy Reeve 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.

This item will be removed from future agendas as there has been no contact with the Committee.

- ix) **Mississippi Valley Conservation Authority Board.**
Councillor Andrew Kendrick.

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

- x) **Rideau Valley Conservation Authority Board.**
Councillor Angela Pierman.

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

- xi) **County of Lanark** – *deferred to the next meeting.*
Reeve Rob Rainer and Deputy Reeve Fred Dobbie.

The Planner and the Treasurer left at 8:23 p.m.

9. CLOSED SESSION

- i) **CONFIDENTIAL: Litigation – Dog Owners Liability Act.**

The Committee moved “in camera” at 8:24 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding the Dog Owners Liability Act and the Chief Administrative Officer/Clerk and Deputy Clerk remained in the room.

The Committee returned to open session at 8:33 p.m.

The Chair rose and reported that staff were provided direction on the matter.

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 8:34 p.m.

DELEGATIONS & PRESENTATIONS



Tay Valley Township



2023 Re-Inspection Results




1

Participation

Mandatory	
Lake	Properties
Big Rideau	98
Black Lake	75
Grant's Creek	4
Round Lake	3
Total	97

- 180 re-inspections were completed on 4 Lakes
- 12 Water access inspections completed
- 63% of waterfront property owners were on-site to receive information regarding the maintenance and operation of their sewage system;
- 28 system replacements were identified

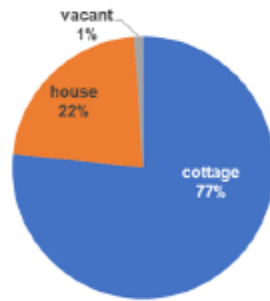
2

Inspection Schedule

Ward	Three year cycle
North Burgess	2023
South Sherbrooke (South of Concession 7) and Christie Lake	2024
Bathurst and South Sherbrooke (North of Concession 6)	2025



3



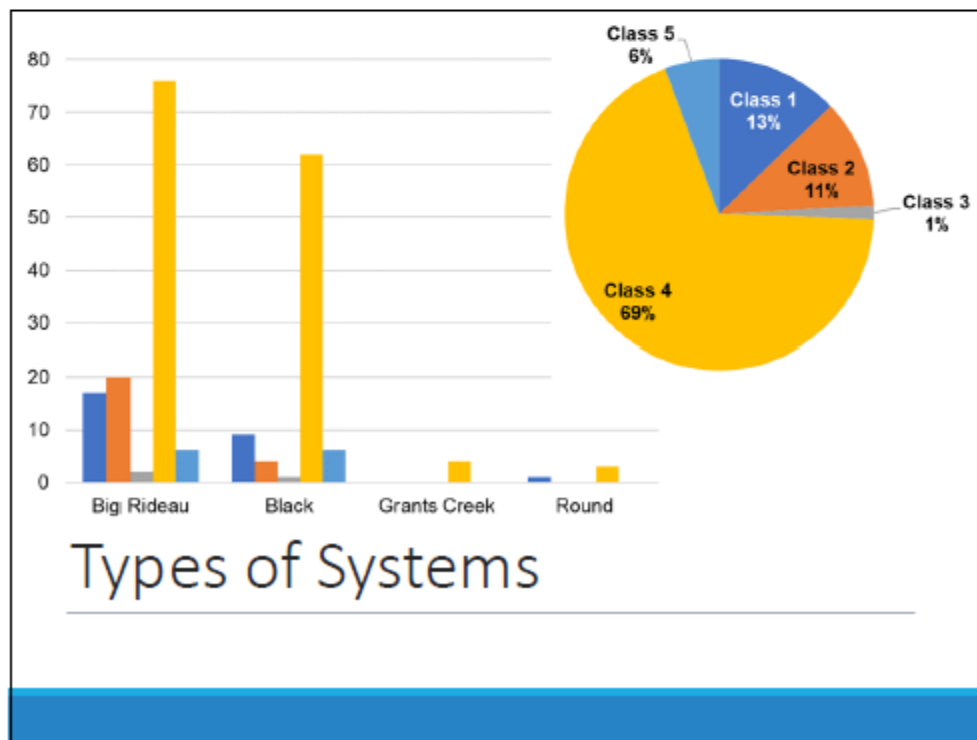
Property Use

4




Filter Maintenance

5

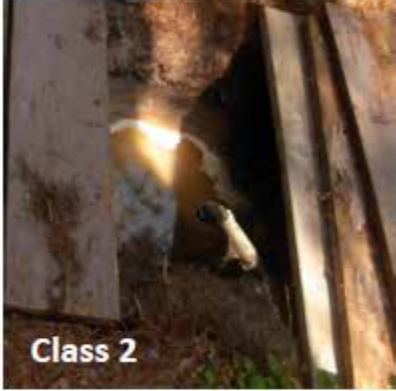


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Class 1



Class 2



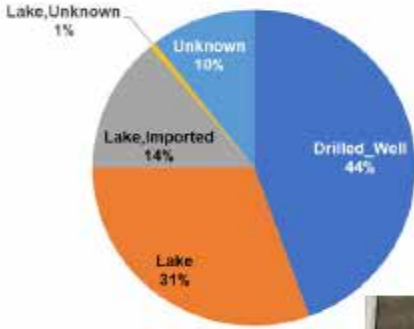
Class 3



Types of Systems

7

Water Source

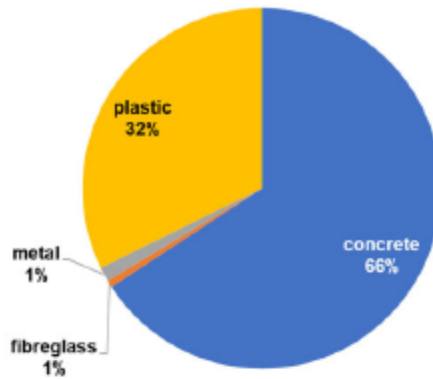


Water Source	Percentage
Drilled_Well	44%
Lake	31%
Lake_Imported	14%
Unknown	10%
Lake_Unknown	1%



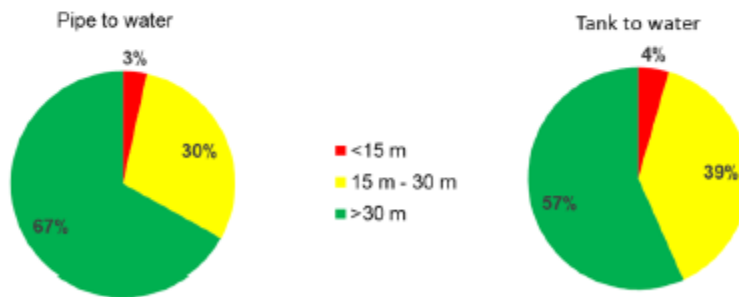

8

Tank Inspection



9

Separation Distance



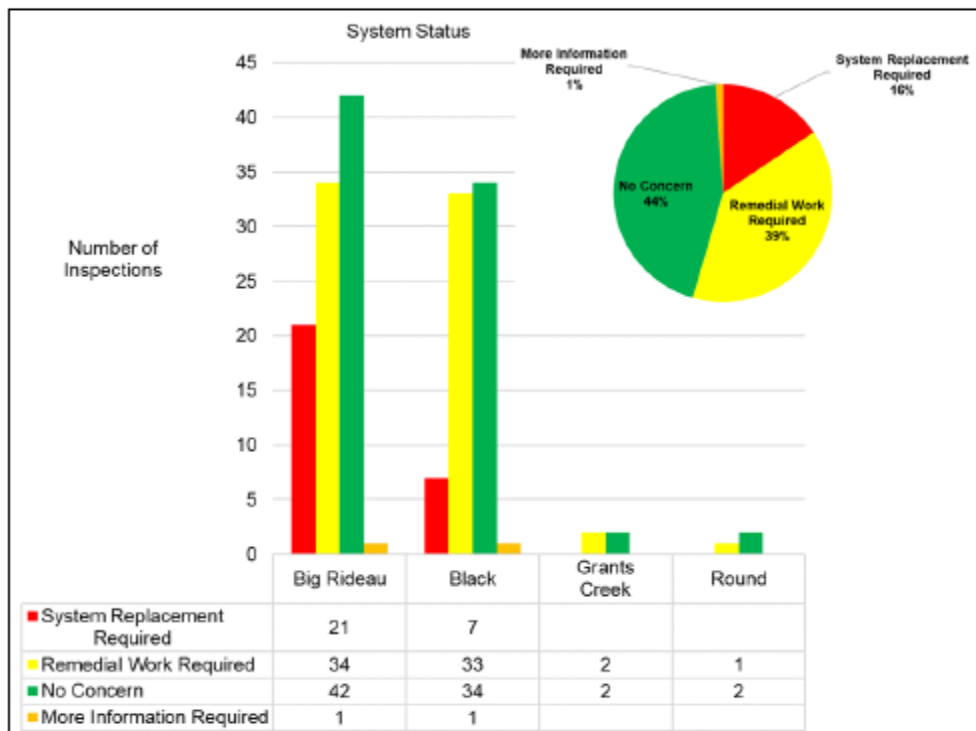
10

System Status – at the time of Inspection

- No Concern**
 - No operational and/or maintenance issues identified.
- Remedial Work**
 - Operational and/or maintenance issues were identified.
- More Information Required**
 - One or more questions arose regarding the system(s)
- System Replacement**
 - On-site system was not being maintained or operated properly and was posing or could pose a risk to human health and/or the environment.



11



12

Pump out required	33
Baffles require maintenance (broken/missing)	18
Roots in tank	6
Vegetation/debris on leaching bed	5
Effluent level of tank	12
Filter cleaned/to be cleaned	17
Tank Corrosion	9
Class 1 and Class 2 issues	12
Alarm/pump issue	1
Recommend Risers	2
Total	115

System Deficiencies

13

Thank you



SEPTIC SYSTEM OFFICE

c/o Mississippi Valley Conservation
 10970 Highway 7, Carleton Place, ON K7C 3P1
 tel 613-253-0006 ext. 254 cell 613-913-7570 fax 613-253-0122
 ekohlsmith@mvc.on.ca

Eric Kohlsmith
 Septic Inspector



14



2023 Sewage System Re-inspection Program

Prepared For Tay Valley Township
Prepared By Eric Kohlsmith, MRSSO
December 18, 2023



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Executive Summary

For 2023, the septic system re-inspection program has been expanded to be mandatory for all waterfront properties within Tay Valley Township and lots within the Maberly Pines Subdivision. As a result of the program expansion, an inspection schedule was developed, based on the former Townships (Bathurst, South Sherbrooke, and North Burgess) with a 3-year rotation. For 2023, inspections were completed within North Burgess with 98 completed on Big Rideau Lake, 75 on Black Lake, 4 on Grant's Creek, and 3 on Round Lake, for a total of 180 inspections completed.

Properties owners were mailed a property owner package to notify their property was selected for the re-inspection program and provided an inspection appointment within the package. Property owners were given the opportunity to arrange a new appointment, if required. Participants were asked to return the questionnaire, included in the property owner information package, to the Mississippi Rideau Septic System Office (MRSSO). Once received, the administration staff entered the questionnaire in our database as being returned. Properties that did not have returned questionnaires were visited on the scheduled appointment date. If no property owner was home at the time, a notice was left onsite requesting the owner to reschedule.

The inspections began on July 13, 2023, and the last inspection was completed on October 23, 2023. Most of the inspections were completed in July and August; months when cottagers are most likely to be present.

As a result of the program, 80 systems were identified as having no concern, 70 systems requiring remedial work, two required more information and, 28 system replacements required.

In conclusion, the MRSSO:

- Conducted 180 septic re-inspections in 2023,
- Conducted 12 water access inspections,
- Met onsite with 63 % of property owners for the inspection,
- Identified 28 (16 %) systems requiring replacement.

1 Introduction

A working sewage system is an integral part of any home or cottage not serviced by the municipal sewer. As such, proper maintenance and operation of the sewage system is essential to the continued life of the system. A Septic Re-Inspection Program provides:

1. Participants with information and advice regarding the proper operation and maintenance of their septic system.
2. A proactive approach to identifying risks to human health or the natural environment.
3. A database of inspected existing septic systems that can be used as a planning tool for municipalities.

Malfunctioning on-site sewage systems can have both human health and environmental impacts beyond the property on which it is located. Nutrient and bacteria-rich effluent can travel through soil and rock fractures to surface water bodies, and ground water sources. Contamination of surface water can cause excessive aquatic plant growth, depletion of oxygen in lakes, and impact the natural habitat for aquatic species. Ground water contamination can cause illness and even death. This makes it crucial that property owners be aware of the location and operation of their septic system. Under the Ontario Building Code, it is the property owner's responsibility to ensure that their sewage system is working properly, not only for their health, but also that of the surrounding community and environment.

The Tay Valley Township has led the way locally for the sewage system re- inspection program as well as other initiatives that work towards protecting the quality of surface and ground water. Since the sewage system re-inspection pilot program on Christie Lake was initiated in 2000, the Township has now conducted approximately 3,200 waterfront inspections. The program combines the education of the homeowner regarding the maintenance of their sewage system with an inspection component. A follow-up component is also essential to ensure that the program effectively manages identified sewage system problems.

The authority to conduct mandatory inspections of sewage systems is provided by s.34 (2)(b) and 34 (2.1) of the *Building Code Act* and Div. C 1.10.1 of the *Ontario Building Code*. The program Authority can be found in Appendix D.

In 2012, Tay Valley Township implemented a Mandatory Maintenance Inspection program on seven lakes within the municipality (Appendix D), at the request of the Lake Associations. In 2016 the By-Law was amended to include Little Silver and Rainbow Lakes in the Mandatory re-inspection program, bringing the total number of lakes to nine. Then in 2023, the septic system re-inspection program has been expanded to be mandatory for all waterfront properties within Tay Valley Township and lots within the Maberly Pines Subdivision.

The sewage system re-inspection program for 2023 began by selecting properties to be involved, contacting property owners, and informing them of the inspection to take place. A site visit was made (Appendix B) and an inspection report was filled out and the owner was notified of any deficiencies to be rectified.

In 2023, the MRSSO continued the use of electronic reporting. Property owners were provided the option of receiving the report by email or mail.

The results for the 180 inspections completed in 2023 were compiled and this report is the culmination of those efforts.

2 Program Implementation

2.1 Property Selection Protocol

Participants were selected using CGIS, the Township's GIS database program, based on the following criteria:

- Properties that either have a septic permit that is 10 years or greater or does not have permit information, has not been re-inspected in the past, and is not undeveloped.
- Are due for a re-inspection after 10 years.

A property selection protocol for CGIS was developed (Appendix E) to ensure the accuracy of the property selection process.

2.2 Inspection Schedule

With the expansion of the program, the MRSSO developed a 3-year rotation schedule roughly based on the former Townships to try and balance the number of inspections each with the goal of completing 200 inspections each year. Figure 1 below outlines the approximate areas to be inspected each year.

Figure 1 Inspection schedule

Ward	Three year cycle
North Burgess	2023
South Sherbrooke (South of Concession 7) and Christie Lake	2024
Bathurst and South Sherbrooke (North of Concession 6)	2025

2.3 Scheduling

Properties owners were mailed a property owner package (Appendix A) to notify them that their property was selected for the re-inspection program and provided an inspection appointment within the package. The property owner package includes:

- Letter from the Township
- 5-Step procedure letter from MRSSO
- Questionnaire from MRSSO

Property owners were given the opportunity to arrange a new appointment, if required. Participants were asked to return the questionnaire, included in the property owner information package, to the Mississippi Rideau Septic System Office (MRSSO). Once a

participant contacted our office, either by returning the questionnaire, calling, faxing, emailing, or completing the online questionnaire, the information was recorded in the database under four different categories:

- Questionnaire returned with appointment.
- Questionnaire returned without appointment.
- Appointment without a Questionnaire.
- Removed from list (permit number or reason recorded).

Properties that did not have returned questionnaires were visited on the scheduled appointment date. If no property owner was home at the time, a notice was left onsite requesting the owner to reschedule. A total of 214 property owner packages were mailed out (Appendix A) and 180 inspections were completed. Thirty-four properties were removed from the list for the following reasons:

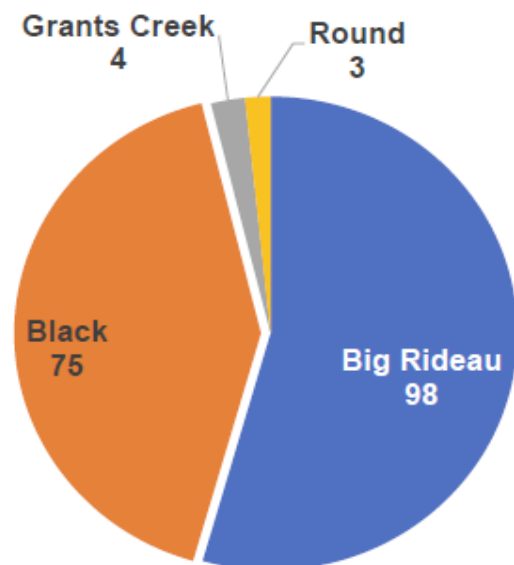
- Vacant parcel
- New System in last 10 years

3 Results and Discussion

3.1 Distribution of Sewage System Re-inspections

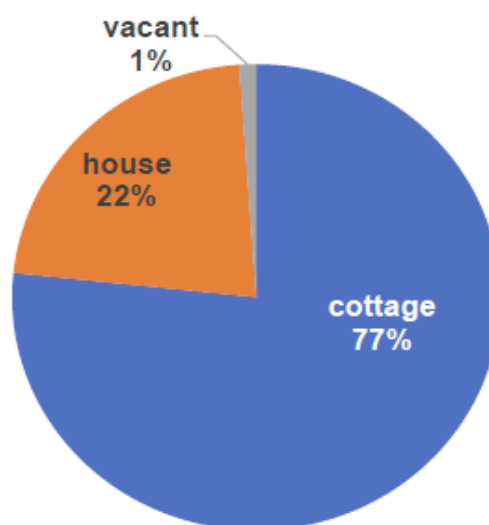
The re-inspection program resulted in 180 inspections completed on four waterbodies completed (Figure 2).

Figure 2 Properties Inspected per Lake



From information collected through the questionnaire, records of mailing addresses, and observations at the time of the inspection, the primary property uses identified were cottage and house. Figure 3 illustrates that 138 of the inspections were completed on cottage properties, 40 on houses (residential properties) and 2 vacant properties. Both vacant properties had structures on the property but did not have plumbing or sewage systems. While residential properties consistently generate more wastewater and have the potential to contribute more nutrients to the environment, seasonal properties often have older, under sized systems that experience peak flows, which could lead to a greater environmental impact. Therefore, a mix of both seasonal and residential properties is desirable.

Figure 3 Property Use



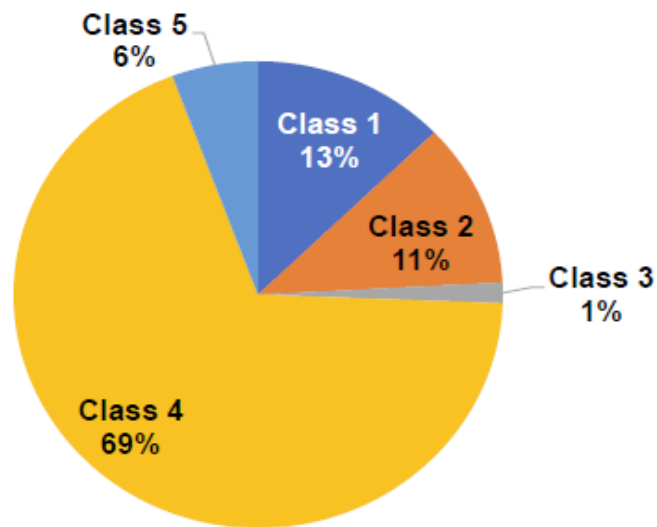
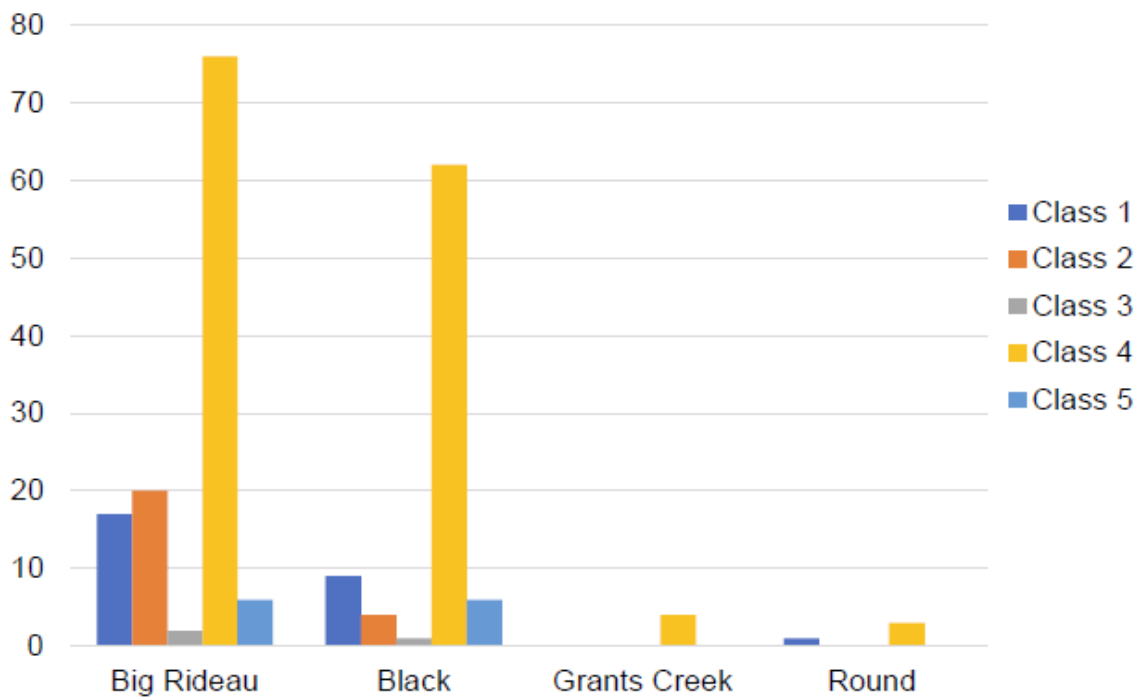
3.2 Class of Sewage System

There are five classes of sewage systems identified in Part 8 of the OBC as outlined below.

- Class 1** - Earth Pit, Vault, Pail and Portable Privies, Composting Toilets
- Class 2** - Greywater Systems
- Class 3** - Cesspools
- Class 4** – Septic Tank and Leaching Bed
- Class 5** – Holding tanks

Figure 4 displays the primary type of sewage system for each property where it was known, either from the visual inspection, or from information provided by the homeowner.

Figure 4 System Class per Lake



It is not uncommon, and many times it is necessary, for properties to have more than one class of system onsite. For instance, if the primary class of system is a privy (Class 1), then generally a Class 2 system is required for greywater treatment. It is strongly recommended that property owners with a Class 4 or Class 5 system direct all sources of greywater to that system unless otherwise approved.

3.3 Class 4 and Class 5 Systems

The most prevalent Class of sewage system inspected was the Class 4, with 145 systems inspected. Due to the difficulty in determining the type of Class 4 sewage system in use, and the lack of homeowner certainty, we did not distinguish between the different types leaching fields of Class 4 systems.

Very stringent requirements are identified in the OBC for allowing the installation of a Class 5 system (holding tank). One of those requirements is that it can be installed only when no other type of Class 4 system, meeting the OBC requirements, can be placed on the property. Twelve holding tanks were identified during the 2023 re-inspection program.

3.4 Class 1, 2, and 3 Systems

Class 1, 2 and 3 systems comprised 25% of all systems inspected with 27 Class 1's, 24 Class 2's and 3 Class 3's. These systems are adequate options for protecting the environment when designed and installed correctly. The construction of Class 2 or 3 system requires a permit. Class 1 systems do not require a permit to construct, but they need to meet the minimum requirements under the OBC and applicable law and these requirements are enforced.

A Class 3 system is required when a Class 1 system requires waste or effluent to be removed. They are commonly required with composting toilets that are outfitted with an overflow, emergency or other. Class 3 systems can only receive waste from Class 1.

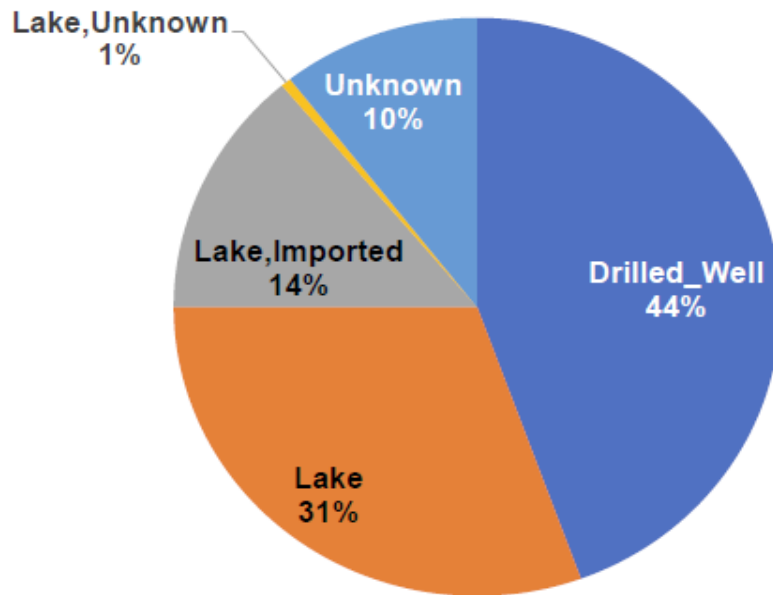
Typically, Class 1,2, or 3 systems do not provide pre-treatment of wastewater prior to entering the ground and therefore should be considered for use in temporary or very low-use conditions. If these systems are located too close to water they can have a significant impact on water quality during seasons of peak use.

3.5 Wells and Drinking Water

Information was collected during the field inspection on the source of drinking water, and water treatment practices of the property owners. During the visual inspection, if a pipe pumping water from the water body was visible, and no well was located, then the water source was assumed to be the lake (or river). If no pipe was visible and a well was located, then the water source was recorded as a well. Water source indicated as "unknown" means the water source could not be determined at the time of the

inspection. Information provided by the property owner is more accurate than that found during the visual inspection and is preferable to identifying the water source on-site. Figure 5 illustrates the percentage and type of water supply systems.

Figure 5 Water Source

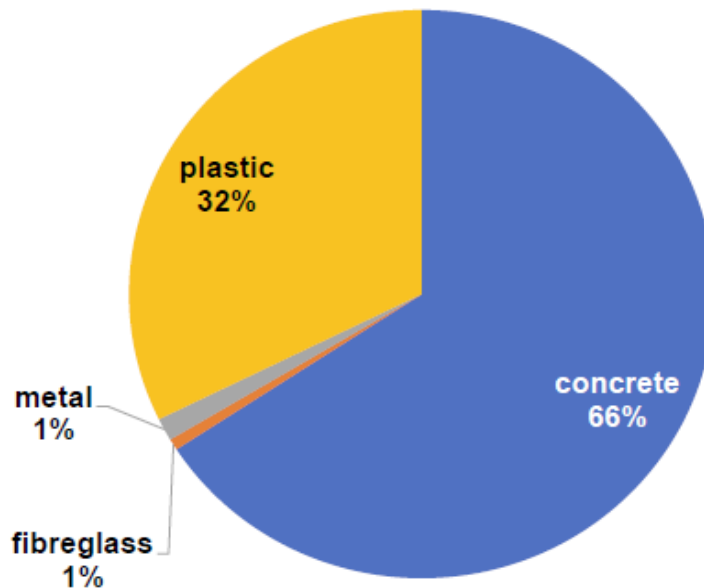


Property owners are encouraged to utilize the free drinking water testing provided by the Leeds, Grenville and Lanark Health Unit. Sample bottle pick up and drop off locations can be found on the Health Units website. Although free testing is available, many property owners do not test their drinking water regularly.

3.6 Tank Inspection

During the inspection of septic and holding tanks, the tank material was recorded. If the tank was not uncovered for the re-inspection, the tank material was determined by using a soil probe. Of the ninety-seven (97) systems inspected, there were ninety-two (92) septic or holding tanks. Figure 6 shows the breakdown for the common tank materials found: concrete, plastic, fiberglass and metal.

Figure 6 Tank Material



As a result of the re-inspection program, it was observed that **21%** of concrete septic tanks had signs of corrosion (Photo 1). Concrete corrosion is generally caused by a build of gases (from normal operation) reacting with the concrete. The corrosion can cause baffles to fall off, effluent to escape around the outlet pipe and the tank to become structurally unsafe.



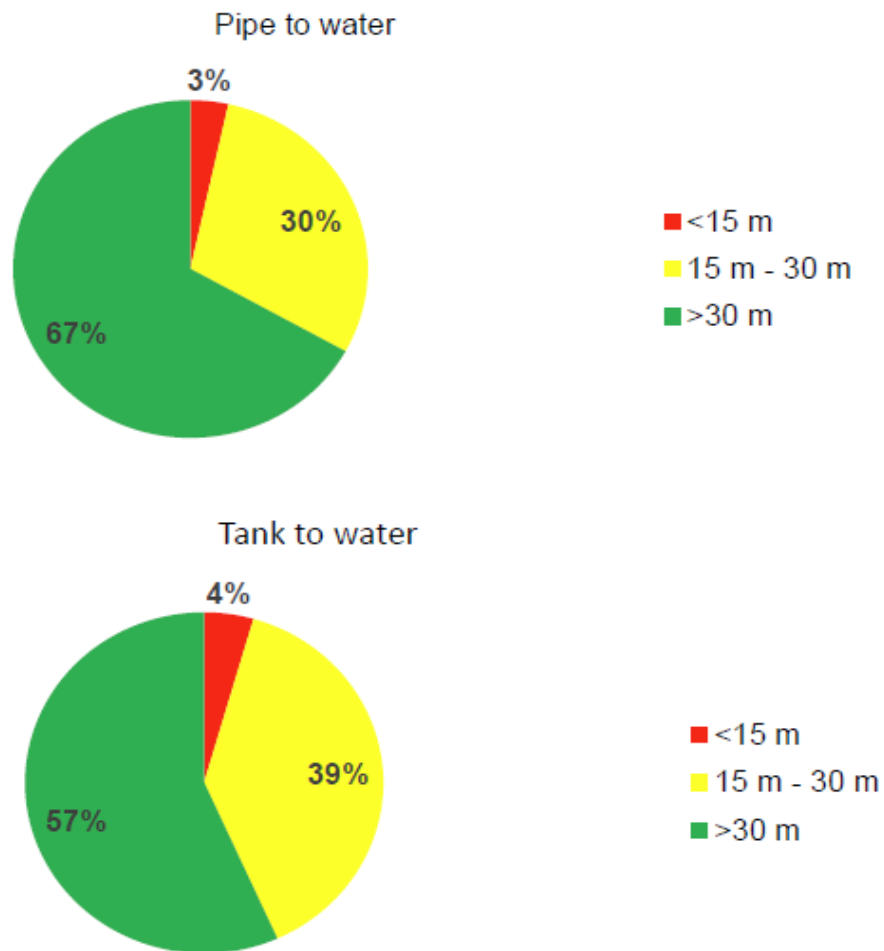
Photo 1 Concrete Corrosion around Outlet Baffle

3.7 Separation Distances

Horizontal separation distances are measured from the dwelling, lot line, well and shoreline to the sewage system components. Figure 7 represents the separation distance measured from septic/holding tanks and leaching bed to the surface water. The measurements were sorted into three categories:

- Less than 15m (<15m) – Does not meet OBC or Official Plan requirements.
- Between 15m – 30m – Meets OBC but does not meet Official Plan requirements.
- Greater than 30m (>30m) – Exceeds OBC and meets Official Plan requirements.

Figure 7 Separation Distance –Tank and Leaching Bed to Water



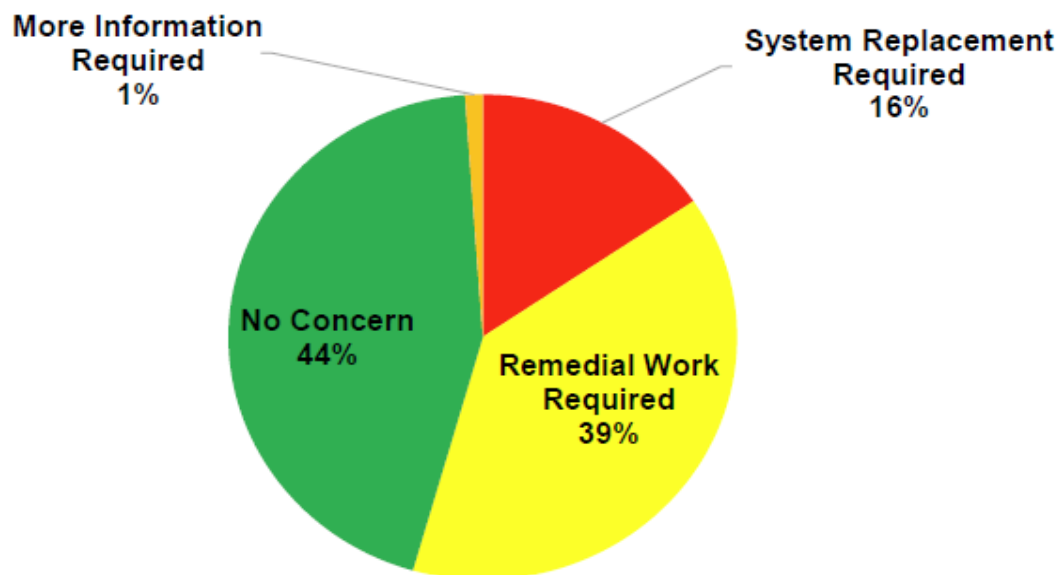
Although a reduced separation distance does not necessarily provide evidence of ground or surface water contamination, it is important to recognize that these systems are present.

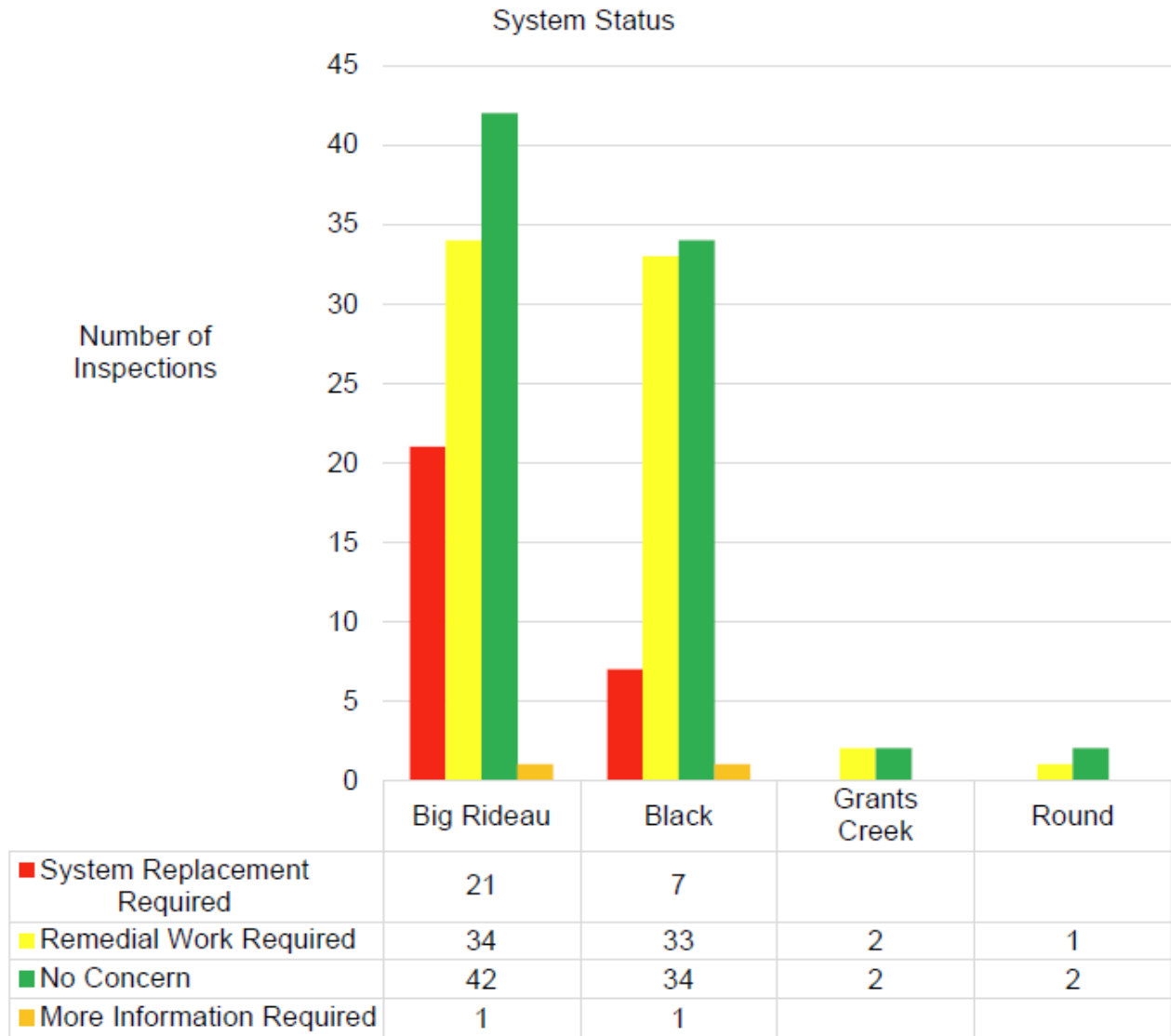
3.8 Sewage System Status

When completing an inspection of the existing sewage system the MRSSO has developed the following terms to identify the overall sewage system status or condition, as shown in Figure 8:

- **No Concern** – At the time of inspection there were no operational and/or maintenance issues identified.
- **Remedial Work Required** – At the time of inspection operational and/or maintenance issues were identified. These issues generally do not require a permit to remedy.
- **More Information Required** – At the time of inspection one or more questions arose regarding the class of system, location of components, water source, pumping, maintenance and/or operation of the system.
- **System Replacement Required** – At the time of inspection it was determined that the on-site system was not being maintained or operated properly and was posing or could pose a risk to human health and/or the environment.

Figure 8 System Status – Mandatory Program





Every septic system requires regular maintenance to ensure it is operating efficiently and safely. System deficiencies are generally classified as a remedial work items. Table 1 illustrates the most common deficiencies found during the re- inspection program.

Table 1 System Deficiencies

note: some properties have more than one sewage system maintenance issue.

Pump out required	33
Baffles require maintenance (broken/missing)	18
Roots in tank	6
Vegetation/debris on leaching bed	5
Effluent level of tank	12
Filter cleaned/to be cleaned	17
Tank Corrosion	9
Class 1 and Class 2 issues	12
Alarm/pump issue	1
Recommend Risers	2
Total	115

3.9 Follow-up and Enforcement

Once the re-inspection is completed, the MRSSO either provides general system operation and maintenance to the property owner directly, if present, or if not, a system status card (Appendix A) is left onsite. Within days of the inspection the “Existing Onsite Wastewater System Inspection Report”, that is completed onsite electronically, is mailed or emailed to the property owner based on the information provided on the questionnaire.

Follow-up inspections include site visits, compliance letters and Order to Complies. The type of enforcement is determined by the severity of the issue. Orders to Comply are issued under the Building Code Act s.15.10.1.(2).

Sewage Systems found to be malfunctioning or posing a risk to human health or the environment will require replacement. All 28 systems requiring replacement are on seasonal properties. The owners have been informed of the concerns identified during the re-inspection. 21 of the system replacements are Class 1 and/or Class 2 systems and the remaining 7 relate to Class 4 systems – either the septic tank, leaching bed or both require replacement/repair. Three of the 7 Class 4 system replacements are under way. The remaining property owners will receive an Order to Comply, requiring work to be completed by July 1, 2024.

4 Conclusions

The 2023 program completed inspections of 180 sewage systems on Big Rideau Lake, Black Lake, Grant's Creek, and Round Lake, 12 of which were water access properties. Of the 180 systems inspected, 80 systems were identified as having no concern, 70 systems requiring remedial work, two required more information, and 28 systems required replacement. It should be noted that the age of a system was not a significant factor in deficiencies identified. In turn, the diligence of the property owner regarding the operation and maintenance of their system had a greater impact on the deficiencies identified.

Interaction with property owners during the re-inspection program this year was very positive. Approximately 63% of property owners were able to be present during the re-inspection. Most of the homeowners encountered were very supportive of the re-inspection program.

Having homeowners excavate their tanks prior to re-inspection will be continued in the 2024 re-inspection season. This enabled a much more efficient re-inspection process.

Continued emphasis will be placed on attending Lake Association functions and offering information seminars to the public regarding changes to the program and the maintenance and operation of sewage systems within the Township. The MRSSO presented to the Big Rideau Lake Association in January, 2023, and the Black Lake Property Owners Association AGM in July of 2023. The opportunity to hear the concerns of waterfront properties and address misconceptions regarding sewage systems and the re-inspection programs is beneficial in promoting the proper maintenance and operation of sewage systems and identifying areas of concern.

The MRSSO's continued commitment to the property owners of Tay Valley Township is to provide fair, accurate and timely service. It is hoped that the momentum of the sewage system re-inspection program continues in the coming years, as it is a valuable asset to the health of the environment and the community.

Appendix A Property Owner Package

10970 Hwy. 7, Carleton Place, ON K7C 3P1

T (613) 253-0006 F (613)253-0122 mrsso@mvc.on.ca



Mailing Address

Date

5 Easy Steps to Your Mandatory Sewage System Re-Inspection Program

We are pleased to provide free re-inspections on a number of septic systems including:

- Earth Pit Privies and Composting Toilets
- Greywater Pits
- Cesspools
- Septic Tanks & Leaching Fields
- Holding Tanks

Our professional, impartial staff are registered Building Official Inspectors who will provide advice on your current, care and maintenance and possible replacement options.

Here are the five steps of the Septic Re-inspection Program — from start to finish.

Step 1 — Complete and return the attached questionnaire

Do the best you can to complete the attached questionnaire and submit it by:

Fax: 613-253-0122

Email: mrsso@mvc.on.ca

Mail: MRSSO 10970 Hwy. 7, Carleton Place ON K7C 3P1

Questionnaire can be filled out and returned online at <https://bit.ly/mrsso>

The goal of the questionnaire is to provide us with some basic information about your system and where it is located.

Step 2 — Scheduled appointment

The re-inspection of your property at **LOCATION** is mandatory and will be conducted on **DATE**. If you would like to arrange an alternative inspection appointment, please contact our office - 613-253-0006 ext. 255 or mrsso@mvc.on.ca.

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Step 3 — Dig Your Lids

The MRSSO asks that you expose both lids on your septic tank (most tanks have two).

If you are unable to dig out your own lids, there will be a \$80 (\$40/lid) maximum charge for the MRSSO to assist in locating and excavating the septic tank lids. This fee will be invoiced upon completion of the re-inspection. No cost will be incurred if excavation is not required.

The MRSSO will re-cover the tank when the inspection is completed, **upon request** (at no cost) unless it is determined that a pump-out is required or you plan on conducting a pump out. The tank inspection includes a visual inspection of the tank components and measurement of sludge and scum in the tank.

Please do not pump a septic tank before the re-inspection.

Step 4 — Inspection

The septic re-inspection will include the following:

- Location of all system elements
- Measurement of separation distances to key lot features
- Visual inspection of tank structure
- Measurement of tank contents
 - **Please do not pump a septic tank before inspection.**
- Visual inspection of bed
- Briefing the homeowner on proper system maintenance and operation.

Step 5 — Review your Re-inspection Report

A septic re-inspection status card will be left for the property owner and a copy of the septic re-inspection report will be emailed or mailed to the property owner.


Our primary goal is to educate property owners about their septic system and any deficiencies it may have. Our secondary goal is to ensure that unsafe systems are reported to the appropriate Authority, based on the requirements of Part 8 of the *Ontario Building Code*. Staff will let you know of any funding assistance that may be available for septic replacement.

Property owners can expect the re-inspection, results, and all inquiries to be dealt with in a professional manner.

Thank you in advance for your co-operation in our program.

Working together we can protect our watershed resources. Your participation in this program will ensure a safe home with healthy groundwater and surface water and the continued enjoyment of a clean, healthy waterfront environment for generations to come.

Yours truly,



Eric Kohlsmith, MRSSO Re-inspection Program Coordinator
613-253-0006 ext. 256
mrssso@mvc.on.ca

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SEWAGE SYSTEM RE-INSPECTION IS AN IMPORTANT PART OF COUNCIL'S ENVIRONMENTAL STRATEGY

June, 2023

For over twenty years Tay Valley Township has had a voluntary septic re-inspection program. Mandatory Re-inspections resulting from the *Clean Water Act* have been undertaken in Tay Valley on nine of the lakes for more than ten years. A properly functioning septic system is an integral part of a healthy lake environment. Improperly maintained systems can be a significant contributor of nutrient and bacteriological pollution to an adjacent water body. The Septic Re-Inspection Program is aimed at achieving a better understanding of system function, increasing owner education and preventative measures. The implications of poor maintenance are costly to the owner and to the community. Our program history shows owners are committed to protecting their lake lifestyle, as is the Township.

Based on the success of the mandatory septic reinspection program, in the spring of 2023, Tay Valley Council voted to expand the mandatory program to include all lakes and rivers in the Township, as well as the properties in the Maberly Pines Subdivision. Your property is therefore, included in the Tay Valley Township Mandatory Septic Re-Inspection Program for 2023. To protect the water quality of your lake and groundwater, you may schedule an appointment with the Mississippi Rideau Septic System Office (MRSSO) for the inspection at no cost to you. If you choose, you may be present for the inspection, but if it is not convenient you are not required to be present for the inspection. Alternatively, you may hire a third-party certified inspection service to do the inspection.

Please see the attached Septic Re-inspection Procedure for instructions on preparing for the inspection including filling out and returning the enclosed questionnaire.

Your active involvement in the Septic Re-Inspection Program begins with filling in the accompanying questionnaire to the best of your ability. After the re-inspection is completed, advice on proper maintenance will be provided both in person and in the report left onsite. If necessary, the MRSSO will initiate a dialogue and define an action plan with owners of systems deemed to be a concern to the environment or to public health. Owners of systems found to be installed, operating and maintained properly, but which are not in compliance with current requirements of Part 8 of the *Ontario Building Code* will be advised the system is likely to require upgrade or replacement prior to further site development. Funding assistance may be available for septic replacement depending on eligibility criteria.

Page 1 of 2

Any comments regarding the Program in general or Council's strategy can be directed to Noelle Reeve, the Township Planner, at planner@tayvalleytwp.ca. Program specifics or questions about your involvement in the Program should be directed to Eric Kohlsmith, at the MRSSO, (613) 253-0006 ext. 256.

On behalf of Council, thank you in advance for your co-operation.

Noelle Reeve, Planner
Tay Valley Township

PROGRAM AUTHORITY:

The Province of Ontario has delegated the responsibility to regulate on-site sewage systems (with total daily design flow of less than 10,000 litres per day) to municipalities. The authority to do so is found in Part 8 of the *Ontario Building Code* which defines a sewage system as a "building". A sewage system that is discharging effluent onto the surface of the ground, or that has not been maintained or operated in accordance with the *Code* is determined to be an unsafe "building". Any remedial action required will be addressed pursuant to the *Ontario Building Code*.

PERSONAL INFORMATION:

Personal information collected from applications is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act, and will be used to facilitate communication between the Township, MRSSO and individual property owners. Questions about the collection of information should be directed to the Clerk at clerk@tayvalleytwp.ca or 217 Harper Road, Perth, ON, K7H 3C6.

Questionnaire

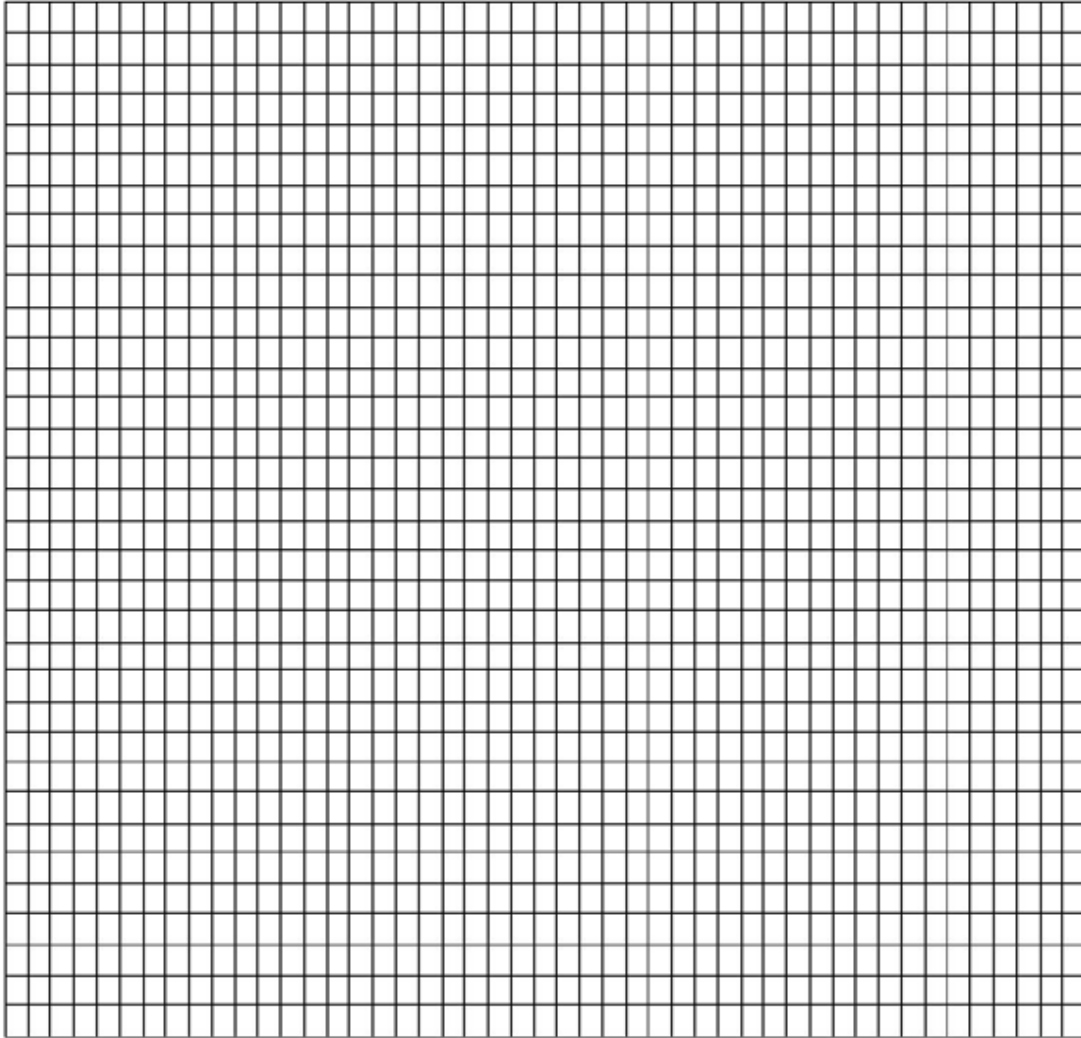
Please fill out as much information as possible, **as best as you can**, and return to the above address. Old septic or well records are excellent resources for the more technical questions. Mark any applicable boxes. If you select **'Other'** please specify. Please use the space noted as **'Correction'** to correct any of the supplied information. On the reverse, please identify the location of your septic system and other property features. Please **sign** the form to verify the information that has been provided.

Property Owner			<i>Correction – New Property Owner, Spelling of Name...</i>		
Mailing Address			<i>Correction – New Mailing Address...</i>		
Telephone Number () ()	Alternate Number () ()		Email Address		
Re-Inspection Property Location	«Address»		Length of Ownership		Lake Name
					«Lake»
Roll Number			Property Size	# Bedrooms	Floor Area
Property Use	Residential <input type="checkbox"/>	Cottage/Seasonal <input type="checkbox"/>	Commercial <input type="checkbox"/>	Farm <input type="checkbox"/>	Other <input type="checkbox"/>
Directions to Property			Do you require assistance locating/excavating your tank?*		
			Yes <input type="checkbox"/>		No <input type="checkbox"/>
General Location of Tank			* There is a maximum charge of \$40 for this service		
			Inspection Date		
Sewage System Type	Class 1 <input type="checkbox"/> Privy(Outhouse)	Class 2 <input type="checkbox"/> Greywater pit	Class 3 <input type="checkbox"/> Cesspool	Class 4 <input type="checkbox"/> Septic Tank & Leaching Field	Class 5 <input type="checkbox"/> Holding Tank
Tank Information	Concrete <input type="checkbox"/>	Plastic <input type="checkbox"/>	Fiberglass <input type="checkbox"/>	Metal <input type="checkbox"/>	Sewage Pump
					Is Pump in Septic Tank? Yes <input type="checkbox"/> No <input type="checkbox"/>
Date of Last Pump out			Pump Out Frequency		
Greywater Pit Structure	Earth <input type="checkbox"/>	Rock <input type="checkbox"/>	Wood <input type="checkbox"/>	Other-	
Privy Pit Structure	Earth <input type="checkbox"/>	Rock <input type="checkbox"/>	Wood <input type="checkbox"/>	Other-	
Date System(s) Installed			Sewage System Permit #		
Water Source	Drilled <input type="checkbox"/>	Dug <input type="checkbox"/>	Lake <input type="checkbox"/>	Imported <input type="checkbox"/>	Drinking Water Treatment
				Yes <input type="checkbox"/> No <input type="checkbox"/>	Type of Treatment

Participant Signature: _____ Participant Name: _____
 (Signature) (Please Print)

Site Sketch

Please include the **locations** as well as the distances between any **septic components** (tank, bed, privy, greywater pit), **structures** (house, shed, garage), **water bodies** (lakes, rivers, creeks, wetlands), **farming activities, or wells.**



Participant Signature: _____ Participant Name: _____
 (Signature) (Please Print)

Appendix B Description of a Site Inspection

Tank Inspection

The septic tank is located first by visually inspecting the property for signs of a system, using metal probes and information provided by the property owner. Once the tank was located both the inlet and outlet access ports are uncovered, and the soil placed on a tarp for tidiness. The lids are removed using a crow bar or shovel to 'crack' it open, or break the seal which forms over time if it is a concrete lid. The lids are lifted off with a 'J-hook', a long handled hook which allows two people, on either side of the lid to safely and easily lift off the heavy lid.

A visual inspection of the tank condition is made, and a measurement of the solids content is taken. A sludge judge is used for to take the measurement and is essentially a clear plastic tube with a ball valve on the bottom and 1 foot increments marked on the side of the tube. The judge is lowered into the first chamber of the tank and a cross section of the contents in the tank is obtained. The judge is then pulled out of the tank and the depth of the solids is noted. Often the ball valve plugs up and the contents run out of the bottom. In that case the solids in the bottom are felt by a change in density and the depth is noted.

A visual inspection of the baffles is done as well as a check that the partition wall is in working order. If the solids in the second chamber are as high as the first chamber it can be an indication that the partition wall has suffered some damage. We also check for roots in the tank, and look for the presence of effluent filters before replacing the lids and restoring the area to its original condition.

One of the most frequent questions a homeowner asks is "How often should I pump my tank?" Most government documents and information publications suggest that a septic tank should be pumped out every 3-5 years. Another resource is the OBC, which requires that a septic tank be pumped out when the sludge and scum occupy 1/3 of the working capacity of the tank (8.9.3.4.(1)). This will prevent the sewage from traveling too quickly through the septic tank, not allowing the solids and fats to properly separate from the effluent. To give the homeowner, on an individual basis, an estimation of the frequency for pumping out their septic tank, the depth of sludge and scum was measured during the tank inspection.

Estimated Septic Tank Pumping Interval in Years

Tank Size (L)	Household Size (Number of People)									
	1	2	3	4	5	6	7	8	9	10
1,890	5.8	2.6	1.5	1.0	0.7	0.4	0.3	0.2	0.1	
2,840 (≅2,700)	9.1	4.2	2.6	1.8	1.3	1.0	0.7	0.6	0.4	0.3
3,790 (≅3,600)	12.4	5.9	3.7	2.6	2.0	1.5	1.2	1.0	0.8	0.7
4,730	15.6	7.5	4.8	3.4	2.6	2.0	1.7	1.4	1.2	1.0
5,670	18.9	9.1	5.9	4.2	3.3	2.6	2.1	1.8	1.5	1.3
6,620	22.1	10.7	6.9	5.0	3.9	3.1	2.6	2.2	1.9	1.6
7,570	25.4	12.4	8.0	5.9	4.5	3.7	3.1	2.6	2.2	2.0
8,520	28.6	14.0	9.1	6.7	5.2	4.2	3.5	3.0	2.6	2.3
9,460	31.9	15.6	10.2	7.5	5.9	4.8	4.0	4.0	3.0	2.6

Estimated Septic Tank Pumping Interval in Years

Visual Re-Inspection

The visual re-inspection consists of a walk around the property looking for water sources, sewage systems or any suspicious things such as pipes to the surface. Measurements are taken between the sewage system components and water bodies, as well as to water sources. A GPS reading is taken at the shoreline, all sewage system components, and wells.

The operation or failure of the bed was assessed by looking for conditions of lush vegetation, wet areas, surface discharge, tree or root growth, side slopes and erosion control.

Appendix C Ontario Building Code References

System Classification

Class 1 – all privies (portable, earth pit, vault, chemical, incinerating and composting). Class 2 – a greywater system

Class 3 – a cesspool

Class 4 – a leaching bed system

Class 5 – a holding tank

8.1.2.1(1)

Minimum Clearances for Classes 1, 2 and 3

8.2.1.5(1)	Horizontal distance (m) from a well with watertight casing to a depth of at least 6m	Horizontal distance (m) from a spring used as a source of portable water or well other than a well with watertight casing to a depth less than 6m	Horizontal distance (m) from lake, river, pond, stream, reservoir or spring not used as a source of portable water	Minimum horizontal distance to property line
<i>Earth Pit Privy</i>	15	30	15	3
<i>Privy Vault</i>	10	15	10	3
<i>Pail Privy</i>				
<i>Greywater System</i>	10	15	15	3
<i>Cesspool</i>	30	60	15	3

Minimum Clearances for Treatment Units

Structure	1.5m
Well	15m
Lake	15m
Pond	15m
Reservoir	15m
River	15m
Spring	15m
Stream	15m
Property Line	3m

Minimum Clearances for Distributing Pipes

Structure	5m
Well with a watertight casing to a depth of 6m	15m
Any other well	30m
Lake	15m
Pond	15m
Reservoir	15m
River	15m
A spring not used as a source of potable water	15m
Stream	15m
Property Line	3m

Minimum Clearances for Holding Tanks

Structure	1.5m
Well with a watertight casing to a depth of 6m	15m
Any other well	15m
Spring	15m
Property Line	3m

Appendix D Program Authority

Interpretation of Authority for Discretionary Maintenance Inspection Program

A municipality can pass a bylaw under **(7(1)(b.1))** the Building Code Act, to establish and govern a program that is subject to regulations made under **(34(2.1))** the Building Code Act and to enforce standards prescribed by **(34 (2)(b))** the Building Code Act as well.

Division C, Section 1.10 of the Ontario Building Code is the regulation that was established through the Building Code Act **(34 (2)(b))** and **34 (2.1))** on January 1, 2011.

Interpretation of Mandatory inspections for Discretionary Maintenance Inspection Programs

When a Discretionary Maintenance Inspection Program is established, article **1.10.1.2** outlines that the program applies to **all sewage systems** (Class 1 thru 5) in the area affected (waterfront properties) and an inspector **shall inspect all sewage systems affected by the program.**

Building Code Act and Ontario Building Code references

Section 1.10. Sewage System Maintenance Inspection Programs

1.10.1 Discretionary Maintenance Inspection Programs

1.10.1.1 Scope

(1) This Subsection governs, for the purposes of subsection **34 (2.1)** of the Act, maintenance inspection programs established under clause **7 (1) (b.1)** of the Act in respect of sewage systems.

Discretionary maintenance inspection programs

34 (2.1) The Lieutenant Governor in Council may make regulations governing programs established under **clause 7 (1) (b.1)**, including regulations,

- a) governing the classes of buildings and area affected by a program;
- b) governing the type and manner of inspections that are conducted under a program and the frequency of the inspections;
- c) authorizing the principal authority that establishes a program, as an alternative to conducting an inspection, to accept a certificate, in a form approved by the Minister, that is signed by a person who belongs to a class of persons specified by the regulations and that confirms that the person has conducted an inspection and is of the opinion that the building that was inspected complies with the standards prescribed under clause (2) (b) that are enforced by the program.

2006, c. 22, s. 112 (11)

Standards for existing buildings

34 (2) The Lieutenant Governor in Council may make regulations to establish standards

that existing buildings must meet even though no construction is proposed, including regulations,

- a) prescribing any or all of the matters set out in subsection (1) as applicable to existing buildings;
- b) establishing standards for maintenance, retrofit, operation, occupancy and repair;**
- c) prescribing standards related to resource conservation and environmental protection; and
- d) prescribing standards, methods and equipment for the inspection, cleaning, disinfecting and emptying of sewage systems. 1992, c. 23, s. 34 (2); 1997, c. 30, Sched. B, s. 17 (5); 2006, c. 22, s. 112 (10).

By-laws, resolutions, regulations

7. (1) The council of a municipality or of an upper-tier municipality that has entered into an agreement under subsection 3 (5) or a board of health prescribed for the purposes of section 3.1 may pass by-laws, a planning board prescribed for the purposes of section 3.1 may pass resolutions and a conservation authority prescribed for the purposes of section 3.1 or the Lieutenant Governor in Council

may make regulations, applicable to the matters for which and in the area in which the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, respectively, **has jurisdiction for the enforcement of this Act,**

(b.1) subject to the regulations made under subsection **34 (2.1)**, establishing and governing a program to enforce standards prescribed under clause 34 (2) (b), in addition to any programs established under subsection 34 (2.2);

1.10.1.2 Application and Inspections

- a) A maintenance inspection program referred to in Sentence 1.10.1.1.(1) shall apply to all sewage systems in the area affected by the maintenance inspection program.
- b) A maintenance inspection program referred to in Sentence 1.10.1.1.(1) shall provide that, subject to Article 1.10.1.3., an inspector shall inspect all sewage systems affected by the maintenance inspection program for compliance with the standards prescribed under clause 34 (2) (b) of the Act in relation to sewage systems that are enforced by the program.

Also see Tay Valley Township By-Law # 2012-009 as amended

Appendix E Property Selection Protocol

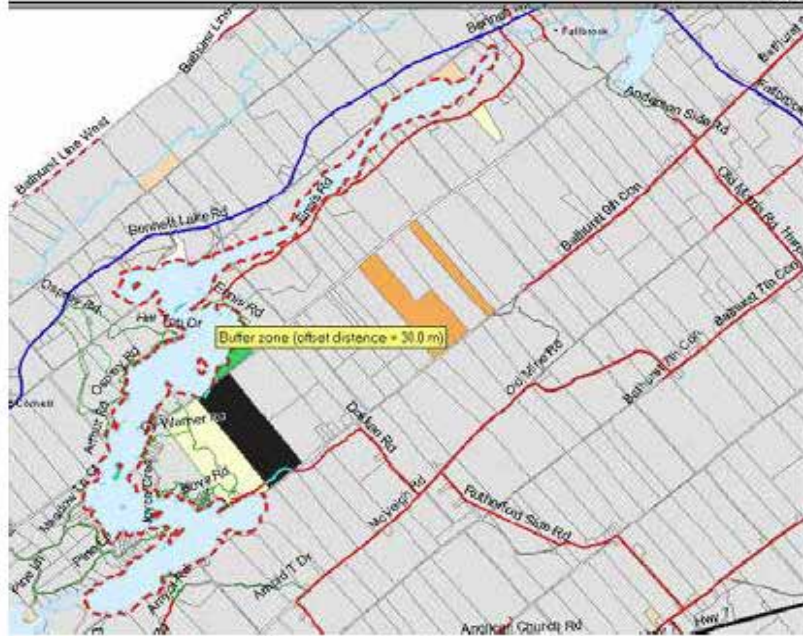
Tay Valley Township:

Septic Re-Inspection Property Selection Protocol

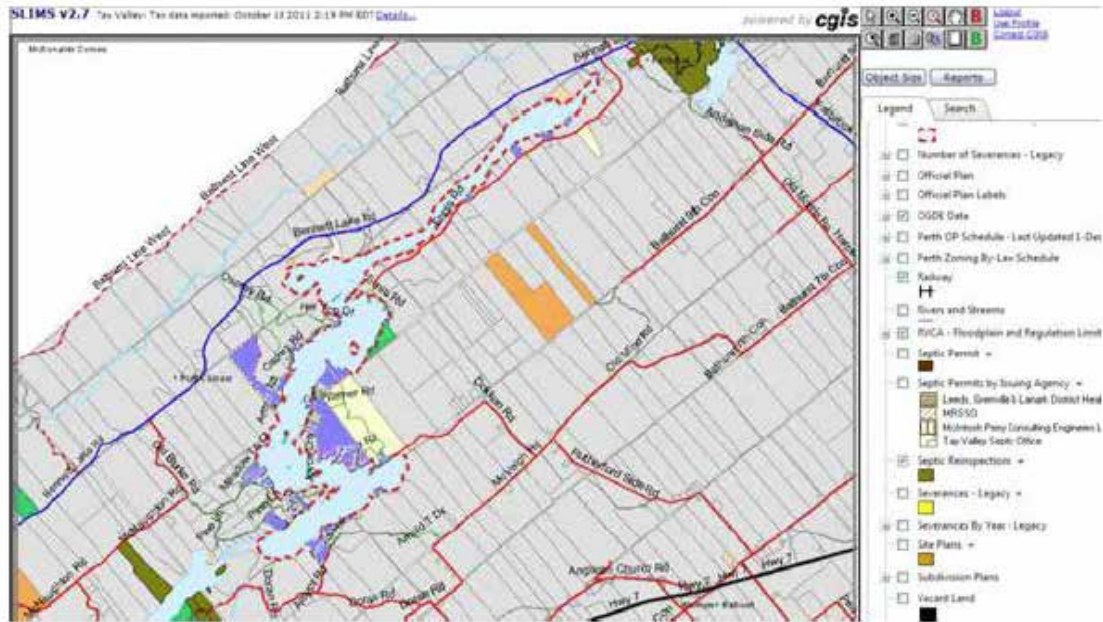
Detailed Standard Operating Procedure

- Starts in May of current year
- Septic permit information and septic re-inspections are updated by CGIS twice annually – generally January and July
- The selection process starts with the lake rotation table.
- After lakes are selected the process is based on information provided to CGIS

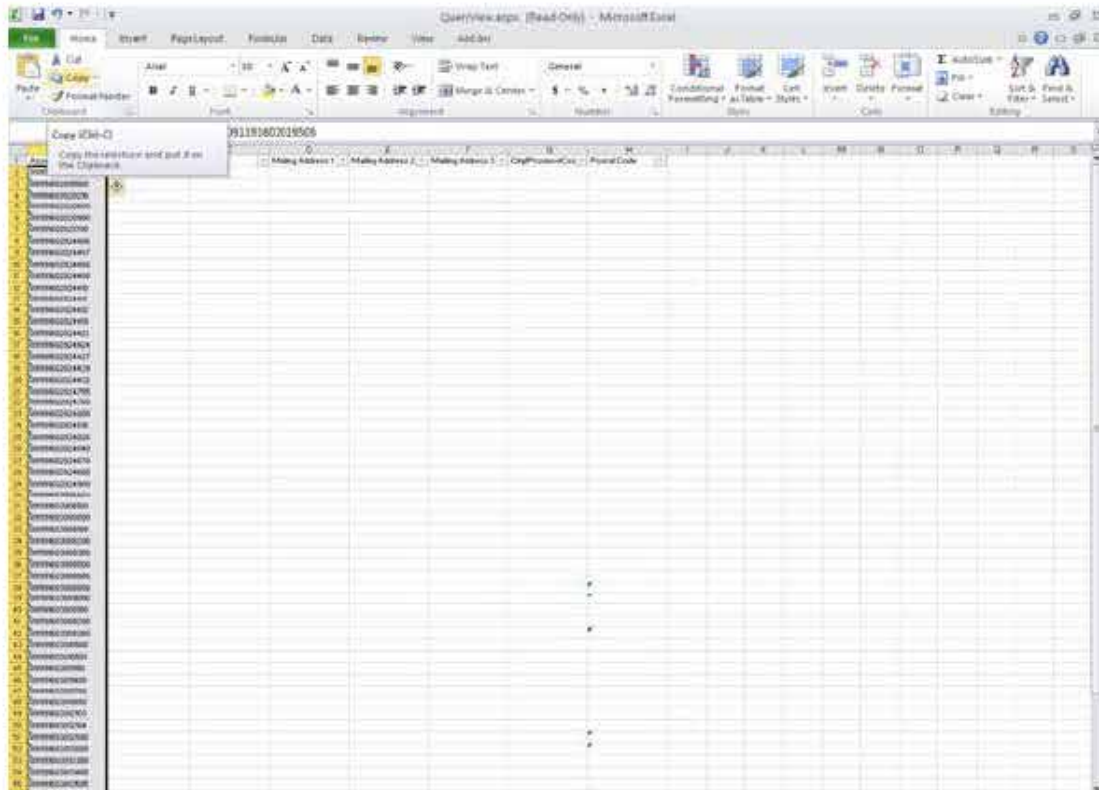
- This buffer selection process is based on one provided by CGIS upon our request for assistance and is as follows:
 - Log into SLIMS and zoom to whatever Lake you are working on
 - Ensure the SLIMS Selection Mode is set to Intersection:
 - Right click on the map – Help – Preferences
 - Change Selection Mode to Intersection, if it's not already set
 - Turn on the Septic Reinspections layer
 - Select the lake you'd like to find the properties on
 - Create a buffer of, for example, 10 meters – 30m used - if that's far enough.



- Select the buffer:
 - Right click on the map – Select – Within
- Highlight the Septic Reinspection layer from the list, press OK (this will highlight all the properties that already have inspections done on that lake)

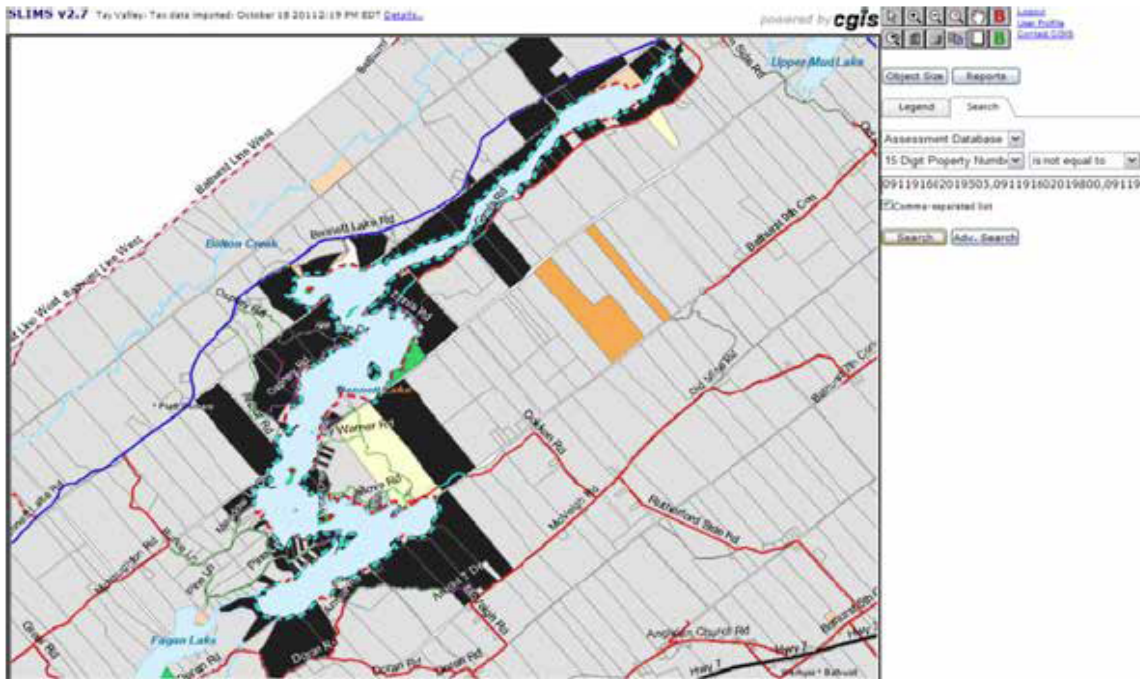


- Run a Mail list report, or custom report
 - Click the download results, and open in Excel
 - Highlight column A (15 digit property numbers) and COPY



- Back in SLIMS
- Highlight the buffer again
 - Right click on the map – Select – Within
 - Highlight the Parcels layer from the list, press OK
- Under Search – paste the 15 digit property number list in the search box
 - Change the search criteria from “Contains” to “is not equal to”
- Check off the “comma separated list” box
- Press the Search button
- When the Search Results window comes up, check off the “Only show records that link to the selected features on map” box

- The Search Results will now display ONLY the parcels on that lake that DO NOT have a septic inspection registered with that 15-digit property number”



The process is repeated to create lists based on the following parameters:

- Total Parcels
 - Septic Permit
 - Re-Inspection
 - MPAC Property Codes (Vacant Property)
- Lists are then sorted against each other to obtain the end result – waterfront properties that either have a septic permit that is 10yrs or greater or does not have permit information, has not been re-inspected in the past, and is not vacant.
 - The process is completed for the other lakes.

A Master Mail out Excel Workbook is then created from the individual Excel Workbooks.

Property Selection Example:

For example our search for Bennett lake resulted in:

- 214 total parcels within 30m of the lake (waterfront)
- 180 parcels either have a septic permit that is 10yrs or greater or does not have permit information
- 128 parcels have not been re-inspected in the past
- 91 properties are not vacant MPAC property codes are used to determine if a property is vacant)

*Therefore on Bennett Lake, 91 parcels are waterfront properties that either have a septic permit that is 10yrs or greater or does not have permit information, has not been re-inspected in the past, and is not vacant.

BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-001

A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF AN UNOPENED ROAD ALLOWANCE (WHITE)

WHEREAS, Section 11 (3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a municipality may pass by-laws respecting highways within their jurisdiction;

AND WHEREAS, an application was received and processed in accordance with the Road Closing and Sale Policy;

AND WHEREAS, public notice was published in the newspaper on January 13th and 20th, 2022, published on the Township website and provided publicly via the agenda for the Committee of the Whole Meeting on December 7th, 2021, the Council Meeting on December 14th, 2021, and the Public Meeting on February 22nd, 2022, with such notice offering an opportunity for any person to address concerns related to the closing;

AND WHEREAS, the Council of the Corporation of Tay Valley Township adopted Resolution #C-2021-12-16, declaring the subject lands surplus to its needs;

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 Part of the unopened road allowance between Lots 18 & 19, Concession 6, geographic Township of North Burgess, and more particularly described as Part 1 on 27R12207 is hereby stopped up and closed.
- 1.2 **THAT**, Plan 27R-12207 is attached hereto as Schedule "A" and shall be for information purposes only, and not form part of this bylaw.
- 1.3 **THAT**, Part 1 on Plan 27R12207 of the said road allowance be sold to the adjacent landowners, ROBERT FRANCIS WHITE and JUDITH MARGUERITE WHITE as a lot addition to be added to the adjoining lands which are Part Lot 18, Concession 6, North Burgess and Part of the road allowance between Lot 18 and 19, Concession 6, North Burgess, as closed by RS83125, being PIN 05222 0132 (LT).

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-001**

- 1.4** THAT, the purchase price for the parcels of land as described in Schedule “B” shall be \$0.08 per square foot.
- 1.5** THAT, the Reeve and Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute all documentation required to complete the transfer of ownership.

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

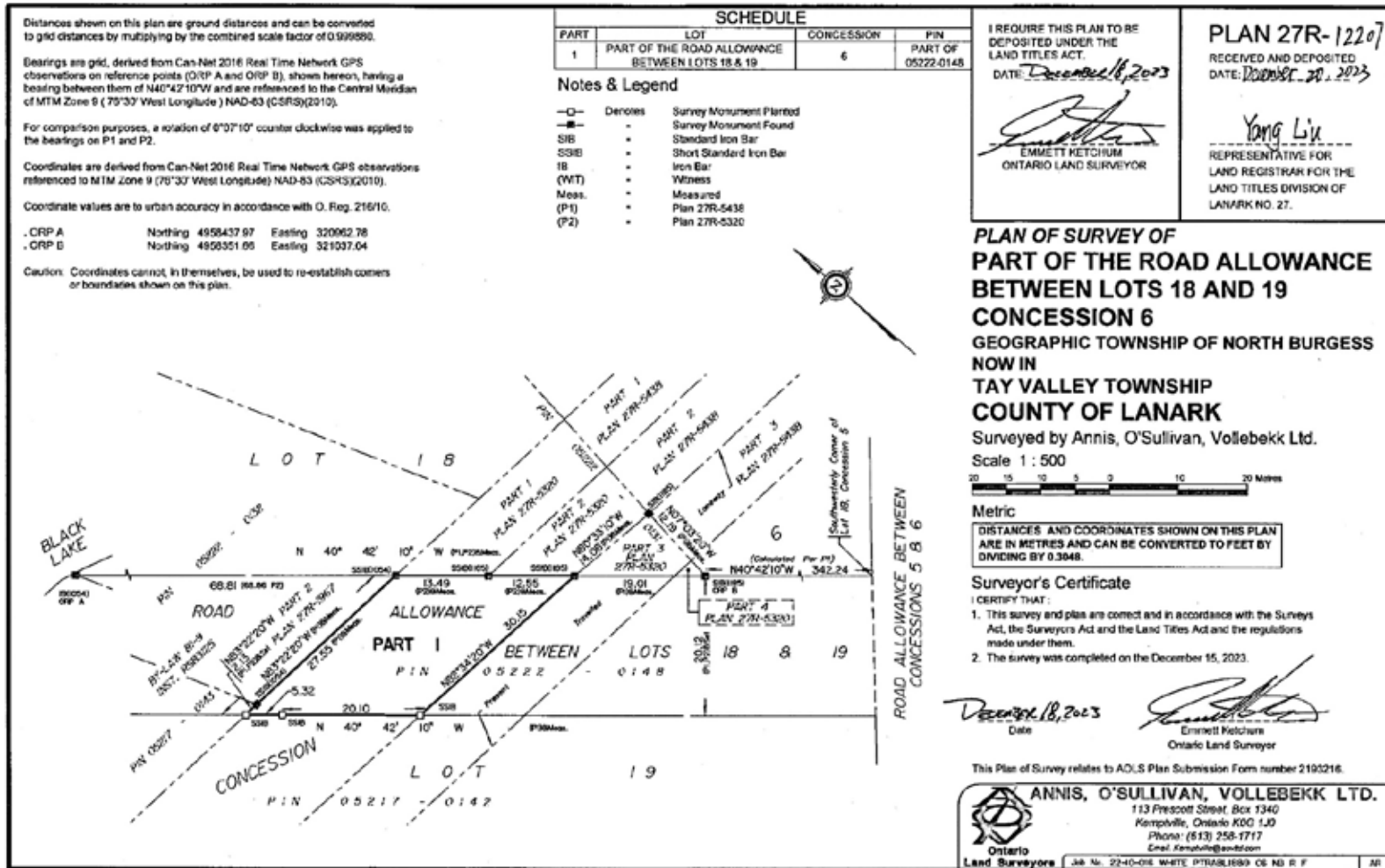
- 3.1** THAT, this By-Law shall come into force and take effect once a certified copy of this by-law is registered in the proper land registry office.
- 3.2** ENACTED AND PASSED this 27th day of February, 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2024-001

SCHEDULE "A"



**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-001**

Subject Lands:

PART OF THE UNOPENED ROAD ALLOWANCE BETWEEN LOTS 18 & 19, CONCESSION 6, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS, AND MORE PARTICULARLY DESCRIBED AS PART 1 ON 27R12207.

Plan 27R12207 is available for viewing at the Tay Valley Township Municipal Office

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-002

A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF AN UNOPENED ROAD ALLOWANCE (EDWARDS/WOLFE)

WHEREAS, Section 11 (3) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a municipality may pass by-laws respecting highways within their jurisdiction;

AND WHEREAS, an application was received and processed in accordance with the Road Closing and Sale Policy;

AND WHEREAS, public notice was published in the newspaper on May 19th and 26th, 2022, published on the Township website and provided publicly via the agenda for the Committee of the Whole Meeting on February 2nd, 2021, the Council Meeting on June 21st, 2021, and the Public Meeting on February 22nd, 2022, with such notice offering an opportunity for any person to address concerns related to the closing;

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 Council of the Corporation of Tay Valley Township declares the subject lands surplus to its needs;
- 1.2 **THAT**, the Part of the unopened road allowance between Lot 22, Concession 8, geographic Township of South Sherbrooke and Lot 1, Concession 9, geographic Township of Bathurst, north of Doran Road, and more particularly described as Parts 1 and 2 on 27R12188 is hereby stopped up and closed.
- 1.3 **THAT**, Plan 27R-12188 is attached hereto as Schedule "A" and shall be for information purposes only, and not form part of this bylaw.
- 1.4 **THAT**, Part 1 on Plan 27R12188 of the said road allowance be sold to the adjacent landowners, ELIZABETH ANNE EDWARDS and ALEXANDER PAUL WOLFE as a lot addition to be added to the adjoining lands which are Part Lot 22, Concession 8, South Sherbrooke, Part 2 on Plan 27R2682, being PIN 05208-0169 (LT).

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-002**

- 1.5** THAT, Part 2 on Plan 27R12188 of the said road allowance be sold to the adjacent landowner Andrew Oestreich as a lot addition to be added to the adjoining lands which are Part Lot 1, Concession 9, Bathurst, Part 2 on Plan 27R1988, being PIN 05202-0166 (LT).
- 1.6** THAT, the purchase price for the parcels of land as described in Schedule "B" shall be \$0.08 per square foot.
- 1.7** THAT, the Reeve and Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute all documentation required to complete the transfer of ownership.

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

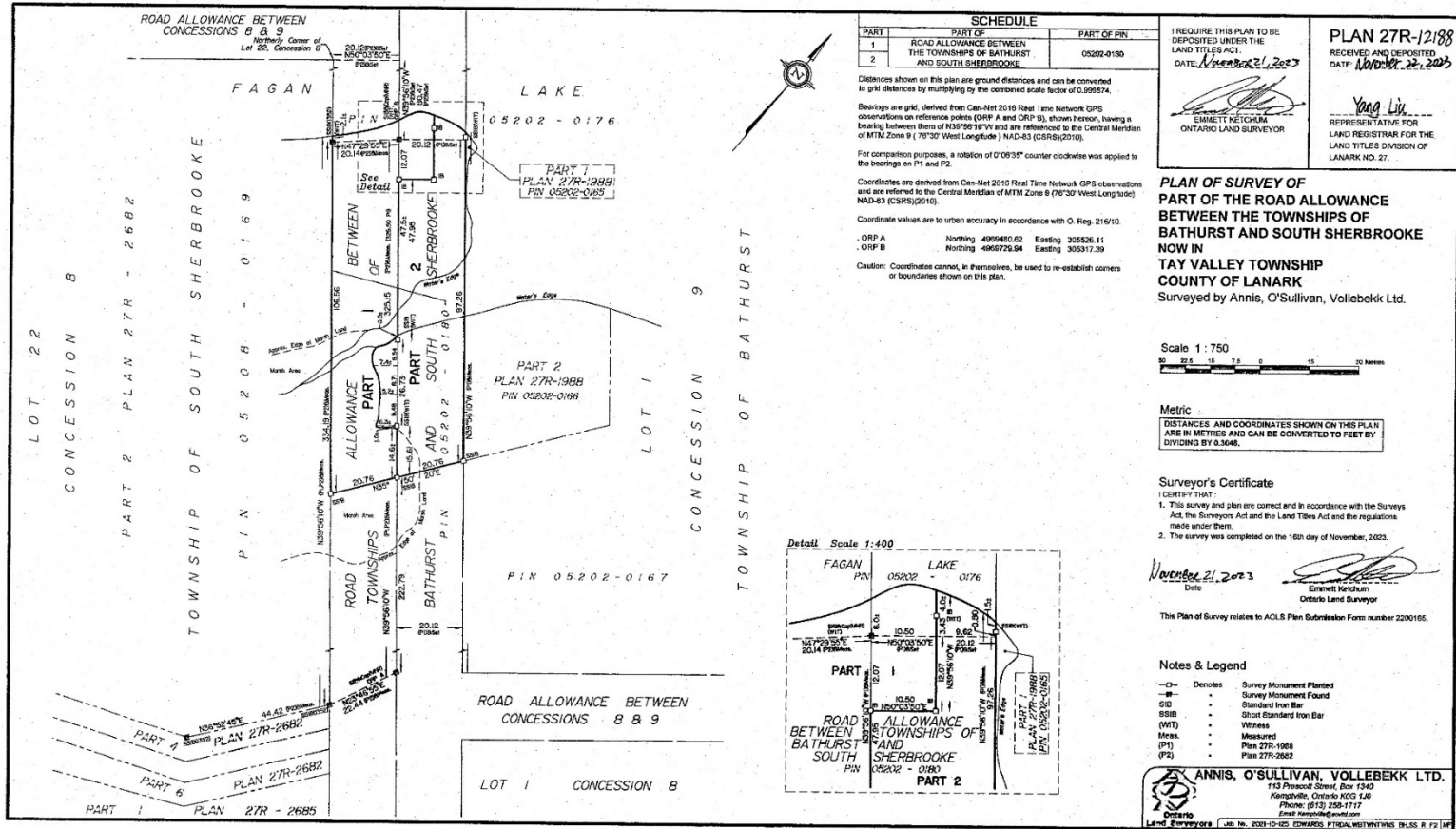
- 3.1** THAT, this By-Law shall come into force and take effect once a certified copy of this by-law is registered in the proper land registry office.
- 3.2** ENACTED AND PASSED this 27th day of February, 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2024-002

SCHEDULE "A"



**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-002**

Subject Lands:

PART OF THE UNOPENED ROAD ALLOWANCE BETWEEN LOT 22, CONCESSION 8, GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE AND LOT 1, CONCESSION 9, GEOGRAPHIC TOWNSHIP OF BATHURST, AND MORE PARTICULARLY DESCRIBED AS PARTS 1 AND 2 ON 27R12188, being part of PIN 05202-0180 (LT).

Plan 27R12188 is available for viewing at the Tay Valley Township Municipal Office

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-003

BEING A BY-LAW TO AMEND ROAD NAMING BY-LAW NO. 98-87 (MURPUBAR BAY LANE)

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, Murpubar Bay Lane 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 and each of the affected property owners agreed to the proposed name on September 22nd, 2023 and public notice was given on February 22nd, 2024 via the agenda for the Council Meeting on February 27th, 2024;

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 Part 2 on Plan 27R-2777 and Part 1 on Plan 27R-12216, be named Murpubar Bay Lane.
- 1.2 **THAT**, Plan 27R-2777 and Plan 27R-12216 are attached hereto as Schedule "A" and shall be for information purposes only, and not form part of this by-law.
- 1.3 **THAT**, Murpubar Bay Lane, located in the geographic Township of South Sherbrooke, 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", Sherbrooke Ward, Private Roads Names and Letters.
- 1.4 **THAT**, the Location and Description of Murpubar Bay Lane in Schedule "B" Sherbrooke Ward, Private Roads Names and Letters to Road Naming By-Law No. 98-87, as shown on Schedule "A" attached, be amended to read as follows:

From Althorpe Road to the dead end shown as Part 2 on Plan 27R-2777 and Part 1 on Plan 27R-12216

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-003**

1.5 THAT, the Clerk be authorized to register a certified copy of this by-law on title in the Land Registry Office.

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. BY-LAWS TO BE AMENDED

3.1 By-Law No. 98-87 is hereby amended.

3.2 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.

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.

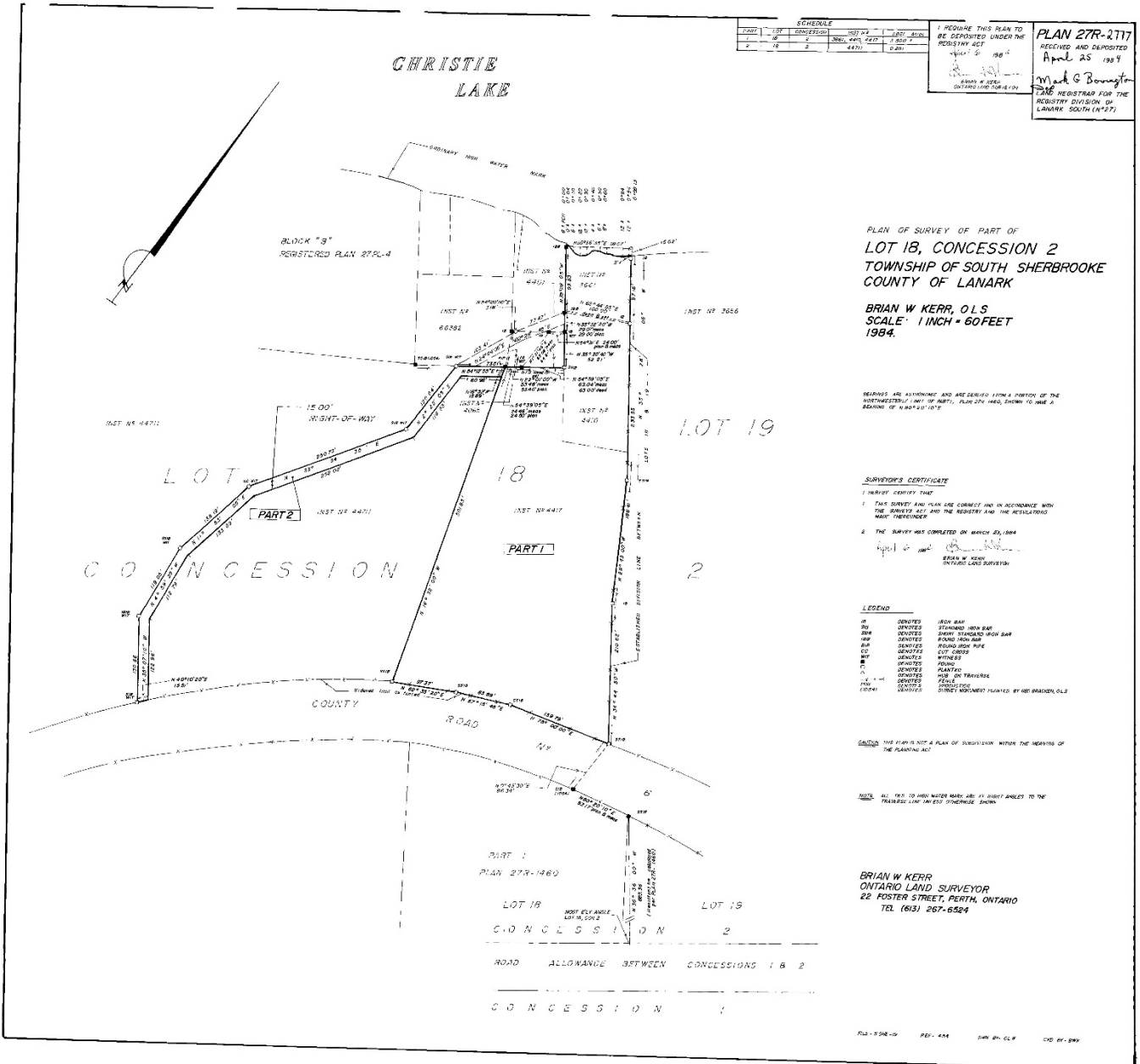
4.2 ENACTED AND PASSED this 27th day of February 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-003**

SCHEDULE "A"



INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP'S) DERIVED FROM REAL TIME NETWORK OBSERVATIONS (RTN) AND ARE REFERRED TO MTM ZONE 9 NAD83 (CSRS(2010)) COORDINATES COMPLY WITH RURAL ACCURACY PER SEC.14 (2) OF O. REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4961436.0	309667.6
ORP B	4961478.6	309721.4

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SCHEDULE			
PART	LOT	CONCESSION	P.L.N.
1	PART OF 18	2	PART OF 05215-0172(LT)

PART 1 IS SUBJECT TO AN EASEMENT AS IN INST. No. R5138949

PLAN 27R-12216

Received and deposited

January 22nd, 2024

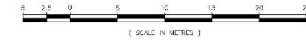
Zach Patterson

Representative for the
Land Registrar for the
Land Titles Division of
Lanark (No.27)



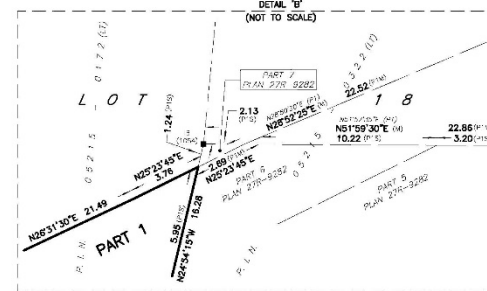
**PLAN OF SURVEY
OF PART OF
LOT 18
CONCESSION 2
IN THE
GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE
TAY VALLEY TOWNSHIP
COUNTY OF LANARK**

SCALE 1:300



THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY 458mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:300

GEORGE N. BRACKEN
ONTARIO LAND SURVEYOR



SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM.
(2) THE SURVEY WAS COMPLETED ON THE 15th DAY OF JANUARY, 2024.

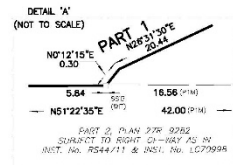
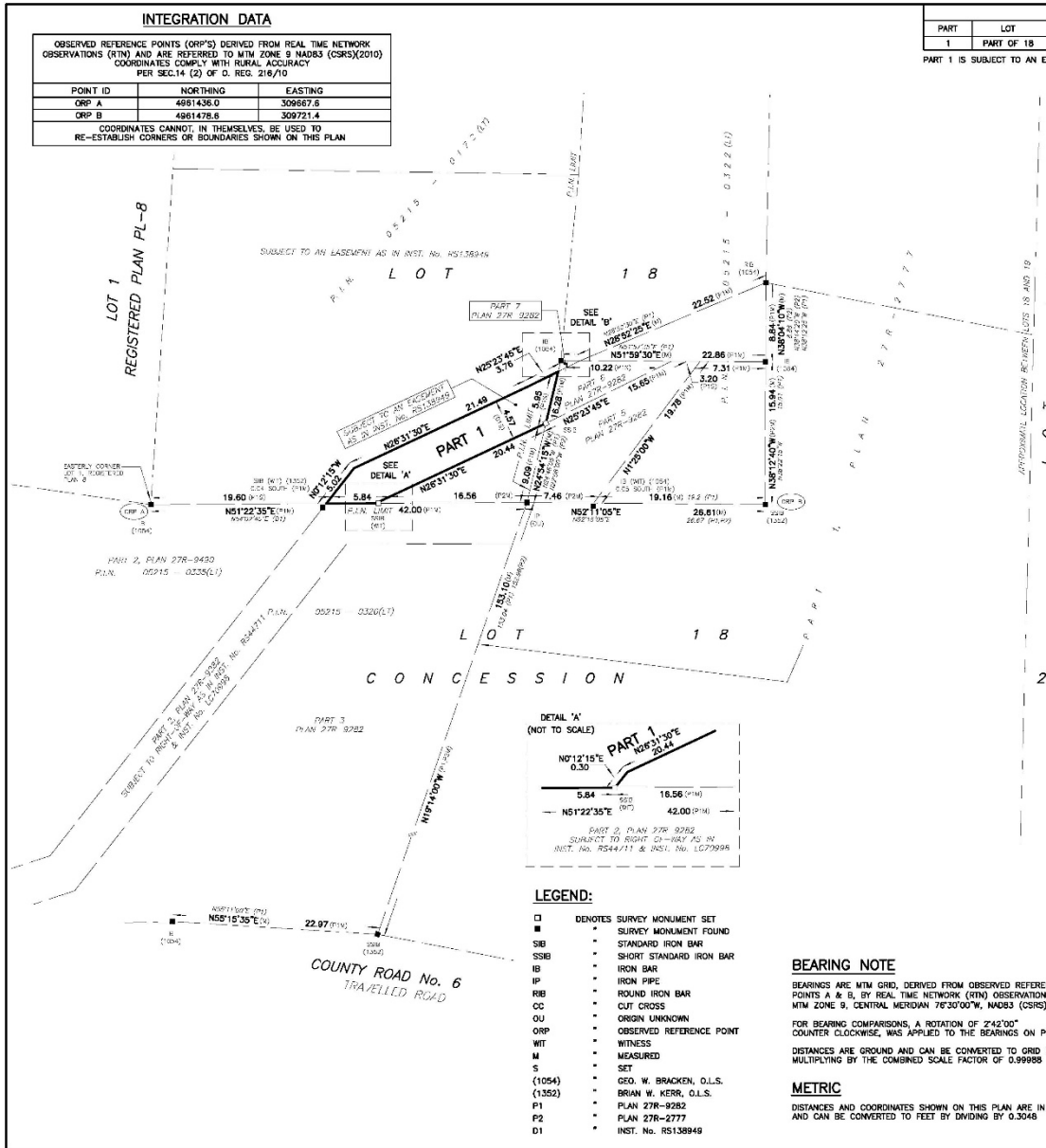
JANUARY 17, 2024
DATE

GEORGE N. BRACKEN
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AQLS PLAN SUBMISSION FORM NUMBER 2211072

Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
CARLETON PLACE LONDON NORTH BAY
requests@callondietz.com callondietz.com

SURVEY 25/10/24 DRAWN BY: NJ -ILL. No: 23-2247 P.L.N. No: X-3543



LEGEND:

- DENOTES SURVEY MONUMENT SET
- SURVEY MONUMENT FOUND
- SB STANDARD IRON BAR
- SSB SHORT STANDARD IRON BAR
- IB IRON BAR
- IP IRON PIPE
- RIB ROUND IRON BAR
- CC CUT CROSS
- OJ ORIGIN UNKNOWN
- ORP OBSERVED REFERENCE POINT
- WIT WITNESS
- M MEASURED
- S SET
- (1054) GEO. W. BRACKEN, D.L.S.
- (1352) BRIAN W. KEHR, D.L.S.
- P1 PLAN 27R-9282
- P2 PLAN 27R-2777
- D1 INST. No. R5138949

BEARING NOTE

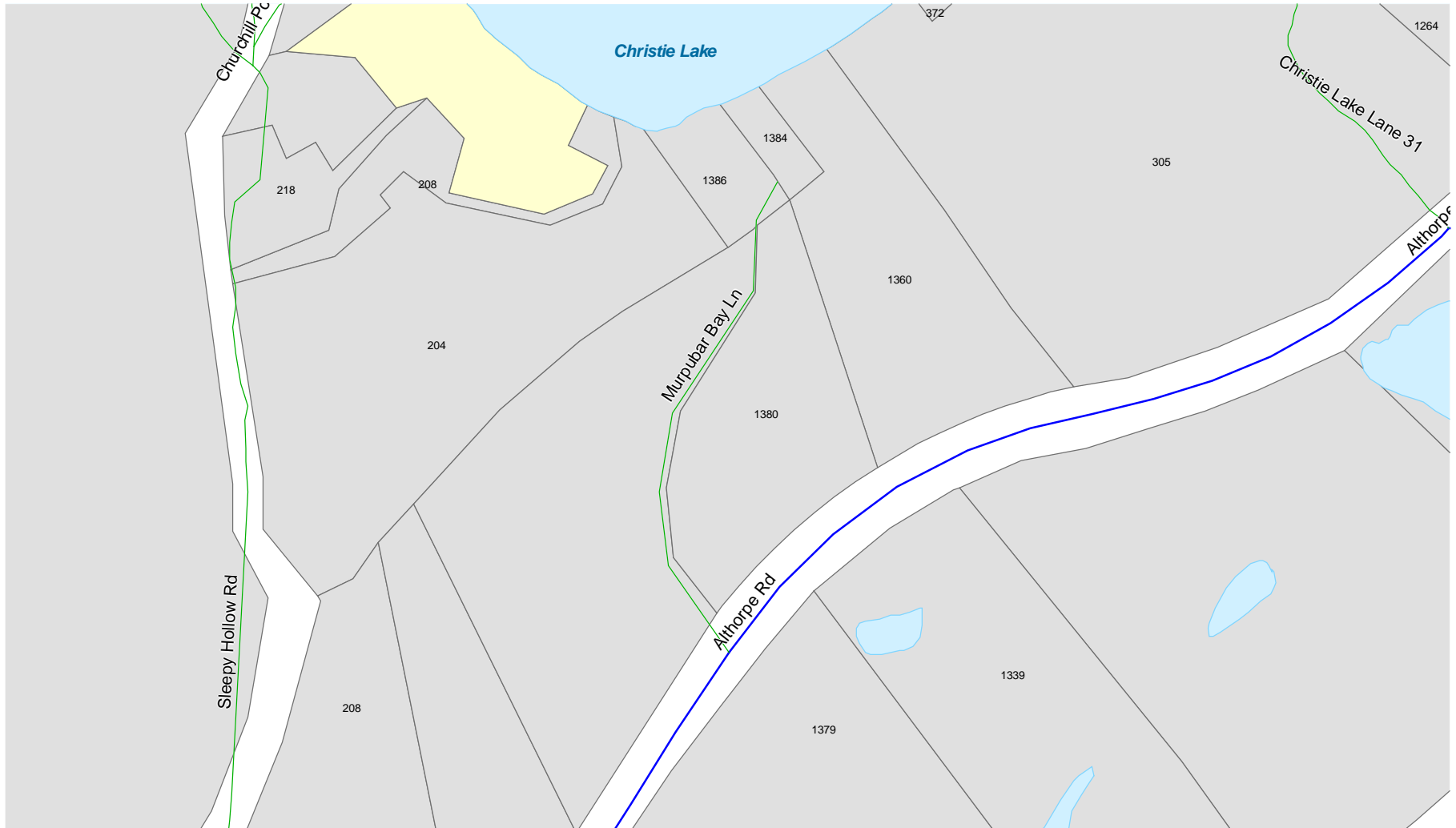
BEARINGS ARE MTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A & B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, MTM ZONE 9, CENTRAL MERIDIAN 78°30'00"W, NAD83 (CSRS)(2010)
FOR BEARING COMPARISONS, A ROTATION OF 2°42'00" COUNTER CLOCKWISE, WAS APPLIED TO THE BEARINGS ON P1 & P2
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99998

METRIC

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-003**

SCHEDULE "B"



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-004

LANARK COUNTY OPP DETACHMENT BOARD TERMS OF REFERENCE

WHEREAS, Section 67(1) of the *Community Safety and Policing Act, 2019*, S.O. 2019, Sched. 1, as amended, provides that there shall be an O.P.P. detachment board, or more than one O.P.P. detachment board in accordance with the regulations, for each detachment of the Ontario Provincial Police that provides policing in a municipality or in a First Nation reserve;

WHEREAS, the *Community Safety and Policing Act, 2019*, S.O. 2019, Sched. 1 will replace the Police Services Act (1990) effective April 1, 2024;

WHEREAS, the Council of the Corporation of Tay Valley Township has entered into a contract with the Ontario Provincial Police to provide those services;

AND WHEREAS, a Terms of Reference needs to be established for the Lanark County OPP Detachment Board;

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 Lanark County OPP Detachment Board – Terms of Reference, attached hereto as Schedule “A”, be adopted.

2. ULTRA VIRES

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

3. BY-LAW REPEALED

3.1 **THAT**, By-Law No. 1999-017 be repealed.

3.2 **THAT**, 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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-004**

4. EFFECTIVE DATE

4.1 THAT, this by-law shall come into force and effect as of the 1st day of April 2024.

4.2 ENACTED AND PASSED this 27th day of February, 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-004**

SCHEDULE "A"

**LANARK COUNTY OPP DETACHMENT BOARD
TERMS OF REFERENCE**

A. Purpose

While it is the legislative mandate of the OPP Detachment Board to work with the Detachment Commander to make decisions where appropriate and submit information to the Municipal Councils in other matters in accordance with the Community Safety and Policing Act (CSPA), the purpose of the OPP Detachment Board is to:

1. comply with the prescribed standards, if any, with respect to the exercise of its powers and the performance of its duties under the Act;
2. make decisions on matters within their jurisdiction and provide advice and information to Municipal Councils on specialized matters as outlined in the Act;
3. facilitate public input on programs and ideas when appropriate and approved by the OPP Detachment Board to ensure the work of the Board is representative of the communities it serves;
4. make decisions in enhancing the quality of life and ensuring the safety and security of all persons and property in the community, in keeping with the Minister's Strategic Plan and the OPP Detachment Board strategic plan or the annual objectives and principles as established by the OPP Detachment Board; and
5. conduct itself in keeping with the prescribed Code of Conduct under the CSPA (Section 35(6)) and in keeping with the OPP Detachment Board's Procedural By-law.

B. Roles and Responsibilities

Per Section 68 (1) of the Community Safety and Policing Act, the OPP Detachment Board's roles shall include:

- a. consulting with the Commissioner regarding the selection of a detachment commander and otherwise participate in accordance with the regulations in the selection of the detachment commander;
- b. determining objectives and priorities for the detachment, not inconsistent with the strategic plan prepared by the Minister, after consultation with the detachment commander or his or her designate;
- c. advising the detachment commander with respect to policing provided by the detachment;
- d. monitoring the performance of the detachment commander;
- e. reviewing the reports of the detachment commander regarding policing provided by the detachment; and
- f. on or before June 30 in each year, providing an annual report to the municipalities regarding the policing provided by the detachment in their municipalities.

C. Authority

1. Authority delegation is restricted to the scope described in Section 42 of the CSPA.
2. The OPP Detachment Board members shall:
 - a. ensure that all outgoing communications are in accordance with the OPP Detachment Board's policies;
 - b. not communicate externally on behalf of the OPP Detachment Board except as authorized by the OPP Detachment Board;
 - c. not post independently to social media but rather social media postings shall be forwarded to the OPP Detachment Board Secretary-Treasurer for distribution which may be shared by the OPP Detachment Board members;
 - d. not authorize any expenditures outside the OPP Detachment Board's approved budget unless authorized by each of the Municipal Councils of the OPP policed communities comprised by the Board;
 - e. have the authority to undertake special projects, or research matters that arise and that are within the scope of these Terms of Reference. The responsibility for these assignments remains with the OPP Detachment Board or designate.

D. Reports To

The OPP Detachment Board reports to the respective Municipal Councils comprising the OPP Detachment Board as required in accordance with the CSPA.

E. Composition

1. Unless otherwise determined by Provincial Legislation, membership shall be comprised of eight (8) Council representatives based on one (1) per OPP policed municipality, eight (8) community representatives based on one (1) per OPP policed municipality, and four (4) provincial representatives.

1. Qualifications of the Community Representatives

To qualify for the Community Representative on the OPP Detachment Board, applicants must be eligible to vote in the respective municipality they are appointed from.

Community Representatives shall not be an employee of their respective municipality.

Preference will be given to persons demonstrating knowledge or experience specific to the subject Committee / Board.

2. Appointments to the OPP Detachment Board

- i. Appointments to the OPP Detachment Board shall be made in accordance with the provisions of Section 33 of the Act.

- ii. Council Appointments to the OPP Detachment Board shall be made by the respective municipal Council; one (1) per municipality.
- iii. Community Appointments to the OPP Detachment Board shall be made by the respective municipal Council; one (1) per municipality. In considering Community Appointments, preference should be given to persons demonstrating knowledge or experience in one (1) or more of the following areas:
 - a. Finance
 - b. Social Services
 - c. Education
 - d. Governance
 - e. Legal
 - f. Health Care
 - g. Mental Health
- iv. Provincial Appointments to the OPP Detachment Board shall be made by the Provincial Government.

3. Term of Membership

The Term of office for Council and Community Appointees on the OPP Detachment Board shall be concurrent with the term of Council.

The Term of office for Provincial Appointees on the OPP Detachment Board shall be as determined by the Provincial Government.

4. Absence

Any Community Representative who is absent from three (3) consecutive regular meetings without leave of absence or without satisfactory reason shall forthwith cease to be a member and the Secretary-Treasurer shall advise the Clerk of the respective municipality so that the vacancy may be filled.

5. Review

The composition of the OPP Detachment Board shall be reviewed once within each term of the Board.

2. Resignation of Representatives:

- a. Any Council or Community Representatives wishing to resign shall provide their resignation in writing to the Chair (or Vice-Chair if the Chair is resigning) with a copy to the Secretary-Treasurer and shall notify the Clerk of their respective municipality so that a replacement may be appointed.
- b. Any Provincial Representative wishing to resign shall provide their resignation in writing to the Chair with a copy to the Secretary-Treasurer and shall notify the Provincial Appointments Secretariat so that a replacement may be appointed.

3. **Filling Vacancies:**

- a. Vacancies of Council and Community Representatives shall be filled at the discretion of the respective Municipal Council and within three (3) months of the vacancy occurring.
- b. Vacancies of Provincial Representatives shall be filled at the discretion of the Province.

4. **Responsible Party:**

The Secretary-Treasurer appointed by the OPP Detachment Board shall be responsible for all actions and financial undertakings of the OPP Detachment Board unless delegated otherwise by the OPP Detachment Board in accordance with Section 42 of the CSPA.

5. **Structure:**

a. Chair and Vice-Chair

In accordance with Section 36(1) of the CSPA, the Chair and Vice-Chair shall be elected annually at the first meeting of each year by a vote of the majority of the OPP Detachment Board members.

In the absence of the Chair at a meeting, the Vice-Chair shall Chair the meeting. In the absence of both the Chair and Vice-Chair at a meeting, an Acting Chair shall be elected at the beginning of the meeting for the duration of that meeting.

b. Support Resources

- i) The OPP Detachment Board shall determine the support resources it requires to assist them with fulfilling their roles.
- ii) Recording Secretary: The Recording Secretary shall be the Secretary-Treasurer appointed annually by the OPP Detachment Board members at the first meeting each year and shall act as the Recording Secretary for the Board's meetings.

F. Procedures

1. All applicable Federal, Provincial and Municipal legislation and regulations shall be adhered to. This includes, but is not limited to:
 - i) The CSPA and its regulations
 - ii) Code of Conduct Regulation
 - iii) The OPP Detachment Board's
 - a. Accountability and Transparency Policy
 - b. Procedural By-law
 - c. Procurement By-law;
 - d. Terms of Reference; and
 - iv) The OPP Detachment Board shall determine the frequency of reviewing its documents identified in 1.iii) and amending them as necessary.

2. The OPP Detachment Board shall meet monthly on the third Wednesday of each month except for the months of July and December, unless otherwise determined by the OPP Detachment Board and shall publish its annual meeting schedule on the Town of Carleton Place's website. Meetings shall be held in the Meeting Room at the Carleton Place Fire Hall, 15 Coleman Street, Carleton Place. The schedule shall include at least four (4) regular meetings per year with allowances for summer and Christmas breaks.
3. Unless excluded by legislation, all OPP Detachment Board members eligible to vote, including the Chair, shall vote.
4. The OPP Detachment Board may solicit, document and consider public input where appropriate.
5. The agenda shall be distributed and posted at least seven (7) days before the OPP Detachment Board meetings on the Town of Carleton Place's website.
6. The minutes shall be posted once approved by the OPP Detachment Board, in a timely fashion on the Town of Carleton Place's website.
7. The approved minutes, signed by the Chair and Secretary-Treasurer, shall be provided to the Clerk of the Town of Carleton Place for official record keeping. With respect to the last meeting prior to an election, the minutes shall be approved per the OPP Detachment Board's Procedural By-law.

G. Quorum

Greater than 50% of the OPP Detachment Board members eligible to vote and not excluded by legislation shall constitute quorum.

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-005

ASSUME ROAD FOR PUBLIC USE WITHIN THE TAYSIDE ESTATES SUBDIVISION (ERNEST WAY)

WHEREAS, Section 27 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway, only if it has jurisdiction over the highway;

AND WHEREAS, Section 28 (2) (b) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that, the municipality has jurisdiction over all road allowances, highways, streets and lanes shown on a registered plan of subdivision;

AND WHEREAS, the Tayside Estates Subdivision was approved under Section 51 of the *Planning Act*, R.S.O.1990, Chapter P.13, as amended, on the 9th of July 2015;

AND WHEREAS, Section 31 (4) of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, provides that a municipality may by by-law assume a road allowance, highway, street or lane shown on a registered plan of subdivision for public use;

AND WHEREAS, the municipality deems it expedient to assume Ernest Way for maintenance purposes;

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, the road described in Schedule "A" and as shown on Schedule "B" attached, be assumed for public use as a highway in Tay Valley Township.
- 1.2 **THAT**, Schedule "B" is provided for information purposes only and does not form part of this By-Law.
- 1.3 **THAT**, the road is more particularly described as Ernest Way on Plan 27M70 being PIN 05186-0237 (LT), attached as Schedule "C" and shall be for information purposes only and does not form part of this By-Law.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-005**

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 27th day of February, 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-005**

SCHEDULE "A"

DESCRIPTION OF ROAD TO BE ASSUMED:

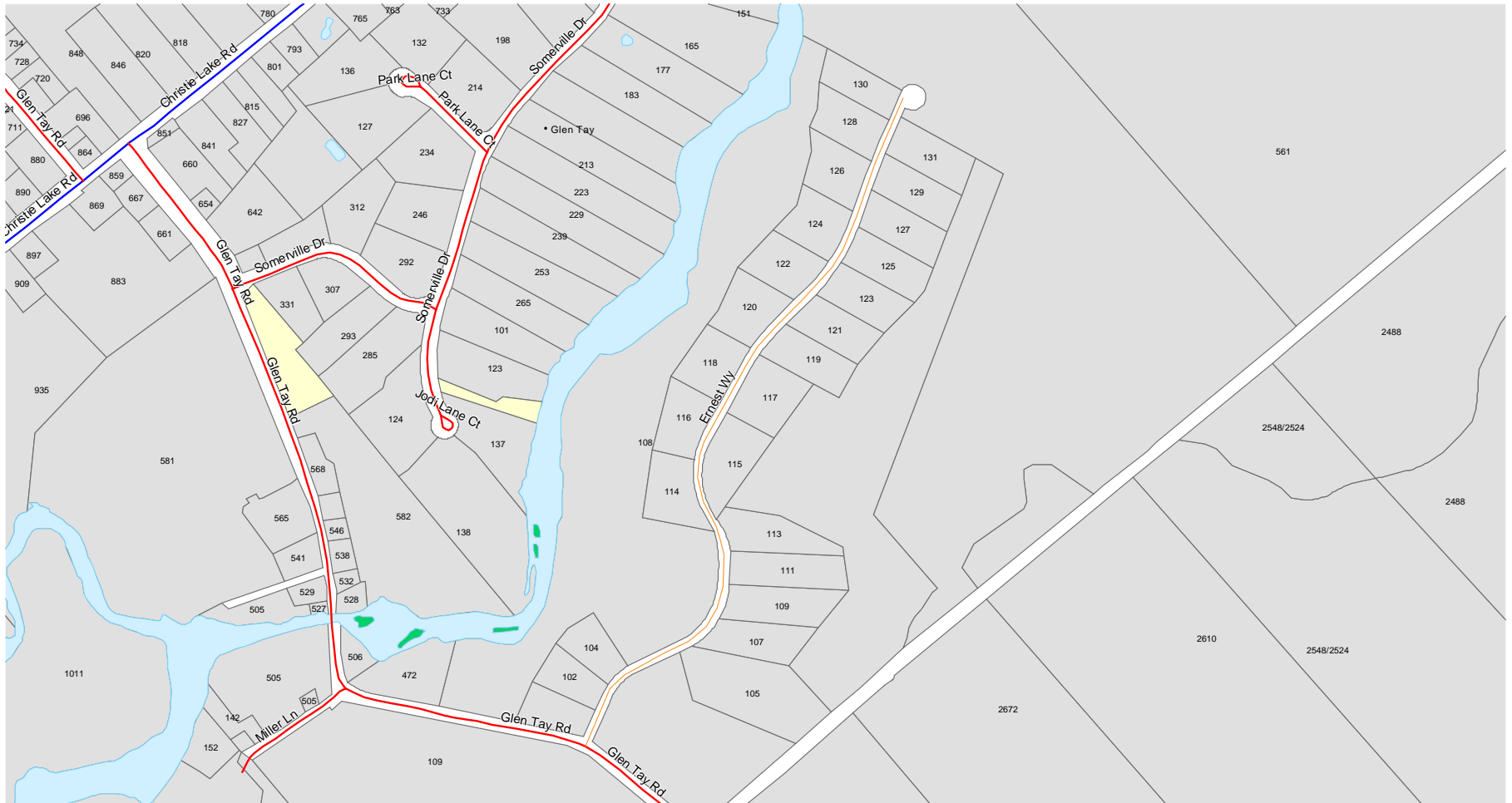
ERNEST WAY

PIN 05186-0237 (LT)

ERNEST WAY, PLAN 27M70; TAY VALLEY TOWNSHIP

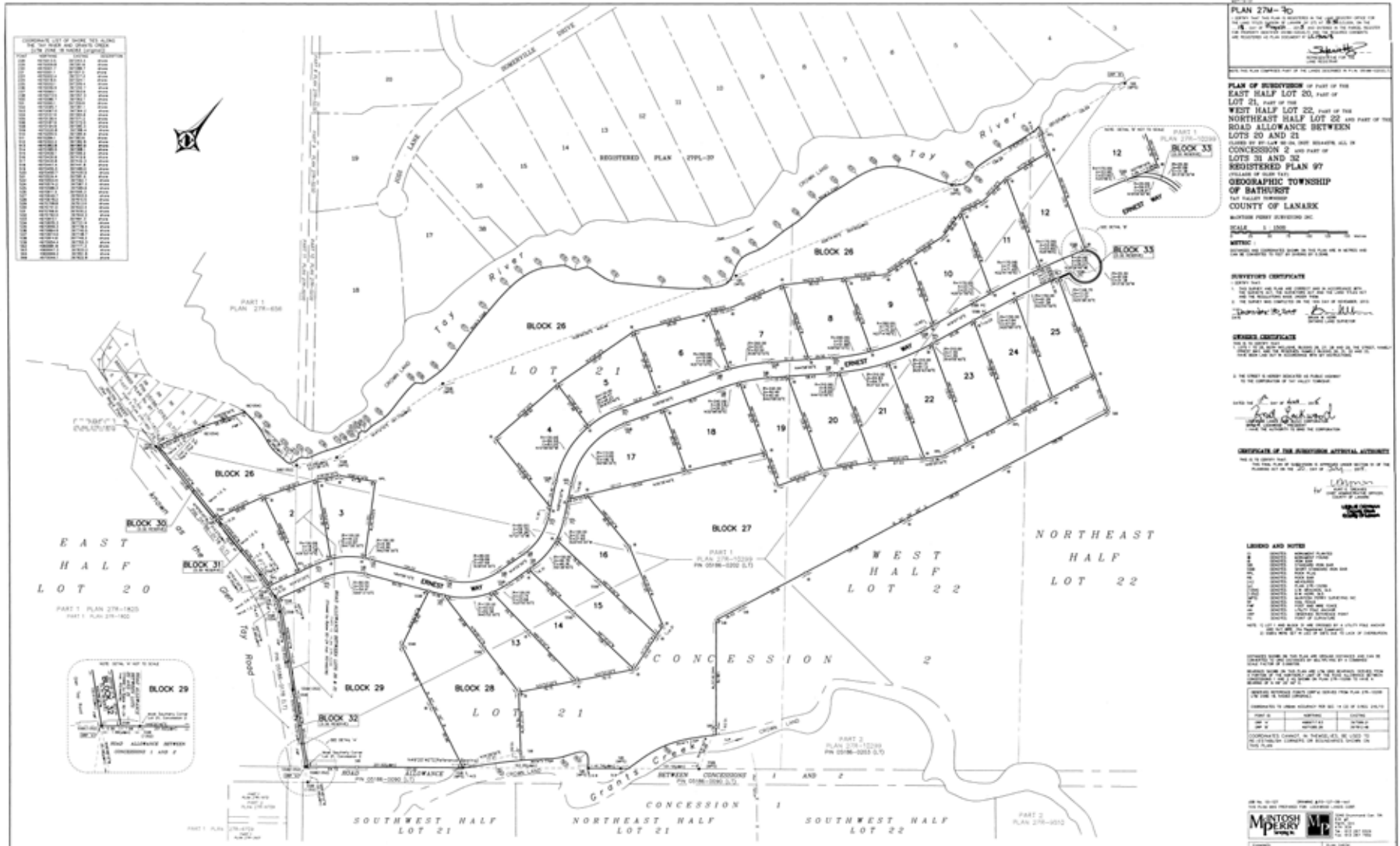
**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-005**

SCHEDULE "B"



THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2024-005

SCHEDULE "C"



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-006

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (ANDERSON AND BECK – 472 STAR HILL ROAD) (PART LOT 21, CONCESSION 6, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Seasonal Residential (RS) to Residential Limited Services (RLS) on the lands legally described as Part Lot 21, Concession 6, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll # 091191102048036), 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. 2024-006**

3. EFFECTIVE DATE

ENACTED AND PASSED this 27th day of February, 2024.

Robert Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-006**

SCHEDULE "A"

Anderson and Beck – 472 Star Hill Road
Part Lot 21, Concession 6
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law
To amend the Zoning from
Seasonal Residential (RS) to
Residential Limited Services (RLS)

Certificate of Authentication
This is Schedule "A" to By-Law 2024-006
passed this 27th day of February 2024.

Reeve

Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-007

SEWAGE SYSTEM MANAGEMENT AGREEMENT AMENDMENT (MISSISSIPPI VALLEY CONSERVATION AUTHORITY)

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) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, 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, the Township has an agreement for Sewage System Inspections and Re-Inspections with Mississippi Valley Conservation Authority;

AND WHEREAS, Council deems it expedient to amend By-Law No. 2020-009 to alter the process of receiving payments for services rendered by the Mississippi Valley Conservation Authority in relation to the Sewage System Inspections and Re-Inspection Program;

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, Schedule "A", subsection 4.01 "Collection of Fees" and 4.02 "Lump Sum Payment" of By-Law No. 2020-009 - Sewage System Management Agreement be amended as follows:

4.01 Collection of Fees:

The Mississippi Valley Conservation Authority shall collect all fees, as set out in Schedule "A" of this Agreement, payable by any person for work performed by the Conservation Authority hereunder as compensation for its services provided hereunder and all persons required to pay any such fee shall pay the fee to the Mississippi Valley Conservation Authority.

4.02 Lump Sum Payment:

Upon completion of the Septic Re-inspection Services described in Schedule B of this Agreement, the Conservation Authority shall invoice the Applicant and such invoices shall become due and payable upon receipt.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-007**

2. ULTRA VIRES

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

3. BY-LAW AMENDED

3.1 By-Law No. 2020-009 is hereby amended.

3.2 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.

4. EFFECTIVE DATE

3.1 This By-Law shall come into force and effect as of 1st day of March 2024.

3.2 ENACTED AND PASSED this 27th day of February, 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-008

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON FEBRUARY 27TH, 2024

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 27th day of February, 2024 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. 2024-008**

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 27th day of February 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk