



COUNCIL MEETING AGENDA

Tuesday, May 21st, 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 – April 23rd, 2024 – *attached, page 8.***

Suggested Motion by Councillor Korrine Jordan:

“THAT, the minutes of the Council Meeting held on April 23rd, 2024, be approved as circulated.”

ii) **Council Meeting (Closed Session – Litigation – Building Permit #115-2017)
– April 23rd, 2024 – *to be distributed at the meeting.***

Suggested Motion by Deputy Reeve Fred Dobbie:

“THAT, the minutes of the Council Meeting (Closed Session – Litigation – Building Permit #115-2017) held on April 23rd, 2024, be approved as circulated.”

iii) **Council Meeting (Closed Session – Receiving Advice – Road Access
Agreements) – April 23rd, 2024 – *to be distributed at the meeting.***

Suggested Motion by Councillor Marilyn Thomas:

“THAT, the minutes of the Council Meeting (Closed Session – Receiving Advice – Road Access Agreements) held on April 23rd, 2024, be approved as circulated.”

5. DELEGATIONS & PRESENTATIONS

i) **Public Meeting – Request to Close Unopened Road Allowance – Gervais.**

a. CLERK REVIEW OF FILE

Report #CAO-2024-09 - Request to Close a Portion of an Unopened Road Allowance – Gervais – *attached, page 19.*

b. APPLICANT COMMENTS

c. PUBLIC COMMENTS

6. CORRESPONDENCE

None.

7. MOTIONS

i) **Delegation: RNJ Youth Services.**

Suggested Motion by Councillor Angela Pierman:

“THAT, the RNJ Youth Services presentation to Committee of the Whole on May 7th, 2024 be received for information.”

ii) **Delegation: Caivan Development Proposal (South Frontenac).**

Suggested Motion by Councillor Wayne Baker:

“THAT, the Long Bay (Bobs Lake) Cottagers' Association presentation to Committee of the Whole on May 7th, 2024 be received for information.”

iii) **Delegation: Caivan Development Proposal (South Frontenac).**

Suggested Motion by Councillor Andrew Kendrick:

“THAT, the Greater Bobs and Crow Lakes Association presentation to Committee of the Whole on May 7th, 2024 be received for information.”

iv) **Report # PD-2024-06 – Proposed Update to the Zoning By-Law.**

Suggested Motion by Councillor Greg Hallam:

“THAT, Report #PD-2024-06 – Proposed Update to the Zoning By-Law be received for information.”

v) **Report #PD-2024-07 – Provincial Policy Statement and Bill 185 Comments.**

Suggested Motion by Councillor Korrine Jordan:

“THAT, staff submit comments to the seven (7) Environmental Registry of Ontario postings and one (1) to the Ministry of Municipal Affairs and Housing posting on key areas of importance to Tay Valley Township, as identified in Report #PD-2024-07 – Provincial Policy Statement and Bill 185 Comments, by the deadline of May 12, 2024;

AND THAT, this report be circulated to the Minister of Municipal Affairs and Housing, MPP Jordan, and the Rural Ontario Municipal Association.”

vi) **Report #PW-2024-13 – Relocate Backup Generator – Tender Award.**

Suggested Motion by Deputy Reeve Fred Dobbie:

“THAT, Tender #2024-MO-002 – Relocate the Back-up Generator be awarded to G.A.L. Power Systems Ottawa Ltd. in the amount of \$36,044.49 plus H.S.T.;

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

vii) **Establishing Guidelines for Awarding Community Grants.**

Suggested Motion by Councillor Marilyn Thomas:

“THAT, staff draft guidelines for awarding community grants for review and discussion by Council;

AND THAT, the guidelines be in place for the 2026 budget process.”

viii) **Lessons Learned – Manie Daniels Centre.**

Suggested Motion by Councillor Angela Pierman:

“THAT, the Lessons Learned – Manie Daniels Centre discussion, be received for information.”

ix) **Caivan Properties (South Frontenac) File No.: PL-ZBA-2023-0135.**

Suggested Motion by Councillor Wayne Baker:

“THAT, staff be directed to monitor the progress and status of the proposed Caivan Properties (South Frontenac) File No.: PL-ZBA-2023-0135 development;

AND THAT, Council be notified of any updates.”

x) **Appointment of Volunteer to Bolingbroke Cemetery Board.**

Suggested Motion by Councillor Andrew Kendrick:

*“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer to the Bolingbroke Cemetery Board, subject to the Criminal Records Check Policy:*

- Danial Milner.”*

xi) **Appointment of Soccer Volunteers.**

Suggested Motion by Councillor Greg Hallam:

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

- David Ceballos*
- Tenzin Chu*
- Brandon Cinkant*
- Dayna Clark*
- Samantha Duchesne*
- Dawn Flinn*
- Andrew Graham*
- Tiffany Graham*
- Stephanie Hillier*
- Hayley Koeslag*
- Susan Leonard*
- Karen Lee Anne McKee*
- Lorne McKee*
- Steven Needham*
- Mitchell Newstead*
- Kerrsten Norwood*
- Melissa Pickering (Cordick)*
- Jayson Quenneville*
- Karen Ratcliffe*
- Andrew Rous*
- Joseph Sawan*
- Pamela Schnurr*
- Bryan Scott*
- Leah Timmerman*
- Amanda Tyler*
- Christine Wright.”*

xii) **24-04-18 and 24-05-01 – Council Communication Packages.**

Suggested Motion by Councillor Korrine Jordan:

“THAT, the 24-04-18 and 24-05-01 Council Communication Packages be received for information.”

xiii) **The Corporation of the Township of The Archipelago Resolution - Public Health Ontario Proposes Phasing Out Free Water Testing for Private Wells.**

Suggested Motion by Deputy Reeve Fred Dobbie:

“THAT, the Corporation of the Township of The Archipelago resolution regarding Public Health Ontario proposes phasing out free water testing for private wells be received for information.”

8. BY-LAWS

i) **By-Law No. 2024-020 – Road Naming – Buoy View Lane – attached, page 27.**

Suggested Motion by Councillor Marilyn Thomas:

“THAT, By-Law No. 2024-020, being a by-law to amend Road Naming By-Law No. 98-87 (Buoy View Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ii) **By-Law No. 2024-021 – Zoning By-Law Amendment – 2865539 Ontario Inc – attached, page 32.**

Suggested Motion by Councillor Angela Pierman:

“THAT, By-Law No. 2024-021, being a by-law to amend Zoning By-Law No. 2002-121 (Part East ½ Lot 13, Concession 8, Geographic Township of North Burgess, Parts 2 and 3 on Plan 27R-3961, now in Tay Valley Township, County of Lanark), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

9. NEW/OTHER BUSINESS

None.

10. CALENDARING

Meeting	Date	Time	Location
Council Meeting	May 21 st	6:00 p.m.	Municipal Office
RVCA Board of Directors Meeting	May 23 rd	6:30 p.m.	RVCA Offices
Library Board Meeting	May 27 th	4:30 p.m.	Perth & District Library

Committee of Adjustment Hearing	May 27 th	5:00 p.m.	Municipal Office
History Scholarship Selection Committee Meeting	May 29 th	1:30 p.m.	Municipal Office
Public Information Session – H. Mather Drain	May 29 th	5:30 p.m.	Municipal Office
Public Meeting – Zoning By-Law Amendment	June 4 th	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	June 4 th	Following	Municipal Office
Bolingbroke Cemetery Board Meeting	June 6 th	2:00 p.m.	Municipal Office
Fire Board Meeting	June 6 th	6:00 p.m.	BBDNE Fire Station
Green Energy and Climate Change Working Group	June 14 th	2:00 p.m.	Municipal Office
Library Board Meeting	June 17 th	4:30 p.m.	Perth & District Library
Committee of Adjustment Hearing	June 17 th	5:00 p.m.	Municipal Office
Council Meeting	June 18 th	6:00 p.m.	Municipal Office

11. CLOSED SESSIONS

None.

12. CONFIRMATION BY-LAW

- i) **By-Law No. 2024-022 - Confirmation By-Law – May 21st, 2024 – attached, page 35.**

Suggested Motion by Councillor Wayne Baker:

“THAT, By-Law No. 2024-022 being a by-law to confirm the proceedings of the Council meeting held on May 21st, 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, April 23rd, 2024

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

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) **“Emergency” Council Meeting – March 21st, 2024.**

RESOLUTION #C-2024-04-01

MOVED BY: Greg Hallam
SECONDED BY: Korrine Jordan

“THAT, the minutes of the “Emergency” Council Meeting held on March 21st, 2024, be approved as circulated.”

ADOPTED

- ii) **“Emergency” Council Meeting (Closed Session – Litigation – Ontario Land Tribunal Mediation) – March 21st, 2024.**

RESOLUTION #C-2024-04-02

MOVED BY: Korrine Jordan
SECONDED BY: Andrew Kendrick

“THAT, the minutes of the “Emergency” Council Meeting (Closed Session – Litigation – Ontario Land Tribunal Mediation) held on March 21st, 2024, be approved as circulated.”

ADOPTED

- iii) **Council Meeting – March 26th, 2024.**

RESOLUTION #C-2024-04-03

MOVED BY: Fred Dobbie
SECONDED BY: Marilyn Thomas

“THAT, the minutes of the Council Meeting held on March 26th, 2024, be approved as circulated.”

ADOPTED

- iv) **Committee of the Whole Meeting – April 9th, 2024.**

RESOLUTION #C-2024-04-04

MOVED BY: Marilyn Thomas
SECONDED BY: Fred Dobbie

“THAT, the minutes of the Committee of the Whole Meeting held on April 9th, 2024, be approved as circulated.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

i) Public Meeting – Request to Close Unopened Road Allowance – Illman

d. CLERK REVIEW OF FILE

The Chief Administrative Officer/Clerk presented the PowerPoint presentation that was attached to the agenda.

e. APPLICANT COMMENTS

The applicant Christian and Courtney Illman were in attendance and were available to answer questions.

f. PUBLIC COMMENTS

Bill Avery, agent for adjacent land owner

- asked by a neighbour to talk to this
- the concern is that when a building is wanted, the Chief Building Official (CBO) asks where the survey is
- no survey was asked for, concerned that the CBO did not do due diligence
- there is a hydro line buried under the unopened road allowance
- there are a lot of problems with this
- do not think that the applicant is the one who made the problem
- thinks Council and the CBO should look carefully at how this house got built there
- there is also an entrance on the unopened road allowance

Deputy Reeve Dobbie

- where does the road at the back go?
- is the new hydro pole is on the side of the unopened road allowance that is to be stopped up and closed?

Bill Avery

- it is the 12th concession, it is not a road, it is an unopened road allowance
- yes, the hydro pole is on the unopened road allowance

Deputy Reeve Dobbie

- is anything built over hydro line?
- is the house taking hydro off the line?

Christian Illman

- no, nothing is built over the hydro line it is above ground
- yes, the house is taking hydro off of that pole

The Chief Administrative Officer/Clerk reiterated that it is not the building porting being spoken to at this time, only the road closing portion.

The Planner explained how the Township has never required a survey in order to get a building permit. To require one now would require a change in policy.

Bill Avery

- only ever applied for one building permit
- did not require a survey but one was done and showed to the CBO
- that was historically the way it was done

Planner

- the Township requires a site drawing, a hand drawn sketch, as part of the building permit application
- the Building and Planning Department reviews that drawing for setbacks
- the Township was supplied with the drawing
- the drawing was not based on the locations of the actual lot lines, which was unknown to the Township
- the Building Official would have seen what was required based on the site sketch
- it is up to the property owner to know where their lot lines are

Bill Avery

- maintains the building official did not do due diligence

The Planner explained that if the unassumed road allowance (URA) can not be sold to the applicant, it is possible that the applicants would be asked to move the garage as it can not stay on the URA. It was also noted that the applicants are responsible to ensure that the sketch provided with building permit application is correct and that builders adhere to building what was applied for.

The Chief Administrative Officer/Clerk, noting no objections to taking next steps, indicated that the applicants will be receiving a request for a survey from the Township.

6. CORRESPONDENCE

None.

7. MOTIONS

- i) **Municipal Drains, the Drainage Act, and Maintenance Plan Overview for the H. Mather Drain.**

RESOLUTION #C-2024-04-05

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, a Public Information Session with the Riparian Landowners for the H. Mather Drain be held to determine the full scope of maintenance and eliminate any works not requested by the respective landowners.”

ADOPTED

- ii) **Report #PW-2024-10 – Municipal Office LED Lighting Upgrade – Tender Award.**

RESOLUTION #C-2024-04-06

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, Tender #2024-MO-001 – Municipal Office LED Lighting Upgrades be awarded to CLI Electric Inc. in the amount of \$12,724.80 plus H.S.T.;

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

ADOPTED

- iii) **Report #PW-2024-11 – 2024 Maintenance Gravel Program.**

RESOLUTION #C-2024-04-07

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“**THAT**, the revised 2024 Maintenance Gravel Program be approved as outlined in Report #PW-2024-11 – 2024 Maintenance Gravel Program;

AND THAT, the work on Long Lake Road be deferred and replaced with road base improvements on Old Brooke Road.”

ADOPTED

- iv) **Report #PW-2024-12 – Engineering Services for the Bowes Side Road Bridge – RFP Award.**

RESOLUTION #C-2024-04-08

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“**THAT**, Request for Proposal #2024-PW-005 – Engineering Services for the Bowes Side Road Bridge, be awarded to Safe Roads Engineering;

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

ADOPTED

- v) **Report #FIN-2024-08 – 2024 Tax Rates.**

RESOLUTION #C-2024-04-09

MOVED BY: Korrine Jordan

SECONDED BY: Andrew Kendrick

“**THAT**, Report #FIN-2024-08 – 2024 Tax Rates, be received for information.”

ADOPTED

- vi) **Report #CAO-2024-07 – Proposed New Road Name – Buoy View Lane.**

RESOLUTION #C-2024-04-10

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, the necessary by-law to name an existing Private Road to Buoy View Lane as outlined in Report #CAO-2024-07 – Proposed New Road Name – Buoy View Lane, be brought forward for approval.”

ADOPTED

- vii) **Recreation in Tay Valley Township.**

RESOLUTION #C-2024-04-11

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“**THAT**, the overview of Recreation in Tay Valley Township be received for information.”

ADOPTED

viii) **Strategic Plan Update.**

RESOLUTION #C-2024-04-12

MOVED BY: Angela Pierman
SECONDED BY: Wayne Baker

“**THAT**, the Tay Valley Township Strategic Plan Update, dated April 9th, 2024 be received for information.”

ADOPTED

ix) **Appointment of Bird Watcher Volunteer.**

RESOLUTION #C-2024-04-13

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, the Council of the Corporation of Tay Valley Township appoint the following volunteer to lead a community bird watching group, subject to the Criminal Records Check Policy:

- Rémy Poulin.”

ADOPTED

x) **24-02-28 and 24-04-03 – Council Communication Packages.**

RESOLUTION #C-2024-04-14

MOVED BY: Andrew Kendrick
SECONDED BY: Korrine Jordan

“**THAT**, the 24-02-28 and 24-04-03 Council Communication Packages be received for information.”

ADOPTED

xi) **Green Energy and Climate Change Working Group - Resignation.**

RESOLUTION #C-2024-04-15

MOVED BY: Greg Hallam
SECONDED BY: Korrine Jordan

“**THAT**, Peter Nelson be removed from the Green Energy and Climate Change Working Group.”

ADOPTED

8. BY-LAWS

- i) **By-Law No. 2024-015 – Zoning By-Law Amendment – McIntyre.**

RESOLUTION #C-2024-04-16

MOVED BY: Korrine Jordan

SECONDED BY: Andrew Kendrick

“**THAT**, By-Law No. 2024-015, being a by-law to amend Zoning By-Law No. 2002-121 (206 and 208 Patterson Road, Part Lot 19, Concession 3, geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- ii) **By-Law No. 2024-016 – Zoning By-Law Amendment – Rennick.**

RESOLUTION #C-2024-04-17

MOVED BY: Fred Dobbie

SECONDED BY: Marilyn Thomas

“**THAT**, By-Law No. 2024-016, being a by-law to amend Zoning By-Law No. 2002-121 (700 Bathurst 6th Concession, Part Lot 22, Concession 6, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iii) **By-Law No. 2024-017 – Road Naming – Buoy View Lane.**

RESOLUTION #C-2024-04-18

MOVED BY: Marilyn Thomas

SECONDED BY: Fred Dobbie

“**THAT**, By-Law No. 2024-017, being a by-law to amend By-Law No. 98-87, being a Road Naming By-Law (Buoy View Lane), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

- iv) **By-Law No. 2024-018 – Set Tax Rates – 2024.**

RESOLUTION #C-2024-04-19

MOVED BY: Angela Pierman

SECONDED BY: Wayne Baker

“**THAT**, By-Law No. 2024-018, being a by-law to set the Tax Rates for the Year 2024, 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

Meeting	Date	Time	Location
RVCA Board of Directors Meeting	April 25 th	6:30 p.m.	RVCA Offices
Committee of the Whole Meeting	May 7 th	6:00 p.m.	Municipal Office
Council Meeting	May 21 st	6:00 p.m.	Municipal Office
Committee of Adjustment Hearing	May 27 th	5:00 p.m.	Municipal Office

11. CLOSED SESSIONS

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

RESOLUTION #C-2024-04-20

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, Council move “in camera” at 6:27 p.m. to address a matter pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding Building Permit #115-2017;

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

ADOPTED

RESOLUTION #C-2024-04-21

MOVED BY: Wayne Baker
SECONDED BY: Angela Pierman

“**THAT**, Council return to open session at 7:30 p.m.”

ADOPTED

The Chair rose and reported that Council received advice from legal counsel and provided direction to staff and legal counsel.

Council recessed at 7:30 p.m.
The Planner left at 7:30 p.m.
Council returned to session at 7:36 p.m.

ii) **CONFIDENTIAL: Receiving Advice – Road Access Agreements.**

RESOLUTION #C-2024-04-22

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“THAT, Council move “in camera” at 7:38 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 Road Access Agreements;

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

ADOPTED

RESOLUTION #C-2024-04-23

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

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

ADOPTED

The Chair rose and reported that Council deliberated on the Road Access Agreement and provided direction to staff.

12. CONFIRMATION BY-LAW

i) **By-Law No. 2024-019 - Confirmation By-Law – April 23rd, 2024.**

RESOLUTION #C-2024-04-24

MOVED BY: Greg Hallam

SECONDED BY: Korrine Jordan

“THAT, By-Law No. 2024-019 being a by-law to confirm the proceedings of the Council meeting held on April 23rd, 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

13. ADJOURNMENT

Council adjourned at 8:26 p.m.

DELEGATIONS & PRESENTATIONS

COUNCIL
May 21st, 2024

Report #CAO-2024-09
Amanda Mabo, Chief Administrative Officer/Clerk

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE – GERVAIS
PUBLIC MEETING**

STAFF RECOMMENDATION(S)

“**THAT**, once the required survey has been received, Council consider a by-law to stop up, close and sell a portion of the unopened road allowance (approximately 182 feet) between Concessions 8 & 9, Part of Lot 13, South Sherbrooke, just south of Highway 7.”

BACKGROUND

Committee and Council have considered a request to stop up, close and sell a portion of the unopened road allowance (approximately 182 feet) between Concessions 8 and 9, Part Lot 13, South Sherbrooke, just south of Highway 7. A resolution was passed on February 27, 2024, agreeing 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.

DISCUSSION

The purpose of this report and public meeting is to solicit public feedback regarding the proposed road closing.

Pursuant to the Road Closing and Sale Policy, public notice was posted on site and in the general vicinity of the portion of the unopened road allowance to be closed, mailed to the adjacent property owners, published on the Township website and Facebook page and provided publicly via the Frontenac News and Review Mirror on April 18 and April 25, 2024, as well as the Agenda for the Committee of the Whole Meeting on February 13th, 2024, with such notice offering an opportunity for any person to address concerns related to the closing.

Agency Comment

Hydro One Networks requires an easement for one pole, one anchor and occupation, to protect their interests, which will also be shown on the survey.

Adjacent Landowner Comment

None at the time of the report.

Next Steps

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

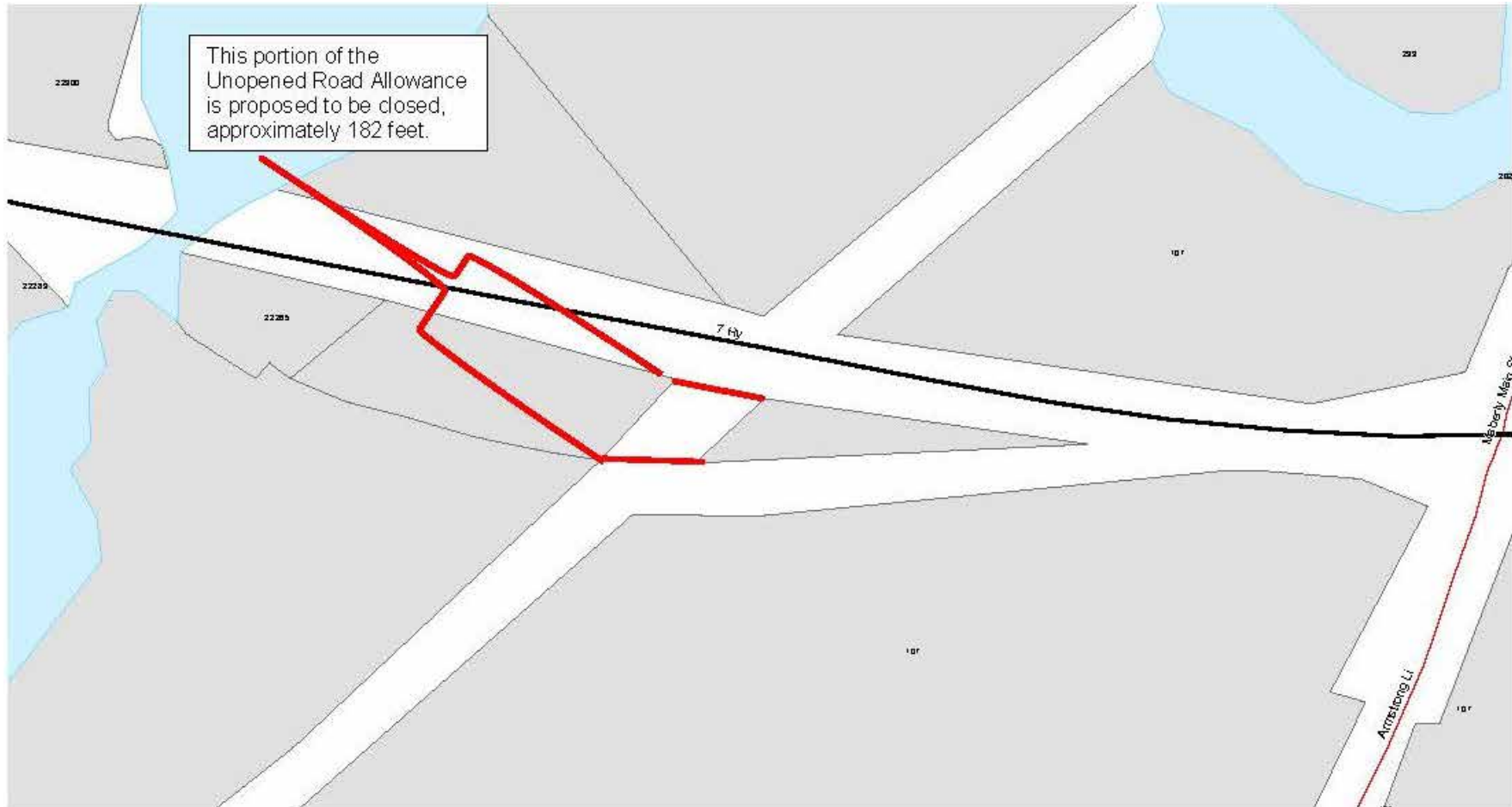
ATTACHMENTS

- i) Map
- ii) Report #CAO-2024-03 – Request to Close Unopened Road Allowance - Gervais

Prepared and Submitted By:

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

Road Closure – South Sherbrooke - Concessions 8 & 9 - Part of the Unopened Road Allowance between Part of Lot 13, South of Highway 7.



COMMITTEE OF THE WHOLE
February 13th, 2024

Report #CAO-2024-03
Amanda Mabo, Chief Administrative Officer/Clerk

REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE
GERVAIS

STAFF RECOMMENDATION(S)

“**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.”

BACKGROUND

A written request (attached) was received from the property owners requesting the closure of the identified portion of the unopened road allowance.

DISCUSSION

The CAO/Clerk undertook a preliminary review.

The Applicants are requesting to close this section and add it to their properties located both sides of this section of unopened road allowance as currently this section of unopened road allowance dissects two separate undersized properties owned by the Applicant. The closure would allow the two undersized lots and the unopened road allowance piece to be consolidated into one lot. The consolidation would also allow access to the property to the East, which is currently landlocked.

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

Staff recommends proceeding with closing the portion of the unopened road allowance requested as there are no Planning or Public Works concerns or future anticipated municipal uses.

The requestor will be required to pay all costs associated with the application, including purchase price, legal and advertising costs and may also require an appraisal to determine

the purchase price for the land. A reference plan/survey will be undertaken by the Applicant at their cost.

ATTACHMENTS

- i) Written Request
- ii) Map

Prepared and Submitted By:

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

From: Curtis
Sent: Saturday, April 15, 2023 11:27 AM
To: TVT Deputy Clerk <DeputyClerk@tayvalleytwp.ca>
Subject: Stopping up unused road allocation - Roll # 914-010-36720

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

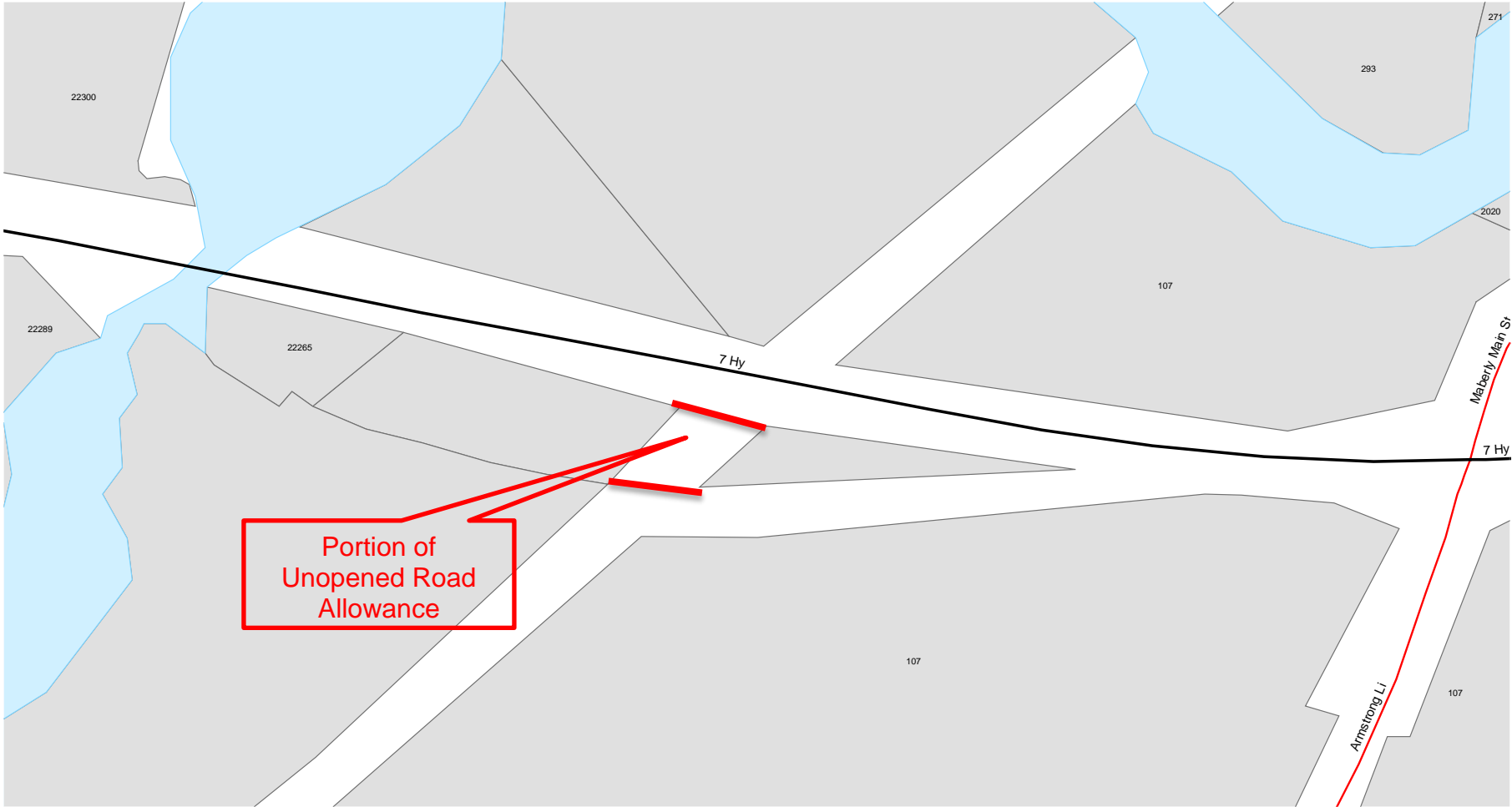
Hello,

I received your information from the CAO, I'm interested in stopping up the unused road allocation, from which I understand is approximately where the red lines are on the image supplier, from the township in order to make it a lawful property entrance.

If you could kindly advise me what is needed, and what information you'd require, in order to proceed.

This Roll # is 914-010-36720.

Thank you



BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-020

BEING A BY-LAW TO AMEND ROAD NAMING BY-LAW NO. 98-87 (BUOY VIEW 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, Buoy View Lane is a Private Road within Tay Valley Township;

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

AND WHEREAS, public notice was provided and the majority of the affected property owners agreed to the proposed name on November 21st, 2023 and public notice was given on May 16th, 2024 via the agenda for the Council Meeting on May 21st, 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-2780 and Part 2 on Plan 27R-8969, be named Buoy View Lane.
- 1.2 **THAT**, Plan 27R-2780 is attached hereto as Schedule "A" and shall be for information purposes only, and not form part of this by-law.
- 1.3 **THAT**, Plan 27R-8969 is attached hereto as Schedule "B" and shall be for information purposes only, and not form part of this by-law.
- 1.4 **THAT**, Buoy View Lane, located in the geographic Township of North Burgess, as shown on Schedule "C" attached, be included within the designated roads as set out in the Road Naming By-Law No. 98-87, specifically Schedule "B", Burgess Ward, Private Roads, Big Rideau Lake.
- 1.5 **THAT**, the Location and Description of Buoy View Lane in Schedule "B" Burgess Ward, Private Roads, Big Rideau Lake be added to Road Naming By-Law No. 98-87, as shown on Schedule "A" and "B" attached, be amended to read as follows:

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-020**

From Big Rideau North Shore Road to the dead end shown as Part 2 on
Plan 27R-2780 and Part 2 on 27R-8969.

1.6 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 RESCINDED AND AMENDED

3.1 By-Law No. 2024-017 is hereby repealed.

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

3.3 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.

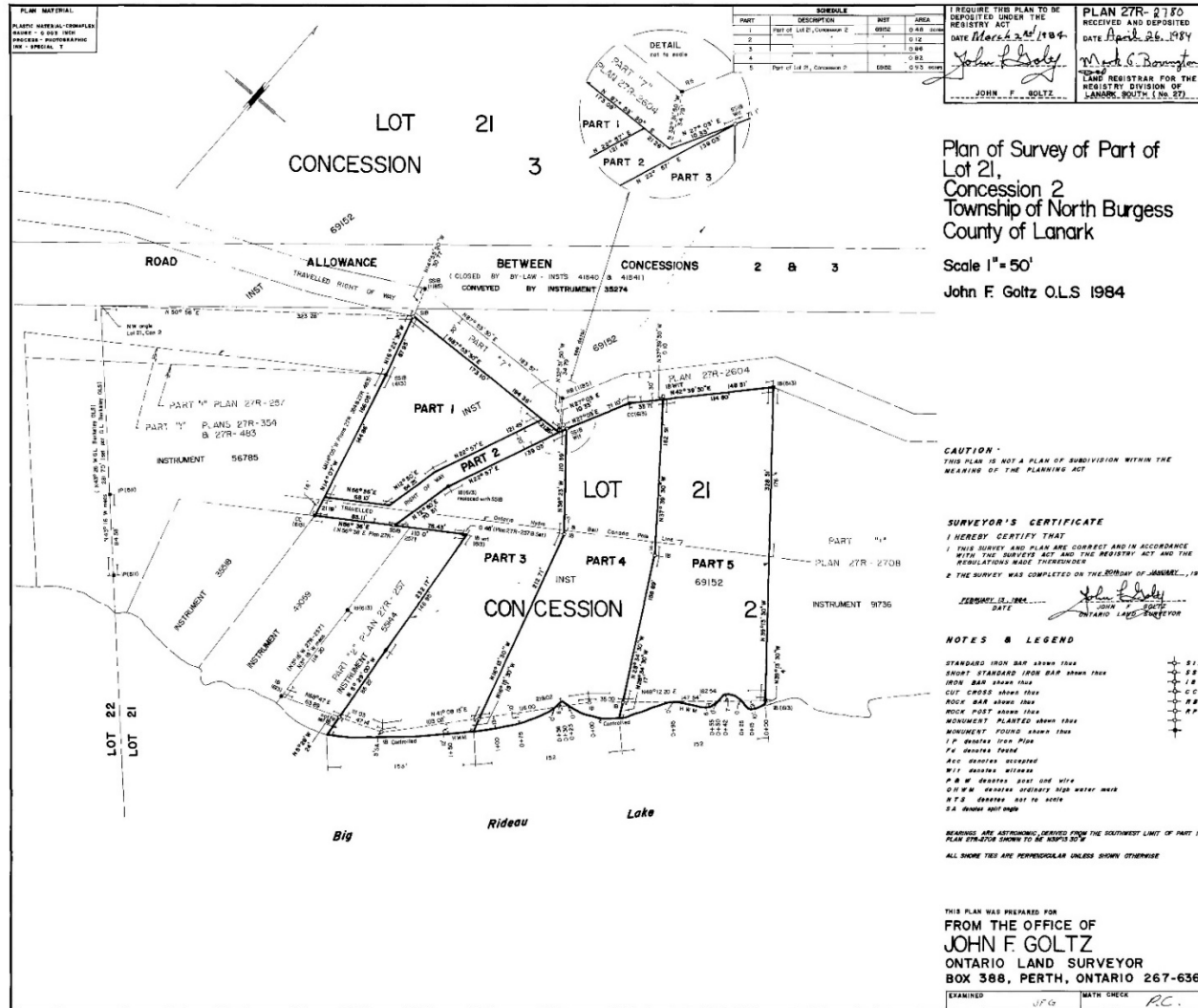
4.2 ENACTED AND PASSED this 21st day of May 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

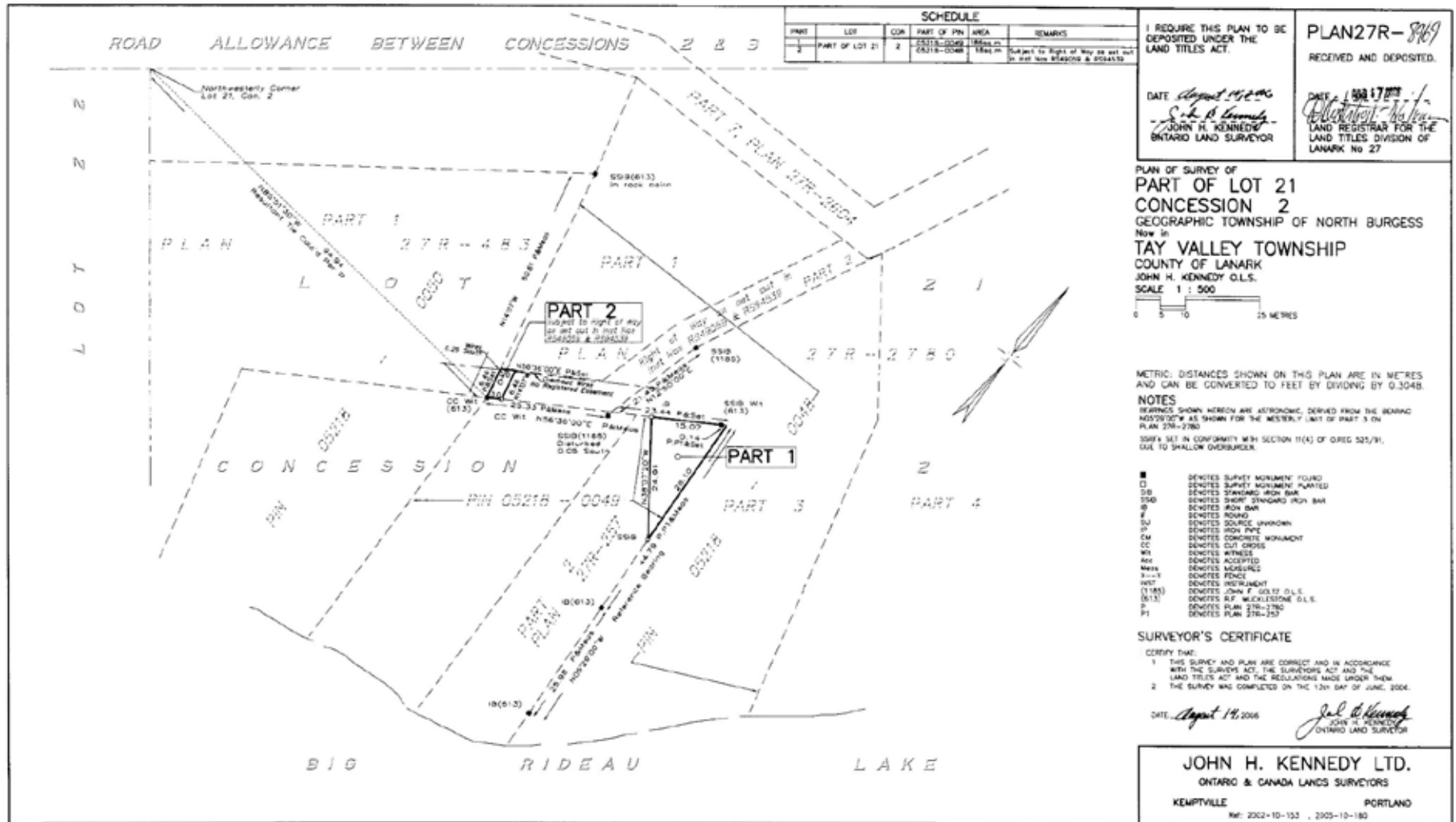
THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2024-020

SCHEDULE "A"



THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2024-020

SCHEDULE "B"



**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-020**

SCHEDULE "C"



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-021

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (2865539 ONTARIO INC – STANLEY ROAD) (PT E1/2 LOT 13, CONCESSION 8, 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, as amended, regulates the use of land and the erection, location and use of buildings and structures within Tay Valley Township;

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

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

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Commercial (C) to Residential (R) on the lands legally described as Part East ½ Lot 13, Concession 8, Geographic Township of North Burgess, Parts 2 and 3 on Plan 27R-3961, now in Tay Valley Township, County of Lanark (Roll #091191101503502) 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. 2024-021**

3. BY-LAWS TO BE RESCINDED

3.1 By-Law No. 2022-011 is hereby repealed.

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

ENACTED AND PASSED this 21st day of May 2024.

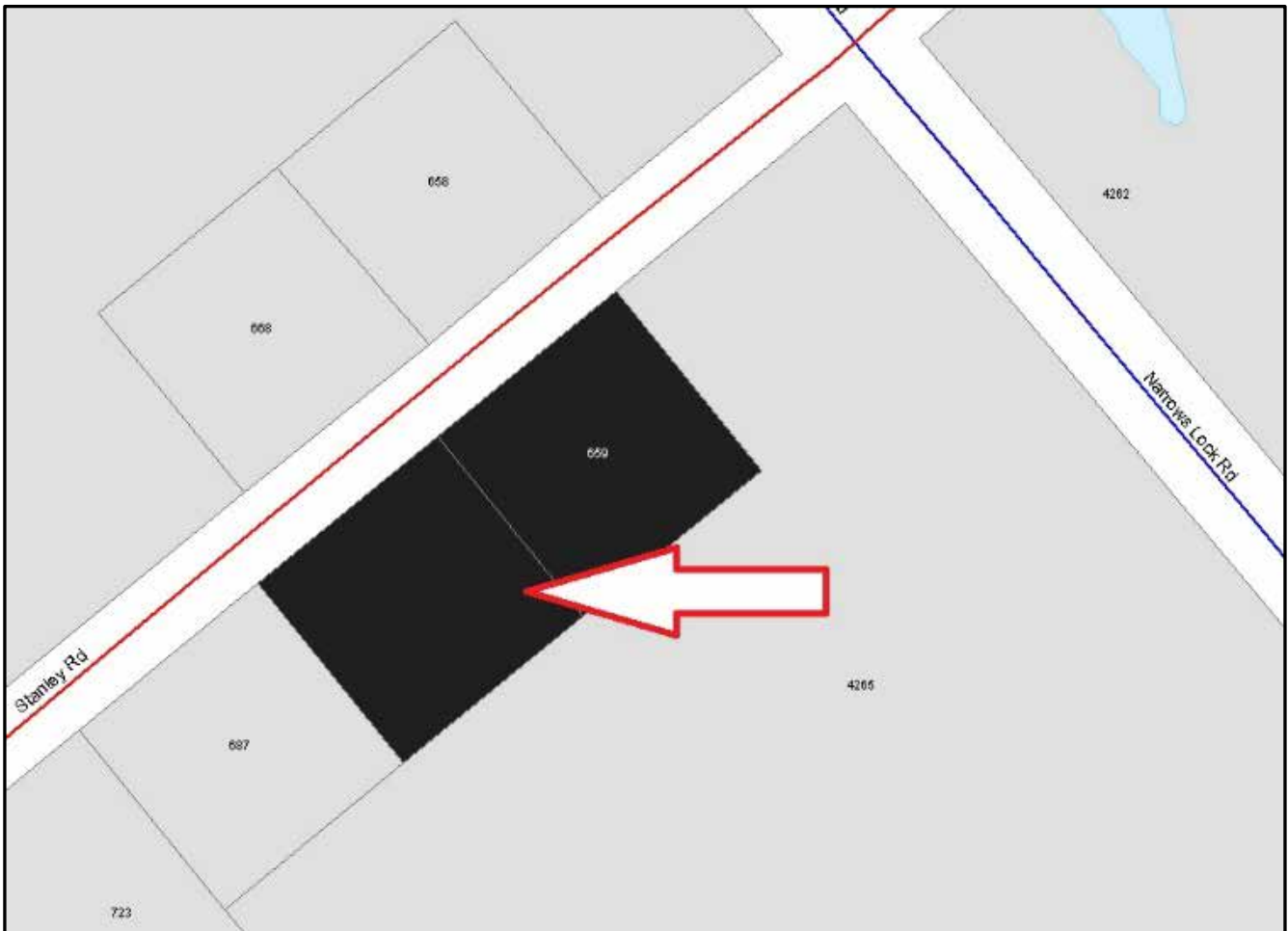
Rob Rainer, Reeve

Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-021**

SCHEDULE "A"

2865539 Ontario Inc – Stanley Road
Part East ½ Lot 13, Concession 8
Geographic Township of North Burgess
Parts 2 and 3 on Plan 27R3961
PIN 05223-0333
Tay Valley Township



Area(s) Subject to the By-Law
To amend the Zoning provisions
Commercial (C) to Residential (R)

Certificate of Authentication
This is Schedule "A" to By-Law 2024-021
passed this 21st day of May 2024.

Reeve

Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-022

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON May 21st, 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 21st day of May, 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. 2024-022**

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 21st day of May 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk