



## COUNCIL MEETING AGENDA

Tuesday, August 27<sup>th</sup>, 2024  
6:00 p.m.

Municipal Office – Council Chambers – 217 Harper Road

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6:00 p.m. *Council Meeting*

**Chair, Reeve Rob Rainer**

**1. CALL TO ORDER**

**2. AMENDMENTS/APPROVAL OF AGENDA**

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

**4. APPROVAL OF MINUTES**

i) **Council Meeting – June 18<sup>th</sup>, 2024 – *attached, page 15.***

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, the minutes of the Council Meeting held on June 18<sup>th</sup>, 2024, be approved as circulated.”*

ii) **“Special” Council Meeting – June 25<sup>th</sup>, 2024 – *attached, page 27.***

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“THAT, the minutes of the “Special” Council Meeting held on June 25<sup>th</sup>, 2024, be approved as circulated.”*

iii) **“Special” Council Meeting (Closed Session – Labour Relations – Compensation and Pay Equity Review) – June 25<sup>th</sup>, 2024 – *to be distributed at the meeting.***

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, the minutes of the “Special” Council Meeting (Closed Session – Labour Relations – Compensation and Pay Equity Review) held on June 25<sup>th</sup>, 2024, be approved as circulated.”*

- iv) **Committee of the Whole Meeting – August 13<sup>th</sup>, 2024 – attached, page 31.**

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, the minutes of the Committee of the Whole Meeting held on August 13<sup>th</sup>, 2024, be approved as circulated.”*

- v) **Committee of the Whole Meeting (Closed Session – Litigation – Severance File #B23/146) – August 13<sup>th</sup>, 2024 – to be distributed at the meeting.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, the minutes of the Committee of the Whole (Closed Session – Litigation – Severance File #B23/146) Meeting held on August 13<sup>th</sup>, 2024, be approved as circulated.”*

## **5. DELEGATIONS & PRESENTATIONS**

- i) **Public Meeting – Request to Close a Portion of an Unopened Road Allowance – Horricks.**

a. CLERK REVIEW OF FILE

- Report #CAO-2024-22 - Request to Close a Portion of an Unopened Road Allowance – Horricks – *attached, page 46.*
- Presentation: Road Closing – Horricks – *attached, page 53.*

b. APPLICANT COMMENTS

c. PUBLIC COMMENTS

- ii) **Preliminary Draft 2024 Development Charges Background Study and By-Law – Council Workshop – attached, page 57.**

Nancy Neale, PLE, Manager, Watson & Associates Economists Ltd.

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, the Preliminary Draft Development Charges Background Study and By-Law – Council Workshop presentation be received for information.”*

- iii) **Maberly Pines Subdivision Funding Options – Council Workshop – attached page 77.**

Nancy Neale, PLE, Manager, Watson & Associates Economists Ltd.

*Suggested Motion by Councillor Korrine Jordan:*

*“**THAT**, the capital works, namely roads and hydro, for the Maberly Pines Subdivision be proposed to be funded through a Municipal Act Capital Charge;*

***THAT**, a Public Information Session be held on Wednesday, October 2, 2024 at 5:00 p.m. regarding the intent to proceed with the capital works in the Maberly Pines Subdivision;*

***AND THAT**, the affected property owners in the Maberly Pines Subdivision be invited to the Public Information Session.*

## 6. CORRESPONDENCE

None.

## 7. MOTIONS

- i) **Presentation: Perth and District Union Library Update.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“**THAT**, the Perth and District Union Library Update presentation be received for information.”*

- ii) **Perth and District Union Library Annual Funding.**

*Suggested Motion by Councillor Marilyn Thomas:*

*“**WHEREAS**, the provincial funding for public libraries is currently based on population levels from 25 years ago, which fails to reflect the substantial growth and changing needs of our communities;*

***AND WHEREAS**, Tay Valley Township wishes to draw your attention to the "Overdue" report of 2023 from the Canadian Urban Libraries Council, which emphasizes the pivotal role libraries play in various aspects of community life, including knowledge distribution, culture, health, reconciliation, belonging, and our democracy;*

***AND WHEREAS**, libraries, situated at the heart of our communities, serve as multifaceted institutions catering to diverse needs;*

***AND WHEREAS**, libraries provide essential services such as access to culture and information, election information centers, job search facilities, language learning centers for newcomers, and spaces for educational and community events;*

**AND WHEREAS**, despite their vital role, public libraries in Ontario have not seen an increase in provincial funding for over 25 years, leading to a decrease in the value of the province's investment by over 60%;

**AND WHEREAS**, while over 90% of library funding comes from local municipal governments, provincial operating funding is crucial for providing stability to library budgets, especially in times of inflation, technological changes, and increasing demands on libraries as community hubs;

**NOW THEREFORE BE IT RESOLVED THAT**, Tay Valley Township Council urges the Provincial Government to consider increasing provincial operating funding for Ontario's public libraries to address critical shared priorities and community needs.

**AND THAT**, a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario and the Honorable John Jordan, Member of Provincial Parliament, Lanark-Frontenac-Kingston.”

iii) **Report #PD-2024-09 – Severance Application – Ennis.**

*Suggested Motion by Councillor Angela Pierman:*

**“THAT**, the Council of Tay Valley Township support, in principle, a site-specific Official Plan Amendment for 1551 Ennis Road to allow for one additional severance to reflect the information initially provided by Lanark County to the property owners as outlined in Report #PD-2024-09 – Severance Applications - Ennis”.

iv) **Report #PD-2024-10 – Report #PD-2024-10 - Province Removes Wetlands Protection for Eastern Ontario.**

*Suggested Motion by Councillor Wayne Baker:*

**“THAT**, the Council of the Corporation of Tay Valley Township urge the Provincial Government to reopen the wetlands regulation consultation for the Rideau Valley Conservation Authority (RVCA) to:

- allow Tay Valley's wetlands to receive the same protections as wetlands in the other 29 Conservation Districts in Ontario; and
- ensure Tay Valley's \$1.3 Billion Tax Assessment is protected from degradation.

**THAT**, landowners be compensated by the Province when wetlands are designated on their property,

**AND THAT**, this resolution and a copy of Report #PD-2024-10 – Province Removes Wetlands Protection for Eastern Ontario, be provided to the Minister of Natural Resources, to area Members of Provincial Parliament (MPPs), the Rural Ontario Municipal Association (ROMA), and to all Ontario Municipalities.”

- v) **Report #FIN-2024-10 – 2022 Development Charges Statement – Amended.**

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, Report #FIN-2024-10 - 2022 Development Charges Statement - Amended be received as information.”*

- vi) **Report #FIN-2024-11 – 2023 Development Charges Statement – Amended.**

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, Report #FIN-2024-11 - 2023 Development Charges Statement - Amended be received as information.”*

- vii) **Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“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-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;*

*THAT, Council agrees to proceed with purchasing the portion of lands as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;*

*THAT, the requirements to advertise and hold a Public Meeting be waived;*

*THAT, the Applicant and Township split the legal costs 50/50;*

*THAT, the land sale and land purchase costs be waived;*

*AND THAT, the necessary by-law be brought forward once the survey is complete.”*

- viii) **Report #CAO-2024-15 - Request to Close a Portion of an Unopened Road Allowance – Kennedy.**

*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-2024-15 – Request to Close a Portion of an Unopened Road Allowance – Kennedy;*

*THAT, the requirements to advertise and hold a Public Meeting be waived;*

*AND THAT, the necessary by-law be brought forward once the survey is complete.”*

- ix) **Report #CAO-2024-16 - Request to Close a Portion of an Unopened Road Allowance – Snyder.**

*Suggested Motion by Councillor Angela Pierman:*

*“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-2024-16 – Request to Close a Portion of an Unopened Road Allowance – Snyder, as per the Road Closing and Sale Policy and call a Public Meeting.”*

- x) **Report #CAO-2024-18 - Request to Close a Portion of an Unopened Road Allowance – Ratcliffe.**

*Suggested Motion by Councillor Wayne Baker:*

*“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-2024-18 – Request to Close a Portion of an Unopened Road Allowance – Ratcliffe;*

*THAT, the requirements to advertise and hold a Public Meeting be waived;*

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

- xi) **Report #CAO-2024-17 - Proposed New Road Name Deletion - Lakebreeze Lane.**

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, once the right-of-way (Private Road) currently known as Lakebreeze Lane is physically removed and legally extinguished that the necessary by-law to repeal the Road Naming By-Law for Lakebreeze Lane, outlined in Report #CAO-2024-17 – Proposed Deletion of Road Name – Lakebreeze Lane, be brought forward for approval.”*

- xii) **Report #CAO-2024-19 - Options to Fill Vacancy on Council.**

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, one of the two Sherbrooke ward Councillor positions on Tay Valley Township Council be declared vacant.”*

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“THAT, the vacant Sherbrooke ward Councillor position be filled by the process of Appointment.”*

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, a requirement for 25 endorsements for Applicants be added as a requirement to fill the vacant Sherbrooke ward Councillor position application submission process.”*

xiii) **Report #CAO-2024-20 - Establish the Pinehurst Cemetery Board.**

*Suggested Motion by Councillor Angela Pierman:  
“THAT, the Pinehurst Cemetery Board be established;*

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

xiv) **Report #CAO-2024-21 - Pinehurst Cemetery By-Law.**

*Suggested Motion by Councillor Wayne Baker:  
“THAT, the proposed Pinehurst Cemetery By-Law be brought forward to the next Council meeting for approval in order to be submitted to the Bereavement Authority of Ontario (BAO) for final approval.”*

xv) **Appointment to the Heritage Property Selection Committee.**

*Suggested Motion by Councillor Greg Hallam:  
“THAT, The Council of the Corporation of Tay Valley Township appoint Peter Siemons to the Tay Valley Township Heritage Property Selection Committee.”*

xvi) **Council Appointment to the Mississippi Valley Conservation Authority Board.**

*Suggested Motion by Deputy Reeve Fred Dobbie:  
“THAT, the Council of the Corporation of Tay Valley Township appoint Korrine Jordan to the Mississippi Valley Conservation Authority Board for a term ending November 17, 2026.”*

xvii) **Council Appointment to the Library Board.**

*Suggested Motion by Councillor Marilyn Thomas:  
“THAT, the Council of the Corporation of Tay Valley Township appoint Korrine Jordan to the Library Board for a term ending November 17, 2026.”*

xviii) **Closed Meeting Investigation – Final Report.**

*Suggested Motion by Councillor Angela Pierman:  
“THAT, the Closed Meeting Investigation #2024-01 – Final Report be received for information.”*

xix) **Jurisdiction of Ontario's Ombudsman.**

*Suggested Motion by Councillor Wayne Baker:*

*“**WHEREAS**, the Council of the Corporation of Tay Valley Township support the request from the City of Peterborough that a Bill be introduced to amend the Ombudsman Act;*

***THAT**, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, be requested to introduce a Bill to amend the Ombudsman Act to require the Ontario Ombudsman to provide to each municipality, if requested by the municipality, sufficient particulars of each investigation, matter or case respecting the municipality that is referred to in each of the Ombudsman's Annual Reports to permit the municipality to fully understand and address the subject matter of each such investigation, matter or case including:*

- i) a copy of each complaint, as applicable, redacted only to the extent of individuals' personal information contained therein;*
- ii) the identities of the municipality's employees, officers and members of Council with whom the Ombudsman was consulting in respect of the investigation, matter or case; and*
- iii) particulars of the outcome of the investigation, matter or case including the Ombudsman's findings, conclusions and recommendations, if any.*

***AND THAT**, staff forward Council's resolutions resulting from Council's approval of these recommendations to Minister Calandra, MPP John Jordan, the Association of Municipalities of Ontario (AMO) and to all Ontario municipalities.”*

xx) **Eastern Ontario Wardens' Caucus – Municipal Infrastructure Policy Paper Calling for Investment in Municipal Infrastructure for Eastern Ontario's Small and Rural Communities.**

*Suggested Motion by Councillor Greg Hallam:*

*“**WHEREAS**, Eastern Ontario's small rural municipalities face insurmountable challenges to fund both new growth related infrastructure and ongoing maintenance of their capital assets including local roads and bridges, clean water, wastewater, waste facilities, and municipally owned buildings including recreational facilities and libraries; and*

***WHEREAS**, the [Federation of Canadian Municipalities](#) has calculated that Municipal Governments across Canada are responsible for approximately 60 percent of public infrastructure that supports our economy and quality of life, but only receive 10 cents of every tax dollar; and*

***WHEREAS**, the Eastern Ontario Wardens' Caucus (EOWC) region's capital infrastructure deficit has increased by 58 percent since 2011 and is now at \$6 billion, and growing; and*



**WHEREAS**, in 2018, the Ontario Government mandated all Ontario municipalities to develop and fully fund capital asset management plans by July 2025; and

**WHEREAS**, the EOWC has released a regional [Municipal Infrastructure Policy Paper](#) showing key infrastructure data, opportunities and challenges in small rural municipalities across Eastern Ontario; and

**WHEREAS**, Eastern Ontario is a growing economy that can grow more with sustainable, innovative infrastructure partnership and investment from the Federal and Ontario Governments; and

**WHEREAS**, the infrastructure deficit for small rural municipalities cannot be adequately addressed through property tax revenue, restricted municipal borrowing capacity, and municipalities limited ability to generate revenue; and

**WHEREAS**, small rural taxpayers cannot afford dramatic increases to pay for the current and future infrastructure.

**NOW THEREFORE BE IT RESOLVED THAT**, Tay Valley Township joins the Eastern Ontario Wardens' Caucus, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities in calling on the Federal and Ontario Governments to immediately and sustainably partner with Municipal Governments by investing in both the new and ongoing maintenance and repairs of municipal infrastructure in Eastern Ontario's small rural municipalities;

**AND THAT** the Federal and Ontario Governments immediately review data and work together to implement solutions based on the [EOWC's Municipal Infrastructure Policy Paper](#) in partnership with small rural municipalities; and

**FINALLY THAT** this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; The Honourable Lisa Thompson, Ontario Minister of Rural Affairs; The Honourable Peter Bethlenfalvy, Ontario Minister of Finance; The Honourable Prabmeet Sakaria, Ontario Minister of Transportation; The Honourable Victor Fedeli, Ontario Minister of Economic Development, Job Creation and Trade; The Honourable Scott Reid, Member of Parliament Lanark-Frontenac-Kingston; The Honourable John Jordan, Member of Provincial Parliament Lanark-Frontenac-Kingston; Federation of Canadian Municipalities; Association of Municipalities of Ontario; Canada Mortgage and Housing Corporation; Rural Ontario Municipal Association; Eastern Ontario Wardens' Caucus."

xxi) **Association of Municipalities of Ontario – Joint Health Resolution Campaign.**

*Suggested Motion by Councillor Korrine Jordan:*

*“**WHEREAS**, the state of health care in Ontario is in crisis, with 2.3 million Ontarians lacking access to a family doctor, emergency room closures across the province, patients being de-rostered and 40% of family doctors considering retirement over the next five years; and*

***WHEREAS**, it has becoming increasingly challenging to attract and retain an adequate healthcare workforce throughout the health sector across Ontario; and*

***WHEREAS**, the Northern Ontario School of Medicine University says communities in northern Ontario are short more than 350 physicians, including more than 200 family doctors; and half of the physicians working in northern Ontario expected to retire in the next five years; and (Northern Ontario only)*

***WHEREAS**, Ontario municipal governments play an integral role in the health care system through responsibilities in public health, long-term care, and paramedicine.*

***WHEREAS**, the percentage of family physicians practicing comprehensive family medicine has declined from 77 in 2008 to 65 percent in 2022; and*

***WHEREAS**, per capita health-care spending in Ontario is the lowest of all provinces in Canada, and*

***WHEREAS**, a robust workforce developed through a provincial, sector-wide health human resources strategy would significantly improve access to health services across the province;*

***NOW THEREFORE BE IT RESOLVED THAT**, the Council of Corporation of Tay Valley Township urge the Province of Ontario to recognize the physician shortage in Tay Valley Township and Ontario, to fund health care appropriately and ensure every Ontarian has access to physician care.”*

xxii) **Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“**WHEREAS**, the Council of the Corporation of Tay Valley Township supports Lake of Bays’ request for Royal Assent of the Administrative Monetary Policy System (AMPS) in the Ontario Building Code Act;*

***AND WHEREAS**, the AMPS was written into the Building Code Act in December 2017;*

**AND WHEREAS**, the AMPS has proven to be a valuable tool for education and enforcement of other municipal By-Laws;

**AND WHEREAS**, the AMPS frees up valuable Provincial Offences Court time saving the province and municipalities valuable resources and funds;

**NOW THEREFORE BE IT RESOLVED THAT**, a copy of this resolution be sent to The Honorable Paul Calandra, Minister of Municipal Affairs and Housing; The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); the Association of Ontario Municipalities (AMO); and all Ontario municipalities.”

xxiii) **24-07-03 and 24-08-07 – Council Communication Packages.**

*Suggested Motion by Councillor Marilyn Thomas:*

**“THAT**, the 24-07-03 and 24-08-07 Council Communication Packages be received for information.”

xxiv) **Appointment of Soccer Volunteer.**

*Suggested Motion by Councillor Angela Pierman:*

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

- Sarah Nelson.”

**8. BY-LAWS**

i) **By-Law No. 2024-030 – Establish Pinehurst Cemetery Board – attached, page 85.**

*Suggested Motion by Councillor Wayne Baker:*

**“THAT**, By-Law No. 2024-030, being a by-law to Establish the Pinehurst Cemetery Board, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ii) **By-Law No. 2024-031 – Pinehurst Cemetery By-Law – attached, page 89.**

*Suggested Motion by Councillor Greg Hallam:*

**“THAT**, By-Law No. 2024-031, being a by-law providing for the operations of the Pinehurst Cemetery, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

- iii) **By-Law No. 2024-032 – Zoning By-Law Amendment – Avery – attached, page 103.**

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, By-Law No. 2024-032, being a by-law to amend Zoning By-Law No. 2002-121 (Bennett Lake Road, Part Lot 5, Concession 11, 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.”*

- iv) **By-Law No. 2024-033 – Zoning By-Law Amendment – 1000654129 Ontario Inc. – attached, page 106.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“THAT, By-Law No. 2024-033, being a by-law to amend Zoning By-Law No. 2002-121 (30 Highway 511, Part Lot 27, Concession 3, 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.”*

## 9. NEW/OTHER BUSINESS

None.

## 10. CALENDARING

Meeting	Date	Time	Location
Fire Board Meeting	August 22 <sup>nd</sup>	6:00 p.m.	BBDNE Fire Station
Lanark County Warden's Golf Tournament	August 23 <sup>rd</sup>	11:00 a.m.	Mapleview Golf Course
Council Meeting	August 27 <sup>th</sup>	6:00 p.m.	Municipal Office
Bolingbroke Cemetery Board Meeting	September 5 <sup>th</sup>	2:00 p.m.	Municipal Office
Public Meeting – Zoning By-Law Amendments	September 10 <sup>th</sup>	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	September 10 <sup>th</sup>	Following	Municipal Office
Pinehurst Cemetery Board Meeting	September 12 <sup>th</sup>	2:00 p.m.	Municipal Office
Green Energy and Climate Change Working Group	September 13 <sup>th</sup>	2:00 p.m.	Municipal Office
Perth and District Union Library Board Meeting	September 16 <sup>th</sup>	4:30 p.m.	Perth and District Union Library
Council Meeting	September 24 <sup>th</sup>	6:00 p.m.	Municipal Office

## 11. CLOSED SESSIONS

None.

**12. CONFIRMATION BY-LAW**

- i) **By-Law No. 2024-034 - Confirmation By-Law – August 27<sup>th</sup>, 2024 – attached, page 109.**

*Suggested Motion by Councillor Marilyn Thomas:*

*“**THAT**, By-Law No. 2024-034, being a by-law to confirm the proceedings of the Council meeting held on August 27<sup>th</sup>, 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

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Tuesday, June 18<sup>th</sup>, 2024

6:00 p.m.

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

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## 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 (left at 7:19 p.m.)

**Regrets:** None

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## 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) **Committee of the Whole Meeting – May 7<sup>th</sup>, 2024.**

**RESOLUTION #C-2024-06-01**

**MOVED BY:** Andrew Kendrick

**SECONDED BY:** Greg Hallam

“**THAT**, the minutes of the Committee of the Whole Meeting held on May 7<sup>th</sup>, 2024, be approved as circulated.”

**ADOPTED**

- ii) **Council Meeting – May 21<sup>st</sup>, 2024.**

**RESOLUTION #C-2024-06-02**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Andrew Kendrick

“**THAT**, the minutes of the Council Meeting held on May 21<sup>st</sup>, 2024, be approved as circulated.”

**ADOPTED**

- iii) **Committee of the Whole Meeting – June 4<sup>th</sup>, 2024.**

**RESOLUTION #C-2024-06-03**

**MOVED BY:** Korrine Jordan

**SECONDED BY:** Greg Hallam

“**THAT**, the minutes of the Committee of the Whole Meeting held on June 4<sup>th</sup>, 2024, be approved as circulated.”

**ADOPTED**

- iv) **Committee of the Whole Meeting (Closed Session – Litigation – 485 Keays Road) – June 4<sup>th</sup>, 2024.**

**RESOLUTION #C-2024-06-04**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Angela Pierman

“**THAT**, the minutes of the Committee of the Whole Meeting (Closed Session – Litigation – 485 Keays Road) held on June 4<sup>th</sup>, 2024, be approved as circulated.”

**ADOPTED**



- v) **Committee of the Whole Meeting (Closed Session – Security of Property – Information Technology Update) – June 4th, 2024.**

**RESOLUTION #C-2024-06-05**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Angela Pierman

“**THAT**, the minutes of the Committee of the Whole Meeting (Closed Session – Security of Property – Information Technology Update) held on June 4<sup>th</sup>, 2024, be approved as circulated.”

**ADOPTED**

**5. DELEGATIONS & PRESENTATIONS**

- i) **Presentation: Recognizing David Taylor – 6+ Years of Service on the Tay Valley Township Heritage Properties Selection Committee.**

The Reeve presented David Taylor with a thank you gift in gratitude for leadership and service on the Tay Valley Township Heritage Properties Selection Committee.

- ii) **Presentation: Mississippi Valley Conservation Authority - Land Conservation Strategy.**

S. McIntyre gave the PowerPoint presentation that was attached to the agenda.

**RESOLUTION #C-2024-06-06**

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

“**THAT**, the Mississippi Valley Conservation Authority Land Conservation Strategy presentation dated June 18<sup>th</sup>, 2024, be received for information.”

**ADOPTED**

**6. CORRESPONDENCE**

None.

**7. MOTIONS**

- i) **Presentation: Heritage Property Recognition – McLaren’s Powder Shed.**

**RESOLUTION #C-2024-06-07**

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

“**THAT**, the Heritage Property Recognition – McLaren’s Powder Shed presentation be received for information.”

**ADOPTED**

- ii) **Report #PD-2024-08 – Response to the Ministry of Environment Conservation and Parks Re: ERO 019-8700 Perth and District Septic Service Limited Environmental Compliance Approval Request.**

**RESOLUTION #C-2024-06-08**

**MOVED BY:** Andrew Kendrick

**SECONDED BY:** Greg Hallam

**“THAT,** staff be directed to make comments to the Ministry of Environment, Conservation and Parks regarding the Environmental Compliance Approval request by Perth and District Septic Service Limited as outlined in Report #PD-2024-08, and with the following additions:

6. What measures are being taken to monitor per- and polyfluoroalkyl substances (PFAS’s) and their uses?
7. Is the Ministry of Environment Conservation and Parks looking at alternatives to spreading? Could septage be shipped away or added to a communal services system?
8. The portion of the property where the lagoon and spreading occurs should be rezoned from Agriculture to Industrial.”

**ADOPTED**

- iii) **Report #PW-2024-14 – Blue Box Transition Update.**

**RESOLUTION #C-2024-06-09**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Andrew Kendrick

**“THAT,** Tay Valley Township Opt-In for Depot collection at the landfills for the transition period of January 1, 2025 to December 31, 2025;

**THAT,** Chief Administrative Officer/Clerk and Public Works Manager be delegated the authority to make decisions for a Depot Operations Agreement with Circular Materials for Tay Valley Township to provide blue box services at the Township’s depots, including promotion and educations and service to non-eligible sources, for the period of January 1, 2025, to December 31, 2025;

**AND THAT,** the Reeve and CAO/Clerk be authorized to enter into the necessary agreement.”

**ADOPTED**

- iv) **Report #CAO-2024-13 – 2023 Municipal Report Card.**

**RESOLUTION #C-2024-06-10**

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

“**THAT**, Report #CAO-2024-13 – 2023 Municipal Report Card, be received for information.”

**ADOPTED**

- v) **Report #CAO-2024-10 – Proposed New Road Name – Davern Lane 11D.**

**RESOLUTION #C-2024-06-11**

**MOVED BY:** Fred Dobbie  
**SECONDED BY:** Angela Pierman

“**THAT**, the necessary by-law to name an existing Private Road to Davern Lane 11D as outlined in Report #CAO-2024-10 – Proposed New Road Name – Davern Lane 11D, be brought forward for approval.”

**ADOPTED**

- vi) **Report #CAO-2024-12 – Request to Close a Portion of an Unopened Road Allowance – Horricks.**

**RESOLUTION #C-2024-06-12**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Angela Pierman

“**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-2024-12 – Request to Close a Portion of an Unopened Road Allowance – Horricks, as per the Road Closing and Sale Policy and call a Public Meeting.”

**ADOPTED**

- vii) **Report #CAO-2024-11 – Planning Administrative Assistant Position.**

**RESOLUTION #C-2024-06-13**

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

“**THAT**, the Planning Administrative Assistant Position move from part-time to full-time when the current incumbent retires near the end of 2024.”

**ADOPTED**

viii) **Appointment of ReUse Centre Volunteers.**

**RESOLUTION #C-2024-06-14**

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

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

- Andrew Hickey
- Donna Walsh.”

**ADOPTED**

ix) **Appointment of Soccer Volunteers.**

**RESOLUTION #C-2024-06-15**

**MOVED BY:** Andrew Kendrick  
**SECONDED BY:** 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:

- Katie Boldt
- Paul Ratcliffe
- Emily Verhoek.”

**ADOPTED**

x) **Heritage Property Recognition Committee – Resignation.**

**RESOLUTION #C-2024-06-16**

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

“**THAT**, David Taylor be removed from the Heritage Property Recognition Committee.”

**ADOPTED**

xi) **10-Year Capital Plan Updated for Development Charge (DC) Purposes.**

**RESOLUTION #C-2024-06-17**

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

“**THAT**, the 10-Year Capital Plan Updated for Development Charge (DC) Purposes be received for information.”

**ADOPTED**

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

xii) **The Corporation of the Town of Smiths Falls Resolution Regarding Basic Income Guarantee.**

Reeve Rainer provided supplementary comments that

- Smiths Falls was the first municipality in the county to pass this resolution
- the basic purposes of the resolution are meant to focus on the concept of a basic guaranteed income and begin government conversations about this topic
- this concept is not meant to focus on specific categories of individuals, but to make accessible a guaranteed income for all who need it
- guaranteed income programs already exist in Canada, such as the Canada Child Benefit and the Old Age Security pension
- this program would benefit those who are ineligible for other support programs, such as individuals between the ages of 17-65
- research shows a straight-line correlation between income and good health

Concerns were raised that the resolution

- oversimplifies the issue of poverty, does not recognize the difference in circumstances between temporary poverty and chronic poverty
- does not address root causes of poverty such as addiction, mental health issues, and disability(ies)
- does not address where the funding money will come from, that citizens are taxed enough
- is beyond the scope of the Council of Tay Valley Township to address
- is not supported by enough factual information
- could be seen as supporting dependency
- could be seen as a disincentive to find and maintain employment

**RESOLUTION #C-2024-06-18**

**MOVED BY:** Rob Rainer

**SECONDED BY:** Angela Pierman

**“WHEREAS**, the Council of the Corporation of Tay Valley Township supports The Corporation of the Town of Smiths Falls’ Resolution #2024-04-074 regarding Basic Income Guarantee;

**WHEREAS**, per the 2021 Census of Canada 515 out of 5925 residents of Tay Valley Township (9.1% of the total) lived in low income, based on the Low Income After Tax (LIM-AT) measure;

**WHEREAS**, of the 515 Tay Valley Township citizens living in low income in 2021, 20 of them were children five years old or younger, 50 of them were children between the ages of 6 and 17, and 150 of them were seniors aged 65 or over;

**WHEREAS**, the province of Ontario recognizes that the LIM-AT does not include the cost of housing, food, transportation, etc. and therefore set its low income workers tax credit for 2021 at \$30,000 (up to \$38,000) for an individual and \$60,000 (up to \$68,500) for a household, resulting in a total of 790 – 985 residents of Tay Valley Township or 13% -17% identified as being unable to meet their basic living requirements without some government assistance;

**WHEREAS**, the province of Ontario has recognized the impacts of the costs of inflation (following Covid-19, continued supply chain disruptions due to wars and climate change, and record high profits by companies providing necessities such as food, fuel, and housing) and has increased the low income tax credit eligibility to \$32,500 (up to \$50,000) for an individual and \$65,000 (up to \$82,500) for a household, indicating the economic pressures an increasing number of Tay Valley residents experience;

**WHEREAS**, the level of income is one of the most important social determinants of health, and relates to many other determinants including education and literacy, healthy behaviours, one's social environment, and employment and work conditions;

**WHEREAS**, low income is strongly correlated with a wide range of negative health outcomes, including heart disease, cancer, diabetes, and poor mental health, and with shorter life expectancies compared to higher income persons;

**WHEREAS**, the minimum wage in Ontario and the maximum amounts of financial support available through Ontario Works (OW) and the Ontario Disability Support Program (ODSP) are deeply insufficient to meet the basic *needs of full-time minimum wage workers, or of individuals or families drawing OW or ODSP support*;

**WHEREAS**, ongoing, widespread, and rapid changes in labour markets, including due to outsourcing, artificial intelligence, automation, and advance of the "gig" economy, are causing more and more people to be exposed to labour changes beyond their control, adding to their vulnerability to low income;

**WHEREAS**, basic income is a means by which individuals, families, and whole communities can be less vulnerable to negative changes in health, relationship or family status, and labour markets, and better able to navigate transitions and challenging circumstances;

**WHEREAS**, basic Income is money distributed to eligible people, regularly, reliably, and without work requirement, and which, absent other income, should meet basic human needs;

**WHEREAS**, basic income exists in Canada in the form of longstanding programs like the Canada Child Benefit and the Guaranteed Income Supplement for seniors, programs with demonstrated positive impacts on basic income recipients, economies, and our greater society;

**WHEREAS**, there is need to establish basic income security for working-age adults in Canada who, at present and in general, lack sufficient social protection against low income;

**WHEREAS**, there is a growing body of evidence that basic income is not a disincentive on the pursuit or retention of employment and that, further, basic income is more likely to support such pursuit or retention given its stabilizing effect in the lives of people;

**WHEREAS**, the gross cost of a basic income program is reduced to a net cost once various funding options are exercised and the fiscal benefits of basic income are realized (e.g., basic income as a local economic stimulus);

**WHEREAS**, Canada, one of the wealthiest nations in the world, has the fiscal capacity to support a basic income guarantee for working-age adults;

**WHEREAS**, the call for basic income in Canada has been and is being made by public health authorities, including the Leeds, Grenville and Lanark District Health Unit per its November 2023 report on food insecurity within the health region;

**WHEREAS**, the call for basic income in Canada has been and is being made by many other interests, including a growing number of municipalities in Ontario and beyond, and by a range of provincial and federal parliamentarians;

**WHEREAS**, a 2022 national public opinion poll suggests that six in 10 adults in Canada support the concept of basic income;

**AND WHEREAS**, Tay Valley Township wishes to add its municipal voice to the call for a basic income guarantee for working-age adults in Canada.

**NOW THEREFORE BE IT RESOLVED THAT:**

- 1) Tay Valley Township supports the concept of a basic income guarantee for working-age adults to help combat low income and economic vulnerability within our community;
- 2) Tay Valley Township calls upon the federal and the provincial and territorial governments to collaborate on the design, introduction, implementation, and ongoing evaluation of a national basic income guarantee program for working-age adults;
- 3) The Council of Tay Valley Township directs the Reeve write (a) a letter to Prime Minister Justin Trudeau, copy to relevant federal ministers and to Lanark-Frontenac-Kingston MP Scott Reid; and (b) a letter to Ontario Premier Doug Ford; copy to relevant provincial ministers and to Lanark-Frontenac-Kingston MPP John Jordan, calling on these orders of government to collaborate on the design, introduction, implementation, and ongoing evaluation of a national basic income guarantee program for working-age adults;

- 4) The Council of Tay Valley Township directs the Reeve to write a letter to each of the Reeve's counterparts in the lower-tier municipalities in Lanark County, encouraging each municipality to also pass a resolution similar to that adopted by Tay Valley Township;
- 5) A copy of this resolution be shared with all other municipalities in Ontario, and with the presidents of the Eastern Ontario Mayors Caucus, the Eastern Ontario Wardens' Caucus, the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, and the Federation of Canadian Municipalities.

**ADOPTED**

Deputy Reeve Dobbie stepped down as Chair.  
Reeve Rainer resumed the Chair.

- xiii) **24-05-29 – Council Communication Package.**

**RESOLUTION #C-2024-06-19**

**MOVED BY:** Marilyn Thomas  
**SECONDED BY:** Angela Pierman

“**THAT**, the 24-05-29 Council Communication Package be received for information.”

**ADOPTED**

- xiv) **Inclusion Diversity Equity and Access (IDEA) Working Group Terms of Reference and Letter to Municipalities.**

**RESOLUTION #C-2024-06-20**

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

“**THAT**, due to the timeline, the Council of Tay Valley Township requests the County of Lanark to advertise for a member of the public from Tay Valley Township to participate as a Township representative on the Inclusion, Diversity, Equity and Access (IDEA) Working Group.”

**ADOPTED**

**8. BY-LAWS**

- i) **By-Law No. 2024-023 – Zoning By-Law Amendment – Avery.**

**RESOLUTION #C-2024-06-21**

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

“**THAT**, By-Law No. 2024-023, being a by-law to amend Zoning By-Law No. 2002-121 (Part Lot 5, Concession 11, 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**



- ii) **By-Law No. 2024-024 – Zoning By-Law Amendment – Oddy and Shenkman.**

**RESOLUTION #C-2024-06-22**

**MOVED BY:** Andrew Kendrick

**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2024-024, being a by-law to amend Zoning By-Law No. 2002-121 (1140 Elm Grove Road, Part Lot 3, Concession 7, Geographic Township of North Burgess, 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. 2024-025 – Road Naming – Davern Lane 11D.**

**RESOLUTION #C-2024-06-23**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Andrew Kendrick

“**THAT**, By-Law No. 2024-025, being a by-law to amend By-Law No. 98-89 being a Road Naming By-Law (Davern Lane 11D), be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- iv) **By-Law No. 2024-026 – Road Naming – Buoy View Lane.**

**RESOLUTION #C-2024-06-24**

**MOVED BY:** Korrine Jordan

**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2024-026, being a by-law to amend By-Law No. 98-89 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**

**9. NEW/OTHER BUSINESS**

None.

The Planner left at 7:19 p.m.

**10. CALENDARING**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
RVCA Watershed Tour	June 21 <sup>st</sup>	9:30 a.m.	Baxter Conservation Area
“Special Council Meeting	June 25 <sup>th</sup>	5:30 p.m.	Municipal Office
Bolingbroke Cemetery – Memorial Service	July 14 <sup>th</sup>	10:30 a.m.	Bolingbroke Cemetery
RVCA Board of Directors Meeting	July 25 <sup>th</sup>	6:30 p.m.	Municipal Office
Committee of the Whole Meeting	August 13 <sup>th</sup>	6:00 p.m.	Municipal Office
Pinehurst Cemetery Board Meeting	August 15 <sup>th</sup>	2:00 p.m.	Municipal Office
Committee of Adjustment Hearing	August 19 <sup>th</sup>	5:00 p.m.	Municipal Office
Council Meeting	August 27 <sup>th</sup>	6:00 p.m.	Municipal Office

**11. CLOSED SESSIONS**

None.

**12. CONFIRMATION BY-LAW**

i) **By-Law No. 2024-027 - Confirmation By-Law – June 18<sup>th</sup>, 2024.**

**RESOLUTION #C-2024-06-25**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Angela Pierman

“**THAT**, By-Law No. 2024-027 being a by-law to confirm the proceedings of the Council meeting held on June 18<sup>th</sup>, 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 7:27 p.m.

# “SPECIAL” COUNCIL MEETING MINUTES

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Tuesday, June 25<sup>th</sup>, 2024

5:30 p.m.

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

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## 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 (arrived at 5:32 p.m.)  
Councillor Marilyn Thomas

**Staff Present:** Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk  
Ashley Liznick, Treasurer

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## 1. CALL TO ORDER

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

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

None at this time.

## 3. MOTIONS

- i) **Report #FIN-2024-09 – Canada Community-Building Fund (CCBF) Update.**

**RESOLUTION #C-2024-06-26**

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

“**THAT**, Report #FIN-2024-09 – Canada Community-Building Fund (CCBF)  
Update, be received as information.”

**ADOPTED**

#### 4. BY-LAWS

- i) **By-Law No. 2024-028 – Municipal Funding Agreement – Canada Community-Building Fund (Association of Municipalities of Ontario).**

**RESOLUTION #C-2024-06-27**

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

“**THAT**, By-Law No. 2024-028, being a by-law to Authorize the Execution of a Municipal Funding Agreement with the Association of Municipalities of Ontario for the Canada Community-Building Fund, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

Councillor Pierman arrived at 5:32 p.m.

#### 5. CLOSED SESSION

- i) **CONFIDENTIAL: Labour Relations – Compensation and Pay Equity Review.**

**RESOLUTION #C-2024-06-28**

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

“**THAT**, Council move “in camera” at 5:32 p.m. to address a matter pertaining to labour relations or employee negotiations regarding the compensation and pay equity review;

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

**ADOPTED**

Council recessed at 7:40 p.m.

Council returned at 7:51 p.m.

**RESOLUTION #C-2024-06-29**

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

“**THAT**, Council return to open session at 8:06 p.m.”

**ADOPTED**

The Consultant overviewed the PowerPoint presentation for the 2024 Compensation Review and Pay Equity Update for Staff – *attached, page 7.*

The Consultant overviewed the PowerPoint presentation for the 2024 Compensation Review for Elected Officials – *attached, page 19.*

Concerns were raised by Members regarding the increase to Councillor salaries and how this would add to the 2025 budget, and it was questioned if such increases were necessary.

The Treasurer indicated that the increase for Council salaries would result in a \$27,500 increase on the 2025 budget.

It was generally agreed that:

- Members are satisfied with current compensation received from the Township for their duties
- no increase to Member salaries are needed or desired at this time
- the current Council pay grid should remain unchanged for 2025 with the exception of the 3.5% Cost Of Living Adjustment (COLA)

**RESOLUTION #C-2024-06-30**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Marilyn Thomas

**“THAT**, a 3.5% cost of living adjustment be applied to the Council pay grid for 2025.”

**ADOPTED**

**RESOLUTION #C-2024-06-31**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Angela Pierman

**“THAT**, the CAO/Clerk bring back an updated Remuneration and Personal Expenditure Policy that would include an increased meal allowance from \$75/day to \$135/day, and an increased per diem from \$75/half day to \$150/half day and from \$150/full day to \$300/full day for Council consideration at a future meeting.”

**ADOPTED**

**RESOLUTION #C-2024-06-32**

**MOVED BY:** Wayne Baker

**SECONDED BY:** Marilyn Thomas

**“THAT**, the 2024-2025 Management/Non-Union Pay Grid be approved effective January 1, 2024, with a 3.5% cost of living increase for 2025;

**AND THAT**, the Consultant and CAO/Clerk proceed as directed in closed session regarding the union pay grid.”

**(SEE RECORDED VOTE)**

Councillor Jordan requested a recorded vote on Resolution #C-2024-06-32:

For:	Reeve Rob Rainer	1
	Deputy Reeve Fred Dobbie	1
	Councillor Wayne Baker	1
	Councillor Greg Hallam	1
	Councillor Angela Pierman	1
	Councillor Marilyn Thomas	$\frac{1}{6}$
		6
Against:	Councillor Korrine Jordan	1
	Councillor Andrew Kendrick	$\frac{1}{2}$
		2
Absent:		0
Total:		8

**ADOPTED**

**6. CONFIRMATION BY-LAW**

- i) **By-Law No. 2024-029 - Confirmation By-Law – June 25<sup>th</sup>, 2024.**

**RESOLUTION #C-2024-06-33**

**MOVED BY:** Greg Hallam

**SECONDED BY:** Korrine Jordan

“**THAT**, By-Law No. 2024-029, being a by-law to confirm the proceedings of the “Special” Council meeting held on June 25<sup>th</sup>, 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**7. ADJOURNMENT**

Council adjourned at 8:48 p.m.

## COMMITTEE OF THE WHOLE MINUTES

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Tuesday, August 13<sup>th</sup>, 2024

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

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### ATTENDANCE:

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

**Staff Present:** Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk  
Noelle Reeve, Planner

**Regrets:** None

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### 1. CALL TO ORDER

The meeting was called to order at 5:42 p.m.  
A quorum was present.

### 2. AMENDMENTS/APPROVAL OF AGENDA

i) Addition under Priority Issues: Livestreaming Update.

The agenda was adopted as amended.

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

None at this time.

### 4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

i) **Public Meeting: Zoning By-Law Amendment(s) – June 4<sup>th</sup>, 2024.**

The minutes of the Public Meeting – Zoning By-Law Amendment(s) held on June 4<sup>th</sup>, 2024, were approved.

## 5. DELEGATIONS & PRESENTATIONS

### i) **Presentation: Perth and District Union Library Update.**

Erika Heesen gave the PowerPoint presentation attached to the agenda.

E. Heesen also informed the Committee of the goals for the library:

- to work with the library's Indigenous Advisory Circle to provide library services for the Indigenous communities in our area and provide education for non-Indigenous peoples to actively engage in reconciliation
- offer programs and services virtually or off-site for our rural residents, such as Babytime at a community hall, satellite pickup/drop off locations, etc. and promote these to our community
- this past November, the Library launched a new satellite library service at the Maberly Hall in Tay Valley Township. This new library service offers pickup and drop-off of library materials and Babytime and Book Club programs. Programs have been well-received and we will be working to promote the service with a marketing push in September
- continuing to track attendance and improving our other statistics to make evidence-based decisions about the library's program offerings
- improve library policies and procedures to improve membership retention
- ensure the library is funded to meet the current and future operational needs of our anticipated growing population, by developing a robust fundraising program to raise \$60,000 annually and advocating to the provincial government for an increase to the provincial Public Library Operating Grant
- a building condition assessment was completed in 2022, and a maintenance plan incorporated into the library's 10-year capital budget
- in the coming year, the library will undertake a community consultation and needs assessment to evaluate its future needs, which may include an expanded or new space to serve our growing community
- we will be updating one of our meeting rooms, thanks to donations from our community; and we will be abating the tile on the second floor and replacing it with carpet tile.

Members raised questions regarding provincial funding, E. Heeson indicated that provincial grant funding has been frozen, remaining at the same dollar amount since the 1990's.

A Member asked if the library had sought support through additional government funding or support.

E. Heeson explained that the Perth & District Union Public Library is a registered charity, able to take donations and issue receipts, they do also benefit from regular donors and various grants. It was explained that it is typical that much of a library's funds are dedicated to staffing costs.



Recommendation to Council:

“**THAT**, the Council of Tay Valley Township direct the Reeve to write a letter to Ontario Premier Doug Ford with copy to Lanark- Frontenac-Kingston MPP John Jordan, calling on the provincial government to increase annual funding to Ontario libraries.”

Recommendation to Council:

“**THAT**, the Perth and District Union Library Update presentation be received for information.”

## 6. PRIORITY ISSUES

### i) **Report #PD-2024-09 – Severance Application – Ennis.**

The Planner explained that

- this is the Township’s first application for a site-specific Official Plan amendment
- it is being brought forward because the applicant does not want to incur the cost of a full Official Plan application if there is no indication that Council would support one
- the issue is that the owner of the property in question was told by the County that one severance was left on the property
- the owners did the associated studies in applying for a severance; archeological study, environmental impact, surveying was undertaken
- approximately one and one-half (1<sup>1/2</sup>) years into the process it was discovered by County staff that there were no severances left available on this property
- the application was changed to a condominium road application
- as that process continued the applicant was informed by their lawyer that the condominium process costs approximately \$60,000 as opposed to the \$2,000 normal severance application
- the applicant met with the new County Planning Manager and worked out that a condominium road application would not be necessary if the Township did a one-time Official Plan amendment to allow one (1) additional severance on the property

The Planner explained being in support of the one-time Official Plan amendment because of the length of time it took for it to be discovered that no severances were available. The applicant proceeded in good faith undertaking the steps and costs of studies on incorrect information. While there is no planning rationale to grant additional severances when all applicable severances have been used on a property, in this case there was an error at the County level that went undiscovered for a long period of time. This would not be setting a precedent.

Recommendation to Council:

**“THAT**, the Council of Tay Valley Township support, in principle, a site-specific Official Plan Amendment for 1551 Ennis Road to allow for one additional severance to reflect the information initially provided by Lanark County to the property owners as outlined in Report #PD-2024-09 – Severance Applications - Ennis”.

ii) **Report #PD-2024-10 – Report #PD-2024-10 - Province Removes Wetlands Protection for Eastern Ontario.**

The Planner explained that in circumstances where the status of a wetland is questioned, the designated Conservation Authority will visit the site to assess wetland status. The Planner highlighted that in June 2024, three (3) Eastern Ontario Conservation Authorities were ordered to stop implementing plans regarding wetlands policy. Contrary to 29 other Conservation districts in Ontario, this change leaves Tay Valley’s wetlands unprotected.

A Member raised a concern about local Conservation Authorities having such powers to suddenly declare a portion of owned land a wetland, immediately causing restrictions to that land without compensation to the landowner.

Recommendation to Council:

**“THAT**, the Council of the Corporation of Tay Valley Township urge the Provincial Government to reopen the wetlands regulation consultation for the Rideau Valley Conservation Authority (RVCA) to:

- allow Tay Valley’s wetlands to receive the same protections as wetlands in the other 29 Conservation Districts in Ontario; and
- ensure Tay Valley’s \$1.3 Billion Tax Assessment is protected from degradation.

**THAT**, landowners be compensated by the Province when wetlands are designated on their property,

**AND THAT**, this resolution and a copy of Report #PD-2024-10 – Province Removes Wetlands Protection for Eastern Ontario, be provided to the Minister of Natural Resources, to area Members of Provincial Parliament (MPPs), the Rural Ontario Municipal Association (ROMA), and to all Ontario Municipalities.”

iii) **Report #FIN-2024-10 – 2022 Development Charges Statement – Amended.**

The Chief Administrative Officer/Clerk explained that the legislation has changed and now requires reporting to be done in a different format, plus a municipality must provide an explanation when funds have not been spent as to why they have not been spent, and then also allocating unspent funds to future projects. As a result, both previous reports had to be updated. There is also now the requirement to post them on the website.

Recommendation to Council:

**“THAT**, Report #FIN-2024-10 - 2022 Development Charges Statement - Amended be received as information.”

iv) **Report #FIN-2024-11 – 2023 Development Charges Statement – Amended.**

Recommendation to Council:

**“THAT**, Report #FIN-2024-11 - 2023 Development Charges Statement - Amended be received as information.”

v) **Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery.**

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-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

**THAT**, Council agrees to proceed with purchasing the portion of lands as outlined in Report #CAO-2024-14 – Request to Close a Portion of an Unopened Road Allowance – Avery;

**THAT**, the requirements to advertise and hold a Public Meeting be waived;

**THAT**, the Applicant and Township split the legal costs 50/50;

**THAT**, the land sale and land purchase costs be waived;

**AND THAT**, the necessary by-law be brought forward once the survey is complete.”

vi) **Report #CAO-2024-15 - Request to Close a Portion of an Unopened Road Allowance – Kennedy.**

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-2024-15 – Request to Close a Portion of an Unopened Road Allowance – Kennedy;

**THAT**, the requirements to advertise and hold a Public Meeting be waived;

**AND THAT**, the necessary by-law be brought forward once the survey is complete.”

vii) **Report #CAO-2024-16 - Request to Close a Portion of an Unopened Road Allowance – Snyder.**

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-2024-16 – Request to Close a Portion of an Unopened Road Allowance – Snyder, as per the Road Closing and Sale Policy and call a Public Meeting.”

viii) **Report #CAO-2024-18 - Request to Close a Portion of an Unopened Road Allowance – Ratcliffe.**

The Chief Administrative Officer/Clerk provided an update that on page Two (2) of the report, page 68 of the agenda, the last paragraph under the DISCUSSION section be amended to read

“As a neighbour stopped up and closed a portion of the unopened road allowance to the east, there are no future anticipated municipal uses.”

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-2024-18 – Request to Close a Portion of an Unopened Road Allowance – Ratcliffe;

**THAT**, the requirements to advertise and hold a Public Meeting be waived;

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

ix) **Report #CAO-2024-17 - Proposed New Road Name Deletion - Lakebreeze Lane.**

Recommendation to Council:

**“THAT**, once the right-of-way (Private Road) currently known as Lakebreeze Lane is physically removed and legally extinguished that the necessary by-law to repeal the Road Naming By-Law for Lakebreeze Lane, outlined in Report #CAO-2024-17 – Proposed Deletion of Road Name – Lakebreeze Lane, be brought forward for approval.”

The Committee recessed at 7:11 p.m.

The Committee returned to session at 7:16 p.m.

x) **Report #CAO-2024-19 - Options to Fill Vacancy on Council.**

Members raised questions about:

- the process of appointment
- the requirement of a public vote on applicants versus a private one
- the anticipated costs of both processes
- the upholding of the democratic process if a Member is replaced by Appointment rather than By-Election

The Chief Administrative Officer/Clerk explained that:

- the replacement by Application process is common and has recently been used by neighbouring municipalities
- Council could discuss and modify certain aspects of the process, such as the requirement to hold a public or private vote of applicants

It was generally agreed that being halfway through this term of Council, and that the Province does allow the Appointment process as a legitimate way to replace a Member of Council, and that the democratic process is upheld as any eligible member of Tay Valley Township may submit an application, that the process of Application be the chosen method to fill the vacancy on Township Council.

Recommendation to Council:

**“THAT**, one of the two Sherbrooke ward Councillor positions on Tay Valley Township Council be declared vacant.”

Recommendation to Council:

**“THAT**, the vacant Sherbrooke ward Councillor position be filled by the process of Appointment.”

Recommendation to Council:

**“THAT**, a requirement for 25 endorsements for Applicants be added as a requirement to fill the vacant Sherbrooke ward Councillor position application submission process.”

xi) **Report #CAO-2024-20 - Establish the Pinehurst Cemetery Board.**

Recommendation to Council:

“**THAT**, the Pinehurst Cemetery Board be established;

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

xii) **Report #CAO-2024-21 - Pinehurst Cemetery By-Law.**

Recommendation to Council:

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

xiii) **Appointment to the Heritage Property Selection Committee.**

Recommendation to Council:

“**THAT**, The Council of the Corporation of Tay Valley Township appoint Peter Siemons to the Tay Valley Township Heritage Property Selection Committee.”

Councillor Jordan stepped down as Chair in order to discuss the next two items on the Agenda.

Reeve Rainer assumed the Chair.

xiv) **Council Appointment to the Mississippi Valley Conservation Authority Board.**

xv) **Council Appointment to the Library Board.**

The Chief Administrative Officer/Clerk explained that Councillor Kendrick’s resignation requires two (2) Board positions be filled.

Councillor Baker and Councillor Jordan submitted self nominations to the Library Board.

The Chair asked both Councillors if they wished their name to stand for the Library Board.

Both Councillors wished their names to stand.

Recommendation to Council:

“**THAT**, the Council of the Corporation of Tay Valley Township appoint Korrine Jordan to the Library Board for a term ending November 17, 2026.”

The Chair asked both Councillors if they were interested in the Mississippi Valley Conservation Authority Board appointment.

Councillor Jordan wished to be considered for the appointment, Councillor Baker declined.

Recommendation to Council:

**“THAT**, the Council of the Corporation of Tay Valley Township appoint Korrine Jordan to the Mississippi Valley Conservation Authority Board for a term ending November 17, 2026.”

Reeve Rainer stepped down as Chair.  
Councillor Jordan resumed the Chair.

xvi) **Closed Meeting Investigation – Final Report.**

Recommendation to Council:

**“THAT**, the Closed Meeting Investigation #2024-01 – Final Report be received for information.”

xvii) **Livestreaming Update.**

A Member questioned the status of the Township’s progress on livestreaming Committee and Council meetings.

The Chief Administrative Officer/Clerk reported that as outlined in last week’s update to Council, this report is anticipated to come forward to Council at the October or November Committee of the Whole meeting. Staff are beginning to research the various options, the logistics that go with those options and costing.

**7. CORRESPONDENCE**

i) **Jurisdiction of Ontario’s Ombudsman.**

Recommendation to Council:

**“WHEREAS**, the Council of the Corporation of Tay Valley Township support the request from the City of Peterborough that a Bill be introduced to amend the Ombudsman Act;

**THAT**, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, be requested to introduce a Bill to amend the Ombudsman Act to require the Ontario Ombudsman to provide to each municipality, if requested by the municipality, sufficient particulars of each investigation, matter or case respecting the municipality that is referred to in each of the Ombudsman's Annual Reports to permit the municipality to fully understand and address the subject matter of each such investigation, matter or case including:

- i) a copy of each complaint, as applicable, redacted only to the extent of individuals' personal information contained therein;
- ii) the identities of the municipality's employees, officers and members of Council with whom the Ombudsman was consulting in respect of the investigation, matter or case; and
- iii) particulars of the outcome of the investigation, matter or case including the Ombudsman's findings, conclusions and recommendations, if any.

**AND THAT**, staff forward Council's resolutions resulting from Council's approval of these recommendations to Minister Calandra, MPP John Jordan, the Association of Municipalities of Ontario (AMO) and to all Ontario municipalities.”

- ii) **Eastern Ontario Wardens’ Caucus – Municipal Infrastructure Policy Paper Calling for Investment in Municipal Infrastructure for Eastern Ontario’s Small and Rural Communities.**

Recommendation to Council:

**WHEREAS**, Eastern Ontario’s small rural municipalities face insurmountable challenges to fund both new growth related infrastructure and ongoing maintenance of their capital assets including local roads and bridges, clean water, wastewater, waste facilities, and municipally owned buildings including recreational facilities and libraries; and

**WHEREAS**, the [Federation of Canadian Municipalities](#) has calculated that Municipal Governments across Canada are responsible for approximately 60 percent of public infrastructure that supports our economy and quality of life, but only receive 10 cents of every tax dollar; and

**WHEREAS**, the Eastern Ontario Wardens’ Caucus (EOWC) region’s capital infrastructure deficit has increased by 58 percent since 2011 and is now at \$6 billion, and growing; and

**WHEREAS**, in 2018, the Ontario Government mandated all Ontario municipalities to develop and fully fund capital asset management plans by July 2025; and

**WHEREAS**, the EOWC has released a regional [Municipal Infrastructure Policy Paper](#) showing key infrastructure data, opportunities and challenges in small rural municipalities across Eastern Ontario; and

**WHEREAS**, Eastern Ontario is a growing economy that can grow more with sustainable, innovative infrastructure partnership and investment from the Federal and Ontario Governments; and

**WHEREAS**, the infrastructure deficit for small rural municipalities cannot be adequately addressed through property tax revenue, restricted municipal borrowing capacity, and municipalities limited ability to generate revenue; and



**WHEREAS**, small rural taxpayers cannot afford dramatic increases to pay for the current and future infrastructure.

**NOW THEREFORE BE IT RESOLVED THAT**, Tay Valley Township joins the Eastern Ontario Wardens' Caucus, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities in calling on the Federal and Ontario Governments to immediately and sustainably partner with Municipal Governments by investing in both the new and ongoing maintenance and repairs of municipal infrastructure in Eastern Ontario's small rural municipalities;

**AND THAT** the Federal and Ontario Governments immediately review data and work together to implement solutions based on the [EOWC's Municipal Infrastructure Policy Paper](#) in partnership with small rural municipalities; and

**FINALLY THAT** this resolution be forwarded to The Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada; The Honourable Doug Ford, Premier of Ontario; The Honourable Kinga Surma, Ontario Minister of Infrastructure; The Honourable Paul Calandra, Ontario Minister of Municipal Affairs and Housing; The Honourable Lisa Thompson, Ontario Minister of Rural Affairs; The Honourable Peter Bethlenfalvy, Ontario Minister of Finance; The Honourable Prabmeet Sakaria, Ontario Minister of Transportation; The Honourable Victor Fedeli, Ontario Minister of Economic Development, Job Creation and Trade; The Honourable Scott Reid, Member of Parliament Lanark-Frontenac-Kingston; The Honourable John Jordan, Member of Provincial Parliament Lanark-Frontenac-Kingston; Federation of Canadian Municipalities; Association of Municipalities of Ontario; Canada Mortgage and Housing Corporation; Rural Ontario Municipal Association; Eastern Ontario Wardens' Caucus.

iii) **Association of Municipalities of Ontario – Joint Health Resolution Campaign.**

Recommendation to Council:

**WHEREAS**, the state of health care in Ontario is in crisis, with 2.3 million Ontarians lacking access to a family doctor, emergency room closures across the province, patients being de-rostered and 40% of family doctors considering retirement over the next five years; and

**WHEREAS**, it has becoming increasingly challenging to attract and retain an adequate healthcare workforce throughout the health sector across Ontario; and

**WHEREAS**, the Northern Ontario School of Medicine University says communities in northern Ontario are short more than 350 physicians, including more than 200 family doctors; and half of the physicians working in northern Ontario expected to retire in the next five years; and (Northern Ontario only)

**WHEREAS**, Ontario municipal governments play an integral role in the health care system through responsibilities in public health, long-term care, and paramedicine.

**WHEREAS**, the percentage of family physicians practicing comprehensive family medicine has declined from 77 in 2008 to 65 percent in 2022; and

**WHEREAS**, per capita health-care spending in Ontario is the lowest of all provinces in Canada, and

**WHEREAS**, a robust workforce developed through a provincial, sector-wide health human resources strategy would significantly improve access to health services across the province;

**NOW THEREFORE BE IT RESOLVED THAT**, the Council of Corporation of Tay Valley Township urge the Province of Ontario to recognize the physician shortage in Tay Valley Township and Ontario, to fund health care appropriately and ensure every Ontarian has access to physician care.

iv) **Request for Royal Assent of Administrative Monetary Penalty System in the Ontario Building Code Act.**

Recommendation to Council:

“**WHEREAS**, the Council of the Corporation of Tay Valley Township supports Lake of Bays’ request for Royal Assent of the Administrative Monetary Policy System (AMPS) in the Ontario Building Code Act;

**AND WHEREAS**, the AMPS was written into the Building Code Act in December 2017;

**AND WHEREAS**, the AMPS has proven to be a valuable tool for education and enforcement of other municipal By-Laws;

**AND WHEREAS**, the AMPS frees up valuable Provincial Offences Court time saving the province and municipalities valuable resources and funds;

**NOW THEREFORE BE IT RESOLVED THAT**, a copy of this resolution be sent to The Honorable Paul Calandra, Minister of Municipal Affairs and Housing; The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO); the Association of Ontario Municipalities (AMO); and all Ontario municipalities.”

v) **24-07-03 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 24-07-03 Council Communication Package be received for information.”

- vi) **24-08-07 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 24-08-07 Council Communication Package be received for information.”

## 8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

- i) **Bolingbroke Cemetery Board.**

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

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

- iii) **Fire Board.**

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

- iv) **Library Board.**

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

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

- vi) **Lanark County OPP Detachment Board – *deferred to the next meeting.***

- vii) **Green Energy and Climate Change Working Group.**

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

- viii) **Mississippi Valley Conservation Authority Board.**

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

- ix) **Rideau Valley Conservation Authority Board.**

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

- x) **Lanark County Traffic Advisory Working Group – *deferred to the next meeting.***

- xi) **County of Lanark.**

Deputy Reeve Dobbie reported that

- Lanark Lodge applied for international Personal Service Workers (PSW) three (3) months ago, the first of which arrived this week.

- It is expected that three (3) more international PSW's will arrive in the coming months
- the County came in under budget and was able to move approximately \$3M of a \$120M budget to reserves

Reeve Rainer had nothing of note to report at this time.

## **9. CLOSED SESSION**

### **i) CONFIDENTIAL: Litigation – Severance File #B23/146.**

The Committee moved “in camera” at 8:01 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 Severance File #B23-146 and The Chief Administrative Officer/Clerk, Deputy Clerk, and Planner remain in the room.

The Committee returned to open session at 8:03 p.m.

The Chair rose and reported that the Reeve and Chief Administrative Officer/Clerk were provided direction.

## **10. DEFERRED ITEMS**

*\*The following items will be discussed at the next and/or future meeting:*

- *None.*

## **11. ADJOURNMENT**

The Committee adjourned at 8:04 p.m.

# **DELEGATIONS & PRESENTATIONS**

**COUNCIL**  
**August 27<sup>th</sup>, 2024**

**Report #CAO-2024-22**  
**Amanda Mabo, Chief Administrative Officer/Clerk**

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE –  
HORRICKS  
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 77.3 metres) between Concessions 6 & 7, Lot 20 and 21, North Burgess, just south of Black Lake Road.”

## **BACKGROUND**

Committee and Council have considered a request to stop up, close and sell a portion of the unopened road allowance (approximately 77.3 metres) between Concessions 6 and 7, Lot 20 and 21, North Burgess, just south of Black Lake Road. A resolution was passed on June 18, 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-2024-12 – Request to Close a Portion of an Unopened Road Allowance - Horricks, 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 Perth Journal on July 10<sup>th</sup> and August 7<sup>th</sup>, 2024, as well as the Agenda for the Committee of the Whole Meeting held on June 4<sup>th</sup>, 2024, the Agenda for the Council Meeting on June 18<sup>th</sup>, 2024 and the Agenda for the Public Meeting held on August 27, 2024, with such notice offering an opportunity for any person to address concerns related to the closing.

### Agency Comment

None.

### Adjacent Landowner Comment

One nearby landowner had questions regarding the ownership of the road allowance and the ownership of the applicant's property, which were clarified via an in-person discussion with the CAO/Clerk.

Family of the adjacent landowner to the east had questions about whether this would affect access to their family's property. Access to the property will not be affected as the access must be taken off of Homestead Lane, as the property is part of a subdivision.

The adjacent landowner to the west has also requested to stop up, close and purchase the end of this portion of unopened road allowance to provide frontage to their own property. The initial report went to Committee earlier this month.

### 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 and the closed portion of unopened road allowance will be consolidated with the applicant's property.

### **ATTACHMENTS**

- i) Map
- ii) Report #CAO-2024-12 – Request to Close Unopened Road Allowance - Horricks

### **Prepared and Submitted By:**

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

**COMMITTEE OF THE WHOLE**  
June 4<sup>th</sup>, 2024

**Report #CAO-2024-12**  
**Amanda Mabo, Chief Administrative Officer/Clerk**

**REQUEST TO CLOSE A PORTION OF AN UNOPENED ROAD ALLOWANCE**  
**HORRICKS**

### **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-2024-12 – Request to Close a Portion of an Unopened Road Allowance – Horricks, 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 Applicant is requesting to close a portion of the unopened road allowance between Concessions 6 & 7, Lots 20 and 21 in North Burgess, and add it to their property located south of this section of the unopened road allowance. The stopping up, closure and sale of this portion of unopened road allowance and consolidation of this piece with the owner’s lands would provide road frontage to the property, which is required to proceed with the owner’s building permit application.

The Planner and Public Works Department were consulted and have no issues with this request. The Township will retain 10m from the center line of Black Lake Road for road widening and the draft survey will be approved by the Public Works Manager and CAO/Clerk prior to deposit.

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**

- iii) Written Request and Map
- iv) Property Survey

**Prepared and Submitted By:**

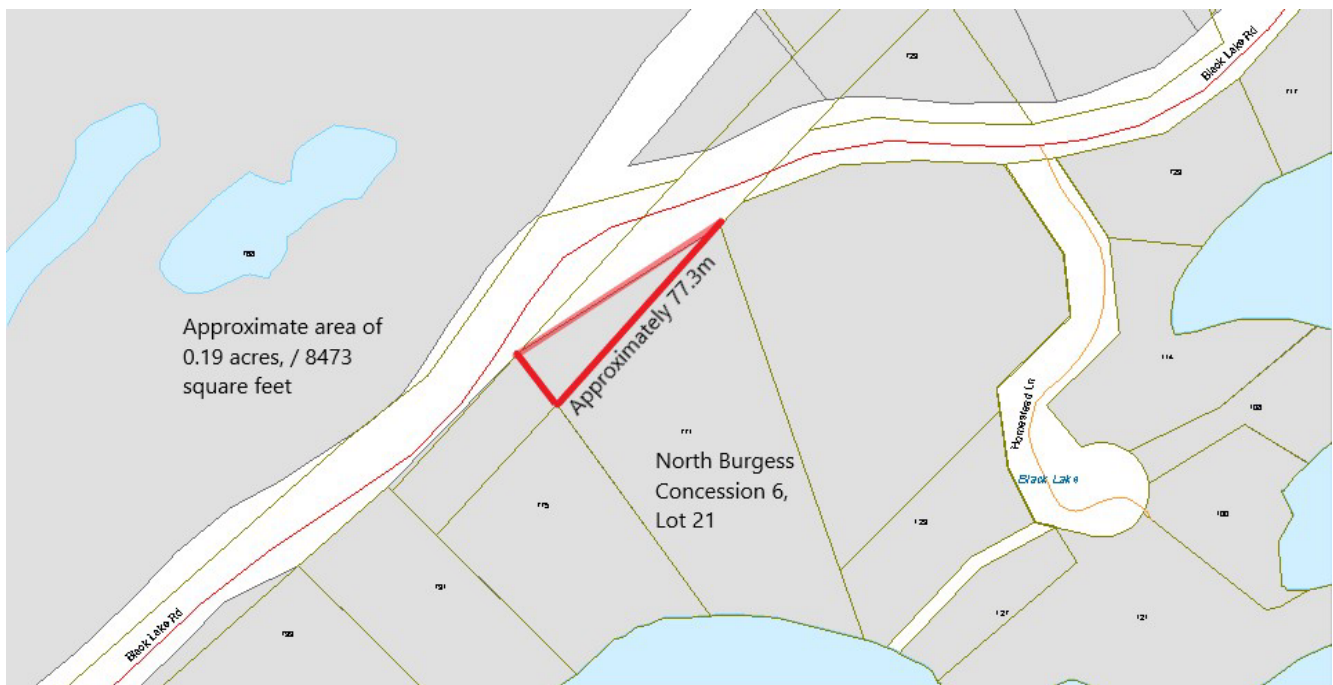
**Amanda Mabo,  
Chief Administrative Officer/Clerk**

**From:** Horricks, Todd  
**Sent:** Friday, May 24, 2024 1:27 PM  
**To:** TVT Executive Assistant <executiveassistant@tayvalleytwp.ca>  
**Subject:** Re: Road Closing and Sale for Frontage (Horricks - Black Lake Road)

**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.

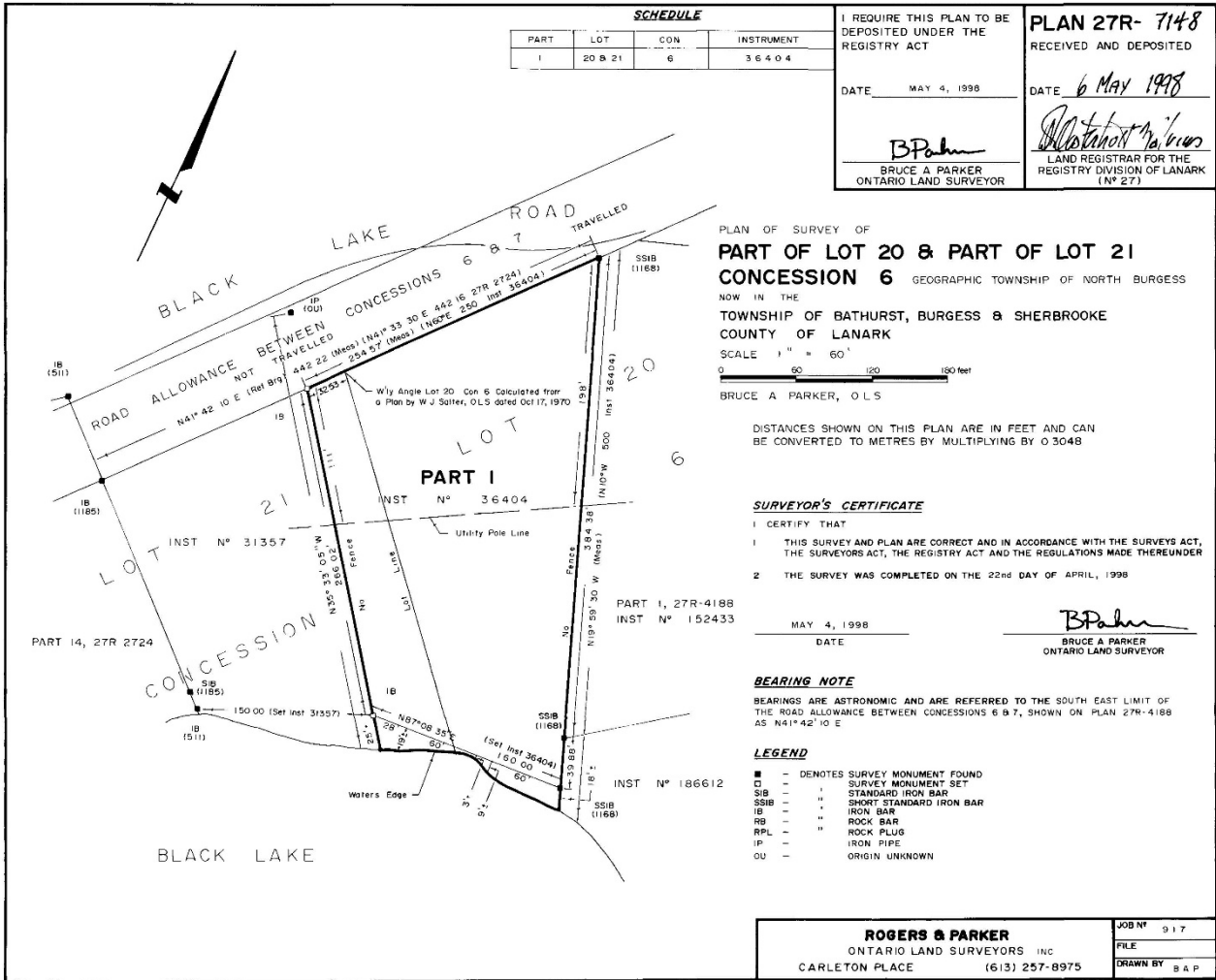
Thank you for this information, please accept this email as confirmation that I would like to proceed with the road closing and sale.

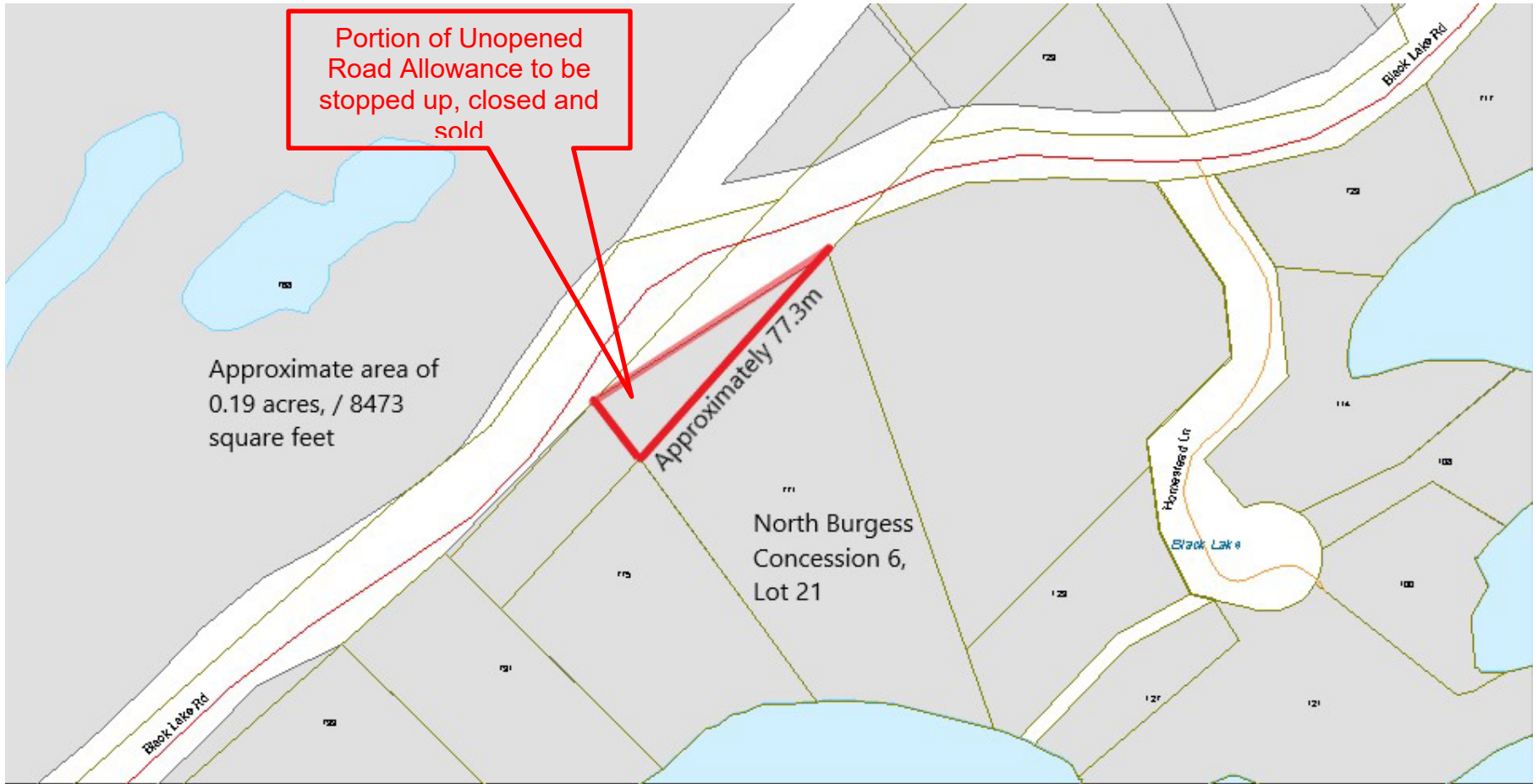
I understand that my property fronts onto an unopened Township road allowance and not Black Lake Road, as indicated in the map provided.



Kind regards,

Todd





Part of the unopened road allowance between Concessions 6 & 7 in North Burgess, Lots 21

# **PUBLIC MEETING**

## **ROAD CLOSING Between Concessions 6 & 7, Lot 20 and 21 geographical Township of North Burgess**

Council  
August 27<sup>th</sup>, 2024



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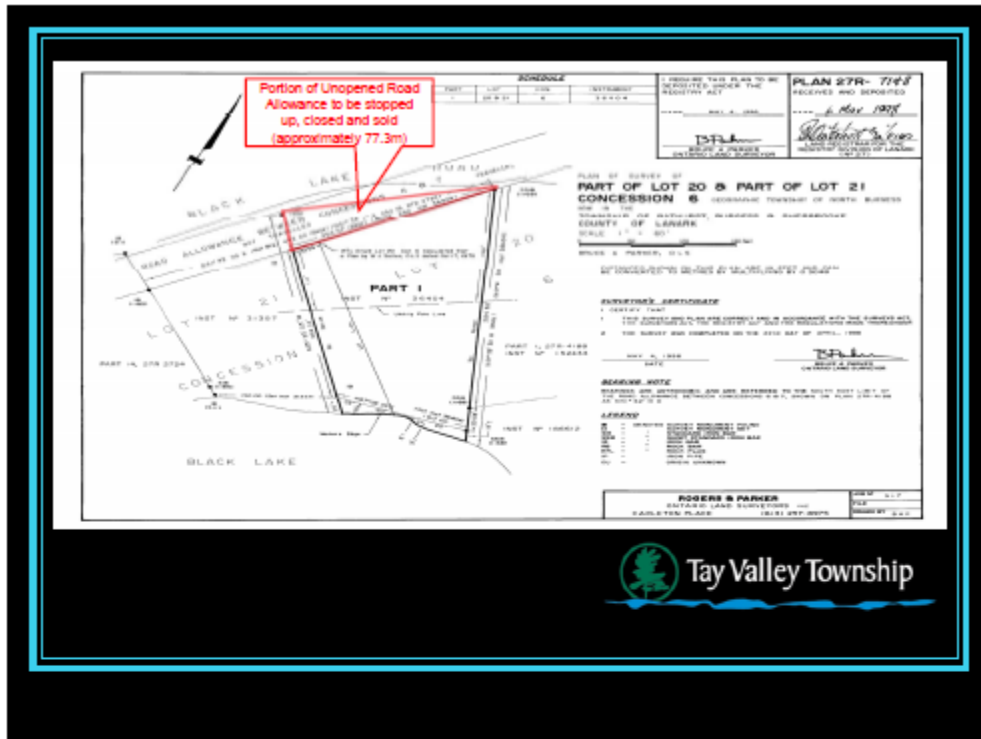
## **Road Closing - Horricks**

Committee and Council have considered a request to stop up, close and sell a portion of the unopened road allowance (approximately 77.3 metres) between Concessions 6 & 7, Lot 20 and 21, North Burgess, just south of Black Lake Road.

A resolution was passed on June 18<sup>th</sup>, 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-2024-12 – Request to Close a Portion of an Unopened Road Allowance – Horricks, as per the Road Closing and Sale Policy and call a Public Meeting.



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## Road Closing Policy

**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
- provided publicly via the agenda for the Committee of the Whole Meeting on June 4<sup>th</sup>, 2024, the Council Meeting on June 18<sup>th</sup>, 2024, and the Council Meeting on August 27<sup>th</sup>, 2024.


**Tay Valley Township**

4

## Purpose of Public Meeting

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

The Road Closing policy provides that notice be given in order to allow opportunity for any person to address concerns related to the closing.



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## Agency - Objections or Concerns

- There were no objections from the agencies that were circulated.



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## Landowner – Objections or Concerns

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- Questions of clarification from adjacent landowners were answered.



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## NEXT STEPS

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- 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 and the closed portion will be consolidated with the Applicant's lands.



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**Watson & Associates**  
ECONOMISTS LTD.

**Council Workshop**  
Preliminary Draft 2024 Development Charges  
Background Study and By-Law

Tay Valley Township  
August 27, 2024

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## Agenda

- Introduction
- Overview of the Project and Eligible Services
- Legislation Review and Changes
- Growth Forecast
- Local Service Policy
- Draft Historical Service Standards Maximum
- Draft D.C. Capital Needs
- Draft D.C. Calculations and Comparisons
- By-Law Policies
- Next Steps and Discussion
- Questions



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## Overview of the Project

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### 2024 Development Charges Background Study and By-Law

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### Overview: Purpose of Development Charges (D.C.)

- The *Development Charges Act (D.C.A.)*, allows municipalities to pass a by-law to recover the capital costs associated with residential and non-residential development within a municipality.
- D.C.s follows an established practice in Ontario of development paying for the costs associated with growth, where the increase in need for service should not be funded from existing taxpayers, to the extent the D.C.A. allows for.
- The capital costs funded by a D.C. are in addition to what costs would normally be constructed as a local service requirement of a development agreement (i.e., internal roads, sidewalks, streetlights, stormwater management, base parkland development, etc.).

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## Overview of the Development Charge Background Study

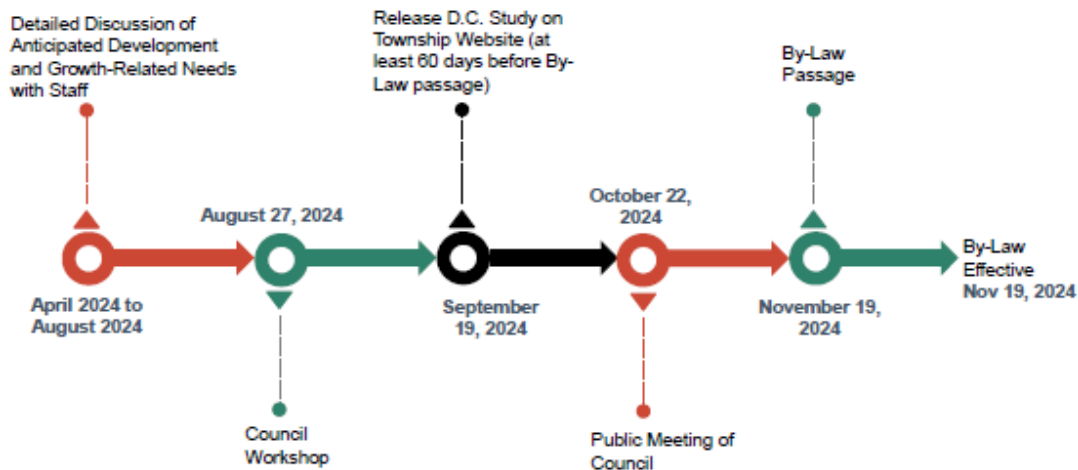


- Key Components of the Study:
  - Growth forecast
  - Local service policy review
  - Historical service standard calculations
  - Identify increased needs and capital projects to meet the needs
    - Coordination with Township of Drummond North Elmsley and Perth for determination of the above for shared services
  - D.C. Calculations
  - D.C. By-Law & Local Service Policy Review & Refinements
  - D.C. Background Study and By-Law

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## Study Process



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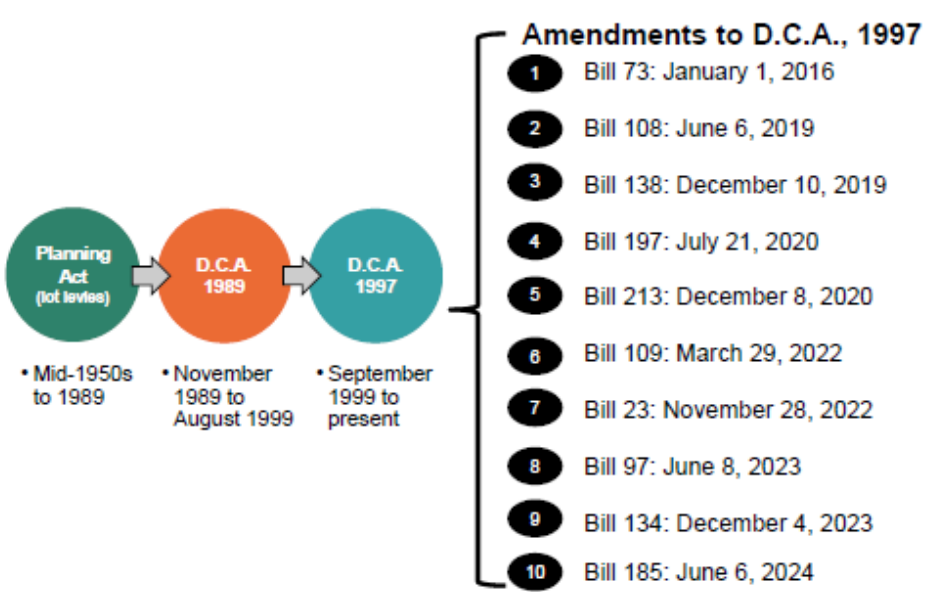
## Legislation Review and Changes

### 2024 Development Charges Background Study and By-Law

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### History of D.C.s



**Planning Act (lot levies)**

• Mid-1950s to 1989

**D.C.A. 1989**

• November 1989 to August 1999

**D.C.A. 1997**

• September 1999 to present

**Amendments to D.C.A., 1997**

- 1 Bill 73: January 1, 2016
- 2 Bill 108: June 6, 2019
- 3 Bill 138: December 10, 2019
- 4 Bill 197: July 21, 2020
- 5 Bill 213: December 8, 2020
- 6 Bill 109: March 29, 2022
- 7 Bill 23: November 28, 2022
- 8 Bill 97: June 8, 2023
- 9 Bill 134: December 4, 2023
- 10 Bill 185: June 6, 2024

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## Legislative Changes to the D.C.A.



- Bill 108: More Homes, More Choice Act, 2019
- Bill 138: Plan to Build Ontario Together Act, 2019
- Bill 197: COVID-19 Economic Recovery Act, 2020
- Bill 213: Better for People, Smarter for Business Act, 2020
- Bill 109: More Homes for Everyone Act, 2022
- Bill 23: More Homes Built Faster Act, 2022
- Bill 97: Helping Homebuyers, Protecting Tenants Act, 2023
- Bill 134: Affordable Homes and Good Jobs Act
- Bill 185: Cutting Red Tape to Build More Homes Act, 2024

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## Notable Changes to the D.C.A.



- Historical level of service calculation extended to a 15-year period (from 10-year period);
- Rental and institutional development pay D.C.s in six equal annual payments commencing at occupancy;
- D.C. amount for developments proceeding through site plan or zoning by-law amendment planning approval, shall be determined based on the D.C. in effect on the day of application of the site plan or zoning by-law amendment as follows:
  - Where the application is received on or after January 1, 2020, and approval has occurred prior to June 6, 2024, the rate is frozen for 2 years (between approval and building permit issuance; and
  - Where the application is received on or after January 1, 2020, and approval has not occurred prior to June 6, 2024, the rate is frozen for 18-months (between approval and building permit issuance; and
- Maximum Interest Rate for Installments and Determination of Charge for Eligible Site Plan and Zoning By-Law Amendment Applications to be set at the average prime rate plus 1%;
- Additional residential unit exemption includes allowance of a third unit as-of-right;
- Statutory exemptions for Affordable Units and Attainable Units (as of June 1, 2024);
- Statutory exemption for Non-Profit Housing and Affordable Inclusionary Zoning Units;

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## Notable Changes to the D.C.A.



- Statutory exemption for universities receiving ongoing funding from the Province;
- Mandatory discount for rental housing, based on the number of bedrooms:
  - Three or more bedrooms – 25% reduction;
  - Two bedrooms – 20% reduction; and
  - All other bedroom quantities – 15% reduction.
- Maximum life of a D.C. by-law extended from 5 years to 10 years after the by-law comes into force;
- Requirement to Allocate Funds Received – municipalities are required to spend or allocate at least 60% of their reserve fund at the beginning of the year for water, wastewater, and services related to a highway; and
- Additional requirements related to the annual D.C. reserve fund Treasurer's statement, including to post on municipal website for term of the by-law.

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## D.C. Eligible Services



- |                                     |  |
|-------------------------------------|--|
| 1. Water                            | 11. Ambulance  |
| 2. Wastewater                       | 12. Library Services                                   |
| 3. Storm Water Drainage and Control | 13. Long-term Care                                     |
| 4. Services Related to a Highway    | 14. Parks and Recreation Services                      |
| 5. Electrical Power Services        | 15. Public Health Services                             |
| 6. Toronto-York Subway Extension    | 16. Childcare and Early Years Services                 |
| 7. Transit                          | 17. Provincial Offences Act (incl. By-Law Enforcement) |
| 8. Waste Diversion                  | 18. Emergency Preparedness                             |
| 9. Policing Services                | 19. Airports (Waterloo Region only)                    |
| 10. Fire Protection Services        |  |

- Services included in 2024 D.C. on a Township-wide basis

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## Growth Forecast

### 2024 Development Charges Background Study and By-Law

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## Growth Forecast – Population and Housing, and Non-Residential Employment and Associated New Gross Floor Area



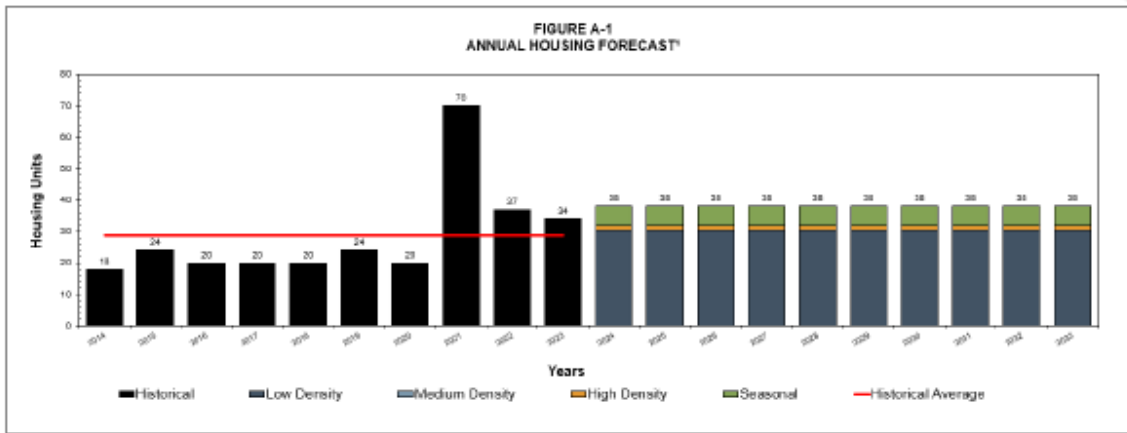
Forecast Population and Housing Growth	10 Year (mid-2024 to mid-2034)	Forecast Incremental Non-Residential Employment and Gross Floor Area (G.F.A.) Increase (ft <sup>2</sup> )	10 Year (mid-2024 to mid-2034)
Net Population Increase	677	Non-residential Employment Growth	73
Gross Population Increase	1,063	Primary	12
Residential Unit Increase	407	Commercial/Population-Related	36
Low Density	364	Industrial	11
Medium Density	-	Institutional	14
High Density	16	Non-residential Gross Floor Area Increase (sq.ft.)	84,000
Institutional Units	27		

13

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# Growth Forecast – Housing



Source: Historical housing activity derived from building permit data for the Tay Valley Township, 2014-2023.  
 [1] Growth forecast represents calendar year.

## Local Service Policy

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### 2024 Development Charges Background Study and By-Law



## Local Service Policy



- The local service policy aims to provide details related to “local services related to a plan of subdivision or within the area to which the plan relates”, which are not included in the by-law, as they are 100% direct developer responsibility
- The Township’s local service policy outlines general guidelines related to the following services:
  - Services Related to a Highway;
  - Water Services;
  - Wastewater Services;
  - Stormwater Management; and
  - Parkland Development.
- Refinements to the policy is being made to ensure full transparency of the works which are the responsibility of the developers vs. those that will be included in the D.C. calculations.

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## Draft Historical Service Standard Maximum

2024 Development Charges Background Study  
and By-Law

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## Draft Historical Service Standard Maximum



SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED				
Service Category	Sub-Component	Maximum Ceiling LOS	Utilized	Remaining
Service Related to a Highway	Services Related to a Highway - Roads	3,878,502		
	Services Related to a Highway - Bridges, Culverts & Structures	2,127,493		
	Services Related to a Highway - Streetlights	2,031	2,897,818	3,948,095
	Public Works - Facilities	279,885		
	Public Works - Vehicles & Equipment	260,002		
<b>Subtotal - Services Related to a Highway</b>		<b>\$6,545,913</b>	<b>\$2,897,818</b>	<b>\$3,648,095</b>
Fire Protection	Fire Protection Services - Facilities	539,819		
	Fire Protection Services - Vehicles & Equipment	246,885	135,182	792,647
	Fire Protection Services - Small Equipment and Gear	141,324		
<b>Subtotal - Fire Protection Services</b>		<b>\$927,828</b>	<b>\$135,182</b>	<b>\$792,647</b>
Parks & Recreation	Parkland Development	21,887		
	Parkland Amenities	28,278		
	Parkland Trails	2,850	239,808	425
	Recreation Facilities	184,130		
	Parks & Recreation Vehicles and Equipment	2,904		
<b>Subtotal - Parks and Recreation Services</b>		<b>\$240,036</b>	<b>\$239,808</b>	<b>\$425</b>
Library	Library Services - Facilities	126,105		
	Library Services - Collection Materials	168,038	151,048	143,097
<b>Subtotal - Library Services</b>		<b>\$294,143</b>	<b>\$151,048</b>	<b>\$143,097</b>
Waste Diversion	Waste Diversion - Facilities - Stations/Depots	114,135	55,685	58,450
<b>Subtotal - Waste Diversion Services</b>		<b>\$114,135</b>	<b>\$55,685</b>	<b>\$58,450</b>
<b>GRAND TOTAL</b>		<b>\$8,122,080</b>	<b>\$3,479,336</b>	<b>\$4,642,744</b>

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## General Observations on Service Standards



- Generally, replacement values have increased above inflation due to factors such as COVID, supply chain issues, etc.
- The increase in need for service is limited by the average historical level of service.
- Based on the Township's growth-related capital needs identified through discussions with staff, the D.C. calculations are anticipating to utilize approximately 43% of the maximum ceiling.

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# Draft D.C. Capital Needs

## 2024 Development Charges Background Study and By-Law

### Draft D.C. Capital Needs – Service Related to a Highway



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (Year)	Gross Capital Cost Estimate (2024)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2024 to 2033								90%	10%	
1	Sand Shed	2023	93,840	-	-	93,840	46,920	-	46,920	42,246	4,674
2	Sturtevant 7th Concession	2024	423,800	-	-	423,800	361,400	-	42,400	38,180	4,220
3	McVeigh Road	2024	67,200	-	-	67,200	60,500	-	6,700	6,030	670
4	Swain Road	2027	776,000	-	-	776,000	698,400	-	77,600	69,840	7,760
5	Stanley Road	2028	346,000	-	-	346,000	311,400	-	34,600	31,140	3,460
6	Stevens Bridge Upgrade	2028	729,344	-	-	729,344	656,800	-	72,544	65,190	7,354
7	Alan's Mill Road (from County Road 10 to Upper Scotch Line) - Upgrade from gravel to surface treated	2024	30,962	-	-	30,962	6,000	-	24,962	22,466	2,496
8	Black Lake Road (from Powers Road to Tom's Rock) - Upgrade from gravel to surface treated	2030	52,188	-	-	52,188	10,100	-	42,088	37,879	4,209
9	Caroline Road (from Harper Road to End of Paramount Chic 237) - Road Widening	2028	75,571	-	-	75,571	-	-	75,571	68,014	7,557
10	Ridgus Lake Road (from Best Lane to Elm Grove Road) - Upgrade from gravel to surface treated	2028	26,476	-	-	26,476	5,500	-	22,976	20,680	2,296
11	Single Axle Truck	2026-2027	390,000	-	-	390,000	-	-	390,000	315,000	75,000
12	Public Works Garage & Sand Dome	2027	5,000,000	-	-	5,000,000	2,857,000	-	2,143,000	1,929,700	214,300
13	Functional Assessment of Public Works Department	2026	40,000	-	-	40,000	30,000	-	10,000	9,000	1,000
14	Public Electric Vehicle Charge Stations @ Municipal Office (2)	2027	21,175	-	-	21,175	19,900	-	1,275	1,146	129
15	Public Works Garage - design & layout	2026	40,000	-	-	40,000	37,700	-	2,300	2,070	230
16	Road Condition Assessment	2027	35,000	-	-	35,000	33,000	-	2,000	1,800	200
17	Road Condition Assessment	2032	35,000	-	-	35,000	33,000	-	2,000	1,800	200
18	Traffic Count Study/Transportation Master Plan	2026	60,000	-	-	60,000	56,500	-	3,500	3,150	350
19	Reserve Adjustment		-	-	-	-	23,639	-	(23,639)	(21,276)	(2,364)
	<b>Total</b>		<b>\$8,204,587</b>	<b>\$0</b>	<b>\$0</b>	<b>\$8,204,587</b>	<b>\$5,304,739</b>	<b>\$0</b>	<b>\$2,897,818</b>	<b>\$2,658,038</b>	<b>\$239,780</b>

## Draft D.C. Capital Needs – Fire Protection Services



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post-Period Benefit	Other Deductions	Net Capital Cost	Lease		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 80%	Non-Residential Share 10%
2024 to 2033											
BBD&E:											
1	Boat for BBD&E + Water Rescue Equipment	2025	70,000	-	38,500	31,500	3,200	-	28,300	25,470	2,830
2	Ice Water Rescue Trailer	2030	15,000	-	8,250	6,750	-	-	6,750	6,075	675
3	Dry Hydrant in Fallbrook	2030	15,000	-	8,250	6,750	-	-	6,750	6,075	675
4	Fire Facility Feasibility & Location Study	2025	30,000	-	16,500	13,500	6,800	-	6,700	6,030	670
South Sherbrooke:											
5	Replace Wildland Fire Truck with a Mini-Pumper	2028	190,000	-	-	190,000	100,000	-	90,000	81,000	9,000
6	Christie Lake Dry Hydrant	2030	15,000	-	-	15,000	-	-	15,000	13,500	1,500
Outstanding Debt:											
7	Growth-Related Principal	2024-2036	18,537	-	-	18,537	-	-	18,537	16,683	1,854
8	Growth-Related Interest (Discounted)	2024-2036	5,315	-	-	5,315	-	-	5,315	4,784	532
Adjustments:											
9	Reserve Fund Adjustment		-	-	-	-	42,170	-	(42,170)	(37,953)	(4,217)
<b>Total</b>			<b>\$368,862</b>	<b>\$0</b>	<b>\$71,500</b>	<b>\$287,362</b>	<b>\$162,170</b>	<b>\$0</b>	<b>\$135,182</b>	<b>\$121,684</b>	<b>\$13,518</b>

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## Draft D.C. Capital Needs – Policing Services



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post-Period Benefit	Other Deductions	Net Capital Cost	Lease		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 80%	Non-Residential Share 10%
2024 to 2033											
1	Additional Full-Time Equipped Police Officers and Associated Vehicles (Township Share)	2024-2033	200	-	-	200	-	-	200	180	20
<b>Total</b>			<b>\$200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$200</b>	<b>\$0</b>	<b>\$0</b>	<b>\$200</b>	<b>\$180</b>	<b>\$20</b>

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## Draft D.C. Capital Needs – Parks and Recreation Services



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Useful Life (years)	Timing (year)	Gross Capital Cost Estimate (2024)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
2024 to 2033												
1	Maberly Hall Park Development Plan	20	2028	40,000	-	-	40,000	37,800	-	2,400	2,250	120
2	Maberly Hall River Park	20	2021	18,800	-	-	18,800	17,700	-	1,100	1,045	55
3	Burgess Hall, Garage, Ballfield Upgrade	20	2029	100,000	-	-	100,000	94,000	-	6,000	5,750	300
4	Forest Trail Park	50	2024-2031	288,800	-	-	288,800	271,500	-	17,300	16,435	865
5	Black Lake Water Access Point & Park Plan	20	2031-2033	150,000	-	-	150,000	141,000	-	9,000	8,550	450
6	Maberly Community Park	20	2024-2027	188,000	-	-	188,000	178,700	-	11,300	10,735	565
7	Maberly Park	20	2029	120,000	-	-	120,000	112,800	-	7,200	6,840	360
8	Noonan Access Point/Swimming Area	20	2024	20,000	-	-	20,000	18,800	-	1,200	1,140	60
9	Fallbrook Playground & Ball Field	20	2030	75,000	-	-	75,000	70,500	-	4,500	4,275	225
10	Mississippi Water Access Point	20	2025	25,000	-	-	25,000	23,500	-	1,500	1,425	75
11	Glen Tay Pickleball Court	20	2027	173,000	-	-	173,000	162,800	-	10,400	9,880	520
12	Provision for Additional Indoor Recreation Space	50	2028-2029	150,000	-	-	150,000	-	-	150,000	142,500	7,500
13	Parks Plan	Study	2025-2033	30,000	-	-	30,000	15,000	-	15,000	14,250	750
14	Joint Recreation Feasibility Study (Township's Share)	Study	2025	40,000	-	-	40,000	20,000	-	20,000	19,000	1,000
15	Joint Recreation Master Plan (Township's Share)	Study	2029	20,000	-	-	20,000	10,000	-	10,000	9,500	500
16	Parks Plan - land behind Maberly Hall	Study	2028	40,000	-	-	40,000	20,000	-	20,000	19,000	1,000
17	Reserve Fund Adjustment			-	-	-	-	47,294	-	(47,294)	(44,930)	(2,365)
<b>Total</b>				<b>\$1,478,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,478,500</b>	<b>\$1,238,964</b>	<b>\$0</b>	<b>\$239,506</b>	<b>\$227,625</b>	<b>\$11,980</b>

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## Draft D.C. Capital Needs – Library Services



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
2024 to 2033											
1	Circulation Materials (Township's Share)	2024-2033	168,000	-	-	168,000	-	-	168,000	159,600	8,400
2	Reserve Fund Adjustment		-	-	-	-	16,954	-	(16,954)	(16,107)	(848)
<b>Total</b>			<b>\$188,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$188,000</b>	<b>\$16,954</b>	<b>\$0</b>	<b>\$161,048</b>	<b>\$143,493</b>	<b>\$17,555</b>

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## Draft D.C. Capital Needs – Waste Diversion Services



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2024\$)	Post-Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost			
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share	
2024 to 2033												
1	Operations Layout for Waste Sites	2024-2025	20,000	-	-	20,000	-	-	20,000	19,000	1,000	
2	Provision for additional land related to diversion activities	2024-2025	40,000	-	-	40,000	-	-	40,000	38,000	2,000	
3	Reserve Fund Adjustment		-	-	-	-	4,315	-	(4,315)	(4,099)	(216)	
	<b>Total</b>		<b>\$80,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$80,000</b>	<b>\$4,315</b>	<b>\$0</b>	<b>\$65,886</b>	<b>\$62,901</b>	<b>\$2,784</b>	

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## Draft D.C. Capital Needs – Growth-related Studies (Class of Service)



Proj. No.	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2024\$)	Post-Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
2024 to 2033												
1	Official Plan	2027	All Services	60,000	-	6,000	54,000	13,400	-	40,600	36,800	3,798
2	Official Plan	2032	All Services	60,000	-	6,000	54,000	13,400	-	40,600	36,800	3,798
3	Official Plan Review - comprehensive growth management	2024	All Services	35,000	-	3,500	31,500	7,800	-	23,700	21,480	2,211
4	Comprehensive Zoning By-Law Review	2024	All Services	45,700	-	4,570	41,130	10,300	-	30,830	27,946	2,884
5	Comprehensive Zoning By-Law Review	2025	All Services	50,000	-	5,000	45,000	11,300	-	33,700	30,543	3,157
6	Development Charge Study	2024	All Services	41,800	-	-	41,800	-	-	41,800	37,708	3,892
7	Development Charge Study	2025	All Services	41,800	-	-	41,800	-	-	41,800	37,708	3,892
8	Strategic Plan	2027	All Services	15,000	-	1,500	13,500	12,800	-	700	633	66
9	Strategic Plan	2031	All Services	15,000	-	1,500	13,500	12,722	-	778	705	71
10	AMP Continuation	2024	All Services	18,500	-	1,850	16,650	15,005	-	1,645	1,491	148
11	AMP Continuation	2025	All Services	18,500	-	1,850	16,650	15,005	-	1,645	1,491	154
12	Reserve Fund Adjustment		All Services	8,028	-	-	8,028	-	-	8,028	7,277	751
	<b>Total</b>			<b>\$408,928</b>	<b>\$0</b>	<b>\$31,770</b>	<b>\$377,158</b>	<b>\$111,732</b>	<b>\$0</b>	<b>\$265,426</b>	<b>\$240,595</b>	<b>\$24,822</b>

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# Draft D.C. Capital Needs - Summary



Increased Service Needs Attributable to Anticipated Development	Forecast Period	Gross Capital Cost Estimate (2024)	Post Period Benefit	Other Deductions	Net Capital Cost	Lease		Potential D.C. Recoverable Cost		
						Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
<b>Services:</b>										
Services Related to a Highway	2024 to 2033	8,454,957	-	-	8,454,957	2,449,730	-	6,004,818	5,404,336	600,482
Fire Protection Services	2024 to 2033	398,862	-	71,500	267,352	150,170	-	135,182	121,864	13,318
Policing Services	2024 to 2033	200	-	-	200	-	-	200	180	20
Parks and Recreation Services	2024 to 2033	1,478,800	-	-	1,478,800	1,238,994	-	239,806	227,525	11,980
Library Services	2024 to 2033	158,000	-	-	158,000	16,954	-	151,046	143,493	7,552
Waste Disposal Services	2024 to 2033	60,000	-	-	60,000	4,315	-	55,685	52,901	2,784
Class of Services:										
Growth-Related Studies	2024 to 2033	408,928	-	31,770	377,158	112,180	-	264,978	239,381	25,603
<b>Total</b>		<b>\$10,926,137</b>	<b>\$0</b>	<b>\$193,270</b>	<b>\$10,625,867</b>	<b>\$3,974,342</b>	<b>\$0</b>	<b>\$6,651,525</b>	<b>\$6,188,581</b>	<b>\$461,944</b>
<b>Proportion of Gross Capital Cost Estimate</b>		<b>100%</b>	<b>0%</b>	<b>1%</b>		<b>36%</b>	<b>0%</b>	<b>63%</b>		

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## Draft D.C. Calculations and Comparisons

### 2024 Development Charges Background Study and By-Law

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## D.C. Calculated Rates



Services/Class of Services	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)	Green Energy Development (per 600 kW generating capacity)
<b>Township-Wide Services/Class of Service:</b>							
Services Related to a Highway	6,389	5,278	3,997	2,863	2,699	3.45	3.45
Fire Protection Services	298	246	186	134	126	0.16	0.16
Parks and Recreation Services	558	461	349	250	236	0.14	-
Library Services	352	291	220	158	149	0.09	-
Waste Diversion	130	107	81	58	55	0.03	-
Growth-Related Studies	589	487	368	264	249	0.30	0.30
<b>Total Township-Wide Services/Class of Services</b>	<b>\$8,318</b>	<b>\$8,870</b>	<b>\$6,201</b>	<b>\$3,727</b>	<b>\$3,614</b>	<b>\$4.17</b>	<b>\$3.81</b>

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## Draft D.C. Rate Comparison



Residential (Single Detached) Comparison

Service/Class of Service	Current	Calculated
<b>Township-Wide Services/Classes:</b>		
Services Related to a Highway	5,824	6,389
Fire Protection Services	552	298
Parks and Recreation Services	819	558
Library Services	96	352
Growth-Related Studies	493	589
Waste Diversion	49	130
<b>Total Township-Wide Services/Classes</b>	<b>\$7,833</b>	<b>\$8,316</b>

Non-Residential (per sq.ft.) Comparison

Service/Class of Service	Current	Calculated
<b>Township-Wide Services/Classes:</b>		
Services Related to a Highway	2.83	3.45
Fire Protection Services	0.28	0.16
Parks and Recreation Services	0.25	0.14
Library Services	0.03	0.09
Growth-Related Studies	0.22	0.30
Waste Diversion	0.03	0.03
<b>Total Township-Wide Services/Classes</b>	<b>\$3.62</b>	<b>\$4.17</b>

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## Rate Comparison – Residential



Single & Semi Detached Dwelling					
Municipality	Upper Tier Charges	Lower Tier Charges		Total Development Charges	Rank
		Water & Wastewater	Other Services		
Perth (North of Highway #7)*	\$1,036	\$8,948	\$11,567	21,551	1
Mississippi Mills	\$1,036	\$9,849	\$9,552	20,237	2
Carleton Place*	\$1,036	\$7,864	\$8,811	17,711	3
Perth (Municipal Wide)*	\$1,036	\$8,948	\$5,821	15,806	4
Beckwith (Calculated)	\$1,036	\$0	\$12,493	13,529	5
Smith Falls	\$1,036	\$2,997	\$8,280	12,313	6
Beckwith (Year 1 Phase-in)	\$1,036	\$0	\$9,994	11,030	7
Tay Valley (Calculated)*	\$1,036	\$0	\$8,316	9,352	8
Tay Valley (Current)*	\$1,036	\$0	\$7,833	8,869	9
Drummond North Elmsley (Calculated)*	\$1,036	\$0	\$6,079	7,115	10
Montague	\$1,036	\$0	\$4,725	5,761	11
Drummond North Elmsley (Current)*	\$1,036	\$0	\$4,000	5,036	12
Lanark Highlands	\$1,036	\$0	\$0	1,036	13

\* Currently Undertaking a D.C. Study

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## Rate Comparison – Non-Residential



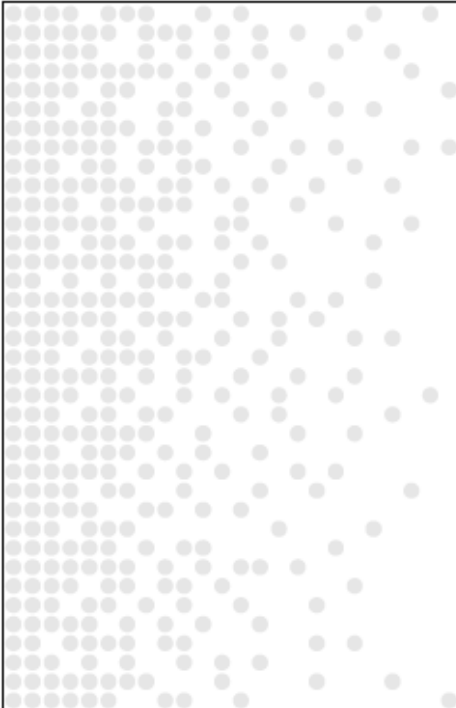
Commercial (Retail) - per sq.ft.						Industrial - per sq.ft.					
Municipality	Upper Tier Charges	Lower Tier Charges		Total Development Charges	Rank	Municipality	Upper Tier Charges	Lower Tier Charges		Total Development Charges	Rank
		Water & Wastewater	Other Services					Water & Wastewater	Other Services		
Perth (North of Highway #7)*	\$0.53	\$6.41	\$6.52	\$13.46	1	Carleton Place*	\$0.53	\$5.05	\$2.93	\$8.52	1
Perth (Municipal Wide)*	\$0.53	\$6.41	\$4.13	\$11.07	2	Smith Falls	\$0.53	\$2.26	\$4.31	\$7.10	2
Carleton Place*	\$0.53	\$5.05	\$2.93	\$8.52	3	Beckwith (Calculated)	\$0.53	\$0.00	\$5.86	\$6.39	3
Smith Falls	\$0.53	\$2.26	\$4.31	\$7.10	4	Tay Valley (Calculated)*	\$0.53	\$0.00	\$4.17	\$4.70	4
Beckwith (Calculated)	\$0.53	\$0.00	\$5.86	\$6.39	5	Tay Valley (Current)*	\$0.53	\$0.00	\$3.62	\$4.15	5
Mississippi Mills	\$0.53	\$2.03	\$3.38	\$5.94	6	Drummond North Elmsley (Calculated)	\$0.53	\$0.00	\$2.37	\$2.90	6
Tay Valley (Calculated)*	\$0.53	\$0.00	\$4.17	\$4.70	7	Beckwith (Year 1 Phase-in)	\$0.53	\$0.00	\$2.34	\$2.87	7
Tay Valley (Current)*	\$0.53	\$0.00	\$3.62	\$4.15	8	Montague	\$0.53	\$0.00	\$0.22	\$0.75	8
Drummond North Elmsley (Calculated)*	\$0.53	\$0.00	\$2.37	\$2.90	9	Perth (North of Highway #7)*	\$0.53	\$0.00	\$0.00	\$0.53	9
Beckwith (Year 1 Phase-in)	\$0.53	\$0.00	\$2.34	\$2.87	10	Mississippi Mills	\$0.53	\$0.00	\$0.00	\$0.53	9
Montague	\$0.53	\$0.00	\$0.22	\$0.75	11	Perth (Municipal Wide)*	\$0.53	\$0.00	\$0.00	\$0.53	9
Drummond North Elmsley (Current)*	\$0.53	\$0.00	\$0.00	\$0.53	12	Drummond North Elmsley (Current)*	\$0.53	\$0.00	\$0.00	\$0.53	9
Lanark Highlands	\$0.53	\$0.00	\$0.00	\$0.53	12	Lanark Highlands	\$0.53	\$0.00	\$0.00	\$0.53	9

\* Currently Undertaking a D.C. Study

\* Currently Undertaking a D.C. Study

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## By-Law Policies


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### 2024 Development Charges Background Study and By-Law

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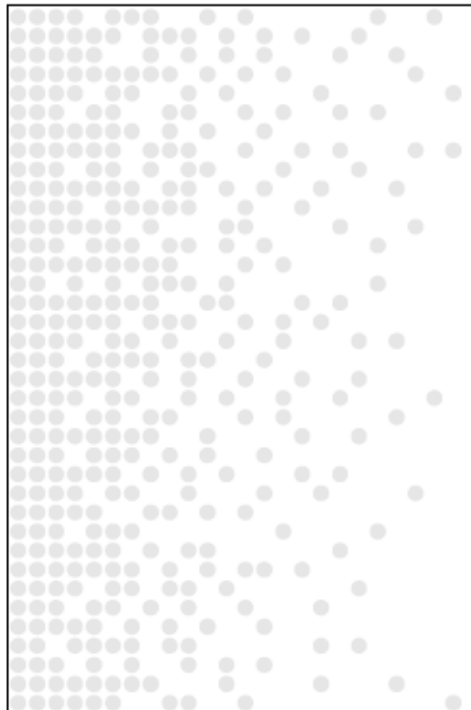
### D.C. Policies



Mandatory (Statutory)	Discretionary (Non-Statutory)
<ul style="list-style-type: none"> <li>• Industrial Building Expansion (one time up to 50%)</li> <li>• Residential Intensification</li> <li>• Municipalities, County, and School Boards</li> <li>• Additional Residential Units (2, can be in ancillary dwelling unit)</li> <li>• Affordable and Attainable Units</li> <li>• Affordable Inclusionary Zoning Units</li> <li>• Non-Profit Housing</li> <li>• Universities receiving ongoing funding from Province</li> <li>• Rental Housing Discount (based on number of bedrooms: 15% to 25%)</li> <li>• Rate Freeze at Site Plan/Rezoning Application for 2 years after approval for applications received and approved between Jan. 1, 2020, and Jun. 5, 2024, plus interest</li> <li>• Rate Freeze at Site Plan/Rezoning Application for 18 months after approval for applications received on or after Jan. 1, 2020, where approval has not been received prior to Jun. 6, 2024, plus interest</li> <li>• Instalment Payments for Rental and Institutional Developments, plus interest (8 instalments beginning at occupancy permit)</li> </ul>	<ul style="list-style-type: none"> <li>• Redevelopment/Conversion Credit (within 2 years of demolition permit)</li> <li>• Green Energy Development with a rated generating capacity of 100 kW or less</li> <li>• <b>Would Council like to include any non-statutory exemptions/discounts/phase-ins/etc. in the draft 2024 D.C. By-Law for:</b> <ul style="list-style-type: none"> <li>• Residential Developments?</li> <li>• Non-Residential Developments?</li> </ul> </li> </ul>

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## Next Steps and Discussion


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### 2024 Development Charges Background Study and By-Law

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### Next Steps



- Council to provide direction related to additional D.C. policies to be included in the draft by-law which will be appended to the background study
- D.C. Background Study (with the Local Service Policy included as an appendix to the report) to Township Council – September 10, 2024
- Release of D.C. Background Study to Public – September 19, 2024
- D.C. Public Meeting – October 22, 2024
- By-Law(s) Passage – November 19, 2024

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Discussion/  
Questions

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**Watson & Associates**  
ECONOMISTS LTD.

**Council Workshop**  
Maberly Pines Subdivision Funding Options

Tay Valley Township  
August 27, 2024

0

## Maberly Pines Development



- The Maberly Pines Subdivision contains a total, of 55 lots of which 7 are already developed and the balance are vacant lots.
- There are 6 local roads required to be developed (Maple Lane, Oak Road, Pond Lane, Pond Road, Red Pine Lane, and Red Pine Road).
- These roads are considered a local service requirement of the developing landowner(s), and as such, are ineligible for inclusion in the Township-wide D.C.s.
- The Township would like to undertake the capital works required for this subdivision in order for development to occur.
- To recover the costs associated with these capital works, the Township has a few options based on available funding tools:
  - Area specific D.C.;
  - Municipal Act Part XII Capital Charge;
  - Property taxes; and/or
  - Other municipal reserves.

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## Maberly Pines – Map of Subdivision



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## Maberly Pines - Capital Funding Tools



- As municipalities have a limited source of tools available to raise revenues to pay for the provision of operating and capital purposes, 2 options have been explored:
  - Area specific Development Charge (A.S.D.C.); and/or
  - Municipal Act Part XII Capital Charge
- The Development Charges Act, provides municipalities with the ability to recover growth-related capital costs to accommodate new growth.
  - Area Specific D.C.s are often used by municipalities where specific works are required related to localized capital works that only benefit a specific area of growth that will derive the benefit from the works. This is occasionally used to assist in constructing local roads, water, wastewater, etc. where there is not one developer that would typically construct these as a condition of their development agreement.
  - Properties that are already developed would be deducted as a benefit to existing and would not be able to be recovered through the A.S.D.C.
- The Municipal Act, Part XII, provides municipalities with broad powers to impose fees and charges for both operating and capital purposes, on developed and undeveloped properties.

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## Maberly Pines – Municipal Act Charges



- Municipal Act capital charges are anticipated to recover an equal share of capital costs associated with those that derive a benefit arising from private services, such as a local/private road.
- To ensure equity among all new users to the municipal services, the Municipal Act capital charge adopts the same approach as that used to calculate Area Specific D.C.s.
- Imposition of the Capital Charge can take place at the time of project completion when the benefit of service is conferred.
- Collection of the Charge can take place:
  - At the time the charge is imposed; or
  - In annual instalments over a defined period (e.g. 3, 5, or 10 years). Interest is typically imposed for instalment payments and is recommended to be set at the rate equivalent to the Municipality's borrowing rate.

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## Maberly Pines – Municipal Act Charges



- Indexing of the Municipal Act Charges:
  - As the Capital infrastructure will be built over a number of years, the Township will be required to pay for the costs in future values. Therefore, indexing of the calculated rates are recommended to ensure the Township is able to recover 100% of their costs in the future.
  - The index recommended is the same as the prescribed index that is in place for the D.C. rates, and it is recommended that any Municipal Act Part 12 Capital Charge, be indexed annually at the same time and rate as the D.C.s.
- Public Process and Appeal of Municipal Act Part XII capital charges
  - There is no public process requirements under Part XII for adopting a by-law (although it is recommended to provide)
  - Unlike D.C.s, Municipal Act capital charges are not appealable to the OLT, on the grounds that the fees or charges are unfair or unjust, however, they may be challenged in court on the basis that the municipality is not operating within its statutory authority.

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## Maberly Pines



- There are local roads that require upgrading in the Maberly Pines Development Area. These roads do not qualify to be included in the Township-wide D.C. as they are considered a local service requirement. As such, for
  - 1) Impose a Part XII Municipal Act Capital Charge on all properties for the cost of the works; or
  - 2) Impose a Part XII Municipal Act Capital Charge on developed properties for the proportionate cost of the works and impose an Area Specific Development Charge on the vacant properties when they develop.
- In either option, the rate will be a flat rate per property.

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## Maberly Pines – Capital Cost and Draft Calculated Rate



- The Township is exploring 2 options to recover the costs for the road improvements and associated hydro costs.
- The estimated costs for the works include surface treated roads, hydro design costs, and associated financing costs (as the Township will need to borrow the funds to construct the works) as follows:

Road Name	From	To	Length (km)	Cost for Surface Treatment (LCB)
Maple Lane	Bolingbroke Road (CR #36)	Dean End	0.2	\$32,300
Oak Road	Red Pine Road	Cul de sac	0.2	\$36,100
Pond Lane	Pond Road	Cul de sac	0.3	\$47,500
Pond Road	Red Pine Road	Cul de sac	0.7	\$123,500
Red Pine Lane	Red Pine Road	Cul de sac	0.9	\$178,600
Red Pine Road	Bolingbroke Road (CR #36)	Dead End	0.3	\$60,800
<b>Sub-Total Road Costs</b>			<b>2.5</b>	<b>\$478,800</b>
Hydro Design Costs				\$5,000
<b>Total Costs</b>				<b>\$483,800</b>
Estimated Financing Costs				\$94,443
<b>Grand Total Costs</b>				<b>\$578,243</b>

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## Maberly Pines – Capital Cost and Draft Calculated Rate



- The calculated rate per property is as follows:

Road Name	Cost for Surface Treatment (LCB)
Grand Total Costs	\$578,243
Total Number of Lots	55
Rate Per Lot	\$10,514

- The calculated rate per lot would be the same if imposed through an area specific D.C. or a Municipal Act Capital Charge.
- If recovered through the Municipal Act Capital Charge, Council may wish to offer a payment plan over a number of years. Interest can be applied to the payment plan. Often, payment plans are offered over a 3-to-10-year period.

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## Next Steps and Discussion

Area Specific Development Charge &/or  
Municipal Act Part XII Capital Charge

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## Next Steps



- Council to provide direction related to the recovery of costs for Maberly Pines through either a:
  - Part XII Municipal Act By-Law for all properties; or
  - Through a Part XII Municipal Act By-law for developed properties and an Area Specific D.C. for undeveloped properties; and
  - Where a Part XII By-Law is recommended, the length of the term of any payment plan to be offered to property owners.
- Release Proposed Maberly Pines Municipal Act Capital Charge Study and/or A.S.D.C. Background Study to Township Council – September 10, 2024
- Release of Maberly Pines Study/Studies to Public – September 19, 2024
- Capital Charge Open House – October 2, 2024
- D.C. Public Meeting – October 22, 2024 (if A.S.D.C. is required)
- By-Law(s) Passage – November 19, 2024

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## Recommendations:



- THAT, the capital works, namely roads and hydro, for the Maberly Pines Subdivision be proposed to be funded through a Municipal Act Capital Charge;
- THAT, a Public Information Session be held on Wednesday, October 2, 2024 at 5:00 p.m. regarding the intent to proceed with the capital works in the Maberly Pines Subdivision;
- AND THAT, the affected property owners in the Maberly Pines Subdivision be invited to the Public Information Session.

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Discussion/  
Questions

# **BY-LAWS**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2024-030

### ESTABLISHMENT OF THE PINEHURST CEMETERY BOARD

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

**AND WHEREAS**, Tay Valley Township is both the licensee and the operator for the Pinehurst Cemetery;

**AND WHEREAS**, Section 11 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**AND WHEREAS**, Section 11 (2) 1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a lower-tier municipality may pass by-laws respecting the governance of the municipality and its local boards;

**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 Pinehurst Cemetery Board be established.

1.2 **THAT**, the Pinehurst Cemetery 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-LAWS RESCINDED

3.1 By-Law No. 1996-021 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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-030**

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 27<sup>th</sup> day of August, 2024.

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**Rob Rainer, Reeve**

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**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-030**

**SCHEDULE "A"**

**PINEHURST CEMETERY BOARD  
TERMS OF REFERENCE**

**MANDATE**

The purpose of the Board is to ensure the administration, operation, care and maintenance of the cemetery is in compliance with the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended.

To fulfill its mandate, it is anticipated the Board will, among other things:

- Develop and keep up to date any by-laws, policies, procedures, forms, records and information for the cemetery.
- Oversee the administration, operation, care and maintenance of the cemetery.

**REPORTING RESPONSIBILITY**

The Board, when required will make recommendations to the Committee of the Whole. Updates from the Board will be communicated to Committee of the Whole on a regular basis by the Council Member representatives, with the minutes of Board meetings being included on the next available Committee of the Whole agenda for information.

**MEMBERSHIP**

The Board shall be comprised of a maximum of six (6) members, preferably the land owner and up to three volunteers that look after the day-to-day operations. Replacement members can be appointed, if needed, during the course of the term. Two members shall be Council Members, one of which will serve as Chair. The Clerk or designates shall act as resource person to the Board.

**MEETINGS**

The Board shall meet as required throughout the year, with a minimum of two (2) meetings per year. Agendas will be posted on the Municipal website one week prior to the meeting. The Clerk or designate will serve as Recording Secretary. Meeting Minutes will be action-only and will record those members in attendance and any topics discussed. A quorum of members (majority) will be required for a meeting to take place. All meetings will be open to the public. Meetings will generally occur at the Municipal Office.

## **TERM**

The term of appointment shall be for the term of Council at the pleasure of Council and will continue until such time as new Board members are appointed by a new Council following a regular municipal election. Re-appointment is encouraged to facilitate continuity.

Resignations from the Board must be in writing. However, failure to attend three (3) successive meetings without being authorized to do so by resolution of the Board will result in the Members seat on the Board becoming vacant.

## **POLICIES AND PROCEDURES**

The Board will adhere to the policies and procedures of the Municipality, including but not limited to:

- Criminal record Check Policy;
- Code of Conduct for Council and Local Boards;
- Health and Safety Policy;
- Procedural By-Law;
- Respect in the Workplace Policy.



# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2024-031

### PINEHURST CEMETERY BY-LAW

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

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

**AND WHEREAS**, the Pinehurst Cemetery Board was originally established prior to amalgamation by Bathurst Township By-Law No. 1996-0021, to oversee the administration, operation, care and maintenance of the Pinehurst Cemetery;

**AND WHEREAS**, the Pinehurst Cemetery Board's establishment was confirmed by By-Law No. 2024-030;

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

#### 1. DEFINITIONS

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

- 1.6 “Cemetery Board”** – shall mean the Pinehurst Cemetery Board as established by By-Law No. 2024-030 of the Corporation of Tay Valley Township.
- 1.7 “Cemetery Operator (and Cemetery Owner)”** – shall mean the Corporation of Tay Valley Township.
- 1.8 “Grave” (also known as a Lot)** – shall mean one inground burial space intended for the interment of a child, adult or cremated human remains.
- 1.9 “Interment”** - shall mean the opening of a Lot and then the placement of human remains, or cremated human remains in that Lot, followed by closing the Lot.
- 1.10 “Interment Right”** – shall mean the right to require or direct the interment of human remains or cremated human remains in a Grave or Lot and to authorize the installation of a monument or marker.
- 1.11 “Interment Rights Certificate”** – shall mean document issued by the Cemetery Operator to the purchaser once the Interment Rights to a specific Lot have been paid in full, identifying ownership and authority over those specific Interment Rights.
- 1.12 “Interment Rights Holder”** – shall mean the person(s) authorized or entitled to inter human remains in a specified Lot. They may be the person named in the Interment Rights Certificate or such other person to whom the rights have been assigned.
- 1.13 “Lot”** – shall mean a single Grave space.
- 1.14 “Marker”** – shall mean any permanent memorial structure – monument, plaque, headstone, cornerstone or other structure or ornament affixed or intended to be affixed to a burial Lot or other structure or place intended for the deposit of human remains and may be used to indicate the location of a burial.
- 1.15 “Pleasure ORV”** – shall mean a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel, (a) on not more than three wheels, or (b) on more than three wheels and being of a prescribed class of vehicle, and not used for the operation of the Cemetery.
- 1.16 “Plot”** – shall mean two or more Lots in respect of which the rights to inter have been sold as a unit.
- 1.17 “Registrar”** – means the registrar appointed under the Act.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

**1.18 “Treasurer”** – shall mean the Treasurer or designate duly appointed by the Municipality as prescribed in Section 286 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**2. GENERAL INFORMATION**

**2.1 Hours of Operation**

2.1.1 Visitation Hours: Daylight hours.

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

2.1.3 Office Hours: To view cemetery records.

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

2.1.4 After Hours: Person in Charge of Day-to-Day Operations  
Jay Playfair  
613-267-5425

**2.2 General Conduct**

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

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

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

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

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

- 2.2.6 Owners of vehicles shall be responsible for any damages done by them or their drivers.
- 2.2.7 No Pleasure ORV's or snowmobiles are allowed in the Cemetery.
- 2.2.8 Pets or other animals, including cremated animal remains, are not allowed to be buried on Cemetery grounds.
- 2.2.9 Dogs or other domestic pets are not permitted in the Cemetery, with the exception of Service Animals as outlined in the Municipality's Accessibility Policy.
- 2.2.10 Children under the age of 12 years are not permitted on the grounds of the Cemetery except under the charge of an adult who shall be responsible for their appropriate behaviour.

**2.3 Liability**

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

**2.4 Public Register**

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

**2.5 Right to Re-Survey**

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

**3. DONATIONS**

**3.1 Donations**

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

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

**3.2 Bequest**

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

**3.3 Memorial Services**

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

**4. SALE AND PURCHASE OF INTERMENT**

**4.1 Rights of Interment Rights Holders**

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

**4.2 Fees for Interment**

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

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

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

**4.3 Payments**

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

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

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

**4.4 Documentation Provided to Purchaser**

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

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

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

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

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

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

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

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

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

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

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

4.7.1 The resale of Interment Rights to a third party is prohibited.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

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

**4.8 Abandoned Interment Rights**

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

**5. CONFIRMATION OF INTERMENT RIGHTS**

- 5.1 Interment Rights Holders may confirm burial locations for themselves or their family members in specific Lots or Plots.
- 5.2 All confirmations are to be completed through a member of the Cemetery Board.

## **THE CORPORATION OF TAY VALLEY TOWNSHIP BY-LAW NO. 2024-031**

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

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

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

### **6. INTERMENTS**

#### **6.1 Authorization**

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



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

**6.2 Documentation Provided to Purchaser**

6.2.1 The purchaser, after entering in a contract for Interment Rights will be provided with the following documents:

- an Interment Rights Certificate; and
- a copy of the signed contract for Interment Rights detailing the obligations of both parties.

**6.3 Payment**

6.3.1 Persons requesting Interments in Lots or Plots shall be held responsible for any charges incurred.

6.3.2 Payment must be made to the Cemetery Board before a Burial can take place unless payment has already been made to the funeral home.

**6.4 Opening and Closing Graves**

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

**6.5 General Provisions**

6.5.1 Human remains to be buried in a grave must be enclosed in a container, sealed securely and of sufficient strength to permit burial with the container remaining intact.

6.5.2 Not more than one (1) burial of human remains and one (1) burial of cremated remains on top of the human remains, or two (2) burials of cremated human remains may be made in any single Lot.

6.5.3 A member of the Cemetery Board shall be given a minimum of forty-eight (48) hours notice for each burial.

**7. MEMORIALIZATION**

7.1 No Marker shall be erected or permitted on a Lot until all charges have been paid in full and/or a permit is obtained from a member of the Cemetery Board.

7.2 No Marker of any description shall be placed, moved, altered, or removed without permission from a member of the Cemetery Board.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

- 7.3** Within thirty (30) days of the purchase of a Plot, it is the responsibility of the Interment Rights Holder to supply four (4) cornerstones (Plot Markers) to be installed by a member of the Cemetery Board.
- 7.4** Minor scraping of the monument base of an upright monument due to grass/lawn maintenance is considered normal wear and tear.
- 7.5** The Cemetery Board will take reasonable precautions to protect the property of Interment Rights Holders, but it assumes no liability for the loss of, or damage to any Marker, or part thereof.
- 7.6** Markers are owned by the Interment Rights Holder and the Cemetery Board or Cemetery Operator is not responsible for their loss or deterioration. These memorials should be protected by the Interment Rights Holder's own insurance coverage.
- 7.7** The Cemetery Board reserves the right to determine the maximum size of Markers, their number and their location on each Lot or Plot. They must not be of a size that would interfere with any future interments.
- 7.8** All foundations for Markers shall be built by the monument company at the expense of the Interment Rights Holder.
- 7.9** Should any Marker present a risk to public safety because it has become unstable, the Cemetery Board shall do whatever it deems necessary by way of repairing, resetting, or laying down the Marker or any other remedy to remove the risk.
- 7.10** The Cemetery Board reserves the right to remove at its sole discretion any Marker or inscription which is not in keeping with the dignity and decorum of the Cemetery as determined by the Cemetery Board.
- 7.11** A Marker shall be erected only after the specific design plans have been approved by a member of the Cemetery Board including: dimensions, material of structure, construction details, and proposed location.
- 7.12** The minimum thickness for flat Markers including footstones is 4 inches or 10 cm.
- 7.13** No monument shall be delivered to the Cemetery for installation until the monument foundation has been completed, and the Interment Rights Holder(s) and/or retailer have been notified by a member of the Cemetery Board.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
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**7.14** The placement of a Marker shall not interfere with future interments.

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

Single Lot: 3' x 9' long

Double Lot: 6' x 9' long

**7.16** One (1) casket and (1) urn on top of the casket or two (2) urns may be placed in each Lot.

**8. CARE AND PLANTING**

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

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

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

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

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

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

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
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**9. ITEMS THAT ARE PROHIBITED AND PERMITTED**

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

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

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

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

**11. FINANCIALS**

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

**12. CARE AND MAINTENANCE FUND**

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-031**

**13. AMENDMENT OF BY-LAW**

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

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

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

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

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

**14. ULTRA VIRES**

**14.1** 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.

**15. BY-LAWS REPEALED**

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

**16. EFFECTIVE DATE**

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

**16.2** ENACTED AND PASSED this 27<sup>th</sup> day of August, 2024.

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**Robert Rainer, Reeve**

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**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2024-032

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (AVERY) (PART LOT 5, CONCESSION 11, GEOGRAPHIC TOWNSHIP OF BATHURST)

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

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

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

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

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Rural (RU) to Residential (R) on a portion of the lands legally described as Part Lot 5, Concession 11, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll # 0911916030333101), 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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-032**

**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 27<sup>th</sup> day of August, 2024.

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**Robert Rainer, Reeve**

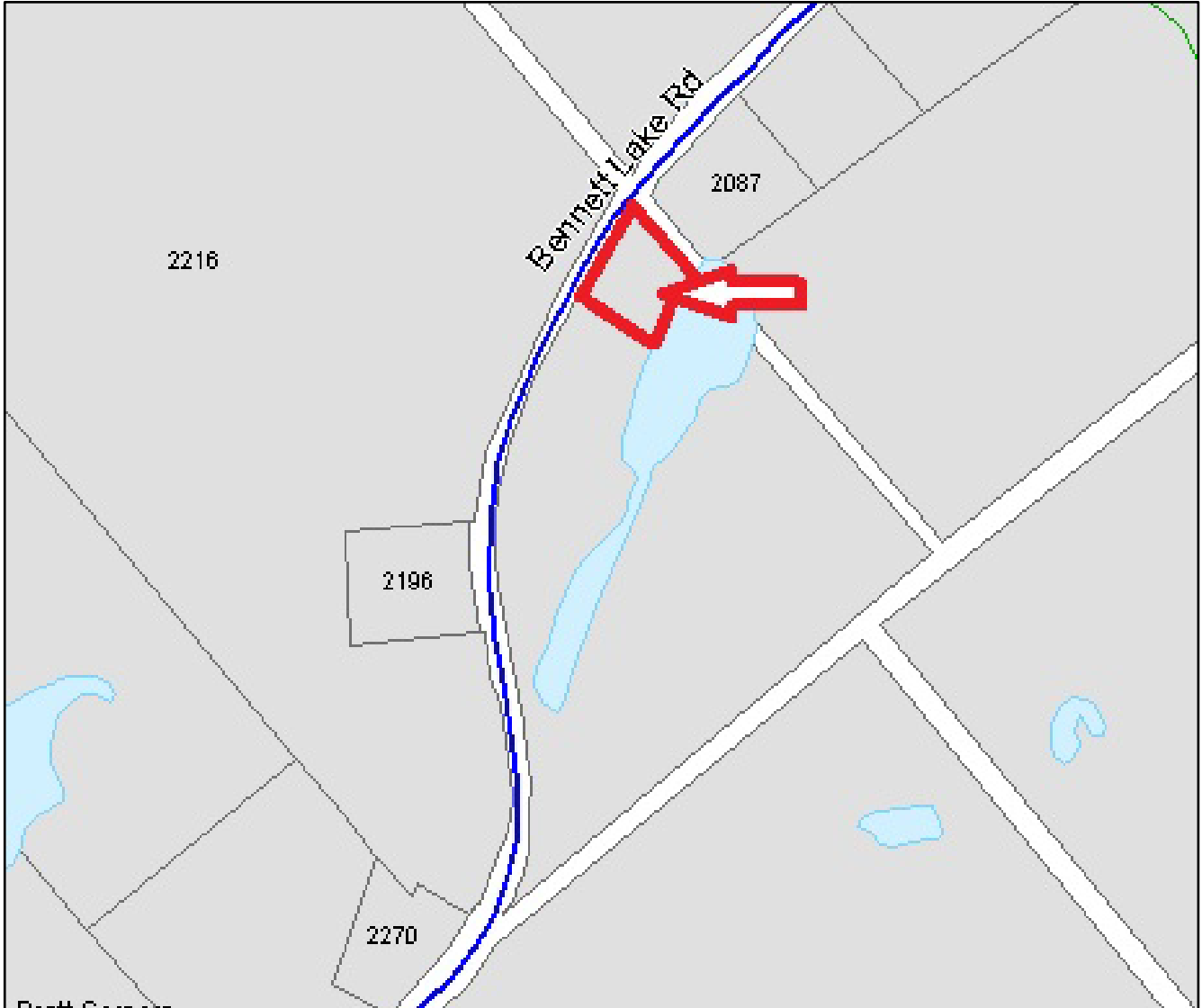
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**Amanda Mabo, CAO/Clerk**



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-032**

**SCHEDULE "A"**

Avery – Bennett Lake Road  
Part Lot 5, Concession 11  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law  
To amend the Zoning from Rural (RU)  
to Residential (R)

Certificate of Authentication  
This is Schedule "A" to By-Law 2024-032  
passed this 27<sup>th</sup> day of August 2024.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2024-033

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (1000654129 ONTARIO INC– 30 HIGHWAY 511) (PART LOT 27, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF BATHURST)

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**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 General Industrial Special Exception-4 (M-4) to General Commercial (C) on a 1.9 ha lot legally described as Part Lot 27, Concession 3, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll # 091191601542500), 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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-033**

**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 RESCINDED**

**3.1** By-Law No. 2023-055 and 2022-041 are 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 27<sup>th</sup> day of August, 2024.

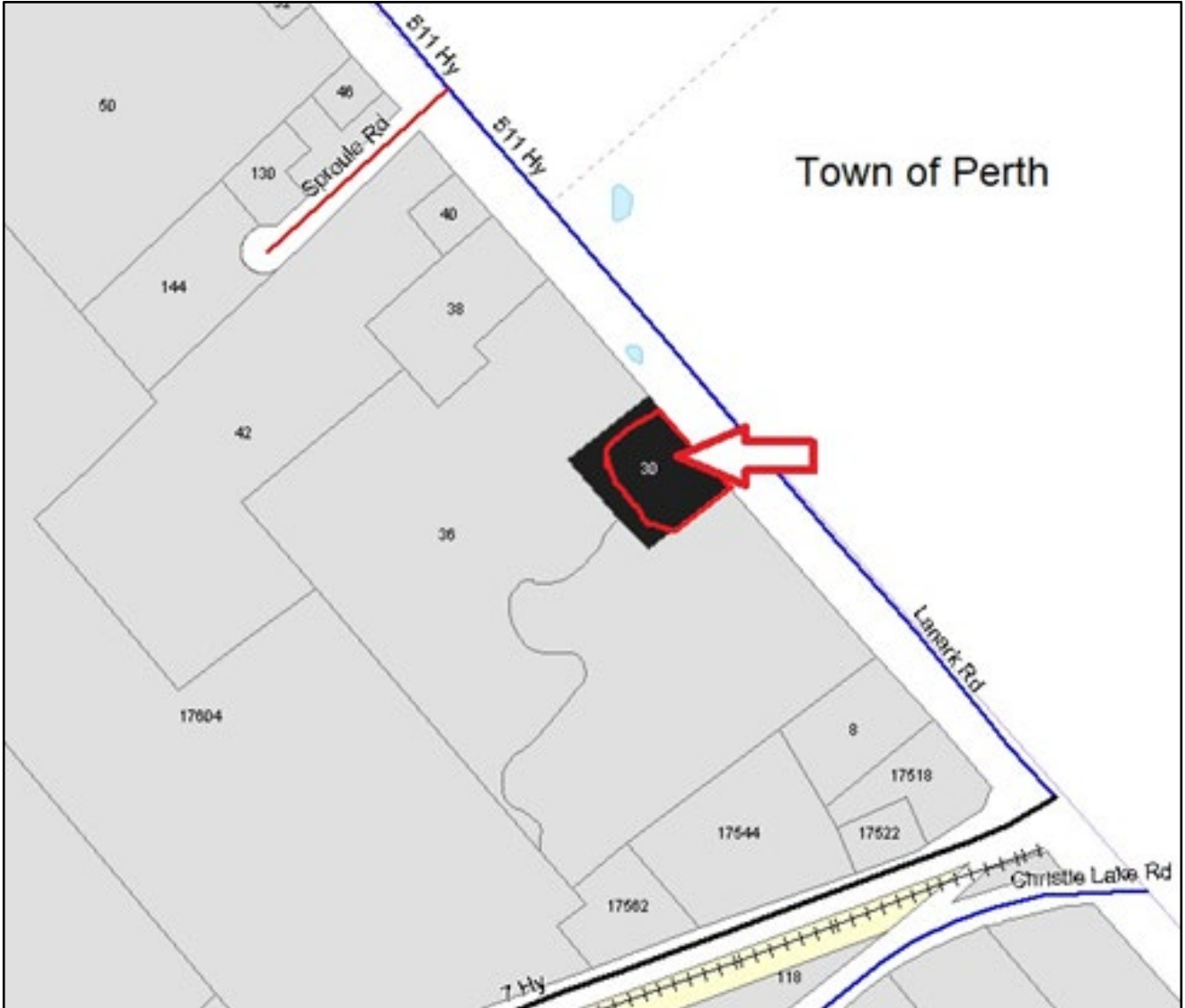
\_\_\_\_\_  
**Rob Rainer, Reeve**

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**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2024-033**

**SCHEDULE "A"**

1000654129 Ontario Inc. – 30 Highway 511  
Part Lot 27, Concession 3  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law  
To amend the Zoning from  
General Industrial Special Exception-4 (M-4)  
to General Commercial (C).

Certificate of Authentication  
This is Schedule "A" to By-Law 2024-033  
passed this 27<sup>th</sup> day of August 2024.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

# THE CORPORATION OF TAY VALLEY TOWNSHIP

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## BY-LAW NO. 2024-034

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

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**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 27<sup>th</sup> day of August, 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. 2024-034**

**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 27<sup>th</sup> day of August 2024.

\_\_\_\_\_  
**Rob Rainer, Reeve**

\_\_\_\_\_  
**Amanda Mabo, Clerk**