



## COMMITTEE OF THE WHOLE MINUTES

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**Tuesday, November 5<sup>th</sup>, 2024**

**Immediately following the Public Meetings 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 Wayne Baker  
Reeve Rob Rainer  
Deputy Reeve Fred Dobbie  
Councillor Greg Hallam  
Councillor Korrine Jordan  
Councillor Keith Kerr  
Councillor Marilyn Thomas

**Staff Present:** Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk  
Sean Ervin, Public Works Manager (left at 7:55 p.m.)  
Noelle Reeve, Planner

**Regrets:** Councillor Angela Pierman

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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 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) – September 10<sup>th</sup>, 2024.**

The minutes of the Public Meeting – Zoning By-Law Amendment(s) held on September 10<sup>th</sup>, 2024, were approved.

ii) **Public Meeting: Development Charges Update – October 22<sup>nd</sup>, 2024.**

The minutes of the Public Meeting – Development Charges Update held on October 22<sup>nd</sup>, 2024, were approved.

#### 5. DELEGATIONS & PRESENTATIONS

i) **Delegation: Elliot Road Railway Crossing.**

R. Redner gave the presentation that was attached to the agenda.

Recommendation to Council:

“**THAT**, staff bring back a report regarding upgrading the Elliot Road railway crossing in response to the delegation on November 5<sup>th</sup>, 2024.”

ii) **Delegation: Noise By-Law.**

J. Hodges provided a summary of ongoing noise related concerns regarding a neighbouring property – *attached, page 10.*

The Chief Administrative Officer/Clerk suggested that a five (5) year review of the Zoning By-Law is coming up as early as January 2025. It was suggested that staff bring suggestions back as part of that review and make recommendations to Council.

Recommendation to Council:

“**THAT**, as part of the Zoning By-Law 5-Year Review, staff explore options that could mitigate excessive noise and dust disturbances from neighbouring properties.”

iii) **Delegation: Noise By-Law.**

Peter Wright, Resident.

P. Wright gave the presentation that was attached to the agenda.

Recommendation to Council:

“**THAT**, staff bring back a report on implementing a noise by-law in response to the two delegations on November 5<sup>th</sup>, 2024 regarding excessive noise.”

iv) **Delegation: Maberly Pines – Capital Charge.**

F. Johnson gave an updated presentation – *attached page 11.*

A Member acknowledged that Private Unassumed Roads (PUR) has been a difficult item last term of Council and this term of Council there has been progress forward. It was stressed that all PUR's are not the same and need to be addressed individually to understand the needs and demands of each.

It was noted that some PURs are short roads with few residents where others, such as Maberly Pines Subdivision, is mostly undeveloped with multiple roads, more than fifty (50) lots, and requiring large amounts of planning and work to develop.

While the Township has limited staff to address the PUR files, the Chief Administrative Officer/Clerk encourages the public to contact staff to discuss PUR's on a case by case basis.

Recommendation to Council:

**“THAT**, the delegation dated November 5<sup>th</sup>, 2024 regarding the Little Silver and Rainbow Lakes Property Owners Association's Comments on the Maberly Pines – Capital Charge, be received for information.”

The Committee recessed at 7:05 p.m.

The Committee returned to session at 7:12 p.m.

**6. PRIORITY ISSUES**

i) **Report #CAO-2024-29 – Maberly Pines Subdivision – Capital Charge.**

Recommendation to Council

**“THAT**, staff be authorized to proceed with the hydro design for the Maberly Pines Subdivision for an estimated cost of \$5,000 and obtain an installation date from Hydro One.”

Recommendation to Council

**“THAT**, a tender to complete the brushing and road base work in 2025 and the surface treatment in 2026 for the Maberly Pines Subdivision be issued in the first quarter of 2025 so that more accurate pricing can be obtained;

**THAT**, the Fire Department provide a recommendation and costing with regards to the fire suppression required for the Maberly Pines Subdivision;

**AND THAT**, this information be provided to Council no later than the April 2025 Committee of the Whole meeting.”

ii) **Report #CAO-2024-30 – Proposed New Road Name – Legacy Lane.**

Recommendation to Council:

“**THAT**, the necessary by-law to name an existing Private Road to Legacy Lane as outlined in Report #CAO-2024-30 – Proposed New Road Name – Legacy Lane, be brought forward for approval.”

iii) **Report #FIN-2024-13 – Development Charges Background Study & By-Law Update.**

Recommendation to Council:

“**THAT**, the necessary by-law to impose development charges effective November 19<sup>th</sup>, 2024 for a term of ten (10) years be brought forward to the next Council meeting.”

iv) **Report #PW-2024-20 – North Burgess 8<sup>th</sup> Concession – Speed Limit.**

Recommendation to Council:

“**THAT**, the speed limit on North Burgess 8<sup>th</sup> Concession, between Otty Lake Side Road and the dead end be posted at 40 km/hr and signed according to the Ontario Traffic Manual- Book 6;

**AND THAT**, By-Law No. 2018-035 - Maximum Rate of Speed be amended and brought forward at a subsequent Council meeting.”

v) **Report #PW-2024-21 – H. Mather Drain Maintenance – Tender Award.**

Recommendation to Council:

“**THAT**, Tender #2024-PW-008 – H. Mather Drain Maintenance be cancelled;

**AND THAT**, the Tender be reissued with a reduced scope of work and/or modified schedule.”

vi) **Report #PW-2024-19 – Waste Site Hours of Operation – Update.**

Recommendation to Council:

“**THAT**, the operating hours at the Glen Tay Waste Site be changed to 8am to 4pm on Mondays, effective January 1<sup>st</sup>, 2025, subject to Ministry approval.”

The Public Works Manager left at 7:55 p.m.

vii) **Report #PD-2024-14 – Sewage System Maintenance Systems.**

Recommendation to Council:

“**THAT**, Tay Valley Township enter into an Agreement for the provision of septic inspection services with the Rideau Valley Conservation Authority, a copy of which forms Attachment #2 to this report.”

viii) **Report #PD-2024-15 – Mississippi-Rideau Source Protection Plan – Proposed Amendments.**

Recommendation to Council:

“**THAT**, the comments contained in Report #PD-2024-11 be submitted to the Mississippi-Rideau Source Protection Committee via marika.livingston@mrsourcewater.ca in response to the Committee proposals to update the Mississippi-Rideau Source Protection Plan, Assessment Reports and Explanatory Document.”

ix) **Mississippi Valley Conservation Authority Board – Resignation.**

Recommendation to Council:

“**THAT**, Korrine Jordan be removed from the Mississippi Valley Conservation Authority Board.”

x) **Council Appointment to Mississippi Valley Conservation Authority Board.**

Recommendation to Council:

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

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

Recommendation to Council:

“**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:

- Cheryl Burnham
- Angela Kalbun.”

## 7. CORRESPONDENCE

i) **Big Rideau Lake Association – Bass Spawning Sanctuaries.**

Recommendation to Council:

“**THAT**, The Council of the Corporation of Tay Valley Township support the Big Rideau Lake Association’s efforts with the Fisheries Conservation Foundation (FCF) to expand spawning sanctuaries in Big, Upper and Lower Rideau Lakes regarding the goal of protecting bass from population loss during preseason catch;

**AND THAT**, the Reeve sign a letter acknowledging the importance of bass fishing and the potential economic impacts if fishing activities are adversely impacted.”

ii) **Establishment of an Ontario Rural Road Safety Program.**

Recommendation to Council:

“**WHEREAS**, official statistics from the Government of Ontario confirm that rural roads are inherently more dangerous than other roads;

**AND WHEREAS**, despite only having 17% of the population, 55% of the road fatalities occur on rural roads;

**AND WHEREAS**, rural, northern, and remote municipalities are fiscally strained by maintaining extensive road networks on a smaller tax base;

**AND WHEREAS**, preventing crashes reduces the burden on Ontario’s already strained rural health care system;

**AND WHEREAS**, roadway collisions and associated lawsuits are significant factors in runaway municipal insurance premiums

**AND WHEREAS**, preventing crashes can have a significant impact in improving municipal risk profiles;

**NOW THEREFORE BE IT RESOLVED THAT**, Tay Valley Township requests that the Government of Ontario take action to implement the rural road safety program that Good Roads has committed to lead, which will allow Ontario’s rural municipalities to make the critical investments needed to reduce the high number of people being killed and seriously injured on Ontario’s rural roads;

**THAT**, a copy of this resolution be forwarded to Premier Doug Ford, Honorable Prabmeet Sarkaria, Minister of Transportation, Honorable King Surma, Minister of Infrastructure, Honorable Rob Flack, Minister of Agriculture, Honorable Lisa Thompson, Minister of Rural Affairs, Honorable Trevor Jones, Associate Minister of Emergency Preparedness and Response, and Honorable Sylvia Jones, Minister of Health, and Good Roads;

**AND THAT**, this resolution be circulated to all municipalities in Ontario requesting their support.”

iii) **24-10-30 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 24-10-30 Council Communication Package be received for information.”

## 8. COMMITTEE, BOARD & EXTERNAL ORGANIZATION UPDATES

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

ii) **Committee of Adjustment**

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

iii) **Fire Board** – *deferred to the next meeting.*

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

v) **Pinehurst Cemetery Board.**

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

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

vii) **Green Energy and Climate Change Working Group** – *deferred to the next meeting.*

viii) **Mississippi Valley Conservation Authority Board** – *deferred to the next meeting.*

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.**

The Reeve reported that:

- the septic waste capacity resolution forwarded to Lanark County Council following the September 24<sup>th</sup> Council Meeting was recently on the County Agenda. There was majority support that County act on the issue.
- the Blakeney Bridge replacement project in Mississippi Mills has been delayed due to water levels being too high and too strong to allow the contractor to perform the required work.
- there was a presentation on a proposed Cavanagh aggregate pit near Tay Valley Township's norther border. There is a geological feature there that results in uranium deposits and Health Canada may be brought in to assess safety of the project.

The Deputy Reeve reported that:

- Terry McCann, Director of Public Works for Lanark County announced his retirement, effective in six (6) months.
- notice was received from Lanark County's Deputy Clerk that a 2025 Draft Budget review has been scheduled for November 22<sup>nd</sup>, 2024.

**9. CLOSED SESSION**

None.

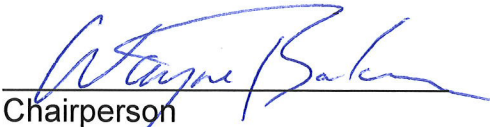
**10. DEFERRED ITEMS**

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

- *None.*

**11. ADJOURNMENT**

The Committee adjourned at 8:17 p.m.

  
Chairperson

  
Aaron Watt, Deputy Clerk



# **DELEGATIONS & PRESENTATIONS**

Presentation to Council regarding the need for a setback to guard against noise and dust.

Nov 5, 2024

John Hodges

Nature of the problem

- non compatible use of property neighbouring ours
- neighbour uses his field adjacent to our home as a soil/gravel/rock storage site for his business. (he recently brought in 25 or so loads of soil)
- this means he is coming and going at all hours of the day, sometimes into the late evening
- periodically, he either processes this material himself or contracts another company to do it
- processing means 4 or more vehicles (tractors, loaders, bobcats, etc) as well as dump trucks are working in that area and coming and going up and down the road.
- this is very noisy and dusty.

He is storing the material as close to the road as the property line. This means the material is as close as 15 metres from our home, and the vehicles are often as close as that.

There is a long history of this problem - 5 and more years, going back to the site being used as a storage/dump area for the unwanted/waste fill from the Otty Lake Side Road refurbishment.

We have tried many ways to try and resolve this problem, but the Township has argued that he has the right to use this area as he has been because he says he is using this material for his own use.

If he has this right, it only seems reasonable to oblige him to act respecting some reasonable set backs from the property line. Although this will not stop the vehicles from coming and going, it will allow us a measure of peace when he is using the field.

We propose a minimum 100 metre set back from the property line.

Thank you for your consideration



*little silver and  
rainbow lakes  
property owners  
association*

# Comments on Maberly Pines Subdivision

Submitted by Little Silver and Rainbow Lakes  
Property Owners' Association.

5<sup>th</sup> November 2024



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rainbow lakes  
property owners  
association*

## Why comment now?

- a) FAQ #30: "Other subdivisions will be treated in the same way".
- b) Comments were invited after information session.
- c) Draft required last Tuesday, before OLT Hearing and COW material.
- d) Agenda item to begin tender process.



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rainbow lakes  
property owners  
association*

## Appeal to the OLT

- **Our appeal was allowed**
- **Our amendment of the by-law approved**
- **18 Months of effort**
- **Cost to taxpayers over ~\$100,000**



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rainbow lakes  
property owners  
association*

## Resolution of the “unassumed roads” is long awaited.

- a) Township initiative is welcomed.
- b) The considerable efforts to prepare the proposal are appreciated.  
*However:*
- c) “... property owners **seemed** to be **on-board** with the **concept**” ??
- d) Some concerns at Information Session were heard, but others not

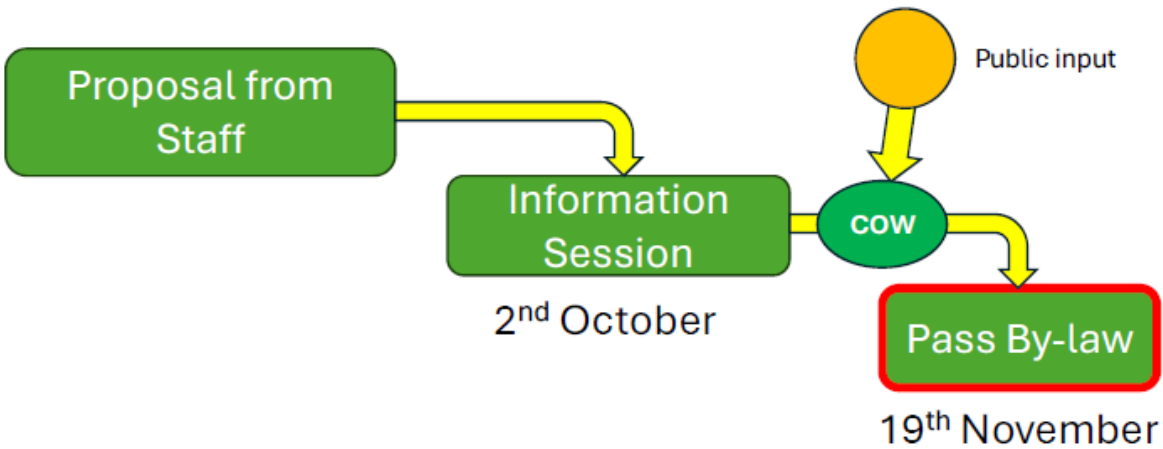


# Issues with Documentation

## CAO 2024-29 FAQ -- Heatmap



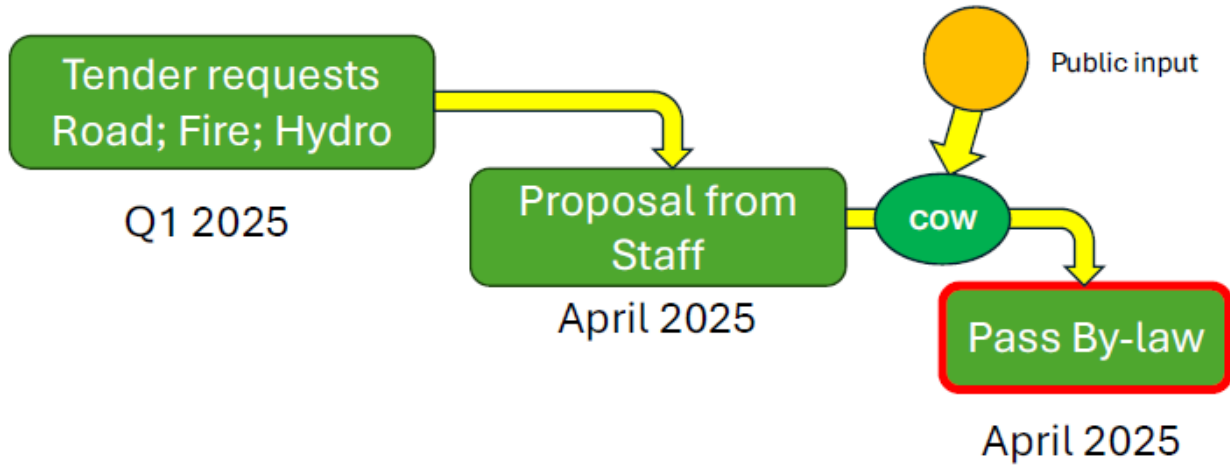
## The process seen 2<sup>nd</sup> Oct:





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## The revised project, plan B:



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## Shortcomings of Plan B?





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## Potential Consequences?

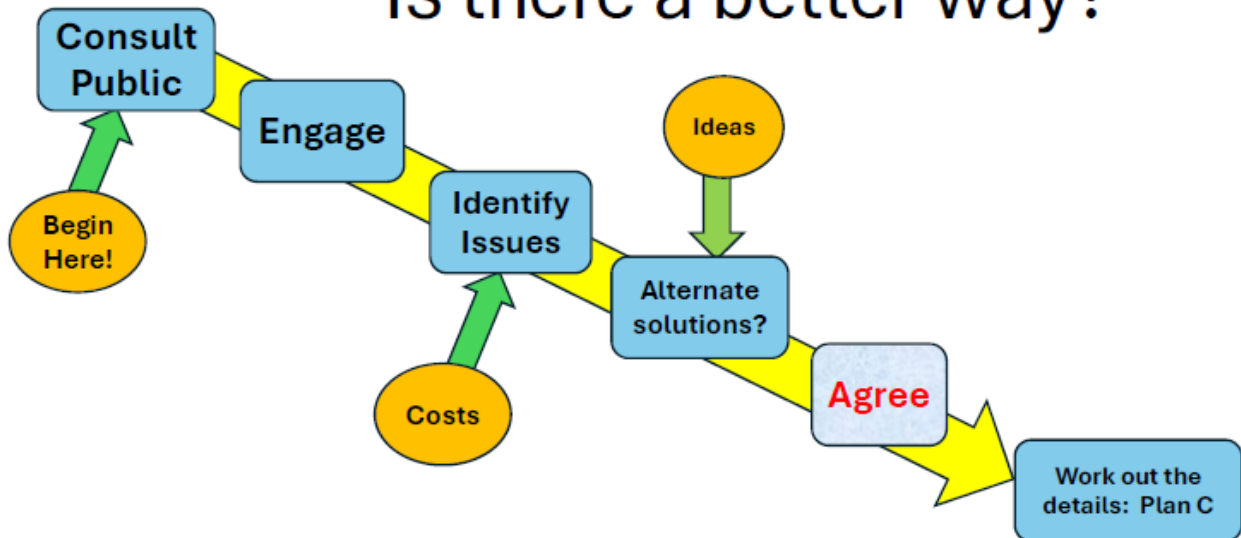


Recall FAQ#5 “No option but to appeal”  
Appeals are very costly for everyone



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## Is there a better way?





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“Our money, Our Future, Our right to know”



*A growing concern...*



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## Checklist: Keep the PACE

- Place this by-law on hold.
- Aspire to majority support?
- Consultation to explore options?
- Examine different funding models?





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property owners  
association*

## Finally: Engage the **WIDER** Community

- **Work together** to solve this
- **Increase** the property taxbase
- **Demonstrate** public appreciation
- **Engage** with elected councillors
- **Recoup** the benefits for everyone