



## COUNCIL MEETING AGENDA

Tuesday, April 22<sup>nd</sup>, 2025  
6:00 p.m.

Municipal Office – Council Chambers – 217 Harper Road

---

6:00 p.m. *Council Meeting*

***Chair, Reeve Rob Rainer***

**1. CALL TO ORDER**

**2. AMENDMENTS/APPROVAL OF AGENDA**

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

**4. APPROVAL OF MINUTES**

- i) **Council Meeting – March 25<sup>th</sup>, 2025 – *attached, page 9.***

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, the minutes of the Council Meeting held on March 25<sup>th</sup>, 2025, be approved as circulated.”*

- ii) **Committee of the Whole Meeting – April 8<sup>th</sup>, 2025 – *attached, page 18.***

*Suggested Motion by Councillor Korrine Jordan:*

*“THAT, the minutes of the Committee of the Whole Meeting held on April 8<sup>th</sup>, 2025, be approved as circulated.”*

- iii) **“Special” Council Meeting – April 15<sup>th</sup>, 2025 – *attached, page 24.***

*Suggested Motion by Deputy Reeve Fred Dobbie:*

*“THAT, the minutes of the “Special” Council Meeting held on April 15<sup>th</sup>, 2025, be approved as circulated.”*

**5. DELEGATIONS & PRESENTATIONS**

None.

## 6. CORRESPONDENCE

None.

## 7. MOTIONS

### i) **2024 Septic System Re-Inspection Program Annual Report.**

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, the 2024 Septic System Re-Inspection Program Annual Report be received for information.”*

### ii) **Report #PD-2025-06 – Lanark County Official Plan Update – Aggregates.**

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, the Council of Tay Valley Township submits the following feedback to Lanark County regarding the Lanark County Official Plan Update – Aggregates:*

*Q1 – Recommendation:*

*Alternative 1 - Because extraction is of such significance, decisions on new pits should remain at the level of the County for approval and definitely not simply require a rezoning amendment. However, closing a pit could be delegated to the lower tier for an Official Plan amendment to remove the designation.*

*Q2 – Recommendation:*

*No. The County should not identify tertiary resources at this time as this mapping could impede development by requiring individuals to undertake expensive studies for areas that do not appear to have high value if they want to obtain a building permit.*

*Q3 – Recommendation:*

*The County should identify additional bedrock areas with less than 8m of drift over them, through local knowledge.*

*Q4 – Recommendation:*

*Option 5 (modified) – In addition to the lands identified in Option 4, remove lands a certain distance from major lakes, rivers and from settlement areas.*

*Q5 – Recommendation:*

*Options 2 and 3 be permitted.”*

### iii) **Report #PD-2025-07 – Better Homes Lanark Program - Funding For Energy Audit.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, a loan of up to \$600 to assist property owners with low income or energy poverty to cover the upfront cost of the energy audit for the Better Homes Lanark Program be provided by the Township;*

**AND THAT**, this amount be payable back to the Township once the property owner's application for the Better Homes Lanark Program is approved."

iv) **Report #FIN-2025-07 – 10-Year Capital Plan.**

*Suggested Motion by Councillor Keith Kerr:*

**“THAT**, staff launch a survey with respect to levels of service to provide feedback for the Asset Management Plan update to meet the requirements of Ontario Regulation 588/17.”

v) **Report #FIN-2025-06 – 2025 Tax Rates.**

*Suggested Motion by Councillor Greg Hallam:*

**“THAT**, Report #FIN-2025-06 – 2025 Tax Rates, be received for information.”

vi) **Report #PW-2025-07 – Drainage Superintendent.**

*Suggested Motion by Councillor Korrine Jordan:*

**“THAT**, Request for Proposal (RFP) #2025-PW-003 - Engineering Services for Municipal Drainage & Drainage Superintendent be awarded to Robinson Consultants;

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

vii) **Report #PW-2025-07 – Drainage Superintendent.**

*Suggested Motion by Deputy Reeve Fred Dobbie:*

**“THAT**, Eldon Hutchins be appointed as Tay Valley Township's Drainage Superintendent,

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

viii) **Report #PW-2025-08 – Maintenance Gravel - Tender Award.**

*Suggested Motion by Councillor Marilyn Thomas:*

**“THAT**, Tender #2025-PW-005 for Maintenance Gravel be awarded to Thomas Cavanagh Construction Limited for the amount of \$760,690.43 for 2025 and 2026;

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

- ix) **Report #CAO-2025-12 - Recreation Activities, Programs and Services Overview.**  
*Suggested Motion by Councillor Angela Pierman:*  
*“THAT, Report #CAO-2025-12 – Recreation Activities, Programs and Services Overview, be received as information.”*
  
- x) **Report #CAO-2024-10 – 2024 Municipal Report Card.**  
*Suggested Motion by Councillor Wayne Baker:*  
*“THAT, Report #CAO-2025-10 – 2024 Municipal Report Card, be received for information.”*
  
- xi) **Report #CAO-2025-11 – Mid-Term Strategic Plan Update.**  
*Suggested Motion by Councillor Greg Hallam:*  
*“THAT, Report #CAO-2025-11 – Mid-Term Strategic Plan Update, be received for information.”*
  
- xii) **Report #CAO-2025-13 – Lanark County OPP Detachment Police Services Board – Council Appointee.**  
*Suggested Motion by Councillor Keith Kerr:*  
*“THAT, Greg Hallam for Tay Valley Township be appointed as the Council representative to the Lanark County OPP Detachment Police Services Board for the remainder of the term of Council.”*
  
- xiii) **25-04-02 – Council Communication Package.**  
*Suggested Motion by Councillor Korrine Jordan:*  
*“THAT, the 25-04-02 Council Communication Package be received for information.”*

## 8. BY-LAWS

- i) **By-Law No. 2025-018 – Restrict the Common Law Right of Passage Over A Highway – Elliot Road – *attached, page 28.***  
  
*Suggested Motion by Deputy Reeve Fred Dobbie:*  
*“THAT, By-Law No. 2025-018, being a by-law to restrict the common law right of passage over a highway (Elliot Road), be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”*

- ii) **By-Law No. 2025-019 – Appoint a Drainage Superintendent and Authorized Drainage Representative (Robinson Consultants Inc & Eldon Hutchins) – attached, page 30.**

*Suggested Motion by Councillor Marilyn Thomas:*

*“THAT, By-Law No. 2025-019, being a by-law for the appointment of Drainage Superintendent (Robinson Consultants) and Authorized Drainage Representative (Eldon Hutchins) be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”*

- iii) **By-Law No. 2025-020 – Zoning Amendment – Schacht – attached, page 32.**

*Suggested Motion by Councillor Angela Pierman:*

*“THAT, By-Law No. 2025-020, being a by-law to amend Zoning By-Law No. 2002-12 (3129 Narrows Lock Road, Part Lot 17, Concession 6, 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.”*

- iv) **By-Law No. 2025-021 – Zoning Amendment – Tayler – attached, page 35.**

*Suggested Motion by Councillor Wayne Baker:*

*“THAT, By-Law No. 2025-021, being a by-law to amend Zoning By-Law No. 2002-12 (160,1,2, and Vacant Lot MacKay Line Road, Part Lots 25 and 26, 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.”*

- v) **By-Law No. 2025-022– Zoning By-Law Amendment – Tayler – attached, page 38.**

*Suggested Motion by Councillor Keith Kerr:*

*“THAT, By-Law No. 2025-022, being a by-law to amend Zoning By-Law No. 2002-12 (109,141,155 and Vacant Lot MacKay Line Road, Part Lots 24 to 26, Concession 10, 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.”*

- vi) **By-Law No. 2025-024 – Set Tax Rates – 2025 – attached, page 41.**

*Suggested Motion by Councillor Greg Hallam:*

*“THAT, By-Law No. 2025-024, being a by-law to set the Tax Rates for the Year 2025, be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”*

**9. NEW/OTHER BUSINESS**

- i) **Report #PD-2025-08 – ZA25-01 We The Shermans – Additional Information – attached, page 51.**

*Suggested Motion by Councillor Korrine Jordan:  
 “THAT, Report #PD-2025-08 – ZA25-01 We The Shermans – Additional Information, be received for information.”*

- ii) **By-Law No. 2025-023 – Zoning Amendment - We the Shermans Inc. – attached, page 91.**

*Suggested Motion by Deputy Reeve Fred Dobbie:  
 “THAT, By-Law No. 2025-023, being a by-law to amend Zoning By-Law No. 2002-12 (750/761 Christie Lake Lane 32D, Part lot 20-22, Concession 3, Geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark), be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”*

- iii) **Additional Meeting with Representatives from Little Silver Lake Road, Silvery Lane, Rainbow Lane.**  
 Reeve Rob Rainer

**10. CALENDARING**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
Inaugural Lanark County OPP Detachment Board Meeting	April 23 <sup>rd</sup>	8:30 a.m.	Carleton Place
Public Meeting – Zoning By-Law Amendments	May 6 <sup>th</sup>	5:30 p.m.	Municipal Office
Committee of the Whole Meeting	May 6 <sup>th</sup>	Following	Municipal Office
MVCA Board of Directions Meeting	May 7 <sup>th</sup>	1:00 p.m.	MVCA Offices
Library Board Meeting	May 12 <sup>th</sup>	4:30 p.m.	Perth & District Library
“Special” Committee of the Whole Meeting	May 13 <sup>th</sup>	5:30 p.m.	Municipal Office
Council Meeting	May 20 <sup>th</sup>	6:00 p.m.	Municipal Office

**11. CLOSED SESSIONS**

None.

**12. CONFIRMATION BY-LAW**

- i) **By-Law No. 2025-025 - Confirmation By-Law – April 22<sup>nd</sup>, 2025 – attached, page 48.**

*Suggested Motion by Councillor Angela Pierman:*

*“**THAT**, By-Law No. 2025-025, being a by-law to confirm the proceedings of the Council meeting held on April 22<sup>nd</sup>, 2025, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

**13. ADJOURNMENT**

# MINUTES



## **COUNCIL MEETING MINUTES**

---

**Tuesday, March 25<sup>th</sup>, 2025**

**6:00 p.m.**

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

---

### **ATTENDANCE:**

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

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

**Regrets:** None

---

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

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

The Reeve announced that this meeting is being recorded by a member of the public.

A moment of silence was held for former Councillor Andrew Kendrick who passed away on March 16<sup>th</sup>, 2025. Former Councillor Kendrick served as a South Sherbrooke Ward Councillor since 2022.

### **2. AMENDMENTS/APPROVAL OF AGENDA**

The agenda was adopted as presented.

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

None at this time.

#### 4. APPROVAL OF MINUTES

- i) Council Meeting – February 25<sup>th</sup>, 2025.

**RESOLUTION #C-2025-03-01**

**MOVED BY:** Keith Kerr  
**SECONDED BY:** Greg Hallam

“**THAT**, the minutes of the Council Meeting held on February 25<sup>th</sup>, 2025, be approved as circulated.”

**ADOPTED**

- ii) Committee of the Whole Meeting – March 4<sup>th</sup>, 2025.

**RESOLUTION #C-2025-03-02**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Keith Kerr

“**THAT**, the minutes of the Committee of the Whole Meeting held on March 4<sup>th</sup>, 2025, be approved as circulated.”

**ADOPTED**

#### 5. DELEGATIONS & PRESENTATIONS

- i) Delegation: Livestreaming.

C. Anderson addressed Council – *attached, page 11.*

**RESOLUTION #C-2025-03-03**

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

“**THAT**, the delegation regarding livestreaming be received for information.”

Item 7 x) was discussed next.

#### 6. CORRESPONDENCE

None.

**7. MOTIONS**

- i) **Report #PW-2025-06 – 2024 Annual Waste Site Reports.**

**RESOLUTION #C-2025-03-06**

**MOVED BY:** Fred Dobbie

**SECONDED BY:** Marilyn Thomas

“**THAT**, Report #PW-2025-06 - 2024 Waste Disposal Site Annual Reports, be received as information;

**AND THAT**, staff be directed to submit the 2024 Annual Reports for the Glen Tay, Maberly, Stanleyville, Christie Lake and Noonan sites to the Ministry of the Environment, Conservation and Parks before the March 31<sup>st</sup>, 2025 deadline, to be in conformity with the Certificates of Approval for each site.”

**ADOPTED**

- ii) **Report #PW-2025-04 – Microsurfacing Tender Award.**

**RESOLUTION #C-2025-03-07**

**MOVED BY:** Marilyn Thomas

**SECONDED BY:** Fred Dobbie

“**THAT**, Schedules E to J of Tender #PW-C-09-2025-25-E0 for Microsurfacing be awarded to Miller Paving Limited;

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

**ADOPTED**

- iii) **Report #PW-2025-05 – Tandem Truck Purchase.**

**RESOLUTION #C-2025-03-08**

**MOVED BY:** Angela Pierman

**SECONDED BY:** Wayne Baker

“**THAT**, the quotes obtained through the Canoe Procurement Group from Francis Truck Center and Viking Plow Equipment (Gin-Cor) and Equipment Ltd. For a tandem truck be accepted;

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

**ADOPTED**

iv) **Report #PD-2025-04 – 2024 Climate Action Plan Annual Report.**

**RESOLUTION #C-2025-03-09**

**MOVED BY:** Wayne Baker

**SECONDED BY:** Angela Pierman

“**THAT**, the Climate Action Plan Report Card for 2024 be approved and placed on the Township website;

**THAT**, the following specific implementation actions be undertaken in 2025:

- Investigate allocating the County grant to support the energy audit cost for residents with low income or who experience energy poverty;
- Confirm the electric vehicle purchase timeline and continue to educate the public on Total Cost procurement;
- Continue to pursue Federation of Canadian Municipalities funding for energy retrofits to get the municipal building off natural gas and onto a cheaper and less greenhouse gas producing heating and cooling system;
- Pursue funding for solar panels for climate resiliency and reduced energy costs for the municipal building; and
- Implement tree planting as a nature-based climate solution;

**AND THAT**, the Reeve repeat the request to the provincial Minister of Health to track heat deaths as Quebec and British Columbia do.”

**ADOPTED**

v) **Report #PD-2025-05 – Deeming By-Law – 138 Miner’s Point Road (Philip Subdivision).**

**RESOLUTION #C-2025-03-10**

**MOVED BY:** Keith Kerr

**SECONDED BY:** Greg Hallam

“**THAT**, PL-4259 (Philip Subdivision) be amended through a deeming by-law providing an exemption for Lot 24 to receive an addition from part of Block A, geographic township of North Burgess (Roll #0911-911-020-12800 and Roll #0911-911-020-12803) known locally as 138 Miner’s Point Road to implement Ontario Superior Court Order regarding the vesting of Part A (Court File No. 12-00055763-0000).”

**ADOPTED**

vi) **Report #FIN-2025-04 – 2024 Planning Act Financial Reporting for Parkland.**

**RESOLUTION #C-2025-03-11**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Keith Kerr

“**THAT**, Report #FIN-2025-04 – 2024 Planning Act Financial Reporting for Parkland, be received for information.”

**ADOPTED**

vii) **Report #FIN-2025-03 – 2024 Statement of Remuneration and Expenses.**

**RESOLUTION #C-2025-03-12**

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

“**THAT**, Report #FIN-2025-03 – 2024 Statement of Remuneration and Expenses, be received for information.”

**ADOPTED**

viii) **Report #FIN-2025-02 – 2024 Investment Report.**

**RESOLUTION #C-2025-03-13**

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

“**THAT**, Report #FIN-2025-02 - 2024 Investment Report, be received as information.”

**ADOPTED**

ix) **Report #FIN-2025-01 – 2025 Budget – PSAB Restatement.**

**RESOLUTION #C-2025-03-14**

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

“**THAT**, Report #FIN-2025-01 - 2025 Budget – PSAB Restatement, be received as information.”

**ADOPTED**

x) **Report #CAO-2025-09 – Livestreaming.**

A Member clarified that they did not have any objections to live streaming but that their goal has been to thoroughly review the financial and tax implications and to invite comments from residents before this meeting. The Member suggested that the motion on the floor be defeated so that a new motion could be put on the floor to implement livestreaming of Committee of the Whole, Council and Public Meetings at an upset cost of \$45,000 to be expensed from the Contingency Reserve. This would enable staff to continue exploring various options for implementing live streaming at a possible lower cost.

**RESOLUTION #C-2025-03-04**

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

**“THAT**, an online survey be undertaken to receive feedback from property owners in the Township on the potential implementation of livestreaming for Committee of the Whole and Council Meetings;

**AND THAT**, the Options Considered in Report #CAO-2025-09 – Livestreaming, be deferred pending the feedback from the survey.”

**DEFEATED**

**RESOLUTION #C-2025-03-05**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Keith Kerr

**“THAT**, Tay Valley Township implement live streaming of Committee of the Whole, Council and Public Meetings at an upset cost of \$45,000 to be expensed from the Contingency Reserve.”

**(SEE RECORDED VOTE)**

Councillor Greg Hallam requested a recorded vote on Resolution #C-2025-03-05:

For:	Reeve Rob Rainer	1
	Councillor Wayne Baker	1
	Councillor Greg Hallam	1
	Councillor Korrine Jordan	1
	Councillor Keith Kerr	1
	Councillor Angela Pierman	1
	Councillor Marilyn Thomas	$\frac{1}{7}$
Against:	Deputy Reeve Fred Dobbie	$\frac{1}{1}$

Absent: 0  
Total: 8

**ADOPTED**

Item 7 i) was discussed next.

- xi) **Report #CAO-2025-08 – Proposed New Road Name – Bygrove Lane.**

**RESOLUTION #C-2025-03-15**

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

“**THAT**, the necessary by-law to name an existing Private Road to Bygrove Lane as outlined in Report #CAO-2025-08 – Proposed New Road Name – Bygrove Lane (Private), be brought forward for approval.”

**ADOPTED**

**8. BY-LAWS**

- i) **By-Law No. 2025-012 – Zoning By-Law Amendment – Boyle.**

**RESOLUTION #C-2025-03-16**

**MOVED BY:** Keith Kerr  
**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2025-012, being a by-law to amend Zoning By-Law No. 2002-121 (Part Lot 10, Concession 10, 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. 2025-013 – Road Naming – Bygrove Lane (Private).**

**RESOLUTION #C-2025-03-17**

**MOVED BY:** Greg Hallam  
**SECONDED BY:** Keith Kerr

“**THAT**, By-Law No. 2025-013, being a by-law to amend Road Naming By-Law No. 98-87 (Bygrove Lane (Private)), be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- iii) **By-Law No. 2025-014 – Stop Up, Close & Sell Portion of Unopened Road Allowance – Avery.**

**RESOLUTION #C-2025-03-18**

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

“**THAT**, By-Law No. 2025-014, being a by-law to Stop Up, Close, & Sell a Portion of Unopened Road Allowance between Concession 10 & 11, geographic Township of Bathurst, be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

- iv) **By-Law No. 2025-015 – Deeming By-Law.**

**RESOLUTION #C-2025-03-19**

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

“**THAT**, By-Law No. 2025-015, being a by-law to deem part of a registered plan of subdivision as not being a Plan of Subdivision (138 Miner’s Point Road – Philip Subdivision), be read a first, second, and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**9. NEW/OTHER BUSINESS**

- i) **Report #FIN-2025-05 - 2024 Development Charges Statement.**

**RESOLUTION #C-2025-03-20**

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

“**THAT**, Report #FIN-2025-05 - 2024 Development Charges Statement, be received as information.”

**ADOPTED**

**10. CALENDARING**

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
<b>RVCA Board of Directors Meeting</b>	March 27 <sup>th</sup>	6:30 p.m.	RVCA Offices
<b>Committee of Adjustment Hearing</b>	March 31 <sup>st</sup>	5:00 p.m.	Municipal Office
<b>Bolingbroke Cemetery Board Meeting</b>	April 3 <sup>rd</sup>	2:00 p.m.	Municipal Office
<b>Fire Board Meeting</b>	April 3 <sup>rd</sup>	6:00 p.m.	BBD&E Fire Station



<b>Public Meeting – Zoning By-Law Amendments</b>	April 8 <sup>th</sup>	5:00 p.m.	Municipal Office
<b>Committee of the Whole Meeting</b>	April 8 <sup>th</sup>	Following	Municipal Office
<b>Green Energy and Climate Change Working Group Meeting</b>	April 11 <sup>th</sup>	2:00 p.m.	Municipal Office
<b>MVCA Board of Directors Meeting</b>	April 14 <sup>th</sup>	1:00 p.m.	MVCA Offices
<b>Library Board Meeting</b>	April 14 <sup>th</sup>	4:30 p.m.	Perth & District Library
<b>Pinehurst Cemetery Board Meeting</b>	April 17 <sup>th</sup>	2:00 p.m.	Municipal Office
<b>Council Meeting</b>	April 22 <sup>nd</sup>	6:00 p.m.	Municipal Office

**11. CLOSED SESSIONS**

None.

**12. CONFIRMATION BY-LAW**

i) **By-Law No. 2025-016 - Confirmation By-Law – March 25<sup>th</sup>, 2025.**

**RESOLUTION #C-2025-03-21**

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

“**THAT**, By-Law No. 2025-016, being a by-law to confirm the proceedings of the Council meeting held on March 25<sup>th</sup>, 2025, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**13. ADJOURNMENT**

Council adjourned at 6:37 p.m.

## **COMMITTEE OF THE WHOLE MINUTES**

---

**Tuesday, April 8<sup>th</sup>, 2025**

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

---

### **ATTENDANCE:**

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

**Staff Present:** Amanda Mabo, Chief Administrative Officer/Clerk  
Aaron Watt, Deputy Clerk  
Noelle Reeve, Planner (left at 9:15 p.m.)  
Sean Ervin, Public Works Manager (left at 9:19 p.m.)  
Ashley Liznick, Treasurer (left at 9:52 p.m.)  
Maggie McDougall, Community Services Coordinator (left at 9:52 p.m.)

**Regrets:** Councillor Keith Kerr

---

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

The meeting was called to order at 7:35 p.m.  
A quorum was present.

### **2. AMENDMENTS/APPROVAL OF AGENDA**

The agenda was adopted as presented.

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

None at this time.

#### 4. APPROVAL OF MINUTES OF PUBLIC MEETINGS

i) **Public Meeting: Zoning By-Law Amendment(s) – March 4<sup>th</sup>, 2025.**

The Minutes of the Public Meeting – Zoning By-Law Amendment(s) held on March 4<sup>th</sup>, 2025 were approved.

#### 5. DELEGATIONS & PRESENTATIONS

i) **Presentation: 2024 Septic System Re-Inspection Program Annual Report.**

E. Kohlsmith gave the presentation that was attached to the agenda.

Recommendation to Council:

“**THAT**, the 2024 Septic System Re-Inspection Program Annual Report be received for information.”

#### 6. PRIORITY ISSUES

i) **Report #PD-2025-06 – Lanark County Official Plan Update – Aggregates.**

The Planner gave a presentation on the Lanark County Aggregate Resources Master Plan – *attached, page 8.*

Recommendation to Council:

“**THAT**, the Council of Tay Valley Township submits the following feedback to Lanark County regarding the Lanark County Official Plan Update – Aggregates:

Q1 – Recommendation:

Alternative 1 - Because extraction is of such significance, decisions on new pits should remain at the level of the County for approval and definitely not simply require a rezoning amendment. However, closing a pit could be delegated to the lower tier for an Official Plan amendment to remove the designation.

Q2 – Recommendation:

No. The County should not identify tertiary resources at this time as this mapping could impede development by requiring individuals to undertake expensive studies for areas that do not appear to have high value if they want to obtain a building permit.

Q3 – Recommendation:

The County should identify additional bedrock areas with less than 8m of drift over them, through local knowledge.

Q4 – Recommendation:

Option 5 (modified) – In addition to the lands identified in Option 4, remove lands a certain distance from major lakes, rivers and from settlement areas.

Q5 – Recommendation:  
Options 2 and 3 be permitted.”

ii) **Report #PD-2025-07 – Better Homes Lanark Program - Funding for Energy Audit.**

Low-income status will be determined by a tax return, energy poverty will be determined by an energy bill.

Recommendation to Council:

“**THAT**, a loan of up to \$600 to assist property owners with low income or energy poverty to cover the upfront cost of the energy audit for the Better Homes Lanark Program be provided by the Township;

**AND THAT**, this amount be payable back to the Township once the property owner’s application for the Better Homes Lanark Program is approved.”

iii) **Report #FIN-2025-07 – 10-Year Capital Plan.**

The Treasurer reviewed the spreadsheets and presentation as attached to the agenda. The spreadsheets were also printed and handed out to the Committee.

In response to a Member’s question the Treasurer explained the figures in red at the bottom of the second page of the 10-Year Capital Plan 2025-2035 Roads spreadsheet. Cumulative (Shortfall) in Reserves represents the difference between what is being spent on gravel and what is available in reserve funds.

Recommendation to Council:

“**THAT**, staff launch a survey with respect to levels of service to provide feedback for the Asset Management Plan update to meet the requirements of Ontario Regulation 588/17.”

iv) **Report #FIN-2025-06 – 2025 Tax Rates.**

Recommendation to Council:

“**THAT**, Report #FIN-2025-06 – 2025 Tax Rates, be received for information.”

The Planner left at 9:15 p.m.

v) **Report #PW-2025-07 – Drainage Superintendent.**

Recommendation to Council:

“**THAT**, Request for Proposal (RFP) #2025-PW-003 - Engineering Services for Municipal Drainage & Drainage Superintendent be awarded to Robinson Consultants;

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

Recommendation to Council:

“**THAT**, Eldon Hutchins be appointed as Tay Valley Townships Drainage Superintendent,

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

vi) **Report #PW-2025-08 – Maintenance Gravel - Tender Award.**

Recommendation to Council:

“**THAT**, Tender #2025-PW-005 for Maintenance Gravel be awarded to Thomas Cavanagh Construction Limited for the amount of \$760,690.43 for 2025 and 2026;

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

The Public Works Manager left at 9:19 p.m.

vii) **Report #CAO-2025-12 - Recreation Activities, Programs and Services Overview.**

Recommendation to Council:

“**THAT**, Report #CAO-2025-12 – Recreation Activities, Programs and Services Overview, be received as information.”

The Treasurer and Community Services Coordinator left at 9:52 p.m.

viii) **Report #CAO-2024-10 – 2024 Municipal Report Card.**

Recommendation to Council:

“**THAT**, Report #CAO-2025-10 – 2024 Municipal Report Card, be received for information.”

ix) **Report #CAO-2025-11 – Mid-Term Strategic Plan Update.**

Recommendation to Council:

“**THAT**, Report #CAO-2025-11 – Mid-Term Strategic Plan Update, be received for information.”

- x) **Report #CAO-2025-13 – Lanark County OPP Detachment Police Services Board – Council Appointee.**

Recommendation to Council:

“**THAT**, Greg Hallam for Tay Valley Township be appointed as the Council representative to the Lanark County OPP Detachment Police Services Board for the remainder of the term of Council.”

## 7. **CORRESPONDENCE**

- i) **25-04-02 – Council Communication Package.**

Recommendation to Council:

“**THAT**, the 25-04-02 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.**

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 minutes and report that were attached to the agenda.

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

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

x) **Lanark County Traffic Advisory Working Group.**  
The Committee reviewed the minutes that were attached to the agenda.

xi) **County of Lanark.**

The Deputy Reeve reported that:

- G. Tackaberry and Sons Construction Company Ltd. will begin working on County Road 10 in April 2025, work includes adding a turn lane, adding granular materials, and completing paving with an estimated cost of \$752,133

**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 10:00 p.m.

## “SPECIAL” COUNCIL MEETING MINUTES

---

Tuesday, April 15<sup>th</sup>, 2025

5:30 p.m.

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

---

### ATTENDANCE:

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

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

**Regrets:** None

---

### 1. CALL TO ORDER

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

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

None at this time.

### 3. NEW/OTHER BUSINESS

#### i) Strong Mayor Powers.

The Chief Administrative Officer/Clerk overviewed Report #CAO-2025-14 – Strong Mayor Powers Expansion – *attached, page 5.*

Members discussed concerns surrounding the granting of Strong Mayor Powers, including how:

- expensive it is to run a Municipal election to elect Councillors whose decisions could be vetoed by an individual opinion
- it undermines the decisions of an elected Council



- it is undemocratic
- the use of the new powers could cost the taxpayer through wrongful dismissal claims
- it gives the head of Council too much authority
- there is no compelling rational for it
- there is no independent evaluation that Members are aware of demonstrating how implementing the powers has increased housing provincially
- it is problematic for one individual to hire and fire senior staff
- provincial application has been inconsistent, some municipalities have used it heavily since implementation, some none at all

Deputy Reeve Fred Dobbie requested a recorded vote on Resolution #C-2025-04-01:

**RESOLUTION #C-2025-04-01**

**MOVED BY:** Wayne Baker

**SECONDED BY:** Angela Pierman

**“THAT,** Tay Valley Township inform the Province that it does not want the Strong Mayor Powers and to remove Tay Valley Township from the list;

**AND THAT,** the Reeve submit comments/send a letter informing the Province of such and outlining the reasons.”

**(SEE RECORDED VOTE)**

Deputy Reeve Fred Dobbie requested a recorded vote on Resolution #C-2025-04-01.

For:	Reeve Rob Rainer	1
	Deputy Reeve Fred Dobbie	1
	Councillor Wayne Baker	1
	Councillor Greg Hallam	1
	Councillor Korrine Jordan	1
	Councillor Keith Kerr	1
	Councillor Angela Pierman	1
	Councillor Marilyn Thomas	<u>1</u>
		8

Absent:		<u>0</u>
Total:		8

**ADOPTED**

**4. CONFIRMATION BY-LAW**

- i) **By-Law No. 2025-017 - Confirmation By-Law – April 15<sup>th</sup>, 2025.**

**RESOLUTION #C-2025-04-02**

**MOVED BY:** Keith Kerr

**SECONDED BY:** Greg Hallam

“**THAT**, By-Law No. 2025-017, being a by-law to confirm the proceedings of the Council meeting held on April 15<sup>th</sup>, 2025, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

**ADOPTED**

**5. ADJOURNMENT**

Council adjourned at 5:41 p.m.

# **BY-LAWS**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-018

### RESTRICT THE COMMON LAW RIGHT OF PASSAGE OVER A HIGHWAY (ELLIOT ROAD)

---

**WHEREAS**, Section 35 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes a municipality to restrict the common law right of passage over a highway;

**AND WHEREAS**, Section 12 (1) (g) of the *Grade Crossings Regulations – Railway Safety Act*, as amended, prescribes that a road authority must provide a railway company, in writing, with the design vehicle in respect of a public grade crossing;

**AND WHEREAS**, an inspection of the Elliot Road rail crossing was conducted on November 4<sup>th</sup>, 2024 by Transport Canada;

**AND WHEREAS**, the inspection report identified a concern with a vehicle exceeding 22.7m (74.5') in length (WB-20 vehicle) having sufficient time to cross the tracks safely due to sightline concerns;

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township deems it in the public interest to restrict the common law right of passage on Elliot Road to prevent vehicles exceeding 22.7 metres (74.5 feet) in length from using the road;

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, no person shall operate a vehicle in excess of 18.3m (60.0') in length on Elliot Road (classified as an Articulated Bus (A-Bus)).
- 1.2 **THAT**, notwithstanding Section 1.1. above, any person wishing to operate or permit to be operated a vehicle in excess of 18.3m (60.0') in length on Elliot Road shall ensure that the vehicle enters and exits in a manner that avoids crossing the rail line in any matter.
- 1.3 **THAT**, any person who contravenes this By-Law shall be guilty of an offence and upon conviction shall be liable to a maximum fine as provided for in the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-018**

**2. ULTRA VIRES**

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

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

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

**4. EFFECTIVE DATE**

**4.1** ENACTED AND PASSED this 22<sup>nd</sup> day of April 2025.

---

**Rob Rainer, Reeve**

---

**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-019

### APPOINTMENT OF DRAINAGE SUPERINTENDENT AND AUTHORIZED REPRESENTATIVE

---

**WHEREAS**, Section 93 (1) of the *Drainage Act*, R.S.O. 1990, Chapter D.17, as amended, authorizes the council of a local municipality to appoint a drainage superintendent;

**AND WHEREAS**, Section 93 (3) of the *Drainage Act*, R.S.O. 1990, Chapter D.17, as amended, provides that a drainage superintendent for the municipality shall:

- a) inspect every drainage works for which the municipality is responsible and report periodically to council on the condition of those drainage works;
- b) initiate and supervise the maintenance and repair of the drainage works for which the municipality is responsible;
- c) assist in the construction or improvement of the drainage works for which the municipality is responsible; and
- d) report to council on the superintendent's activities mentioned in clauses (b) and (c);

**AND WHEREAS**, Section 93 (4) of the *Drainage Act*, R.S.O. 1990, Chapter D.17, as amended, provides that council may provide for fees or other remuneration for services performed by drainage superintendents in carrying out their duties under this Act, but the fees or other remuneration shall not be deemed to form part of the cost of the drainage works and shall be paid from the general funds of the municipality;

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, Robinson Consultants Inc. is hereby appointed as the Drainage Superintendent for the Corporation of Tay Valley Township.
- 1.2 **THAT**, Eldon Hutchins of Robinson Consultants Inc. is hereby designated as the Authorized Drainage Representative for the Corporation of Tay Valley Township.
- 1.3 **THAT**, the Reeve and Clerk are hereby authorized on behalf of the Corporation of Tay Valley Township to execute the Drainage Superintendent Agreement with Robinson Consultants Inc.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-019**

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

**2.1** By-Law No. 2020-050 is hereby repealed.

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

**3. ULTRA VIRES**

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

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 22<sup>nd</sup> day of April, 2025.

---

**Rob Rainer, Reeve**

---

**Amanda Mabo, Clerk**

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-020

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (SCHACHT – 3129 NARROWS LOCKS ROAD) (PART LOT 17, CONCESSION 6, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

**1.1 THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning from Rural (RU) to Residential 5 – Special Exception 1 (R5-1) on a portion of the lands legally described as Part Lot 17, Concession 6, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll # 091191102043920), in accordance with Schedule “A” attached hereto and forming part of this By-Law.

**1.2 THAT** By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 5.5.4 (Exception Zones):

21. R5-1 (Part Lot 17, Concession 6, North Burgess)

Notwithstanding the provisions of Section 5.5.2, on the lands zoned R5-1 the following provisions shall prevail:

- Dwelling Unit Area (minimum) 33m<sup>2</sup>



**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-020**

- 1.3** THAT, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.4** THAT, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 22<sup>nd</sup> day of April, 2025.

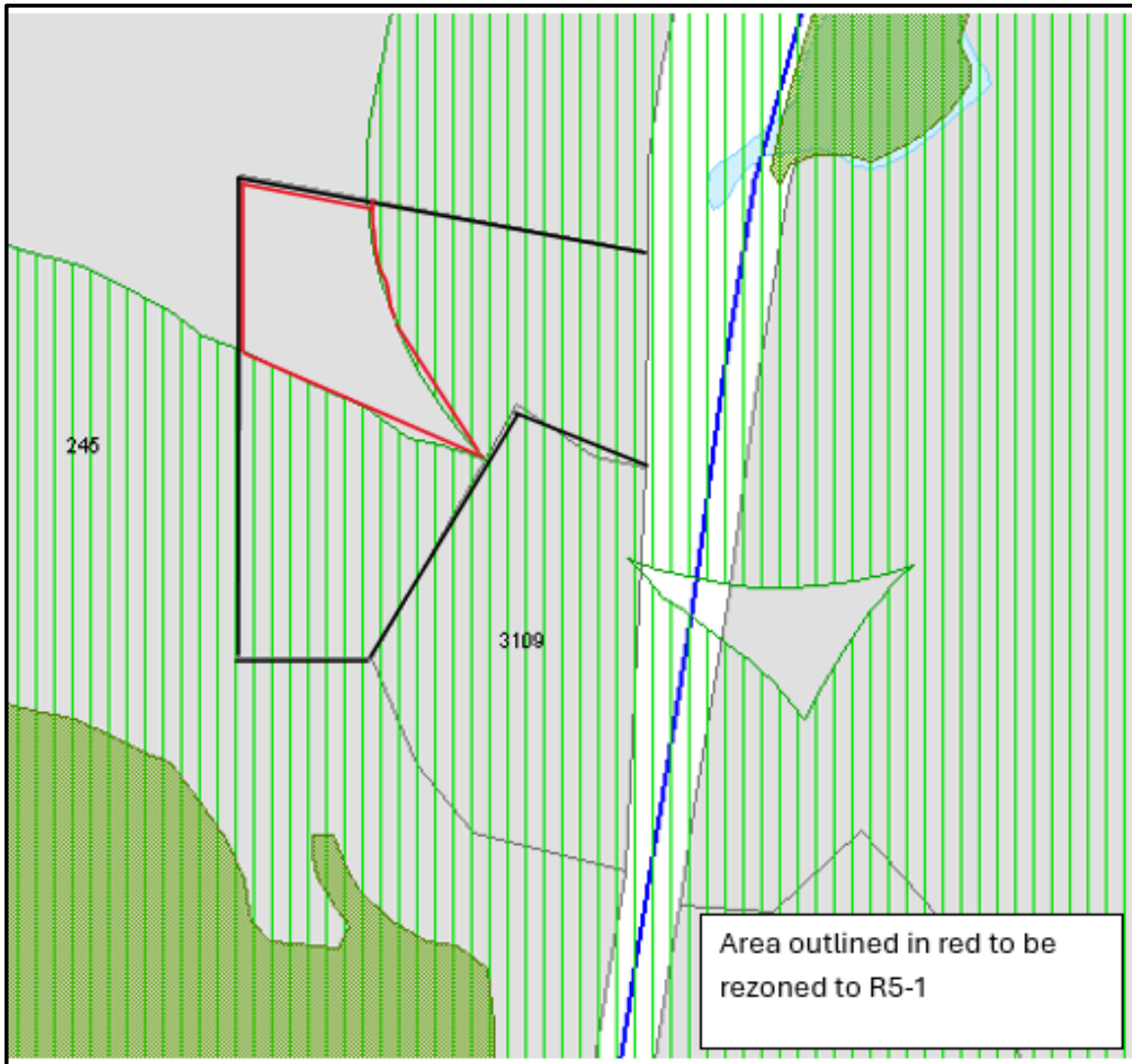
\_\_\_\_\_  
Robert Rainer, Reeve

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-020**

**SCHEDULE "A"**

Schacht – 3129 Narrows Locks Road  
Part Lot 17, Concession 6  
Geographic Township of North Burgess  
Tay Valley Township



Area(s) Subject to the By-Law  
To amend the Zoning from Rural (RU)  
to Residential 5 Special Exception-1 (R5-1)

Certificate of Authentication  
This is Schedule "A" to By-Law 2025-020  
passed this 22<sup>nd</sup> day of April 2025.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-021

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (TAYLER) (160,1,2 AND VACANT LOT MACKAY LINE ROAD, PART LOTS 25 AND 26, CONCESSION 11, GEOGRAPHIC TOWNSHIP OF BATHURST)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 9.4 (Exception Zones) in accordance with Schedule "A" attached hereto and forming part of this By-Law .

9. **OS-9** (Part Lots 25 and 26, Concession 11, in the geographic Township of Bathurst, Roll#091191603031608, 091191603031609, 91191603031610 and 091191603031500)

Notwithstanding the provisions of Section 9.1, on the lands zoned OS-9 permitted uses shall be restricted to:

- Conservation use
- Dwellings

0

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-021**

- 1.2** THAT, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Rural (Ru) to Open Space Special Exception-9 (OS-9) on the consolidated lands legally described as Part Lots 25 and 26, Concession 11, geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll #091191603031608, 091191603031609, 91191603031610 and 091191603031500), in accordance with Schedule "A" attached hereto and forming part of this By-Law.
- 1.3** THAT, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.4** THAT, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 22<sup>nd</sup> day of April, 2025.

---

**Robert Rainer, Reeve**

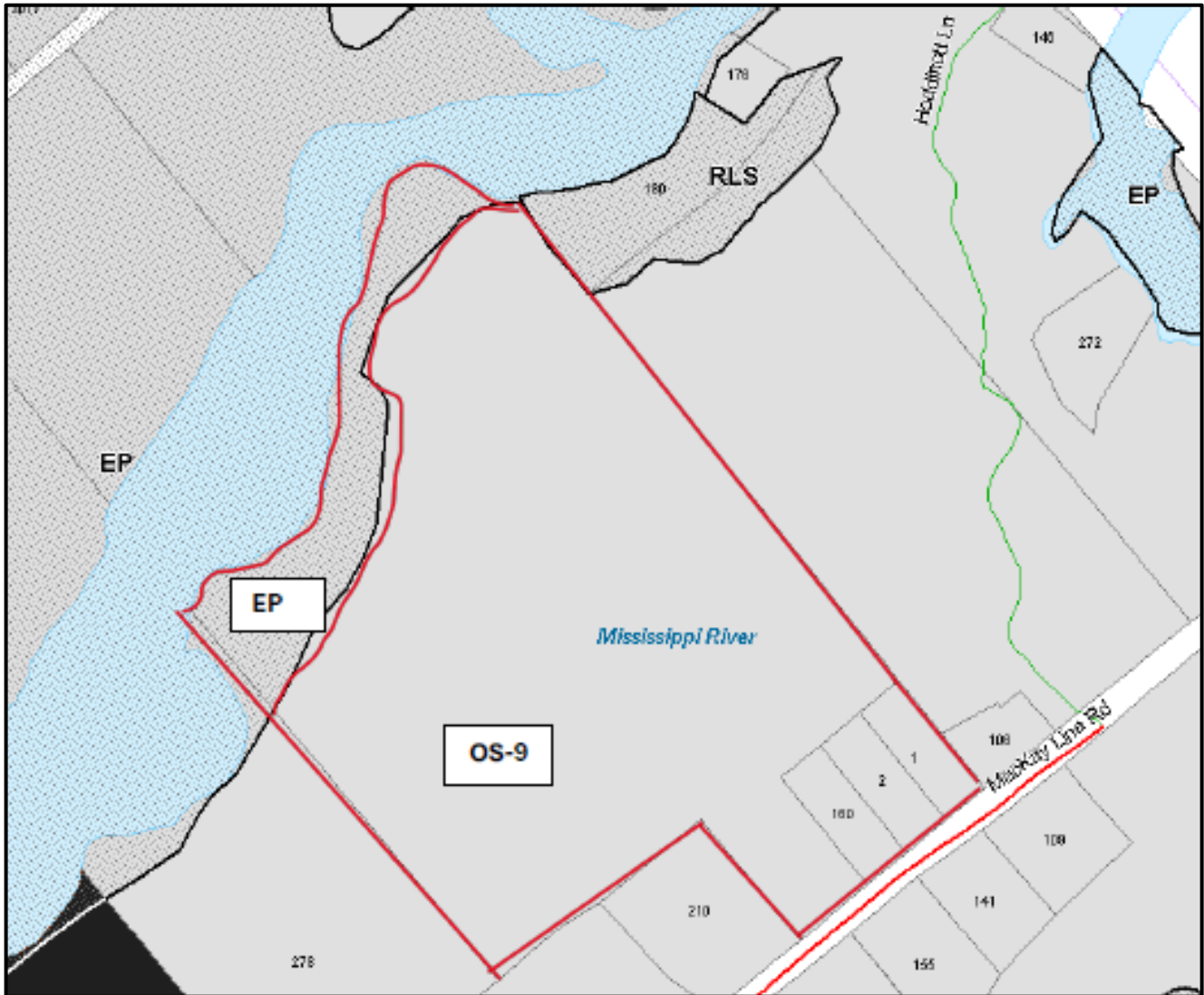
---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-021**

**SCHEDULE "A"**

Taylor – McKay Line  
Part Lots 25 and 26, Concession 11  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law  
To amend the Zoning from Rural (RU)  
to Open Space Special Exception-9 (OS-9)

Certificate of Authentication  
This is Schedule "A" to By-Law 2025-021  
passed this 22<sup>nd</sup> day of April 2025

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-022

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (TAYLER) (109, 141, 155 AND VACANT LOT, PART LOTS 24 to 26, CONCESSION 10, GEOGRAPHIC TOWNSHIP OF BATHURST)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 9.4 (Exception Zones) in accordance with Schedule "A" attached hereto and forming part of this By-Law.

9. **OS-9** (Part Lots 24 to 26, Concession 10, in the geographic Township of Bathurst, Roll#091191603031608, 091191603031609, 91191603031610 and 091191603031500)

Notwithstanding the provisions of Section 9.1, on the lands zoned OS-9 permitted uses shall be restricted to:

- Conservation use
- Dwellings

0

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-022**

- 1.2** THAT, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Rural (Ru) to Open Space Special Exception-9 (OS-9) on the consolidated lands legally described as Part Lots 24 to 26, Concession 10, Geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll #091191603031608, 091191603031609, 91191603031610 and 091191603031500), in accordance with Schedule "A" attached hereto and forming part of this By-Law.
- 1.3** THAT, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.4** THAT, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 22<sup>nd</sup> day of April, 2025.

---

**Robert Rainer, Reeve**

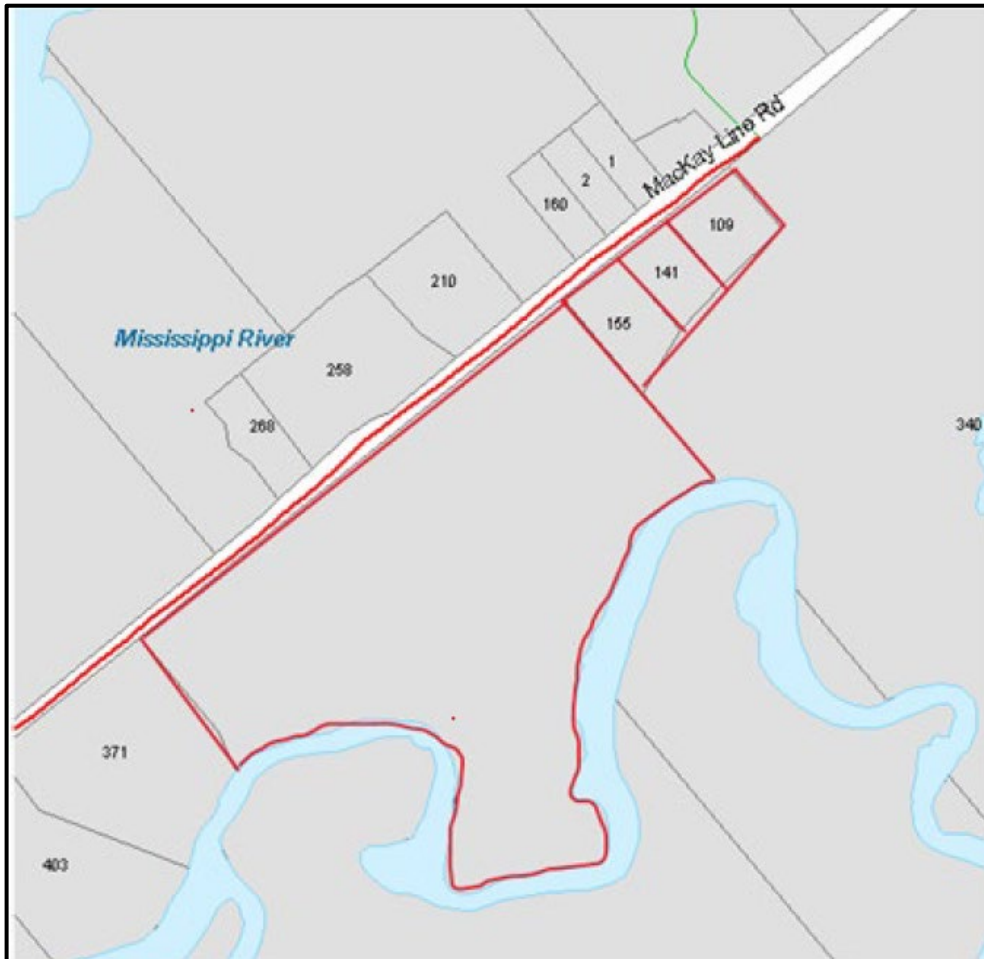
---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-022**

**SCHEDULE "A"**

Taylor – McKay Line  
Part Lots 24 to 26, Concession 10  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law  
To amend the Zoning from Rural (RU)  
to Open Space Special Exception-9 (OS-9)

Certificate of Authentication  
This is Schedule "A" to By-Law 2025-0XX  
passed this 22<sup>nd</sup> day of April 2025.

---

Reeve

---

Clerk



# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-024

### A BY-LAW TO SET THE TAX RATES FOR THE YEAR 2025

---

**WHEREAS**, Section 312 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law levying a separate tax rate on the assessment in each property class;

**AND WHEREAS**, the Council of the Corporation of Tay Valley Township has adopted a budget, including estimates of all sums required during the year for the purposes of the municipality, in accordance with Section 290 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

**AND WHEREAS**, Section 312 (6) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires tax rates to be established in the same proportion to the tax ratios established;

**AND WHEREAS**, the Council of the Corporation of the County of Lanark has adopted By-Laws 2025-10 and 2025-11, being by-laws to set tax ratios and to establish tax rates to be levied to local municipalities;

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, for the year 2025, the tax rates to be applied to the taxable assessment of Tay Valley Township be as set out in Schedule "A", attached hereto.
- 1.2 **THAT**, the final taxes levied by this By-Law shall be in accordance with the provisions of By-Law No. 2024-057, as amended.

#### 2. ULTRA VIRES

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-024**

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 22<sup>nd</sup> day of April, 2025.

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

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-024**

**SCHEDULE "A"**

**TAY VALLEY TOWNSHIP – TAX RATES**

GENERAL PURPOSES

<u>PROPERTY CLASS</u>	<u>GENERAL</u>
Residential/Farm	0.00395629
Multi-Residential	0.00780707
New Multi-Residential	0.00435192
Commercial Occupied	0.00729116
Commercial Excess Land	0.00729116
Commercial Vacant Land	0.00729116
Industrial Occupied	0.01001588
Industrial Excess Land	0.01001588
Industrial Vacant Land	0.01001588
Large Industrial Occupied	0.01001588
Large Industrial Excess Land	0.01001588
Large Industrial Vacant Land	0.01001588
Aggregate Extraction Pipelines	0.00794125
Farmland	0.00098907
Managed Forest	0.00098907
 <b><u>PAYMENTS-IN-LIEU</u></b> 	
Residential/Farm	0.00395629
Commercial Full	0.00729116
Commercial General	0.00729116
Landfill	0.00487593

POLICE PURPOSES

<b>PROPERTY CLASS</b>	<b>POLICE</b>
Residential/Farm	0.00092609
Multi-Residential	0.00182748
New Multi-Residential	0.00101870
Commercial Occupied	0.00170672
Commercial Excess Land	0.00170672
Commercial Vacant Land	0.00170672
Industrial Occupied	0.00234452
Industrial Excess Land	0.00234452
Industrial Vacant Land	0.00234452
Large Industrial Occupied	0.00234452
Large Industrial Excess Land	0.00234452
Large Industrial Vacant Land	0.00234452
Aggregate Extraction Pipelines	0.00190775
Farmland	0.00185889
Managed Forest	0.00023152

**PAYMENTS-IN-LIEU**

Residential/Farm	0.00092609
Commercial Full	0.00170672
Commercial General	0.00170672
Landfill	0.00114136

## FIRE PURPOSES

<b>PROPERTY CLASS</b>	<b>FIRE</b>
Residential/Farm	0.00062212
Multi-Residential	0.00122765
New Multi-Residential	0.00068433
Commercial Occupied	0.00114652
Commercial Excess Land	0.00114652
Commercial Vacant Land	0.00114652
Industrial Occupied	0.00157498
Industrial Excess Land	0.00157498
Industrial Vacant Land	0.00157498
Large Industrial Occupied	0.00157498
Large Industrial Excess Land	0.00157498
Large Industrial Vacant Land	0.00157498
Aggregate Extraction	0.00128157
Pipelines	0.00124875
Farmland	0.00015553
Managed Forest	0.00015553

### **PAYMENTS-IN-LIEU**

Residential/Farm	0.00062212
Commercial Full	0.00114652
Commercial General	0.00114652
Landfill	0.00076673

## HOSPITAL PURPOSES

<u>PROPERTY CLASS</u>	<u>HOSPITAL</u>
Residential/Farm	0.00005167
Multi-residential	0.00010196
New Multi-Residential	0.00005684
Commercial Occupied	0.00009522
Commercial Excess Land	0.00009522
Commercial Vacant Land	0.00009522
Industrial Occupied	0.00013081
Industrial Excess Land	0.00013081
Industrial Vacant Land	0.00013081
Large Industrial Occupied	0.00013081
Large Industrial Excess Land	0.00013081
Large Industrial Vacant Land	0.00013081
Aggregate Extraction	0.00010644
Pipelines	0.00010370
Farmland	0.00001292
Managed Forest	0.00001292

### PAYMENTS-IN-LIEU

Residential/Farm	0.00005167
Commercial Full	0.00009522
Commercial General	0.00009522
Landfill	0.00006368

TOTAL OF ALL ABOVE PURPOSES

<u>PROPERTY CLASS</u>	<u>TOTAL</u>
Residential/Farm	0.00555617
Multi-residential	0.01096416
New Multi-Residential	0.00611179
Commercial Occupied	0.01023962
Commercial Excess Land	0.01023962
Commercial Vacant Land	0.01023962
Industrial Occupied	0.01406619
Industrial Excess Land	0.01406619
Industrial Vacant Land	0.01406619
Large Industrial Occupied	0.01406619
Large Industrial Excess Land	0.01406619
Large Industrial Vacant Land	0.01406619
Aggregate Extraction	0.01144575
Pipelines	0.01115259
Farmland	0.00138904
Managed Forest	0.00138904

PAYMENTS-IN-LIEU

Residential/Farm	0.00555617
Commercial Full	0.01023962
Commercial General	0.01023962
Landfill	0.00684770

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-025

### A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON APRIL 22ND, 2025

---

**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 22<sup>nd</sup> day of April, 2025 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. 2025-025**

**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 22<sup>nd</sup> day of April 2025.

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

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

# **NEW/OTHER BUSINESS**

**COUNCIL**  
**April 22<sup>nd</sup>, 2025**

**Report #PD-2025-08**  
**Noelle Reeve, Planner**

## **ZA25-01 WE THE SHERMANS – ADDITIONAL INFORMATION**

### **STAFF RECOMMENDATION(S)**

It is recommended:

**“THAT**, the Council of Tay Valley Township approves the Zoning By-law amendment for ZA25-01 We the Shermans that changes the zoning of the southern part of the lands at Part Lot 20 and 21, Concession 3, Geographic Township of South Sherbrooke (Roll #0911-914-020-59801) known locally as 750/761 Christie Lake Lane 32D, from Seasonal Residential (RS) and Rural (RU) to Residential Limited Services - Special Exception 198 (RLS-198).”

### **BACKGROUND**

The Public Meeting for application ZA25-01 We the Shermans was held on April 8, 2025. At the meeting, submissions that had been made to the Township that day were presented to the public and to Council members.

It was decided at the meeting that more time was needed for staff and Council to review those submissions and to answer the questions raised at the Public Meeting before Council would consider passing the Zoning By-Law Amendment.

The application applies to a small portion (4,347 m<sup>2</sup>, 1.1 acres) of an approximately 9.38 ha (23.19 acre) lot with 29m (95.4 ft) frontage on Christie Lake. (See Attachments 1 and 2.)

The purpose of this application is to change the southern portion of the property from Seasonal Residential (RS) to Residential Limited Services – Special Exception 198 (RLS-198) with the majority of the property retaining its Rural (RU) zoning.

The effect of the amendment is to permit an existing cottage and garage at 761 Christie Lake Lane 32D to be demolished and replaced by a year-round dwelling with a west side yard setback of 3.8m (12.5 ft) rather than the 6m (20 ft) required and a height of 11.67m (38 ft) rather than the 9m (29.5 ft) permitted.

The new dwelling will be located 38m from Christie Lake.

The rezoning will also permit an existing cottage on the consolidated property located at 750 Christie Lake Lane 32D (128m from Christie Lake) to be used as a secondary dwelling despite being larger than the 95m<sup>2</sup> permitted, not sharing a septic system or driveway, and being located more than 12m from the primary dwelling.

## **DISCUSSION**

The application seeks relief from two of the RLS zone standards:

- a side yard setback reduction of 2.2m from 6m to 3.8m
- and a height increase of 2.67m above the 9m permitted as of right

In addition, the application seeks relief from Sections 3.19.1 and 3.19.3 General to permit a second dwelling (existing on the property) to be larger than the 95m<sup>2</sup> permitted, to not share a septic system or driveway, and to be located more than 12m from the primary dwelling.

No other exceptions are sought.

Consideration of potential massing on the lot, final location of septic, well, parking, vegetation, final location and size of the proposed dwelling are not issues addressed by the proposed Zoning By-Law Amendment.

I believe there was some confusion that the property owned by the neighbour to the east, the Naults, abuts the subject property. It does not (see Attachment 3).

Questions about impact of the height with respect to grade are shown in Attachments 4, 5 and 6.

The neighbour to the east, the Naults, submitted two sets of written comments which the Planner replied to (Attachment 7). Written comments were also received from Mr. Cornell which the Planner replied to (Attachment 8). An email was received from Mr. Ian Sherman that required no reply (Attachment 9).

Some Councillors expressed concern that this dwelling would set a precedent for modernizing the shoreline of Christie Lake. Attachment 10 shows drawings from other dwellings built on the lake that are of similar or larger size (but which did not require Zoning By-Law Amendments because of the sloped design of their roofs and or the measurement of grade (which is derived from the Building Code).

Finally, the Naults and Council members expressed concern about the potential for shading of the Nault property due to the additional 2.67m proposed above the 9m height permitted.

The applicant has undertaken a shadow analysis and determined that there will be no adverse impact on the property to the east between the 9m height permitted and the 2.8 exemption that is being requested as the existing trees already shadow the dwelling. (See attachment 11.)

Councillors indicated an interest in the Site Plan Control Agreement being brought to Council

rather than its delegation remaining with the Planner. This has been noted and will be brought to Council.

Additional items are proposed to be reflected in the Site Plan Control Agreement text and drawing, beyond the standard requirements (e.g., indication of a path to the shore, vegetation buffer, and parking location):

- additional hydrogeological information - confirmation from an engineer that the well capacity will be enough for the dwelling (with or without storage) and, therefore, is not going to affect the capacity of wells on neighbouring properties (related to MECP D-5-5 guidelines) and that it meets Ontario Drinking Water Standards; and that the septic system design is also not going to affect neighbouring wells (related to MECP D-5-4 guidelines for nitrogen);
- a stormwater management plan or lot grading and drainage plan to ensure the runoff issues mentioned at the Public Meeting are addressed and not made worse;
- a slope stability study/letter of opinion from an engineer that provides any mitigation requirements for the steep slope on the eastern side of the property; and
- confirmation of the location of the dwelling and the new well.

-

## **OPTIONS CONSIDERED**

**Option 1 (preferred)** Council approve the Zoning By-Law amendment with the understanding that the Site Plan Control Agreement be approved by Council.

**Option 2** Council approve the Zoning By-Law amendment and leave the Site Plan Control Agreement delegated to the Planner.

## **FINANCIAL CONSIDERATIONS**

There would be negative impacts on the tax base if the water quality or aesthetic appeal of the shoreline were negatively impacted. However, this will not be confirmed until a Site Plan Control Agreement is applied for.

## **STRATEGIC PLAN CONSIDERATIONS**

The Healthy Environment is addressed through the increase in a vegetative buffer on the property and a new septic system. Economic Development is addressed via a new construction opportunity.

## **CLIMATE CONSIDERATIONS**

The applicants are designing an energy efficient dwelling.

## **CONCLUSIONS**

The Planner recommends that the Council of Tay Valley Township approves the Zoning By-Law amendment for ZA25-01 We the Shermans that changes the zoning of the southern part of the lands at Part Lot 20 and 21, Concession 3, geographic Township of South Sherbrooke

(Roll #0911-914-020-59801) known locally as 750/761 Christie Lake Lane 32D, from Seasonal Residential (RS) and Rural (RU) to Residential Limited Services - Special Exception 198 (RLS-198) with the understanding that the Site Plan Control Agreement be approved by Council.

## **ATTACHMENTS**

- i) Site Sketch with Area to be Rezoned Shown in Grey
- ii) Proposed Location of Development
- iii) Property Boundaries and Proposed Setbacks from Neighbouring Properties
- iv) Site Rendering from the Water
- v) Elevation from Christie Lake Lane 32D
- vi) Elevation from East Showing Grade
- vii) Planner's Response to P. Nault written comments March 24, 2025 and April 16, 2025
- viii) Planner's Response to K. Cornell email comments
- ix) Email from I. Sherman
- x) Examples of Building Permit Drawings for Dwellings on Christie Lake of Similar Size
- xi) Egis Shadow Impact Analysis

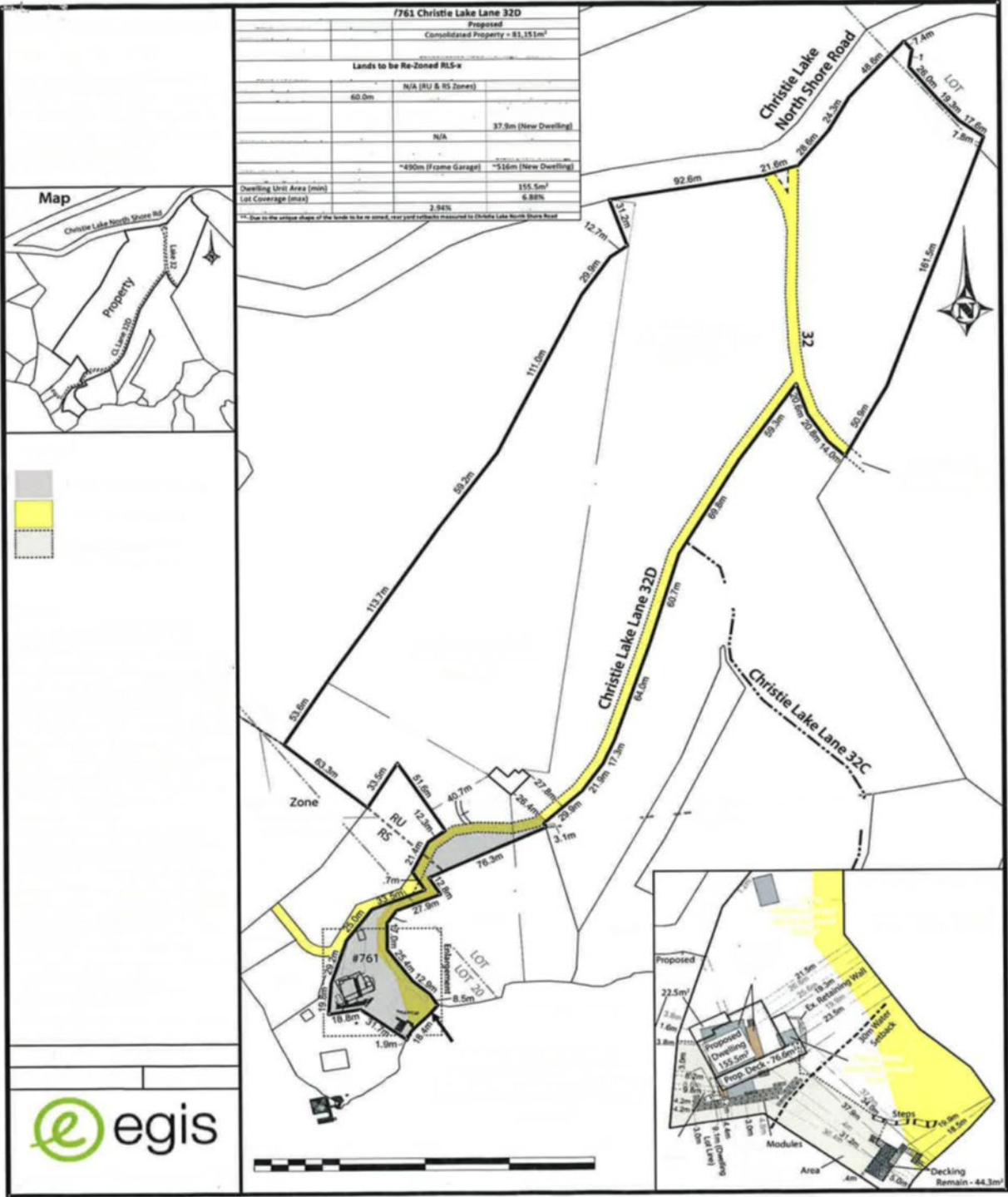
**Prepared and Submitted By:**

**Approved for Submission By:**

**Noelle Reeve,  
Planner**

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

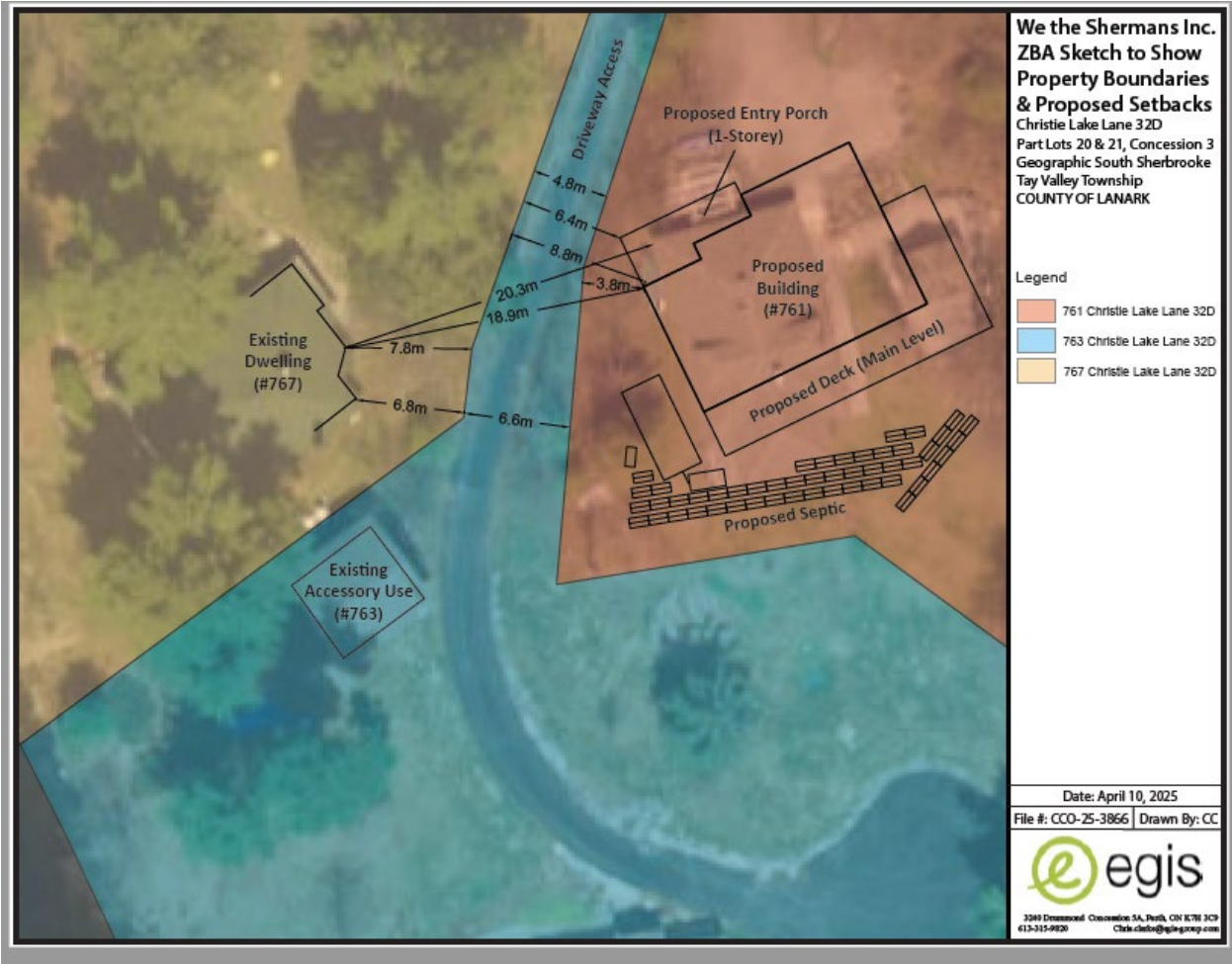
Attachment 1: Site Sketch with Area to Be Rezoned Shown in Grey







**Attachment 3 – Property Boundaries and Proposed Setbacks**



**Attachment 4 – Site Rendering from the Water**



**Attachment 5 – Elevation from Christie Lake Lane 32D**

**BONNEVILLE**  
60 YEARS OF INNOVATION

THE INDUSTRIES BONNEVILLE LTD RESERVE THE RIGHT TO SUBSTITUTE ANY MATERIAL OR FINISHES IN PLANS AND BILLS OF MATERIAL, WITHOUT RESPONSIBILITY.

**ISSUED AS PERMITS**  
THE CUSTOMER MUST OBTAIN FROM THE MUNICIPAL AUTHORITIES ANY INFORMATION REGARDING MUNICIPAL REGULATIONS. ANY INFORMATION OR SUCH REGULATION SUBMITTED BY THE CLIENT AFTER THE INITIAL DRAWING OF PLANS MUST RESULT IN A MAJOR CHANGE IN THESE PLANS AND SUPPLEMENTAL FEES MUST THEREAFTER BE CHARGED TO THE CLIENT BY THE INDUSTRIES BONNEVILLE LTD FOR REWORKING THE PLANS.

THE CLIENT'S SIGNATURE CONSTITUTES THE ACCEPTANCE OF PLANS. THE INDUSTRIES BONNEVILLE LTD CANNOT BE HELD RESPONSIBLE FOR A MISINTERPRETATION OR BAD COMPREHENSION OF THE PLANS BY THE CLIENT.

CLIENT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

CLIENT'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**CERTIFICATE**

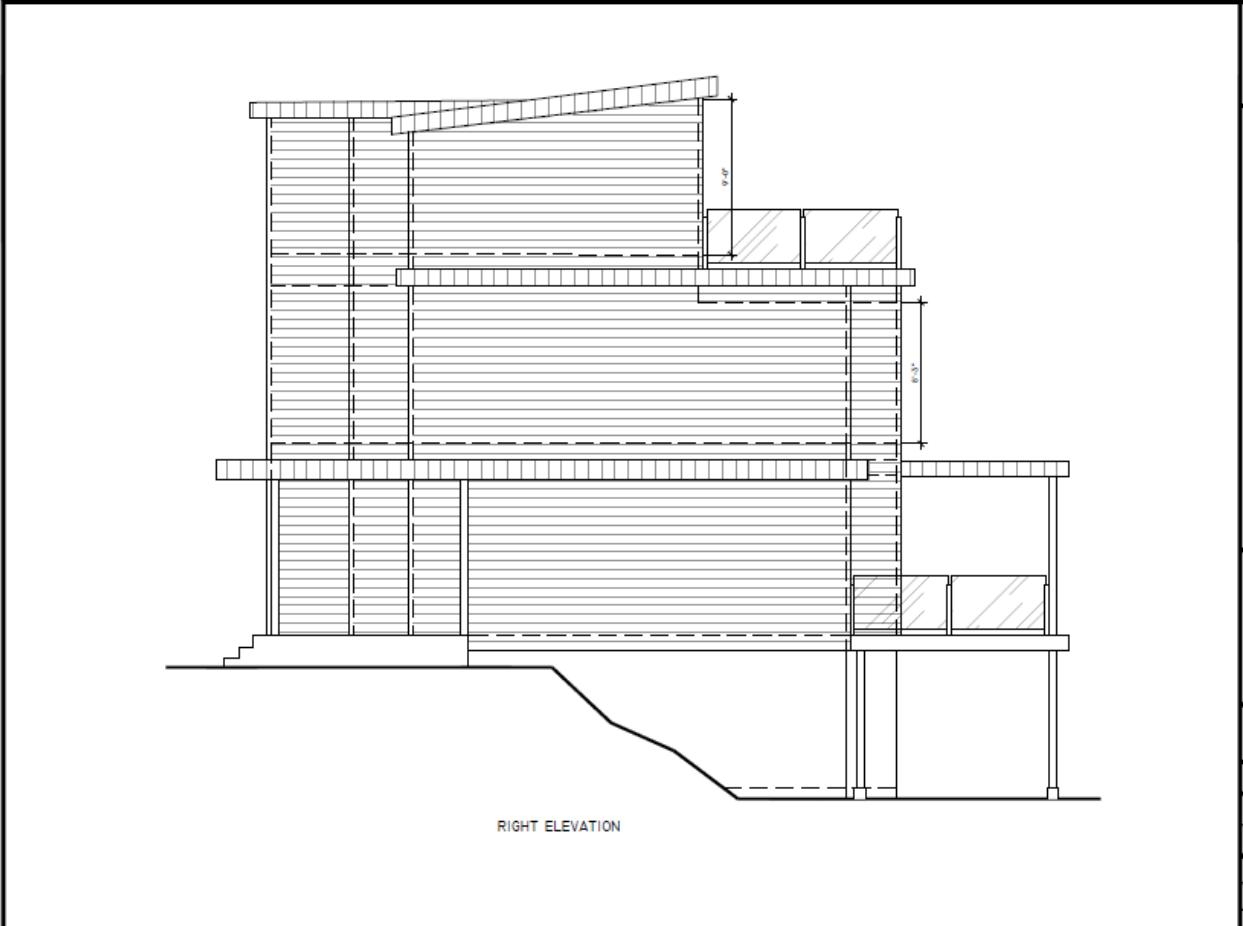
**ELEVATION**

NO. \_\_\_\_\_

Client: **SHERMAN**

DRAWN:	SCALE:	DATE:	PAGE:
	1/8" = 1'-0"	13.06.2024	4a

**Attachment 6: East Elevation Showing Grade**



## Attachment 7: Planner's Response to Nault March 24, 2025 written comments

### Email 1

Proposed Zoning By-Law Amendment  
750 & 761 Christie Lake Lane 32D  
(ZA-25-01)  
Ontario Business 'We the Shermans Inc.'

My parents purchased a waterfront property located at 767 Christie Lake Lane 32D in 1973 (52 years ago) with the intention of retiring here. Unfortunately, that did not happen for them. I am now the owner and have lived here year-round for approximately 20 years. This is my family's escape from the city. The house was built in 1922, making it 103 years old. Other than a major renovation in 1939, it remains intact. The property is dotted with majestic 200+ year old pine and hemlock trees. It fits in nicely with the rural character of Christie Lake.

On March 28, a friend notified me that there was a rezoning notice nailed to a tree on Lane 32. **The Planning Act requires Notices to be posted on the nearest Public Road to the location of the property.** There was no notice posted anywhere along 32D, not even at 750 or 761. **If Notices were placed on private roads, the general public would not be made aware.** I had not received a notice by mail either. Because I live just steps from 761, I emailed the Planning department to enquire as to why. I was told it had been mailed.

The Notice sketch and accompanying details were very confusing to me as I have intimate knowledge of the history for both properties located at 750 and 761 Christie Lake Lane 32D. **The Notice sketch is not a legal document. Its purpose is to identify the area in question.** The immediate red flags included:

1. The sketch erroneously included a sizeable chunk of land that does not belong to 750 or 761, thereby affecting lot measurements. **The sketch is based on MPAC. We cannot update it manually.** The subsequent staff report did NOT adjust lot or site calculations. **The staff report used the measurements based on the survey consolidating the properties. It did not use the MPAC drawing.**
2. The Notice states that 750 and 761 lands are consolidated. At the time of this writing, there is only an application to consolidate registered at the Land Registry Office. 750 (PIN 05215-403) and 761 (PIN 05215-0072) are still independently active in the Registry Office. **The merger of the properties occurs by operation of law as they are adjoining lands owned by the same entity.**
3. The Notice states that a cottage and garage at 761 will be demolished and replaced with a year-round dwelling. It goes on to say that the existing 'cottage' at 750 will serve as a second dwelling. The house located at 750 is NOT a cottage. It has been an occupied year-round principal residence in the Briggs family for decades. The Briggs continue to live there. **The report corrects the reference to a cottage.**



Upon receipt of the lengthy staff report a couple of days later, more red flags were raised:

Page 54:

1. The Background states 761 has 29m (95.4 ft) frontage on Christie Lake. The deed and survey for 761 states a frontage of only 25.3 feet. **Correct.** The remaining 70 feet of frontage is a roadway easement on title belonging to 750 (**which is consolidated with 761**). The entire roadway easement is deeded to 741 (Brooks) and to 757 (Long Island) and therefore does not belong to the building lot. **Yes it does because of the consolidation.** In fact, 757 is legally required to pay \$500 annually towards the use and maintenance of the easement to access his dock. (**Easement is not ownership**). The building lot is significantly smaller than the stated 1.1 acres.

Page 58.

1. Paragraph 3 Additional Residential Units (ARU) talks about affordable accommodation for rental purposes. It also states that no additional dwelling unit will be used as a short-term rental.

Because these two properties are owned by an Ontario business (multiple owners), will either property be used as rental units? **No. That is not a permitted use.** Will there be apartment units? **No. There is a single front door and there are no separate units inside the proposed dwelling.** The massive building resembles an apartment building. How many bedrooms, bathrooms and kitchens? **The proposed design shows one kitchen, 8 bedrooms and 8 bathrooms.**

2. Paragraph 4, Residential Conversion... subsection (b)

The suitability of this lot with regard to size, shape etc. is questionable given the small lot size, 25.3 feet of waterfront and the proposed 7,700+ sq.ft. 4 story structure resembling an apartment building. **The waterfront is larger than you state. The lot size is larger than the minimum for the zone. The proposed dwelling is 3 storeys from the rear and side. It is 4 stories from the water side.**

Page 60.

1. Paragraph 7, Storm Water Management.

A man-made gravel slope exists in the driveway at 761. At the highest point, there is a retaining wall a couple of feet from the cottage. It is approximately 4 feet high. Gravel has been added periodically over time to maintain this slope. This has resulted in storm water draining onto Lane 32D, down the hill travelling to 767, 769 and 771 Lane 32D causing wash-outs and deep ruts. This storm water also drains from 761 down a portion of my laneway causing wash-outs and deep ruts. Gravel from the driveway at 761 invariably ends up in my laneway and at the bottom of the hill at 771. This has caused us considerable time and money repairing the road and laneway after every rain storm. This needs to be remedied (regardless of future development status). **Under the Drainage Act no person is permitted to cause drainage onto another person's property. This is an issue between land owners, not the Township.**

The Planner has included in her report a requirement for further studies as part of the Site Plan Control Agreement process including: a stormwater management plan; steep slope analysis, location of the well and a water quality analysis and pump test for the new well.

Page 61.

1. Paragraph 4, Conforming to the Township Official Plan.

The Tay Valley Township Official Plan States:

#### 2.2.10 RESIDENTIAL CONVERSION FROM SEASONAL TO PRINCIPAL USE

1. Seasonal residences are dwellings which are used on a seasonal or temporary basis by occupants whose principal residence is located elsewhere. Secondary residences are typically recreation-oriented properties. A principal residence is a dwelling which functions as the main place of residence, where the occupant either resides on a permanent basis or spends the bulk of the year.

As both 750 and 761 properties are owned by an Ontario business with multiple owners, how can 761 be a principal residence? Again, 750 has been and continues to be a principal residence for the Briggs.

This section is referenced in my report to provide assurance that year-round use as a dwelling has met the criteria laid out in the Zoning By-law. It is not requiring the dwelling to be used as a principal residence. It is checking compatibility for such a use.

#### 2. Zoning By-Law

The 'lot' (761) currently zoned RS does NOT include the roadway to the lake. This roadway belongs to and is used by 750 and is currently zoned 'Rural'. The roadway serves as deeded access for 757 Long Island and for 741 Lane 32D (Brooks). The lot does include the road though the merger of the properties by operation of law.

The 'lot' (761) is significantly less than 1.1 acres. It will require a recalculation of the floor space index and will likely not meet the 12% permitted. The point of consolidation was to ensure the lot met the Floor Space Index requirements because it did not before consolidation. Total lot size is 81,151m<sup>2</sup>. The area proposed to be rezoned is 4,347.2m<sup>2</sup>.

The lot coverage will also need recalculating. No it will not.

I have included several visuals below to guide you in your decision making. I can't stress enough what impact this massive structure will have on devaluing my property, our use and enjoyment, loss of privacy, loss of natural heritage features and the demonstrated lack of rural character. This structure has a complete loss of curb appeal from all sides. This is not the right location for such a structure.

To answer questions related to the drawings you supplied: there are no windows on the side of the building facing your dwelling. There is no elevator. When a dwelling meets the 30m

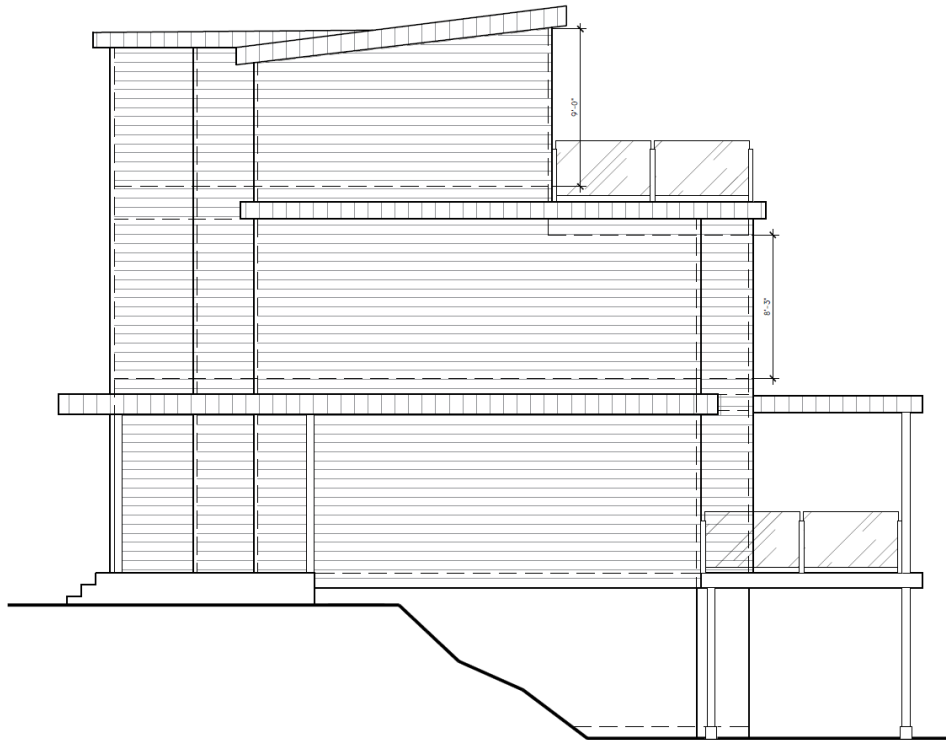
water setback it is allowed as much attached decking as the applicant wants. The decking may only extend 3m from the dwelling. Again, these are issues for the Site Plan Control Agreement and Building Permit review.

According to the air photos supplied by the Ministry of Natural Resources your dwelling would be 62 feet from the proposed dwelling.

According to your photos there are trees that are taller than the building proposed.

Zoning is about use and performance standards. The final dwelling is not determined by the zoning amendment. The height increase and side setback reduction provide a space within to design.

I think it could be a valid question to ask the applicant to provide a rendering of any shadow that may fall on your dwelling. A one room wide 4.5 storey building would be permitted that would have no affect on the neighbours. Design is part of Site Plan approval.



This is NOT a good fit.

I would be pleased to provide more information and/or discuss this with you.

Kind regards,

Penny Nault

767 Christie Lake Lane 32D



## Email 2 – Planner’s Response to Nault Comment – April 17, 2025

April 16, 2025

To all members of Tay Valley Township Council:

After digesting what transpired at the public meeting on April 8th, we (myself, my husband and our children) have more concerns. In fact, we are freaking out. I apologize if I’m a bit ‘all over the place’ with my thoughts.

The first concern is the process. If Noelle hadn’t spilled the beans about the 8 bedrooms and 8 bathrooms, no one (including Council) would have ever known the magnitude of this build. **The Zoning amendment application is for relief from 2 zone standards – a 2.2m reduction in west side yard setback and a 2.67m increase height. All the applicants are required to show under the Planning Act for a zoning application is a footprint. The applicants were transparent in the drawings they submitted. These are preliminary and subject to change until a Site Plan Control Agreement application is submitted.** And, the 20 days notice (which should provide more detail) should apply to mail-out notices as well so that affected property owners can better prepare for the public meeting. **The Notice was mailed out 20 days in advance.** Noelle said details will be controlled via Site Plan Control (SPC) but she appears to be the only one with say-so authority on that. Based on my own experience, neighbouring property owners who disrespect a condition in the SPC (eg: lighting) face no penalty when doing so. **Dark skies lighting refers to lighting that shines upward. The lighting was pot lighting (shines downward) and lighting along paths, so not applicable.** I feel the Planning Department needs some oversight to avoid potentially duping Council or to avoid preferential treatment for select property owners. **This is a potentially libelous statement.**

The public meeting was the only opportunity (unless it goes to the limp Committee of Adjustment (that’s a concern in itself) for the public to voice concerns. **A rezoning addresses any conditions a minor variance would be required for. The only reason this was not a minor variance was it is the construction of a new dwelling on a private road. If this was a renovation that increased the height and kept the same setback, it would be a minor variance reviewed by the Committee of Adjustment members who receive training in compliance with the Planning Act. This application is minor and would pass the four tests of a minor variance.** My neighbours had no idea of the scope of the project. I informed some of them so you may receive additional comments. **Unless the comments address the two zone standards that relief is sought for, they are not relevant to a Zoning application. They may be relevant for a Site Plan Control Agreement application. As of 1:00 pm April 17 I have not received any comments from neighbours.**

In fact, this is the second time I have experienced lack of consultation on an impactful building project involving this family. Decades ago, the CAO allowed 763 to move a 2-story structure (garage and apartment on top) from the east side to the west side of their property and place it on a 6-foot foundation just a few feet from my property line. **An accessory use is permitted to be 1m from a lot line. My understanding is the second storey is an office not an apartment.** My 103 year-old house is 10 feet from the lot line. My concerns were unheard until my lawyer neighbour contacted Council. Even though they lost their legal non-conforming status (because they moved the bldg.) and Council ordered a height reduction and removal of all windows on my side, it was too little too late. It has had a lasting negative impact on my property, especially from the water. I also lost all sun from the south. All this to

say, there has to be a better process. In my opinion, a neighbour impact assessment would be beneficial for all applications. **Not clear what is meant here.** Genuine impacts could be weighted for decision making.

When Noelle stated that short-term rentals are **not** allowed at the property, that raised an immediate red flag. **The Official Plan prohibits short term rental of accessory/second dwellings. The Township does not currently have any regulations regarding short-term rentals of primary dwellings. This may be part of the Zoning update discussion this Spring-Fall. However, short term rentals would be licenced through the Clerk's Department, not included in the Zoning Bylaw for reasons related to the Ontario Land Tribunal decisions on short-term rentals.** The Sherman's have 3 sons (married) and two grandchildren under the age of 1. The 8 bedrooms and 8 bathrooms tell me that, if they are allowed short term rentals, then it will be used as a short-term rental. They can command top dollar for this hotel-like structure. One cottage on the lake recently renovated has 2 bedrooms and it rents for \$3,000+ a week. If this family use the new build for 10 weeks in the summer and another five weeks off season, this would leave 37 weeks open to short-term rentals. They could likely charge \$5,000+ a week. Unfortunately, the neighbourhood would ultimately pay the cost in increased traffic on our one-lane road, loss of privacy, disruption to peace and quiet and the overall impact on quality of life. **This is speculation unrelated to the two exceptions applied for from the zone standards.**

I can't believe Noelle would even entertain the idea of a high-volume septic system within the 30m setback. **The septic system will be located beyond the 30m setback. The site drawing is conceptual only. The Elgen system does not technically have a mantle. The sand component shown on the site sketch is part of the system and as such must be 30m from water. No septic permit has been issued as those details will follow the rezoning. There is room on the consolidated property to pump the septic effluent onto the rest of the property to the north.** System failures do happen. According to Eric Kohlsmith's numbers, 61 of 165 (almost 40%) inspected septic systems at Christie Lake required either remedial work or system repair/replacement. I myself had to replace my system and it was only 15 years old and had no visible signs of malfunction. It is located far beyond the required 30m from the lake. This system will be pumping 10,000 Litres per day? If there is a huge party, then what? The site sketch shows open space to the rear of the structure. Does parking for 8+ vehicles get priority over the health of the lake? **No.**

And, if wells go dry on neighbouring properties because this property is draining the water table, what recourse do they have? Noelle stated at the public meeting for a different application that it would be a civil matter. Are people supposed to flush toilets, wash dishes or cook with bottled water until it goes to court? Who do they sue - the property owner or the township? This is not a suitable site for 8 bathrooms. **An engineer has been retained by the applicants to provide comment on the potential impacts, if any, and mitigation if required, of the well. This information will inform the design of the building and layout on the lot. This single dwelling could have 15 bedrooms and 10 bathrooms if the site is suitable. (It would need a permit from MECP if the septic capacity exceeded 10,000l/day, but such dwellings exist on waterfront.)**

Again, we are very concerned with the proposed towering height of the structure. The sketch does not indicate what the grade level is. Is it the 4-foot man-made raised driveway (supported by a retaining wall) or is it the grade of the existing cottage? **Grade of existing cottage.** If it's the driveway, then add another meter in height. When Noelle said the application is reasonable, she must have been thinking of a different proposal. There is nothing reasonable about this one. I would lose most, if not all, morning sun on the east side

of my house. The shade analysis demonstrated no impact from the 2.67m exception sought above the as of right 9m height. In fact the trees and low elevation of your existing dwelling combine to indicated that 767 receives very little sunlight currently.

We are also very concerned with increased vehicular traffic on our one lane road, dust, noise (potential large parties), water craft (boats, jet skis etc.) that will impact quiet enjoyment of the lake and the neighbourhood. 763 (owned by the same family) have a thing for lights and surveillance cameras. I counted 14+ exterior lights on that property with some projecting unshielded light pollution on my property and into my windows. I can't imagine what the impact of new lighting will have on us and when viewed from the lake. Will it look like a casino? How many surveillance cameras will monitor neighbourhood activity? **Speculation unrelated to the Zoning amendment proposed.**

The application requests a relief on the west side setback of to 3.8m (of 2.2m) instead of the required 6m to accommodate a covered porch. No the setback is to the dwelling. **The porch is a permitted encroachment.** The existing cottage is already too close to us. The porch will look directly down into my kitchen, our hub of activity. Or they could watch us and our guests at our outdoor sitting area. Or, they could watch our neighbours down the hill. **Speculation. The porch is 18.9m from your cottage. Your property does not abut the subject property.**

This 8 bedroom, 8 bathroom dwelling is equivalent to 3-4 individual cottages. Even if the waterfront portion is 95 feet, only 25.3 feet of that is for exclusive use by 761. As I have said before, the remaining frontage is shared with 3 other properties (741, 750, 757). **No change in how many properties will shared is proposed.** What impact would a full house of 20 people (or 30-40 for a large party) have on that waterfront with water craft and water toys? What about complete loss of privacy for 741. **I was puzzled by what you meant by 741 since their dwelling is located above the proposed new construction. But I see you must be referring to a second dwelling built without permit significantly less than 30m from the shore.** Will 741 be able to launch their kayak or canoe amongst the crowd? It would be a complete loss of privacy and quality of life for them. What about the potential for trespassing on neighbouring properties? Will we have to start locking our doors when we sit by the water to enjoy a good read? **Speculation.**

It is very clever (described as trickery at the public meeting by Mr. Cornell) to include the private road when calculating lot size and yard setbacks. **The subject property owns the road and the additional area included in the Zoning amendment north of the existing lot.** MPAC states a surveyed lot size of 0.49 acres (see last page). **MPAC has not caught up with the lot consolidation.** The lot is bound by roadway on three sides. **Half of one side. The lot owns the right of way to the east so it is part of the lot. The private road cuts partly through the expanded lot to the north of the proposed dwelling and Randi Sherman's lot abuts the east side (not a road). And water forms the south of the lot.** The fourth side is property owned by the same family. I have attached the survey for 761 (Plan 27R4159, Parts 1 & 2, attached). If they can't build on the roadway, can't install a septic system on the roadway, can't park on the roadway or can't move the roadway, then how can the application be allowed to include the roadway as part of the building lot? **Your analysis of the amount of roadway involved is flawed – see above. They can use the roadway to the north to put septic pipes under if needed as part of shifting the location of the Elgen/sand component.**

The Goal of the Official Plan states:

*“Tay Valley Township is a rural community that honours our culture and heritage, whose citizens and leaders strive to improve the quality of life for all residents and visitors in a sustainable, adaptable and secure environment.”*

The Official Plan also states:

## **SECTION 2: COMMUNITY DEVELOPMENT**

### **2.1 LAND USE PATTERNS FOR DEVELOPMENT**

“On rural land located in municipalities, permitted uses are: c) residential development, including lot creation, that is locally appropriate”. Council had indicated that it does not support sprawl development nor does it support strip development (see Section 6.3.3). The Township encourages development in settlement areas and cluster development. In consideration rural residential development the **Township does not support intensification of use along water bodies**, wetlands, or in areas of natural heritage significance.

This application does not represent intensification. Intensification is defined in the Provincial Planning Statement as, “The development of a property, site or area at a higher density than currently exists...” The City of Ottawa and others explain this further as “a net increase in residential units or accommodation. It does not include replacing a small house with a larger house! Or an old house with a new house!”. There was one dwelling previously and there will be one dwelling replacing it. No increase in residential units is proposed.

## **SECTION 7: INTERPRETATION**

**1. It is intended that the boundaries of the land use classifications shown on Schedules A, B and C be considered as approximate and absolute only where bounded by roads, railways, rivers or streams or other similar geographical barriers.** It is also intended that the location of roads as indicated on the Schedules be considered as approximate and not absolute. Therefore, amendments to the Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads, provided the general intent of the Plan is preserved. Such minor clarifications will not be reflected on Schedules. **This statement applies to Official Plan designations. Not clear what the intent is of including it. It does not apply to zoning designations. One property may have multiple zones on it, usually delineated by use, not geographical barriers.**

In closing, I can't say it enough, this is not the right location for such a mega structure with a mega crowd on such a small lot. **The only consideration before Council is relief sought from 2 zone standards – height and west side yard. Massing, etc. is a consideration of Site Plan Control Agreement. The Township does not currently have design guidelines besides floor space index and lot coverage and setback and height.** It will be highly disruptive to the quality of life for my family and neighbouring families. We are permanent residents. This build is for recreational and potentially income-generating use. **Speculation.** We respectfully urge you to deny this application. It's not a good fit. **Fit is not defined in the Zoning By-law. Zone standards are.**

Thank you and kind regards,

Penny Nault and family.



### My Neighbourhood - My Favourites

Roll Number	09 11 914 020 59720 0000
Property Address	<b>761</b> <b>CHRISTIE</b> <b>LAKE</b> <b>LANE 32D</b>
Legal Description	CON 3 PT LOT 20 PT LOT 21 RP <b>27R4159</b> <b>PARTS 1</b> <b>AND 2</b>
Property Description	313 - Single family detached on water
Location Identifier Municipality	O51  TAY VALLEY TOWNSHI P
Current Assessment Value	\$261,000
Realty Tax Classes	RT
Returned Base Year	\$261,000 2016
Sale Date	2020 Jun
Sale Amount	\$472,500
Effective Frontage	<b>25 Feet</b>
Effective Depth	<b>229.18</b> <b>Feet</b>
Effective Site Area	<b>0.49 Acres</b>
Site Area	<b>0.49 Acres</b>

<b>Year Built</b>	1920
<b>Construction Quality</b>	5
<b>Heat Type</b>	Electric (baseboard , wall insert)
<b>Full Baths</b>	1
<b>Half Baths</b>	1
<b>Bedrooms</b>	2
<b>Full Storeys</b>	1
<b>Partial Storey</b>	No part storey

## Attachment 8: Planner's Response to Cornell email of April 8, 2025

We provide the following comments on the proposed zoning by-law amendment:

- Height Limit (currently 9 meters)

Why is the height limit set at 9 meters? Current residential designs feature 2.75-3.0m (8-10 foot) ceiling heights on most medium to high-end houses. Should this not have been revised upwards in the last twenty years.

I recommend increasing the zoning height restriction to 15 meters. **Will be considered during Zoning By-law update this year.**

- Side-lot set back (6 meters)

The lot diagram and associated materials indicate a requested setback of 3.8 meters, but it appears the covered porch area is only 1.6 meters from the side lot boundary.

The covered porch measurement should be the determining measurement. **No. The Zoning By-law Section 3.30 permits an encroachment of 3m for a deck or porch if the dwelling is located 30m or more from water.**

The second aspect relates to the access lane on this boundary line. The closeness of the proposed structure to the vehicular lane will lead, over time, to the deflection of the lane and an encroachment into the adjoining property. **This concern is unlikely to occur as the access lane is paved and serves only one property to the south of the subject property.**

When there is an opportunity to ensure a proper setback it must be considered or abided by in this case. **Minor variances and Zoning By-law amendments are permitted to address unique situations on lots.**

I recommend the full setback of 6 meters be required and the residence and all associated parts be shifted eastward to accommodate this requirement.

- Demolition of existing structure.

It was my understanding when an existing cottage or recreational property is to be revised some aspect of the original structure must remain and the original footprint must be maintained. **This has not been the case since the TDL Group Corp [2009] O.J. No. 4816 (Ont Div Ct.) decision. No aspect of the existing cottage is required to remain. It can be completely rebuilt. However, no increase in height size or volume is permitted (unless it meets the 30m water setback and other yard setbacks or receives approval for zoning relief by a minor variance or site specific amendment to the Zoning By-law).** An amendment would be needed to expand the footprint.

I cannot see any aspect of the original structure in this proposed building, **This requirement has not been required since the TDL Group Corp [2009] O.J. No. 4816 (Ont Div Ct.) decision and it is significantly larger than the original structure. Yes. The dwelling is proposed to be located farther than 30m from water, so the two zoning by-law exceptions sought are for height and west side yard setback. Please be aware the subject property does not abut the neighbour's property (Nault). It abuts the property at 763 Christie Lake Lane 32D (owned by Randy Sherman).**

I recommend the township clarify and clearly state the practices for the renovation and replacement of existing recreational residential structures. **These are stated in Section 3.12 of the Zoning By-law.**

- Lot addition.

Was the original cottage also owned by "We the Sherman Inc."?. **Yes. Does "We the Sherman Inc." also own the adjoining property (westerly). No Randy Sherman owns 763 Christie Lake Lane 32D.**



The original plot for the (formerly Hord property) was .4 hectare (1 acre) or less. The size of this structure appears to not qualify on a plot of that size. The lot addition (Briggs plot) does add significant additional area to the lot, but the configuration and orientation of the resultant plot are not suited to intended uses in the area. **The Official Plan designates the area as Rural. Residential uses are permitted. The enlargement of the lot allows for parking to be shifted or additional land available for a new well.** It appears this addition has been engineered to “qualify” this structure for approval despite having two residential structures on the same plot. **Second dwellings are permitted by the Zoning By-law Section 3.19.** The plot configuration and the linkage to the remaining space over an access lane used by others should deem this proposal unsuited to the needs of the area. I could see, within the near term, a follow-on submission to sever the property after the structure has been completed. **Severance potential represents speculation unrelated to the Zoning By-law requirements.** I recommend the building size be limited to that which the original lot (.4 hectare) could support as specified in the zoning. **That lot has been consolidated so the original lot no longer exists.**

- Non-conforming Elements

As it appears there is little value to the remainder of the structures, there should be no concerns with the removal of the non-conforming deck structure. The graphic representation appears to visualize a renewed deck far exceeding the allowable elements in a completely different location. **No. The free-standing deck shown exists. No new free-standing deck is proposed.**

I recommend removal of the non-conforming elements. **The Planner’s comments are related to future repair and replacement, if the deck was shown to be legally non-conforming.**

There are many concerning elements to this proposal. Please consider our findings and recommendations.

Kevin Cornell



## Attachment 9 – Email from Ian Sherman – April 16, 2025

Dear Ms. Reeves,

Further to the Public Meeting for Zoning Amendment ZA25-01 – We the Shermans Inc., we did want to take a moment to once again highlight that we have attempted, as much as possible, to design our project in compliance with all of the Township's zoning requirements and we have made every effort to minimize environmental and visual impact.

Notwithstanding all of the comments at the Public Meeting, we believe it is important to recognize that Council is only required and being asked to consider a small number of zoning reliefs – primarily around the west side yard setback and the maximum height of the building.

With respect to the west side yard setback, the requested 3.8m setback is **not** the setback from the property of Penny Nault. The property at **763 Christie Lake Lane 32D is the direct neighbouring property**, not the Nault property. In fact, the setback to the Nault property (which is not a setback subject to the Zoning Amendment) is approximately 11.1m. The owner of 763 Christie Lake Lane 32D has no objections to the proposed redevelopment and the relevant minor setback encroachment is from that property, not the Nault property.

With respect to the maximum height, we reiterate to Council that we are only asking for a small allowance of 2.67m in height - i.e., the difference between 9m (which is permitted under existing zoning by-laws) and 11.67m (which we have requested). The difference between the height of the current structure and 11.67m is not at all relevant. There are also many trees, both on and abutting the Nault property line, that are higher than the proposed building height based on the topography and to our knowledge, this topography and tree lining has been the same for almost 35 years now. As a result, those trees actually have more impact on the sunlight than any other factor. In any event, it is also important for Council to remember that our project does not impact the line of sight to Christie Lake for any property, including the property at 763 Christie Lake Lane 32D and the Nault property.

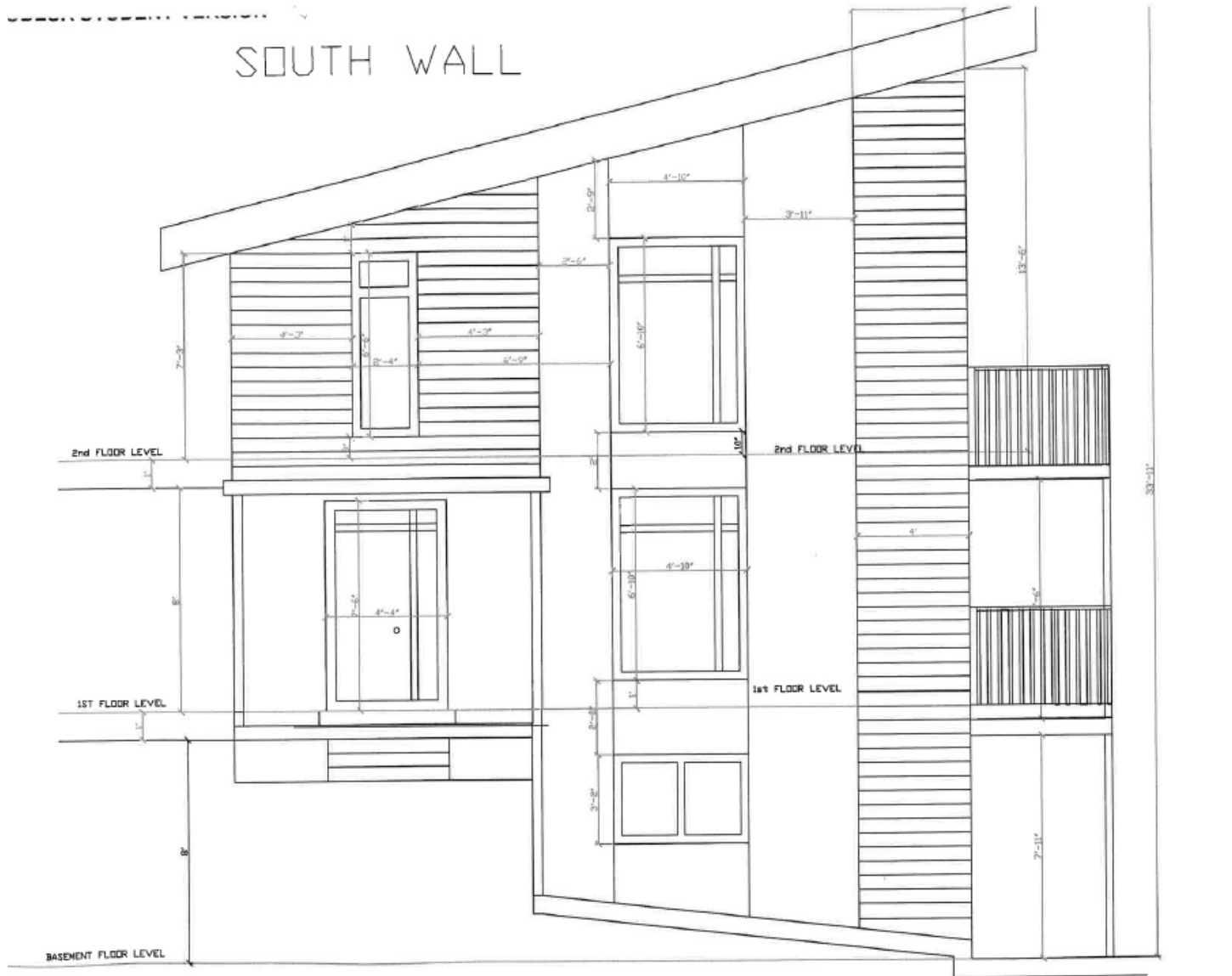
Respectfully, we also do not believe that approving the by-law relief will result in a diminution of value or functional use of any properties on Christie Lake, including the Nault property. If anything, this project is an amelioration of this neighbourhood. There is no loss of privacy, no loss of usable space and no material impact to the enjoyment of property for anyone on Christie Lake. Your report is supportive of the project and the report also outlines many positive impacts, including that the project will result in an environmental gain and improved stormwater management (see page 63 of the report).

We believe that the proposed design is smart, responsible and low-impact. We have made every effort to minimize environmental and visual impact and see no reason for this by-law relief to not be approved by Council.

I would be happy to further discuss these matters at any time if that would be helpful.  
Thank you,

Ian  
Ian Sherman, FCPA, FCA, ICD.D  
CEO, **Relationship Capital Inc**





## Attachment 11 - Egis Shadow Impact Analysis



April 17, 2025

Noelle Reeve, Planner  
Tay Valley Township  
217 Harper Road  
Perth, ON  
K7H 3C6

**RE: Shadow Impact Analysis to Support a Site-Specific Zoning By-Law Amendment and Site Plan  
ZA25-01 - We the Shermans Inc.  
750/761 Christie Lake Lane 32D  
Part Lots 20 and 21, Concession 3  
Geographic Township of South Sherbrooke  
Tay Valley Township**

Dear Ms. Reeve,

The property owner has retained Egis to assist with a site-specific Zoning By-Law Amendment and Site Plan for the redevelopment of their property at 761 Christie Lake Lane 32D which was recently consolidated on title with 750 Christie Lake Lane 32D. The public meeting for Zoning By-Law Amendment ZA25-01 was held on Tuesday April 8, 2025. Concerns were raised by nearby property owners over shadowing impacts on adjacent properties due to the requested height of the building at 11.67m. To address these concerns, Egis completed research and leveraged ShadeMap to simulate shadows cast by buildings, trees, and terrain in 3D, which generated shadow accumulation and accrual maps. ShadeMap allows for new proposed buildings to be plotted at specific heights to assess the changes in shadowing expected for new development or redevelopment at greater heights. Tree shading can be shown in ShadeMap based on the top or bottom of canopy.

The assessment has been completed based on past experience with development requiring Sun & Shadow Studies and based on research completed as part of this assessment. The solstices, falling on June 21 and December 21, represent the seasonal limits or extremes in terms of length of daylight and sun altitude. June 21 has the shortest shadows due to higher sun angles, and December 21 has the longest shadows due to lower sun angles. The equinoxes, around March 20 and September 23, represent the seasonal averages. In order to assess the potential impacts of shadowing / shading an assessment was completed by Egis using ShadeMap. Given shading is most likely to affect enjoyment of properties at ground level the assessment was completed using shading at the bottom of canopy. The treed areas in and around the area of redevelopment were already accounted for in ShadeMap. The

assessment completed in support of ZA25-01 looked at sun and shadowing impacts for March 20, June 21, September 23, and December 21. Shadowing impacts were assessed at two times of day, 9am and 3pm, for each of the four days. These times were chosen as they represent approximate hours between 1.5 hours after sunrise to 1.5 hours before sunset on December 21 when shadowing is expected to be the highest.

Another consideration for the analysis is the height of the new building for which the assessment was completed. The underlying zone allows for a height of up to nine (9) metres without requiring planning act approvals or sun shadow analysis. The impacts from potential shadowing of abutting properties would only be for the portion of the new dwelling above the maximum height of 9.0 metres. The figures included within this report show the shadowing impacts for three different scenarios; 1) with the current cottage height, 2) with a height of nine (9) metres, and 3) with the proposed height of 11.67 metres.

### **SURROUNDING PROPERTIES POTENTIALLY IMPACTED BY SHADOWING**

Lands to the north of 761 Christie Lake Lane 32D - are not currently developed.

Lands to the east of 761 Christie Lake Lane 32D - contain a residential use with a civic address of 741 Christie Lake Lane 32D. The residential use falls approximately 60 metres from the replacement dwelling at #761. The two dwellings are located a relatively equal elevations on the ground. The intervening lands between the two uses are fully treed. These treed lands already result in some shading / shadowing impacts as most trees are fully mature and greater than 11.67 metres in height. Existing shading and shadowing of #741 would not be exacerbated by the replacement dwelling at #761.

Lands to the south of 761 Christie Lake Lane 32D – contain a residential use with a civic address of 763 Christie Lake Lane 32D. The existing dwelling falls approximately 33 metres from the replacement dwelling at #761. The main amenity spaces for #763 fall to the west and south of the existing dwelling opposite to where the redevelopment is proposed for #761. Any increased shadowing from the redevelopment would not impact the enjoyment of these outdoor areas as they would be cast over the septic and parking areas for #763.

Lands to the south of 761 Christie Lake Lane 32D – contain two residential properties with civic addresses of 767 and 769 Christie Lake Lane 32D respectively. The existing dwelling at #769 falls approximately 51 metres from the replacement dwelling at #761. Given the separation distance and extensive mature tree cover on intervening lands current shading / shadowing would not be exacerbated by the redevelopment of #761. The property at 767 Christie Lake Lane 32D falls approximately 19 metres from the replacement dwelling at #761 and would be expected to be the property most impacted by potential shadowing.

However, based on the aerial photos provided in Figures 1 and 2 below there is already extensive shadowing of 767 Christies Lake Lane 32D due to existing vegetation. The dwelling location at #767 cannot be seen in Figure 1 during leaf-on periods due to the extent of shadowing. An older aerial photo shown in Figure 2 taken during leaf-off periods shows the location of #767. The majority of the trees on #767 are coniferous trees resulting in shadowing of the property year-round. Of importance to note, the driveway access for #763 Christie Lake Lane 32D falls between #761 and #767.



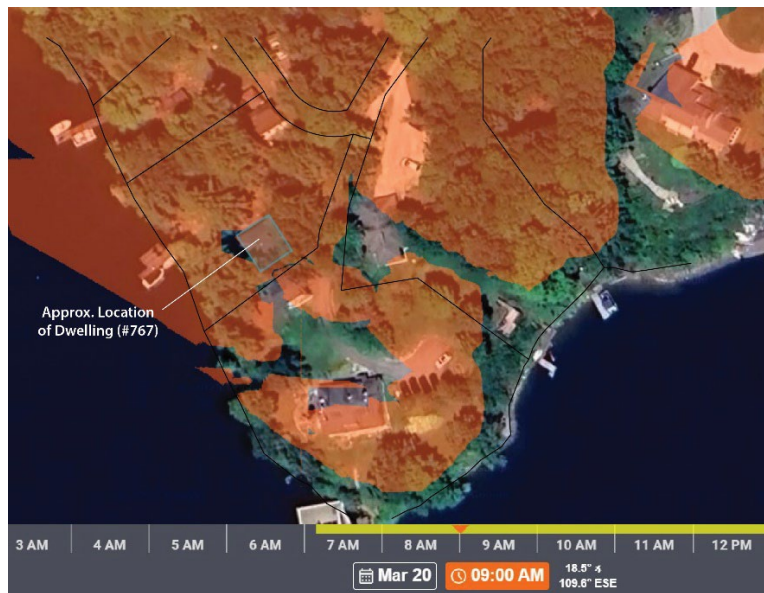
**Figure 1 – Current AgMaps Aerial Photo (Leaf-On)**



**Figure 2 – 2014 AgMaps Aerial Photo (Leaf-Off)**

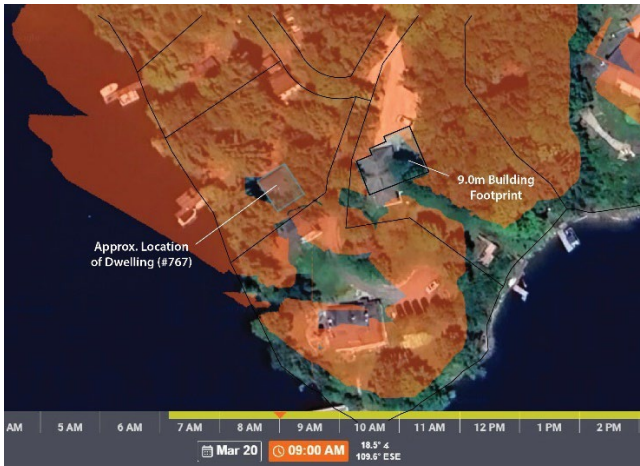
**ASSESSMENT OF SHADING / SHADOWING IMPACTS ON 767 CHRISTIE LAKE LANE 32D**

ShadeMap was used to show the shading created at the bottom of canopy for existing buildings and vegetation. These areas are depicted by the Orange hatch pattern in the figures below. ShadeMap does not have property parcels which have been added to the figures for reference and are shown approximately. The dwelling at #767 has also been shown approximately. Two additional figures are provided showing the proposed dwelling footprint at 9.0 metres in height, the maximum permitted in the underlying zone, and at the proposed height of 11.67 metres to demonstrate the immaterial differences in shading from redevelopment of 761 Christie Lake Lane 32D.

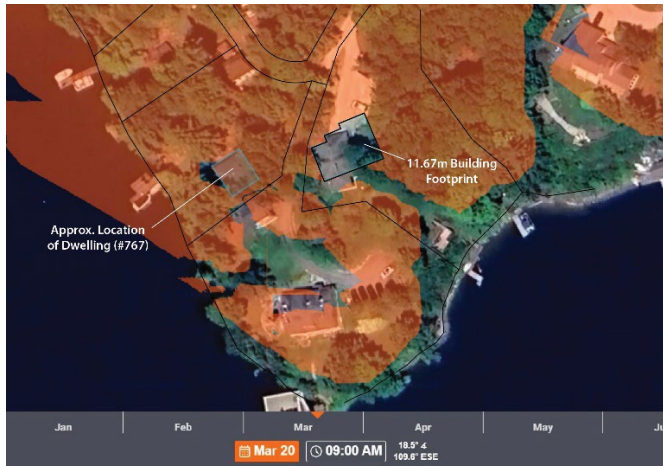


**Figure 3a – Current Shadowing from Existing Buildings and Vegetation (9am - March 20<sup>th</sup>)**



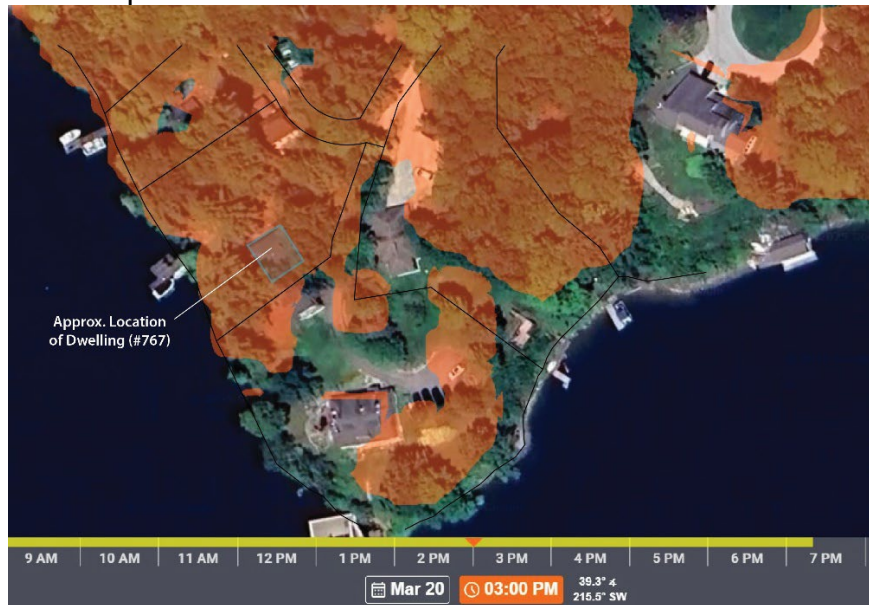


**Figure 3b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (9am - March 20<sup>th</sup>)**

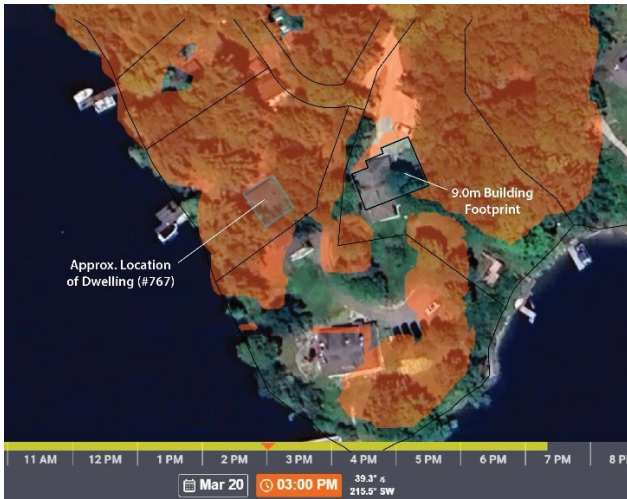


**Figure 3c – Shadowing Impacts from an 11.67m Structure at 761 Christie Lake Lane 32D (9am - March 20<sup>th</sup>)**

When comparing the orange shadowing patterns in Figures 3a to 3c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 9am on March 20<sup>th</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 is nearly entirely shadowed by existing vegetation and terrain during this time. The only change in shadowing occurs to the west of the new dwelling on 761 Christie Lake Lane 32D. Figure 4a – 4c on the next page shows shadowing impacts for 3pm on March 20<sup>th</sup>.



**Figure 4a – Current Shadowing from Existing Buildings and Vegetation (3pm - March 20<sup>th</sup>)**



**Figure 4b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (3pm - March 20<sup>th</sup>)**



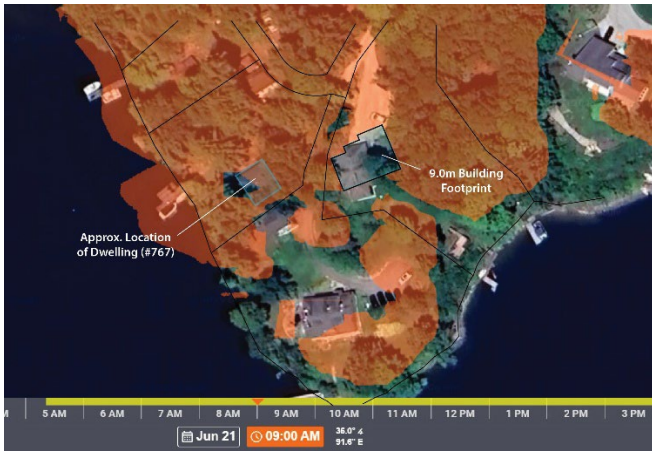
**Figure 4c – Shadowing Impacts from an 11.67m Structure at 761 Christie Lake Lane 32D (3pm - March 20<sup>th</sup>)**

When comparing the orange shadowing patterns in Figures 4a to 4c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 3pm on March 20<sup>th</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 is entirely shadowed by existing vegetation and terrain during this time. The only change in shadowing occurs to the north of the new dwelling on 761 Christie Lake Lane 32D.

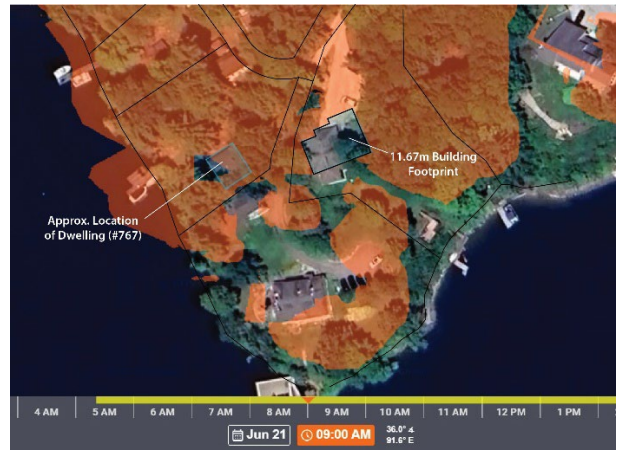


**Figure 5a – Current Shadowing from Existing Buildings and Vegetation (9am - June 21<sup>st</sup>)**



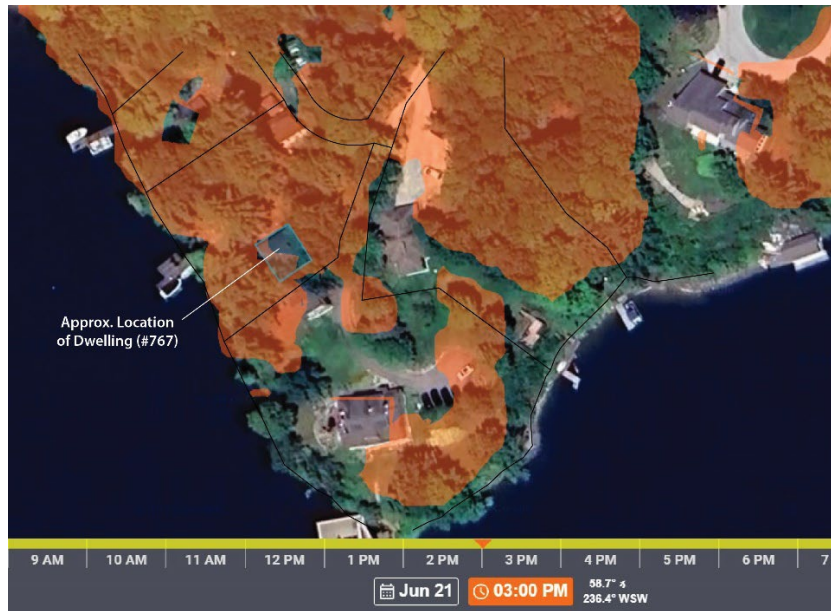


**Figure 5b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (9am - June 21<sup>st</sup>)**

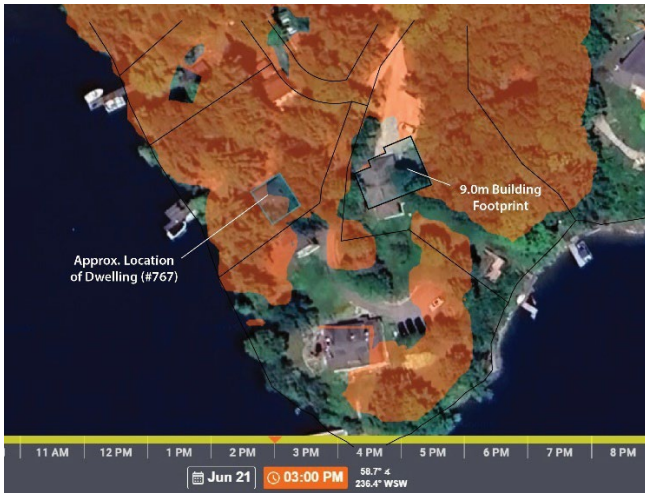


**Figure 5c – Shadowing Impacts from an 11.67m Structure at 761 Christie Lake Lane 32D (9am - June 21<sup>st</sup>)**

When comparing the orange shadowing patterns in Figures 5a to 5c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 9am on June 21<sup>st</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 has a small area of sunlight to the west of the existing dwelling, opposite the replacement dwelling at #761, which is not affected by the height increase. The only change in shadowing occurs to the north of the new dwelling on 761 Christie Lake Lane 32D.



**Figure 6a – Current Shadowing from Existing Buildings and Vegetation (3pm - June 21<sup>st</sup>)**

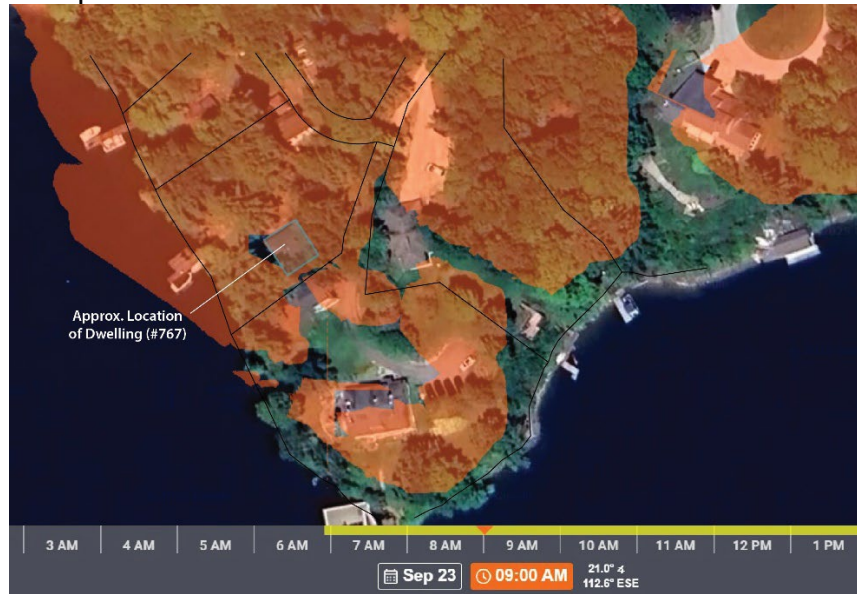


**Figure 6b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (3pm - June 21<sup>st</sup>)**



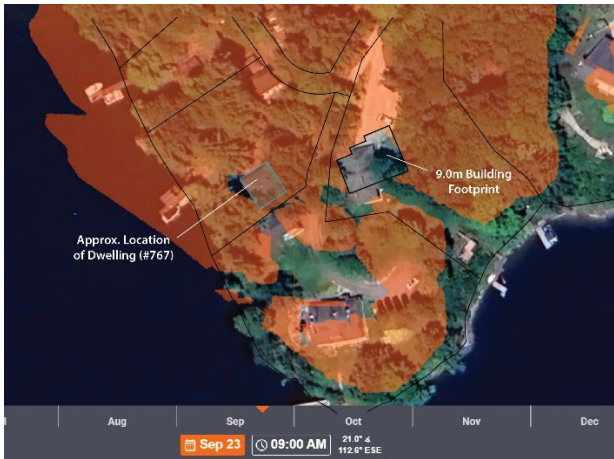
**Figure 6c – Shadowing Impacts from an 11.67m Structure at 761 Christie Lake Lane 32D (3pm - June 21<sup>st</sup>)**

When comparing the orange shadowing patterns in Figures 6a to 6c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 3pm on June 21<sup>st</sup> compared with existing shadowing from the surrounding vegetation. June 21<sup>st</sup> is the period of the year when the sun is the highest and shadowing the lowest. Overall, there is little to no change in shadowing due to the proposed height of 11.67m at 3pm on June 21<sup>st</sup>.

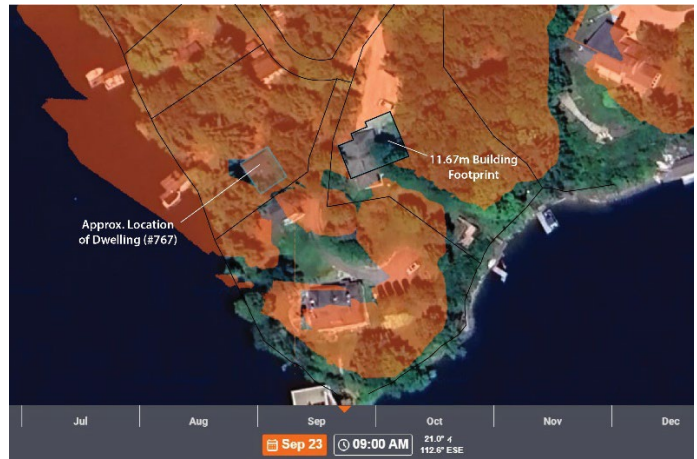


**Figure 7a – Current Shadowing from Existing Buildings and Vegetation (9am – Sept. 23<sup>rd</sup>)**



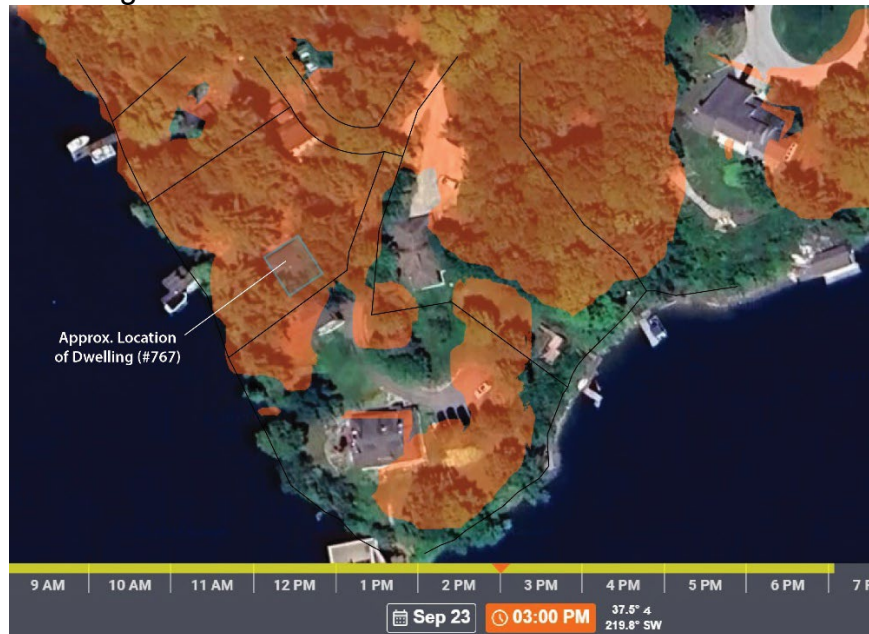


**Figure 7b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (9am - Sept. 23<sup>rd</sup>)**

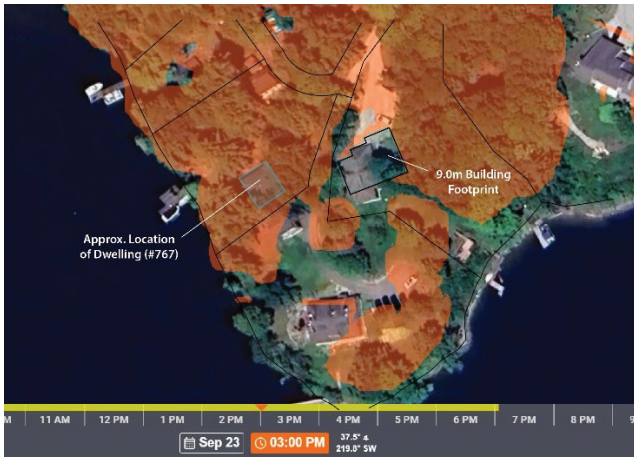


**Figure 7c – Shadowing Impacts from an 11.67m Structure at 761 Christie Lake Lane 32D (9am - Sept. 23<sup>rd</sup>)**

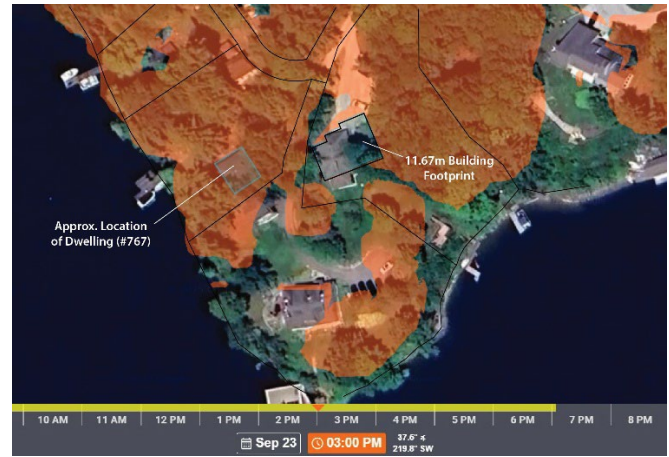
When comparing the orange shadowing patterns in Figures 7a to 7c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 9am on September 23<sup>rd</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 has a small area of sunlight to the west of the existing dwelling, opposite the replacement dwelling at #761, which is not affected by the height increase. The only change in shadowing occurs to the north and west sides of the new dwelling on 761 Christie Lake Lane 32D.



**Figure 8a – Current Shadowing from Existing Buildings and Vegetation (3pm – Sept. 23<sup>rd</sup>)**

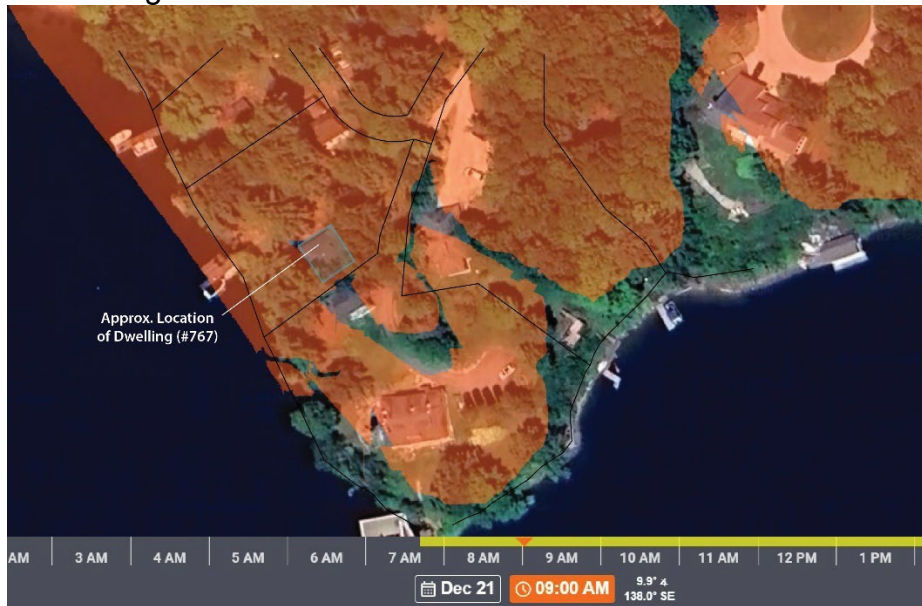


**Figure 8b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (3pm - Sept. 23<sup>rd</sup>)**



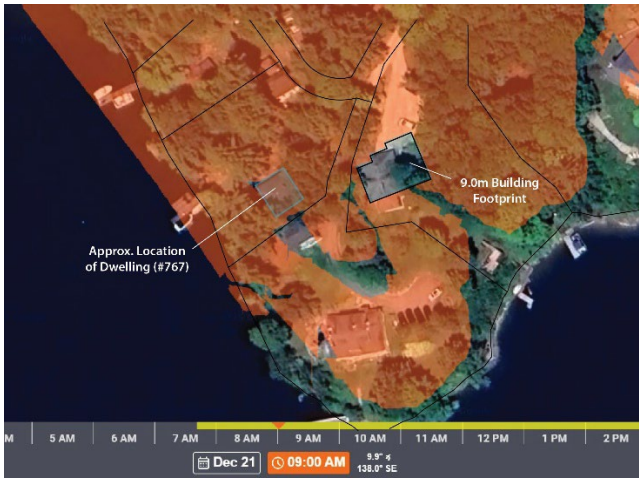
**Figure 8c – Shadowing Impacts from an 11.67m Structure at 761 Christie Lake Lane 32D (3pm - Sept. 23<sup>rd</sup>)**

When comparing the orange shadowing patterns in Figures 8a to 8c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 3pm on September 23<sup>rd</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 is entirely shadowed by existing vegetation and terrain during this time. The only change in shadowing occurs to the north of the new dwelling on 761 Christie Lake Lane 32D.

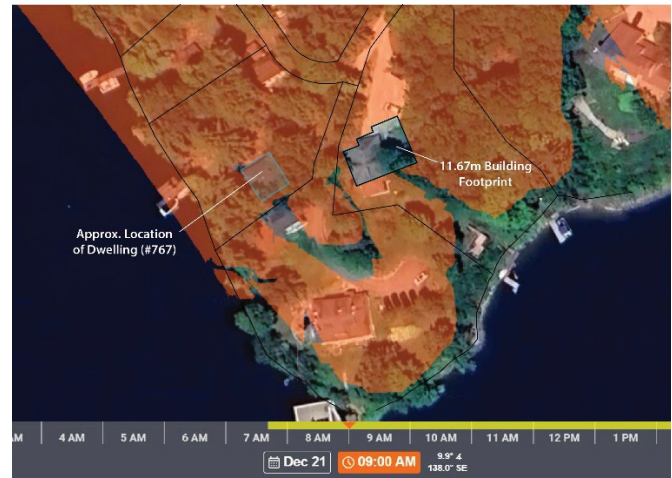


**Figure 9a – Current Shadowing from Existing Buildings and Vegetation (9am – Dec. 21<sup>st</sup>)**



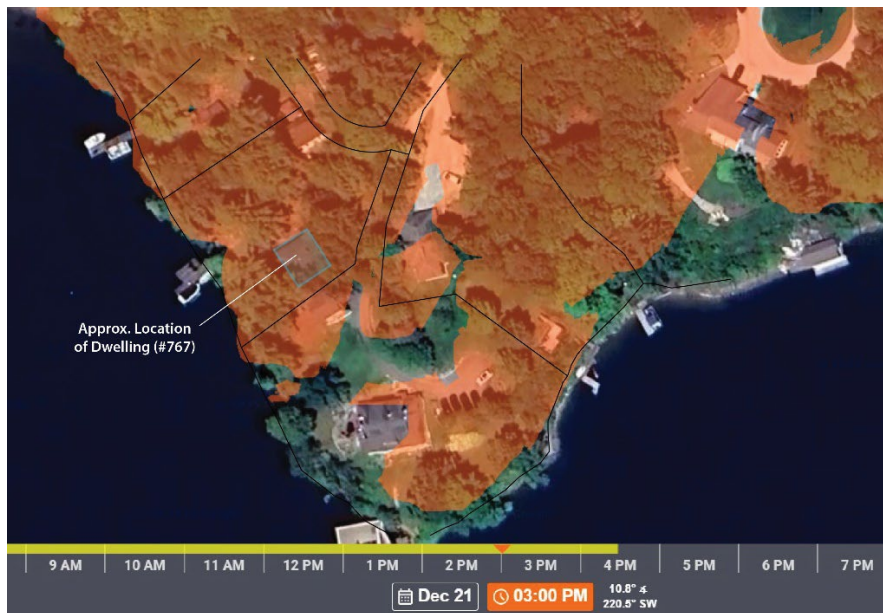


**Figure 9b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (9am – Dec. 21<sup>st</sup>)**

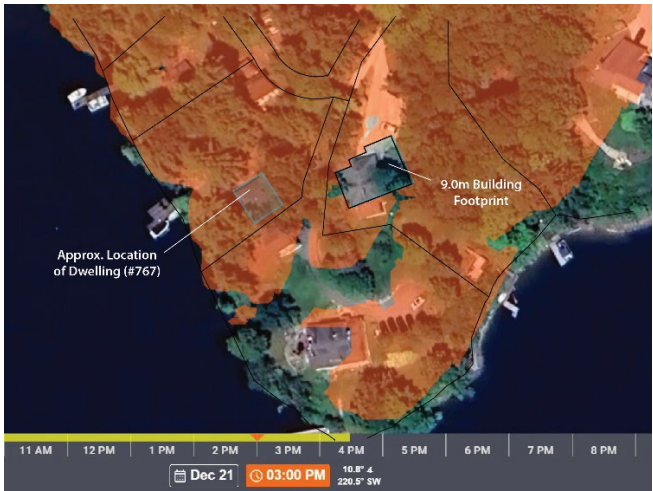


**Figure 9c – Shadowing Impacts from a 11.67m Structure at 761 Christie Lake Lane 32D (9am – Dec. 21<sup>st</sup>)**

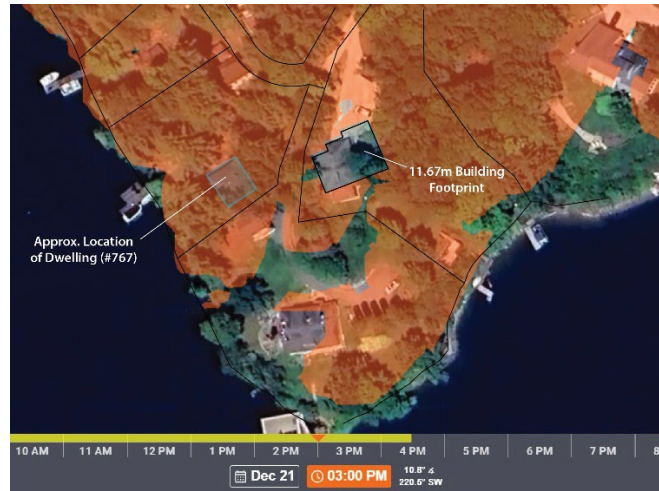
When comparing the orange shadowing patterns in Figures 9a to 9c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 9am on December 21<sup>st</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 is entirely shadowed by existing vegetation and terrain during this time. The only change in shadowing occurs to the north of the new dwelling on 761 Christie Lake Lane 32D.



**Figure 10a – Current Shadowing from Existing Buildings and Vegetation (3pm – Dec. 21<sup>st</sup>)**



**Figure 10b – Shadowing Impacts from a 9.0m Structure at 761 Christie Lake Lane 32D (3pm – Dec. 21<sup>st</sup>)**



**Figure 10c – Shadowing Impacts from a 11.67m Structure at 761 Christie Lake Lane 32D (3pm – Dec. 21<sup>st</sup>)**

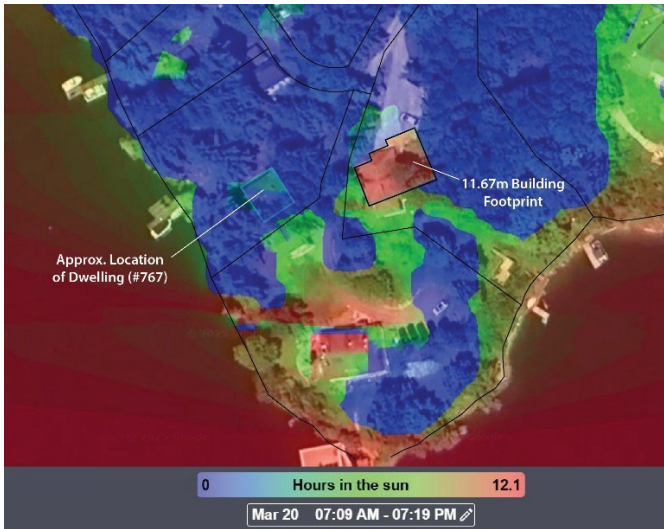
When comparing the orange shadowing patterns in Figures 10a to 10c above there are no differences in shadowing on 767 Christie Lake Lane 32D from either a 9.0m tall building or from the proposed 11.67 metre building at 3pm on December 21<sup>st</sup> compared with existing shadowing from the surrounding vegetation. The property at #767 is entirely shadowed by existing vegetation and terrain during this time. The only change in shadowing occurs to the north of the new dwelling on 761 Christie Lake Lane 32D.

The downside with the March and December assessments of shadowing is that ShadeMap does not appear to account for leaf-off periods. Based on the leaf-off aerial photograph shown in Figure 2 earlier in this report, many of the mature trees on the property at 767 Christie Lake Lane 32D are coniferous in nature evidenced by their green colouration. The number of deciduous trees in and around the property, as seen in Figure 1, are much lower when compared to coniferous varieties. The effect is shading / shadowing of the property at 767 Christie Lake Lane 32D year-round. March and December periods tend to have much colder average temperatures when property owners would be less likely to be using their outdoor spaces. In comparison, the June and September periods with leaf-on conditions would likely have increased usage of outdoor areas. Based on the assessment and figures above, shadowing during these warmer months would not be exacerbated for any surrounding properties, including 767 Christie Lake Lane 32D, by the construction of a replacement dwelling at 761 Christie Lake Lane 32D with a height of 11.67 metres.

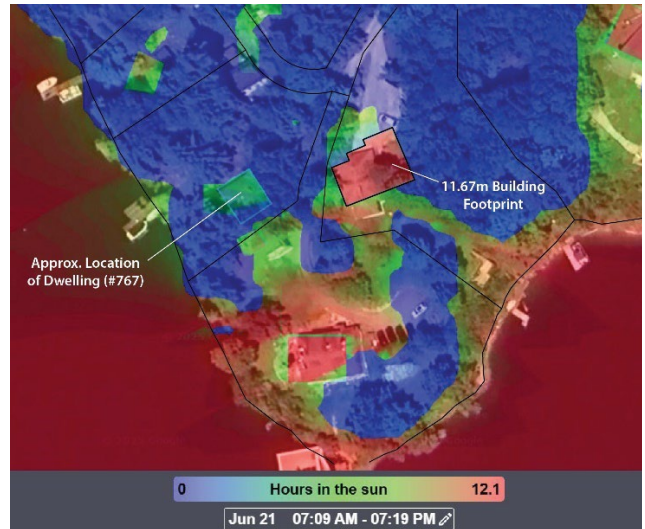
**HOURS IN THE SUN ASSESSMENT FOR 767 CHRISTIE LAKE LANE 32D**

ShadeMap also contains a data layer which allows for the assessment of total hours in the sun for properties. The total hours of sunlight were investigated for 761 Christie Lake Lane 32D and surrounding properties on the same four dates used in the Sun Shadow Analysis March 20, June 21, September 23, and December 21 as seen in Figures 11a – 11d below and on the next page. The purpose of the hourly sunlight assessment is to demonstrate the extent of shading already occurring on nearby properties due to vegetation cover, particularly for the neighbours at 767 Christie Lake Lane 32D with shading / shadowing concerns.

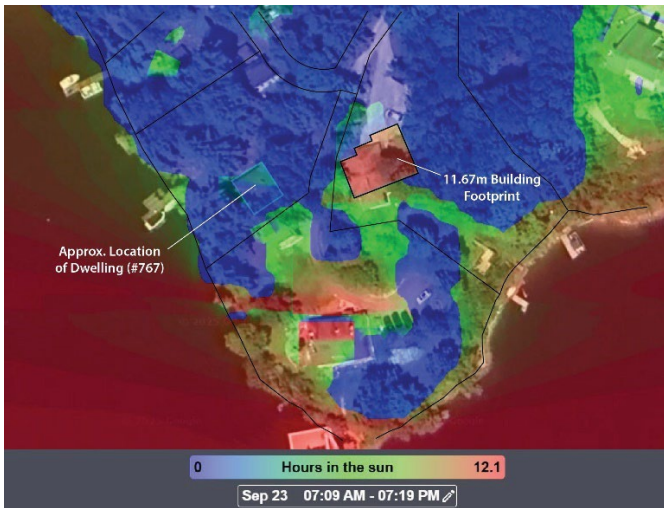




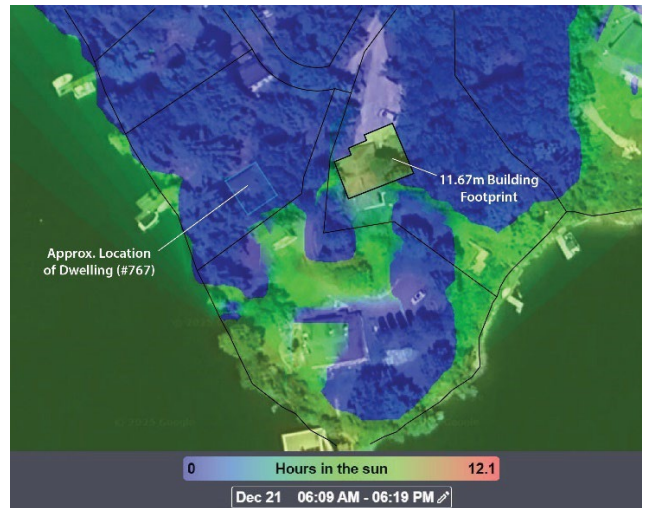
**Figure 11a – Hours in the Sun for March 20<sup>th</sup>**



**Figure 11b – Hours in the Sun for June 21<sup>st</sup>**



**Figure 11c – Hours in the Sun for September 23<sup>rd</sup>**



**Figure 11d – Hours in the Sun for December 21<sup>st</sup>**

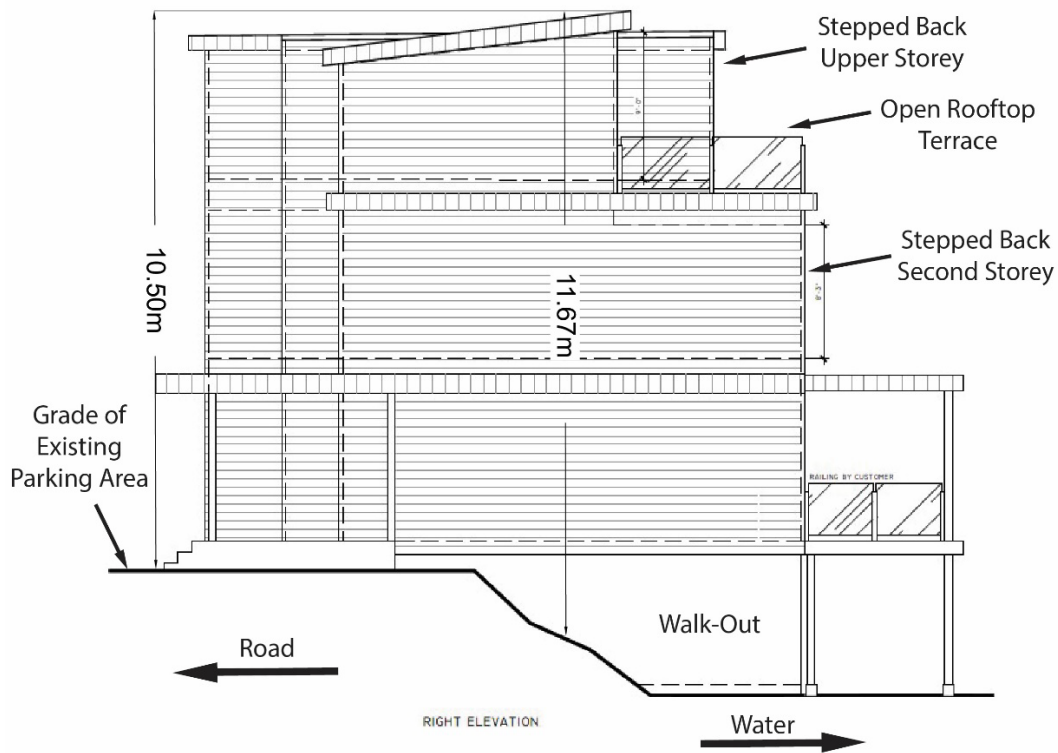
Due to the extensive tree cover at 767 Christie Lake Lane 32D the property experiences very few hours in the sun on any of the days investigated. A small area around the location of the existing dwelling at #767 and parts of the property’s shoreline does experience between four to six hours of sunlight. The area to the east of the dwelling on #767 experiences no sunlight hours based on Figures 11a – 11d above. The redevelopment of 761 Christie Lake Lane 32D with a proposed replacement dwelling height of 11.67 metres would not impact hours of sunlight on surrounding properties.

**BUILDING DESIGN FOR 761 CHRSTIE LAKE LANE 32D AND IMPACTS ON SUN EXPOSURE**

As mentioned earlier in this report, the underlying zone allows for a height of up to nine (9) metres without requiring planning act approvals. The property owners would be able to construct a 9.0 metre building as-of-right. The impacts from potential shadowing and sun

exposure of abutting properties should only be consider for the portion of the new dwelling above the maximum height of 9.0 metres. The ground floor and second level of the proposed replacement dwelling would fall below 9.0 metres. The upper floor, extending up to 11.67 metres in height, is the only part of the building above 9.0 metres.

To account for the increased height proposed and potential impacts on nearby properties the owner’s have incorporated a stepped back floor layout in the building design as seen in the right building elevation provided in Figure 12 on the next page. The ground floor consists of a footprint of 155.5 square metres with a covered deck measuring 76.6 square metres wrapping around the south and part of the east (left) side of the dwelling. The deck wraps around the side opposite the property at 767 Christie Lake Lane 32D. The second level steps back from the ground floor by having only a footprint of 155.5 square metres and no decking or balconies. The upper storey, the portion above the 9.0 metre maximum height, steps back further through the incorporation of an open rooftop terrace. The footprint of the upper level is reduced to 114.7 square metres resulting in a 26.2% decrease in the overall footprint compared to the ground and second floors. This area comprises the rooftop terrace. Given the terrace does not project further off the main footprint and has no roof or cover the reduced massing of the upper floor will allow for more sun exposure for the nearby dwelling at 767 Christie Lake Lane 32D.



**Figure 12 – Right Elevation with Stepped Back Design**

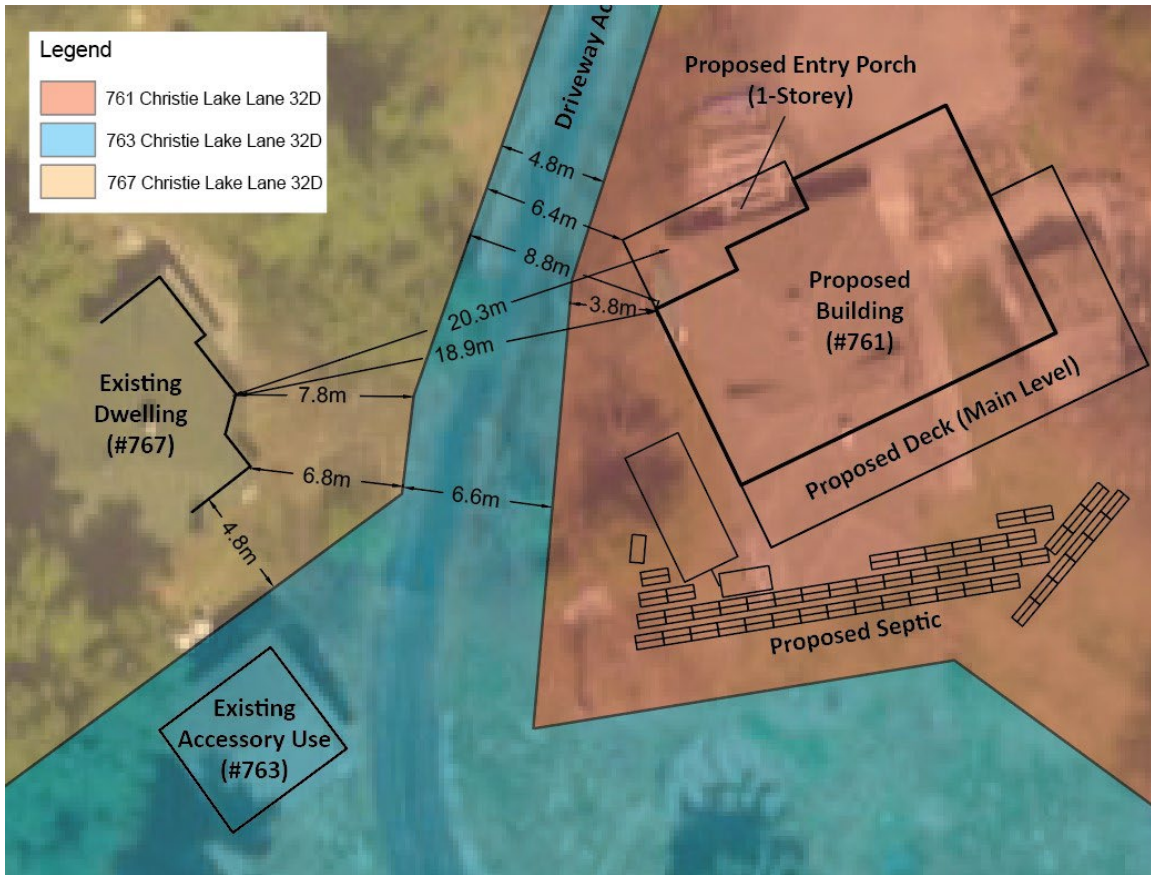
The other consideration for the proposed height is the measurement is taken from the average grade of the walk-out level, not from the grade of the existing parking area. The ground (main) level is located at the same grade as the parking area along the travelled road. The height of



the building measured from the grade of the existing parking area is 10.5 metres (34.45ft). Both heights are depicted in Figure 12 above. The grade of the land where the existing cottage sits is approximately 0.5 metres below the grade of the parking area. The proposed walkout will be sunk further down than the existing cottage grade. This layout will help reduce the extent of the building height above existing grade.

**PROPERTY LAYOUT OF 767 CHRISTIE LAKE LANE 32D**

The existing dwelling at 767 Christie Lake Lane 32D is located toward the south end of the property approximately 4.8 metres from the southeast side lot line and 6.8 metres from the east side lot line abutting the driveway access for 763 Christie Lake Lane 32D. See Figure 13 below.



**Figure 13 – Lot Line Setbacks for 767 Christie Lake Lane 32D**

Based on the photos provided in the comments from the owner of 767 Christie Lake Lane 32D the lands to the rear of the dwelling slope up slightly to the driveway access for #763 and contain existing mature trees. The photos from the owner show a small patio area with a barbeque which appears to be the main entry into the dwelling. The main outdoor amenity area for the property is located on the west (water) side of the property at 767 Christie Lake Lane 32D opposite to where the redevelopment of #761 is proposed. The slightly increased height of 11.67 metres would not impact the use or enjoyment of the outdoor amenity areas or access / use of the shoreline areas for 767 Christie Lake Lane 32D.

**CLOSURE**

In conclusion, the Sun Shadow analysis and Hours in the Sun assessment for 767 Christie Lake Lane 32D show the property already has significant shading at the bottom of canopy that would not be greatly exacerbated by the new 11.67 metre building at 761 Christie Lake Lane 32D. The main outdoor amenity area for 767 Christie Lake Lane 32D is located on the west (water) side of the dwelling opposite to where redevelopment is proposed. Use and enjoyment of the outdoor areas and waterfront will not be impacted by the redevelopment. The stepped back design of the upper level of the replacement dwelling at #761, the only portion above the maximum height of 9.0 metres, will allow for more sun exposure at 767 Christie Lake Lane 32D compared to a full upper storey. The walkout of the replacement dwelling will be placed at a lower grade than the existing cottage to help mitigate the appearance of height.

Overall, the new replacement dwelling proposed for 761 Christie Lake Lane 32D is not expected to increase the shadowing or impact the use and enjoyment of the shoreline and outdoor amenity areas on the west side of 767 Christie Lake Lane 32D.

Sincerely,

---

Chris Clarke, Planner, B.Sc., CPT  
Egis Canada Ltd.  
Chris.clarke@egis-group.com  
(613) 315-9820

# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2025-023

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (WE THE SHERMANS –750/761 CHRISTIE LAKE LANE 32D) (PART LOT 20-22, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Rural (RU) and Seasonal Residential (RS) to Residential Limited Services Exception (RLS-198) on a portion of the lands legally described as **FIRSTLY**: PT N PT LT 20 CON 3 SOUTH SHERBROOKE; PT LT 21 CON 3 SOUTH SHERBROOKE PT 1 & 2, 27R4159; T/W RS183803; BATH-BURG-SHERB EXCEPT FORFEITED MINING RIGHTS, IF ANY; **SECONDLY**: PART N PART LOT 20 CON 3 SOUTH SHERBROOKE; PART LOT 21 CON 3 SOUTH SHERBROOKE; PART W PART LOT 22 CON 3 SOUTH SHERBROOKE AS IN RS209646 EXCEPT PART 1 27R12030 & PARTS 7,8,10 27R12104; SUBJECT TO AN EASEMENT AS IN RS209646; SUBJECT TO AN EASEMENT OVER PART 1 27R4203 IN FAVOUR OF PART LOT 21 CON 3 SOUTH SHERBROOKE AS IN RS82228(PCL1) AS IN LC117049; SUBJECT TO AN EASEMENT OVER PART 2 27R12030, PART 1 27R4623, PART 1 27R4624, PART 1 27R4203 IN FAVOUR OF PART NORTH PART LOT 20 CONCESSION 3, PART LOT 21 CONCESSION 3 SOUTH, PART 1 27R174, SOUTH SHERBROOKE AS IN LC247586; SUBJECT TO AN EASEMENT OVER PARTS 2, 6, 9, 11, 12, 13 & 14 ON PLAN 27R-12104 AND PART 2 ON PLAN 27R-12030 IN FAVOUR OF LONG ISLAND SOUTH

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2025-023**

SHERBROOKE AS IN LC264551; TAY VALLEY TOWNSHIP (Part North Part Lot 20, Concession 3, Part Lot 21, Concession 3, Part West Part Lot 22, Concession 3, geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark, Roll #091191402059720 & 091191402059801), in accordance with Schedule “A” attached hereto and forming part of this By-Law.

**1.2 THAT**, By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 5.1.4 (Special Exception Zones):

198. RLS-198 (Part Lots 20-22, Concession 3, South Sherbrooke)

Notwithstanding the provisions of Sections 5.2.2, 3.19.1 and 3.19.3, on the lands zoned RLS-198 the following provisions shall prevail:

- West Side Yard Setback 3.8m
- Height 11.67m
- Separation from Primary dwelling (maximum) 155m
- Floor area second dwelling (maximum) 205m<sup>2</sup>
- One septic system, well, and driveway for each Dwelling

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

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

**2. ULTRA VIRES**

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

**4. EFFECTIVE DATE**

ENACTED AND PASSED this 22<sup>nd</sup> day of April, 2025.

---

**Robert Rainer, Reeve**

---

**Amanda Mabo, Clerk**

