



**PUBLIC MEETING
ZONING BY-LAW AMENDMENT
MINUTES**

Tuesday, August 12th, 2025

5:00 p.m.

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

ATTENDANCE:

Members Present:

Chair, Deputy Reeve Fred Dobbie
Reeve Rob Rainer
Councillor Greg Hallam
Councillor Korrine Jordan (arrived at 5:45 p.m.)
Councillor Keith Kerr
Councillor Angela Pierman
Councillor Marilyn Thomas

Staff Present:

Amanda Mabo, Chief Administrative Officer/Clerk
Aaron Watt, Deputy Clerk
Noelle Reeve, Planner

Public Present:

Scott Pemberton
Laura Johnstone
Tom Ellis
Catherine Anderson
Frank Sammut
Fred Ager
Christine Melville

1. CALL TO ORDER

The public meeting was called to order at 5:00 p.m.

2. INTRODUCTION

The Chair provided an overview of the Zoning By-Law application review process to be followed, including:

- the purpose of the meeting

- the process of the meeting
- all persons attending were encouraged to make comments in order to preserve their right to comment should the application(s) be referred to the Ontario Land Tribunal (OLT)
- the flow and timing of documentation and the process that follows this meeting
- any person wanting a copy of the decision regarding the applications on the agenda was advised to email planningassistant@tayvalleytwp.ca

The Chair asked if anyone had any questions regarding the meeting and the process to be followed. Given that there were no questions, the meeting proceeded.

3. APPLICATION

- i) **FILE #ZA25-07: Alyssa and Nadia Zaid
4210 Scotch Line Road
Part Lot 16, Concession 7,
Geographic Township of North Burgess**

a) **PLANNER FILE REVIEW & PROPOSED BY-LAW**

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

A letter of concern was received today from owners of an adjacent property objecting to the application as submitted – *attached page 6.*

b) **APPLICANT COMMENTS**

The applicant was present.

Chris Clarke, Planner, Egis Canada, explained that he was contacted by the applicant when planning approvals were needed, and further explained that:

- he was retained to assist in meeting zoning approval requirements
- the applicant started providing appropriate permits
- the applicant is going through all permit processes required to legalize the structures that exist now
- the applicant is installing a class 2 sewage system

Alissa Zaid, applicant, explained that:

- the AirBnB ran for two (2) seasons
- there have been no noise complaints
- there are very strict rules within AirBnB
- the original owner was living in bunkie 1
- there was a fire
- a gravel company came to do a professional installation of a foundation

- both fireplaces are the originals that were installed, have been inspected, and have permits
- stories of the property are shared on social media in the hopes of reopening

The Planner explained that if the property were sold, a site plan control agreement would go with it, limiting the number of bunkies that could be placed on it. The agreement would be registered on title, showing two (2) bunkies permitted. Anything additional would require rezoning.

c) PUBLIC COMMENTS

Scott Pemberton, Laura Johnstone, adjacent neighbour:

- crafted a letter of objection today
- want to point out that cabin 1 was not used as a residence, except for very occasional lodging use
- at the time of the Zaid purchase, cabin 1 was being used to house a car being repaired, not as a sleeping cabin
- there is no previous use as an AirBnB
- S. Pemberton read their letter of objection

The Planner confirmed that the application meets the test as set out in the Provincial Planning Act, the Lanark County Official Plan, and the Tay Valley Township Official Plan.

d) RECOMMENDATION

The Planner proposed that the amendments to Zoning By-Law No. 02-121 be approved. The by-law will come forward at the next Council meeting.

ii) **FILE #ZA25-04: Scotton and Carmichael
262, 264, 265, 267, 269 Bishops Way
Part Lot 1, Concession 7
Geographic Township of North Burgess**

a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

It was noted that any reference to Bathurst in the presentation should be Burgess.

b) APPLICANT COMMENTS

The applicant was not present.

c) PUBLIC COMMENTS

None.

d) RECOMMENDATION

The Planner proposed that the amendments to Zoning By-Law No. 02-121 be approved. The by-law will come forward at the next Council meeting.

iii) **FILE #ZA25-05: Gregory Taylor
528 Otty Lake SW Shore Road
Part Lot 6, Concession 7,
Geographic Township of North Burgess**

a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

b) APPLICANT COMMENTS

The applicant was present.

c) PUBLIC COMMENTS

None.

d) RECOMMENDATION

The Planner proposed that the amendments to Zoning By-Law No. 02-121 be approved. The by-law will come forward at the next Council meeting.

iv) **FILE #ZA25-06: Roy and Katie Blythe
727 Loons Way
Part Lot 5, Concession 7,
Geographic Township of North Burgess**

a) PLANNER FILE REVIEW & PROPOSED BY-LAW

The Planner reviewed the PowerPoint Presentation that was attached to the agenda.

b) APPLICANT COMMENTS

The applicant was present.

c) PUBLIC COMMENTS

Christine Melville and Fred Ager, residents:

- no objection to what is requested
- what map did Council use on the notice, as it is incorrect

The Planner explained that:

- the base layer map is received from the Municipal Property Assessment Corporation (MPAC)
- it is known that the MPAC mapping is not always 100% accurate, however that is what the Township is given to use
- the MPAC map does not overrule a survey
- the legal description of a property provides the R-Plan number, which is what is attached to the By-Law

The Chief Administrative Officer/Clerk explained that the map used is meant to provide a general idea of where the lot is, while the property deed contains the legal description of the property.

F. Ager expressed concern that:

- members of the public do not know that the map is for a general purpose only
- wording should be included explaining that the map is being used as a "general depiction" and may not match the official legal property description
- correspondence was sent to Township Councillors by email and personal delivery, and they had received no reply

A Member confirmed that the correspondence that arrived by personal delivery had not been addressed to a specific Member of Council, and that it had been received today as meetings are not held in July.

d) RECOMMENDATION

The Planner proposed that the amendments to Zoning By-Law No. 02-121 be approved. The by-law will come forward at the next Council meeting.

4. ADJOURNMENT

The public meeting adjourned at 6:24 p.m.


Chairperson


Aaron Watt, Deputy Clerk

August 12th, 2025

Attention: Noelle Reeve, Planner, Tay Valley Township
Alison Playfair, Assistant Planner, Tay Valley Township

RE: Application for Zoning Changes by Zaid at 4210 Scotch Line Road, Part Lot 16,
Concession 9, Geographic Township of North Burgess

Letter of Objection

We, the owners of 4232 Scotch Line, known as Scott Pemberton and Laura Johnstone, submit this letter of objection to the entire application submitted by Zaid on June 16, 2025.

The land in question, a 2.20 acre building lot, located at 4210 Scotch Line (4210) was severed from our property at 4232 Scotch Line for the sole and express purpose of creating a residential building lot. The size and location of this lot were designed to conform to the requirements for Rural (RU) Zoning, specifically to construct a residence. The previous owner of 4210 developed the lot as follows:

- Constructed a residence in compliance with all existing setbacks and building code requirements
- Constructed a well and septic system in compliance with all applicable regulations
- Constructed two single detached garages in compliance with all existing setbacks and building code requirements

The current owners of 4210 purchased the property with full knowledge of its existing structures and, as our property tax notice newsletters regularly indicate is necessary, should have consulted with the Township's Planning Department and Building Inspector prior to commencing changes to the property and its intended use.

Without consulting the Township, the current owners of 4210 proceeded to make the following changes to the property:

- Extensively renovated one of the detached garages into "Sleep Cabin #1" with a finished floor, drywall, kitchenette, sleeping facilities, and a wood burning appliance - **no permits acquired for this work**
- Purchased a pre-built wooden shed known as "Sleep Cabin #2", **placed it on site without a foundation**, and extensively renovated it with a finished interior, electrical work, kitchenette, sleeping facilities, and a wood burning appliance - **no building permit acquired for this work**
- Constructed at least one outhouse (one may have been done by original owner) very close to a property line
- Erected commercial signage at the road and publicly advertised the property on Airbnb for rent (listing has recently been removed but information about the "Pike Lake Bunkies" is still available on Instagram and Facebook)
- Having completed these steps, owners listed the property beginning in 2024 at \$849,900 **as a working business with a residence**, listing removed July 3rd of 2025

In response to the flagrant disregard for Planning and Building permissions from the Township, we chose to bring the matter of the violations to the attention of the Tay Valley Township Planning Department on October 29, 2024. Correspondence received from Noelle Reeve, Planner at TVT, on November 21st of 2024 indicated that the owners of 4210 had been given notice of non-compliance with a variety of regulations including, but not necessarily limited to:

- no building permits obtained for the 2 cabins
- no permits obtained for the wood stoves
- a requirement for a grey water system to be constructed for the outdoor shower
- a rezoning to Tourist Commercial status would be required for the part of the property operating as an Airbnb business

As no permits have been posted in a visible location to us, we are working under the assumption that the cabins are still non-compliant with the building code and a grey water system has not been constructed.

As the property was severed for the sole purpose of creating a 2.20 acre rural building lot, there was never any accommodation made to create a compliant Tourist Commercial zone on it for the illegally constructed cabins and other amenities.

The applicants are asking to use not one, but **two**, Special Exception zones to create a Commercial Tourism - Special Exception - 5 (CT-5) for the Airbnb business and Residential - Special Exception - 31 (R-31) for the existing residence. Reading through the extensive list of non-compliant exemptions requested to the Commercial Tourism (CT) and Rural (RU) zones, it is evident to us that the property is in no way suitable for the purposes the owners have been using it for. The requested exemptions include:

- Reduced minimum lot area for CT zoning from 1 ha to **less than half** at 0.45 ha
- **Two** perimeter setback reductions including a side yard setback to **25% of the legal requirement** for CT zoning
- **Seven** interior yard setback reductions including one to **22% of the legal requirement** for CT zoning
- Reduced minimum lot area for RU zoning to roughly **90% of the legal requirement** for RU zoning

We object strongly to this application for the following reasons:

1. The Special Exception zones were never intended to legalise an illegally constructed and operating tourism business - their purpose is to provide for the reasonable use of land to accommodate minor variances to the standard zones, **not provide for the completely non-compliant use of the land by owners who chose not to consult the Township before commencing with their construction and business activities**
2. Approval of this application would set a dangerous precedent for other applicants to apply for equally unsuitable zoning exceptions, requiring an unreasonable use of taxpayer dollars and Township staff's time to delineate between the extensive exemptions (potentially) approved at 4210 versus the multitude of future applications for exemptions
3. The Township has no way of knowing at this time what the future requirements will be for well and septic approval in the future - when the time comes to renew / reconstruct these facilities at this location, it is highly possible that the undersized residential area will not be sufficient in size to accommodate them
4. The Township also has no way of knowing at this time what the future requirements will be for continued compliance with Commercial Tourism activities - for example, the Ontario Ministry of Environment, Conservation and Parks may require the construction of a separate septic system for cabins used for recreational purposes and the property in

question is highly unlikely to be able to accommodate the construction of a second septic system and possible second well

We are firmly of the belief that there is no persuasive argument to be made for the approval of the requested amendment to Zoning By-Law No. 2002-121 being applied for by Zaid. The **extensive number of exceptions** listed in the application and the **future ramifications** of an approval far outweigh the current owners' desire to operate, and profit from the sale of, a commercial Airbnb operation.

We wish to be formally notified of the decision of Tay Valley Township on the proposed zoning by-law amendment.

Scott Pemberton & Laura Johnstone

4232 Scotch Line, Perth, ON K7H 3C5

Email: 280rem721@gmail.com and ljohnstone1973@gmail.com

Tel: (613) 866-5190