
Tuesday, August 12th, 2025

5:00 p.m.

Municipal Office – 217 Harper Road, Perth, Ontario

Council Chambers

*5:00 p.m. Public Meeting - Zoning By-Law Amendment
Following Committee of the Whole Meeting*

Chair, Deputy Reeve Fred Dobbie

1. CALL TO ORDER

2. INTRODUCTION

- The purpose of this public meeting is to hear an application for a Zoning By-Law Amendment for the following application:

**Zaid
Scotton and Carmichael
Taylor
Blythe**

- The Planner will provide a brief overview of the details of the file and details of the amendment. The public will then be given an opportunity to make comments and ask questions.
- Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A “specified person” does not include an individual or a community association.
- If a specified person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of Tay Valley Township to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Tay Valley Township before the by-law is passed, the person or public body is not entitled to appeal the decision.
- If a specified person or public body does not make oral submissions at a public meeting or make written submissions to Tay Valley Township before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

- The Clerk must provide notice of Council's decision to all those who request a copy within 15 days after the day the by-law is passed.
- An appeal to the Ontario Land Tribunal may be filed with the Clerk of the Township not later than 20 days after the day that the notice of decision was given. The notice of appeal must set out the objection to the by-law and the reasons in support of the objection, accompanied by the required fee.
- If you are interested in receiving a copy of the decision, please contact the Planning Administrative Assistant at planningassistant@tayvalleytwp.ca.

3. APPLICATION

- i) **FILE #ZA25-07:** **Alyssa Zaid – *attached, page 5.***
4210 Scotch Line Road
Part Lot 16, Concession 7,
Geographic Township of North Burgess
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) PUBLIC COMMENTS
 - d) RECOMMENDATION
- ii) **FILE #ZA25-04:** **Scotton and Carmichael – *attached, page 27.***
262, 264, 265, 267, 269 Bishops Way
Part Lot 1, Concession 7
Geographic Township of North Burgess
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) PUBLIC COMMENTS
 - d) RECOMMENDATION
- iii) **FILE #ZA25-05:** **Gregory Taylor – *attached, page 47.***
528 Otty Lake SW Shore Road
Part Lot 6, Concession 7,
Geographic Township of North Burgess
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS

- c) PUBLIC COMMENTS
- d) RECOMMENDATION
- iv) **FILE #ZA25-06: Blythe – *attached, page 65.***
727 Loons Way
Part Lot 5, Concession 7,
Geographic Township of North Burgess
 - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
 - b) APPLICANT COMMENTS
 - c) PUBLIC COMMENTS
 - d) RECOMMENDATION

4. ADJOURNMENT

APPLICATION

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

August 12th, 2025

Noelle Reeve, Planner

APPLICATION ZA25-07 – ZAID

STAFF RECOMMENDATION

It is recommended:

“THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 16, Concession 9, Geographic Township of North Burgess (Roll #0911-911-015-56202) known locally as 4210 Scotch Line from Rural (RU) to Tourist Commercial Special Exception 5 (CT-5) and Residential Special Exception - 31 (R-31).”

BACKGROUND

The application applies to an approximately 0.89-ha (2.2 acre) lot with 78m (257ft) frontage on Scotch Line.

The lot is currently zoned Rural (RU) and is proposed to be split-zoned by rezoning the west part of the lot to Tourist Commercial–Special Exception–5 (CT-5). The remainder of the lot is proposed to be rezoned to Residential–Special Exception–31 (R-31).

The effect of the amendment is to allow 2 cabins and amenities (including outhouses, sauna, cold plunge, and woodshed) to be rented to the travelling public while permitting the existing dwelling to continue being used as a house with a garage.

Exceptions from Section 6.3.2 Tourist Commercial zone are sought for:

- reduced minimum lot area from 1 ha to 0.45 ha,
- reduced interior yard setback to 4m for cabin 1 and the deck of cabin 2, and to 4.8m for cabin 2 and the woodshed instead of the required 10m (from the west lot line)
- reduced interior yard setback of 2.5m instead of the required 10m (to the new Residential zone line to the east) for the cold plunge,
- reduced rear yard setback for the shower platform at 1.1m and outhouse 1 at 3.3m and outhouse 2 at 11.9m instead of the required 15m.

An exception from Section 3.25 Street Setback is sought for:

- reduced setback from the centreline of a County of 22.3m instead of the required 28m for the existing shed/cold plunge.

Exceptions from Section 5.1.2 General Residential zone are sought for:

- reduced minimum lot area of 3,671m² instead of 4,050m² and
- recognition of lot frontage of 55m instead of the required 60m.

The current owners purchased the property with the sleep cabins already on the property and wish to legalize the situation.

DISCUSSION

Provincial Planning Statement (PPS)

Chapter 2 Building Homes, Sustaining Strong and Competitive Communities:

Section 2.5.1 Rural Areas in Municipalities states that “Healthy, integrated and viable rural areas should be supported by:

- [a] Building upon rural character and leveraging rural amenities and assets,
- [c] Promoting an appropriate mix of housing, and
- [f] Providing opportunities for sustainable and diversified tourism.”

Section 2.6 Rural Lands in Municipalities states that, “Development that can be sustained by current rural service levels shall be supported”. Water is provided from a tap near the residential building. New Class 2 sewage disposal services will be provided for each sleep cabin.

Chapter 4: Wise Use and Management of Resources – 4.1. Natural Heritage states that, “Natural features and areas shall be protected for the long term”. There are no Natural Heritage features on the property.

Section 4.2 speaks to Water. There are no streams or other surface water on the property and the property is not in a significant Groundwater Recharge Area.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

Section 4.6 speaks to Cultural Heritage and Archaeology. No cultural or archaeological resources identified on the property.

Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states “Development shall generally be directed to areas outside of hazards”. No hazards have been identified.

Overall, the proposal is consistent with the Provincial Planning Statement, 2024.

Lanark County Sustainable Communities Official Plan

Section 3 Rural land designation permits a variety of uses including commercial and residential uses.

Tay Valley Township Official Plan

The subject property is designated in the Official Plan as Rural and Abandoned Mine Buffer.

Section 2.2 Community Development Policies states that the Township seeks to secure a satisfactory ratio between residential assessment and industrial/commercial assessment. The Township recognizes that economic growth is unlikely to come from new large industry and, therefore, the Township will prioritize the retention and growth of the small businesses in the Township. The rezoning would be in line with these goals.

Section 2.3.3 Rural designation permits a wide range of commercial uses as well as residential uses. The tourist commercial cabins are small and blend in with the rolling topography of the property and, therefore, support the rural and recreational flavour the Township seeks to retain for its rural lands. The residential use is also a compatible use. Tourist commercial uses are “to be located so that they are readily accessible to tourist traffic with a minimum of disruption to residential uses. Vehicular access shall be carefully controlled...”. The location of the proposed use on the Scotch Line meets the requirement of location and because there is a shared driveway for the tourist commercial and residential use, the requirement for controlled access is met.

Tourist commercial uses are also required to provide adequate parking. The property does. Finally, Section 2.3.3 requires “adequate buffering through setbacks or screening” where tourist commercial uses abut residential or other sensitive uses. Lands to the north of the property are wetland with a stream beyond the wetland so will likely not be developed. Lands east of the property are well buffered by forest on the subject property with the neighbour’s house over 150m away. Lands to the west also contain some tree buffer along the lot line. The house on the property to the west is located over 200m away and the intervening lands appear to be used to store vehicles, equipment, materials and some out buildings, seemingly for a contractor’s yard.

Section 3 speaks to Natural Heritage features. There are none on the property.

Section 4 addresses Community Health and Safety including Transportation policies. The County of Lanark had approved the entrance for residential use and an Entrance Permit for Tourist Commercial use has been approved.

Section 4 also addresses Water Supply, Sewage Disposal and Other Services. Currently there are two separate outhouses, one for each cabin. An outdoor tap from the dwelling supplies water. A Class 2 sewage system (greywater pit) is proposed to treat the outdoor shower runoff.

Finally, Section 4 addresses Natural Hazards. There are none on the property. Overall, the proposed Zoning amendment meets the intent of the Tay Valley Township Official Plan.

Zoning By-Law

The lot is currently zoned Rural (RU) and is proposed to be split-zoned by rezoning the west part of the lot to Tourist Commercial–Special Exception–5 (CT-5). The remainder of the lot is proposed to be rezoned to Residential–Special Exception–31 (R-31).

Section 3 of the Zoning By-law describes General Provisions for development that apply to all underlying zones. Relevant sections include Section 3.15 Parking Requirements. This section is met for the Residential use and the Tourist Commercial use. Section 3.25 Street Setbacks are met for the proposed Residential zone but not the Tourist Commercial zone.

Zone performance standards are set out in Section 6.3.2 Tourist Commercial zone. The lot area, front yard setback for the cold plunge, and side yard setbacks for the sleep cabins, woodshed and barrel sauna are not met from the west lot line and the shower platform and outhouses do not meet the rear yard set back, nor does the shower platform meet the east side yard set back.

Specifically the following exceptions from Section 6.3.2 Tourist Commercial zone are sought:

- reduced minimum lot area from 1 ha to 0.45 ha,
- reduced interior yard setback to 4m for cabin 1 and the deck of cabin 2, and to 4.8m for cabin 2 and the woodshed instead of 10m (from the west lot line)
- reduced interior yard setback of 2.5m instead of 10m (to the new Residential zone line to the east) for the cold plunge,
- reduced rear yard setback for the shower platform at 1.1m and outhouse 1 at 3.3m and outhouse 2 at 11.9m instead of the required 15m.

An exception from Section 3.25 Street Setback is sought for a reduced setback from the centreline of a County of 22.3m instead of 28m for the existing shed/cold plunge.

The General Residential Zone (R) performance standards are set out in Section 5.1.2. Lot area and frontage are not met for the Residential zone.

Specifically, the following exceptions from Section 5.1.2 General Residential zone are sought:

- reduced minimum lot area of 3,671m² instead of 4,050m², and
- recognition of the lot frontage of 55m instead of the required 60m.

Planner

The owners of the property seek to legalize the two rental cabins and associated accessory buildings that were on the property when they purchased it.

The Planner supports the application because the Township supports local businesses and tourism located in the appropriate location. The Scotch Line location with neighbouring properties buffered by forest to the east, a wetland to the north, and trees along the lot line to the west is an appropriate location.

The exceptions sought for the Tourist Commercial use have no impact on the neighbours and recognize a use which has been ongoing for a number of years, which the Township received no complaints about for those many years.

In addition, the applicants propose to upgrade the servicing of the site by treating the water runoff from the outdoor shower by installing a Class 2 (greywater pit).

The Residential use on the east part of the property only requires two zoning exceptions. The original frontage of the property and its area have not physically changed. However, the split-zoning has resulted in an undersized frontage for the Residential zone of 8% and undersized lot area of 9%.

Rideau Valley Conservation Authority (RVCA)

The RVCA was not circulated as there are no waterbodies on the property.

Mississippi Rideau Septic System Office (MRSSO)

The applicant has submitted a Class 2 septic system application to the MRSSO for the runoff from the outdoor shower.

Public Comments

None at the time of the report.

CONCLUSION

The Planner recommends that the proposed amendment be approved to rezone the lands at Part Lot 16, Concession 9, Geographic Township of North Burgess (Roll #0911-911-015-56202) known locally as 4210 Scotch Line from Rural (RU) to Tourist Commercial - Special Exception - 5 (CT-5) and Residential Special Exception - 31 (R-31).

ATTACHMENTS

- i) Site Sketch
- ii) Zoning By-law

Prepared and Submitted By:

Original signed

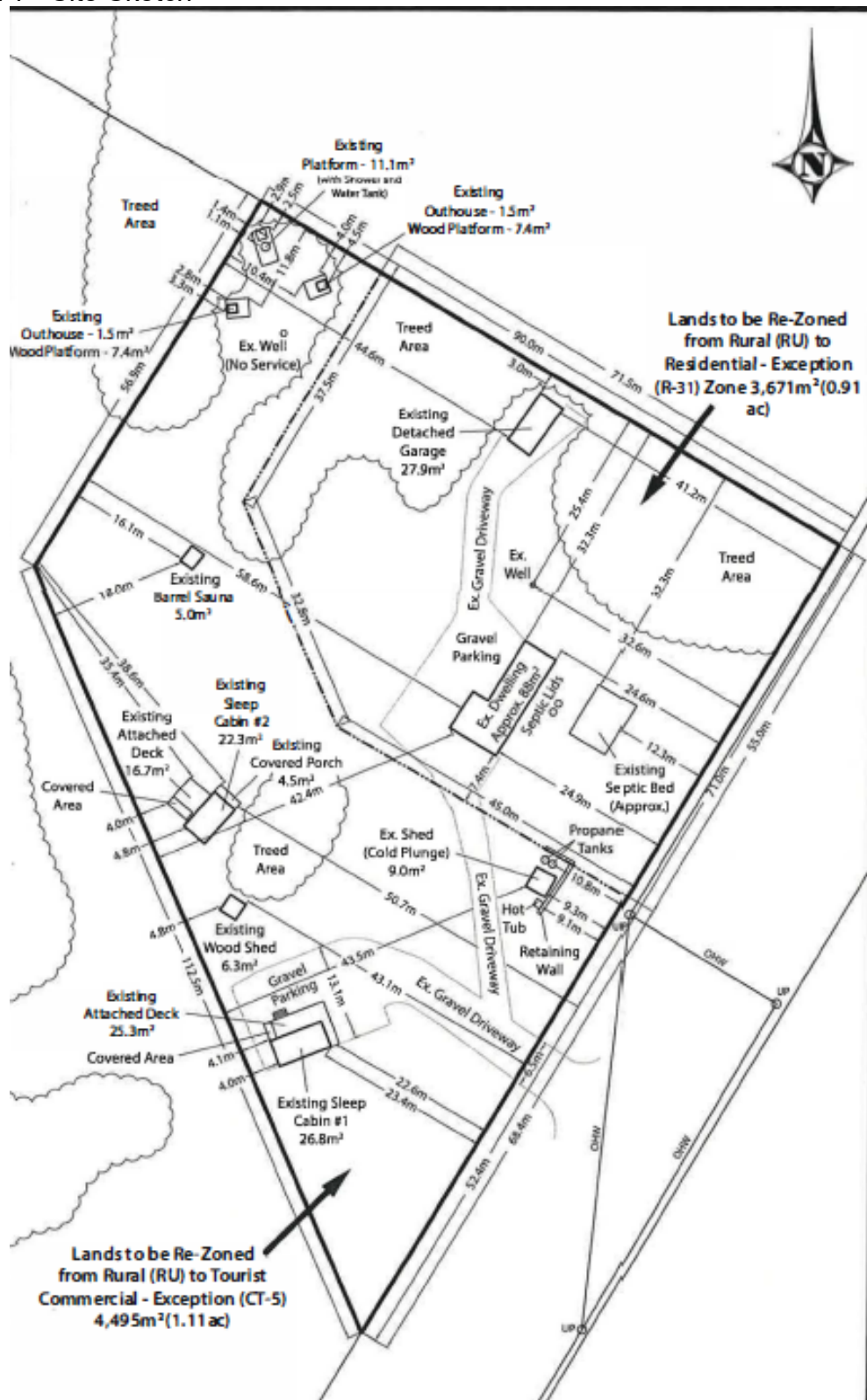
**Noelle Reeve,
Planner**

Approved for Submission By:

Original signed

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

Attachment 1 - Site Sketch



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2025-0xx

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (ZAID – 4210 SCOTCH LINE ROAD) (PART LOT 16, CONCESSION 9, 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 Tourist Commercial – Special Exception - 5 (CT-5) and Residential – Special Exception – 31 (R-31) on a 1.9 ha lot legally described as Part Lot 16, Concession 9, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll # 091191101556202), 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 6.3.4 (Exception Zones):

5. CT-5 (Part Lot 16, Concession 6, North Burgess)
Notwithstanding the provisions of Section 6.3.2, on the lands zoned CT-5 the following provisions shall prevail

- Lot Area (minimum) 0.45ha
- Cabin 1 – Side Yard (minimum Interior west) 4m

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx**

- | | |
|--|------|
| • Cabin 2 deck – Side Yard (minimum Interior west) | 4.8m |
| • Shower Platform - Rear Yard (minimum) | 1.1m |
| • Outhouse 1 - Rear Yard (minimum) | 3.3m |
| • Outhouse 2 - Rear Yard (minimum) | 2m |
| • Plunge Pool – Side Yard (minimum Interior to
Zone line) | 2.5m |

1.3 **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 (Exception Zones):

R-31 (Part Lot 16, Concession 6, North Burgess)

Notwithstanding the provisions of Section 3.25 and 5.1.2 on the lands zoned R-31 the following provisions shall prevail:

- | | |
|----------------------|---------------------|
| • Street Setback | 22.3m |
| • Lot Area (minimum) | 3,671m ² |
| • Lot Frontage | 55m. |

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. BY-LAWS TO BE AMENDED

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

4.1 ENACTED AND PASSED this 26th day of August, 2025.

Rob Rainer, Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx

- 4.2** APPROVED BY THE REEVE this 26th day of August, 2025 pursuant to Reeve Decision/Direction #2025-xx.

Rob Rainer, Reeve

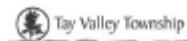
Zaid

4210 Scotch Line Road

Part Lot 16, Concession 9, Geographic Township of North Burgess

- The application applies to an approximately 0.89-ha (2.2 acre) lot with 78m (257ft) frontage on Scotch Line.
- The lot is currently zoned Rural (RU) and is proposed to be split-zoned by rezoning the west part of the lot to Tourist Commercial–Special Exception–5 (CT-5). The remainder of the lot is proposed to be rezoned to Residential–Special Exception–31 (R-31).
- The effect of the amendment is to allow 2 cabins and amenities (including outhouses, sauna, cold plunge, and woodshed) to be rented to the travelling public while permitting the existing dwelling to continue being used as a house with a garage.

3



3

Zaid

4210 Scotch Line Road

Part Lot 16, Concession 9, Geographic Township of North Burgess

Exceptions from Section 6.3.2 Tourist Commercial zone are sought for:

- reduced minimum lot area from 1 ha to 0.45 ha,
- reduced interior yard setback to 4m for cabin 1 and the deck of cabin 2, and to 4.8m for cabin 2 and the woodshed instead of the required 10m (from the west lot line)
- reduced interior yard setback of 2.5m instead of the required 10m (to the new Residential zone line to the east) for the cold plunge,
- reduced rear yard setback for the shower platform at 1.1m and outhouse 1 at 3.3m and outhouse 2 at 11.9m instead of the required 15m.

4



4

Zaid

4210 Scotch Line Road

Part Lot 16, Concession 9, Geographic Township of North Burgess

An exception from Section 3.25 Street Setback is sought for:

- reduced setback from the centreline of a County of 22.3m instead of the required 28m for the existing shed/cold plunge.

Exceptions from Section 5.1.2 General Residential zone are sought for:

- reduced minimum lot area of 3,671m² instead of 4,050m² and
- recognition of lot frontage of 55m instead of the required 60m.

The current owners purchased the property with the sleep cabins already on the property and wish to legalize the situation.

5

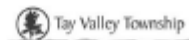


5

Zaid Location



6



6

Zaid Photos



7

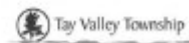


7

Zaid Photos



8



8

Zaid Photos



9

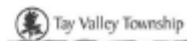


9

Zaid Planner's Comments Provincial Planning Statement (PPS) Chapter 2 Building Homes, Sustaining Strong and Competitive Communities:

- Section 2.5.1 Rural Areas in Municipalities states that "Healthy, integrated and viable rural areas should be supported by:
 - [a] Building upon rural character and leveraging rural amenities and assets,
 - [c] Promoting an appropriate mix of housing, and
 - [f] Providing opportunities for sustainable and diversified tourism."
- Section 2.6 Rural Lands in Municipalities states that, "Development that can be sustained by current rural service levels shall be supported". Water is provided from a tap near the residential building. New Class 2 sewage disposal services will be provided for each sleep cabin.

10



10

Zaid

Planner's Comments

Provincial Planning Statement (PPS)

Chapter 4: Wise Use and Management of Resources – 4.1. Natural Heritage states that, "Natural features and areas shall be protected for the long term". There are no Natural Heritage features on the property.

- Section 4.2 speaks to Water. There are no streams or other surface water on the property and the property is not in a significant Groundwater Recharge Area.
- The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).
- Section 4.6 speaks to Cultural Heritage and Archaeology. No cultural or archaeological resources identified on the property.

11



11

Zaid

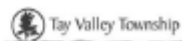
Planner's Comments

Provincial Planning Statement (PPS)

Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states "Development shall generally be directed to areas outside of hazards". No hazards have been identified.

- Overall, the proposal is consistent with the Provincial Planning Statement, 2024.

12



12

Zaid County Sustainable Communities Official Plan

- Section 3 Rural land designation permits a variety of uses including commercial and residential uses.

13



13

Zaid Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural and Abandoned Mine Buffer.
- Section 2.2 Community Development Policies states that the Township seeks to secure a satisfactory ratio between residential assessment and industrial/commercial assessment. The Township recognizes that economic growth is unlikely to come from new large industry and, therefore, the Township will prioritize the retention and growth of the small businesses in the Township. The rezoning would be in line with these goals.
- Section 2.3.3 Rural designation permits a wide range of commercial uses as well as residential uses. The tourist commercial cabins are small and blend in with the rolling topography of the property and, therefore, support the rural and recreational flavour the Township seeks to retain for its rural lands. The residential use is also a compatible use.

14



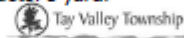
14

Zaid

Planner's Comments Official Plan

- Tourist commercial uses are "to be located so that they are readily accessible to tourist traffic with a minimum of disruption to residential uses. Vehicular access shall be carefully controlled...". The location of the proposed use on the Scotch Line meets the requirement of location and because there is a shared driveway for the tourist commercial and residential use, the requirement for controlled access is met.
- Tourist commercial uses are also required to provide adequate parking. The property does.
- Finally, Section 2.3.3 requires "adequate buffering through setbacks or screening" where tourist commercial uses abut residential or other sensitive uses. Lands to the north of the property are wetland with a stream beyond the wetland so will likely not be developed. Lands east of the property are well buffered by forest on the subject property with the neighbour's house over 150m away. Lands to the west also contain some tree buffer along the lot line. The house on the property to the west is located over 200m away and the intervening lands appear to be used to store vehicles, equipment, materials and some out buildings, seemingly for a contractor's yard.

15



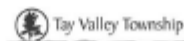
15

Zaid

Planner's Comments Official Plan

- Section 3 speaks to Natural Heritage features. There are none on the property.
- Section 4 addresses Community Health and Safety including Transportation policies. The County of Lanark had approved the entrance for residential use and an Entrance Permit for Tourist Commercial use has been approved.
- Section 4 also addresses Water Supply, Sewage Disposal and Other Services. Currently there are two separate outhouses, one for each cabin. An outdoor tap from the dwelling supplies water. A Class 2 sewage system (greywater pit) is proposed to treat the outdoor shower runoff.
- Finally, Section 4 addresses Natural Hazards. There are none on the property.
- Overall, the proposed Zoning amendment meets the intent of the Tay Valley Township Official Plan.

16

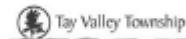


16

Zaid Planner's Comments Zoning

- The lot is currently zoned Rural (RU) and is proposed to be split-zoned by rezoning the west part of the lot to Tourist Commercial-Special Exception-5 (CT-5). The remainder of the lot is proposed to be rezoned to Residential-Special Exception-31 (R-31).
- Section 3 of the Zoning By-law describes General Provisions for development that apply to all underlying zones. Relevant sections include Section 3.15 Parking Requirements. This section is met for the Residential use and the Tourist Commercial use. Section 3.25 Street Setbacks are met for the proposed Residential zone but not the Tourist Commercial zone.

17



17

Zaid Planner's Comments Zoning

- Zone performance standards are set out in Section 6.3.2 Tourist Commercial zone. The lot area, front yard setback for the cold plunge, and side yard setbacks for the sleep cabins, woodshed and barrel sauna are not met from the west lot line and the shower platform and outhouses do not meet the rear yard set back, nor does the shower platform meet the east side yard set back.
- Specifically, the following exceptions from Section 6.3.2 Tourist Commercial zone are sought:
 - reduced minimum lot area from 1 ha to 0.45 ha,
 - reduced interior yard setback to 4m for cabin 1 and the deck of cabin 2, and to 4.8m for cabin 2 and the woodshed instead of 10m (from the west lot line)
 - reduced interior yard setback of 2.5m instead of 10m (to the new Residential zone line to the east) for the cold plunge,
 - reduced rear yard setback for the shower platform at 1.1m and outhouse 1 at 3.3m and outhouse 2 at 11.9m instead of the required 15m

18



18

Zaid Planner's Comments Zoning

- An exception from Section 3.25 Street Setback is sought for a reduced setback from the centreline of a County of 22.3m instead of 28m for the existing shed/cold plunge.
- The General Residential Zone (R) performance standards are set out in Section 5.1.2. Lot area and frontage are not met for the Residential zone.
- Specifically, the following exceptions from Section 5.1.2 General Residential zone are sought:
 - reduced minimum lot area of 3,671m² instead of 4,050m², and
 - recognition of the lot frontage of 55m instead of the required 60m.

19



19

Zaid Planner's Comments

- The owners of the property seek to legalize the two rental cabins and associated accessory buildings that were on the property when they purchased it.
- The Planner supports the application because the Township supports local businesses and tourism located in the appropriate location. The Scotch Line location with neighbouring properties buffered by forest to the east, a wetland to the north, and trees along the lot line to the west is an appropriate location.
- The exceptions sought for the Tourist Commercial use have no impact on the neighbours and recognize a use which has been ongoing for a number of years, which the Township received no complaints about for those many years.

20

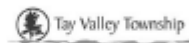


20

Zaid Planner's Comments

- In addition, the applicants propose to upgrade the servicing of the site by treating the water runoff from the outdoor shower by installing a Class 2 (greywater pit).
- The Residential use on the east part of the property only requires two zoning exceptions. The original frontage of the property and its area have not physically changed. However, the split-zoning has resulted in an undersized frontage for the Residential zone of 8% and undersized lot area of 9%.

21



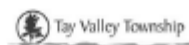
21

Zaid RVCA Comments

Rideau Valley Conservation Authority (RVCA)

- The RVCA was not circulated as there are no waterbodies on the property.

22



22

Zaid MRSSO Comments

Mississippi Rideau Septic System Office (MRSSO)

- The applicant has submitted a Class 2 septic system application to the MRSSO for the runoff from the outdoor shower.

23



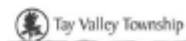
23

Zaid Comments Continued

Public Comments

- No comments were received at the time of the report.
- Members of the public are welcome to speak to the application at this meeting.

24



24

Zaid Recommendation

"THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 16, Concession 6, in the geographic Township of North Burgess, municipally known as Scotch Line Road from Rural (RU) to Tourist Commercial - Special Exception - 5 (CT-5) and Residential Special Exception - 31 (R-31)."

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

August 12th, 2025

Noelle Reeve, Planner

APPLICATION ZA25-04 –Scotton and Carmichael

STAFF RECOMMENDATION

It is recommended:

“THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 1, Concession 7, Geographic Township of North Burgess (Roll #0911-911-025-32900) known locally as 262, 264, 265, 267, 269 Bishops Way, from Seasonal Residential (RS) to Residential Limited Services - Special Exception 200 (RLS-200).”

BACKGROUND

The application applies to an approximately 2.06 ha (5.1-acre) lot with 360m (1,181ft) frontage on Otty Lake.

The purpose of this application is to change the zoning from Seasonal Residential (RS) to Limited Services Residential – Special Exception 200 (RLS-200) for the 6 existing dwellings:

- 262 Bishop Way - - dwelling size 64.7m² at a water setback of 7.92m –
- dwelling size 21.7m² at a water setback of 1.83m
- 264 Bishop Way – dwelling size 30.3m² at a water setback of 4.88m
- 265 Bishop Way – dwelling size 37.6m² at a water setback of 12.8m
- 267 Bishop Way – dwelling size 57.2m² at a water setback of 7.5m
- 269 Bishop Way – dwelling size 71.4m² at a water setback of 15.5m.

The amendment is required to recognize a year-round residence on a private road that does not meet water setbacks that came to light during a road naming process. As the property has been owned co-operatively since the 1940s, the owners seek rezoning for all the dwellings to be recognized as RLS-exceptions.

DISCUSSION

Provincial Planning Statement (PPS)

Chapter 2 Building Homes, Sustaining Strong and Competitive Communities – 2.5.1 Rural Areas in Municipalities states that “Healthy, integrated and viable rural areas should be supported by:

- a) Building upon rural character and leveraging rural amenities and assets; and
- b) Promoting regeneration.” This section can be met as no new development is proposed. The dwellings are maintaining their same water setbacks from Otty Lake.

Chapter 4: Wise Use and Management of Resources – 4.1.Natural Heritage states that, “Natural features and areas shall be protected for the long term”, and Section 4.1.2 states that “The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features”.

Section 4.2.1 Water states, “Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations”.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

Section 4.6.2 Cultural Heritage and Archaeology states “Planning authorities shall not permit development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved”. Areas of archaeological potential include lands that contain or are located within 300 meters of a primary water source such as a lakeshore, river or large creek. No new development is proposed.

Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states “Development shall generally be directed to areas outside of hazards”. No hazards have been identified.

Lanark County Sustainable Communities Official Plan

Section 3 Rural land designation permits a variety of uses including residential uses.

Section 5.4.4 of the County of Lanark’s Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. No new development is proposed.

Official Plan

The subject property is designated in the Official Plan as Rural and Organic Soils (on the western edge of the property). Section 2.3.3 Rural designation permits residential uses.

Section 6.3.3.3 Residential Conversion from Secondary to Principal Use outlines the requirements for rezoning from RS to RLS to occur including: adequacy of septic, no environmental hazards, an Occupancy permit, etc. These requirements will be met for the subject property.

Section 3.2.3.1 Waterfront Development states that “An adequate water setback serves an important function in relation to the protection of natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of the water setback is to

prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation.

Section 2.3.2.3 states “An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation.”

Section 3.2.7.3 Preservation of Vegetation states “As a condition of development or redevelopment, restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of the Waterfront shall be used as an example of how to restore and rehabilitate a disturbed shoreline.

3.2.10 Net Environmental Gain states “Waterfront development and redevelopment shall be required to demonstrate a net environmental gain in regard to increased setbacks, drainage design, new and improved septic systems, increased buffers, vegetation and habitat.”

No new development is proposed. Should new development (an addition or a rebuild larger than the existing dwellings) be proposed in the future, all the above considerations will come into play.

Zoning By-Law

Lot coverage at 1.9% and Floor Space Index at 1.4% are well below the 10% and 12% permitted.

The lot is currently zoned Seasonal Residential (RS) and requires rezoning to Residential Limited Services - Special Exception 200 (RLS-200) to allow recognize a year-round residence that does not meet water setbacks on a private road and as the property has been owned co-operatively since the 1940s, the owners seek rezoning for all the dwellings to be recognized as RLS-exceptions.

- 262 Bishop Way - - dwelling size 64.7m² at a water setback of 7.92m –
- dwelling size 21.7m² at a water setback of 1.83m
- 264 Bishop Way – dwelling size 30.3m² at a water setback of 4.88m
- 265 Bishop Way – dwelling size 37.6m² at a water setback of 12.8m
- 267 Bishop Way – dwelling size 57.2m² at a water setback of 7.5m
- 269 Bishop Way – dwelling size 71.4m² at a water setback of 15.5m.

Planner

No expansion for the existing dwellings is permitted by this by-law. If in the future new development was proposed, moving farther back from the water would be required. A Site Plan Control Agreement would also be required to maintain the vegetation on the property.

Rideau Valley Conservation Authority (RVCA)

The RVCA does not have any objections to the subject application provided the following mitigation measures are implemented:

1 Any development activity and/or site alteration proposed within RVCA's regulated area (within 15 metres of a watercourse/waterbody) will require a permit from our office in accordance with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

The following condition should be included in a Site Plan Control Agreement if one is required in the future:

- Roof runoff shall be collected and directed on-site and away from slopes, into natural or constructed leaching pits and/or rain barrels to provide the greatest infiltration of surface runoff. Runoff should not outlet directly towards the lake. Other Low Impact Development (LID) techniques should be used to deal with runoff from the hardened building surfaces (roofs, walkways, deck, driveways, etc).

Mississippi Rideau Septic System Office (MRSSO)

The MRSSO recognizes that there are two shared wash houses with bathroom facilities on the property. However, because the property is owned in common, the septic facilities are not considered to be communal systems. (Communal systems service individually owned properties.)

Public Comments

None at the time of the report.

CONCLUSION

The Planner recommends that the proposed amendment be approved to rezone the lands at 262, 264, 265, 267, 269 Bishops Way, Concession 7, Part Lot 1, Geographic Township of North Burgess (Roll number 091191102532900) from Seasonal Residential RS to Residential Limited Services Special Exception-200 (RLS - 200).

ATTACHMENTS

- i) Site Sketch
- ii) Zoning By-law

Prepared and Submitted By:

Original signed

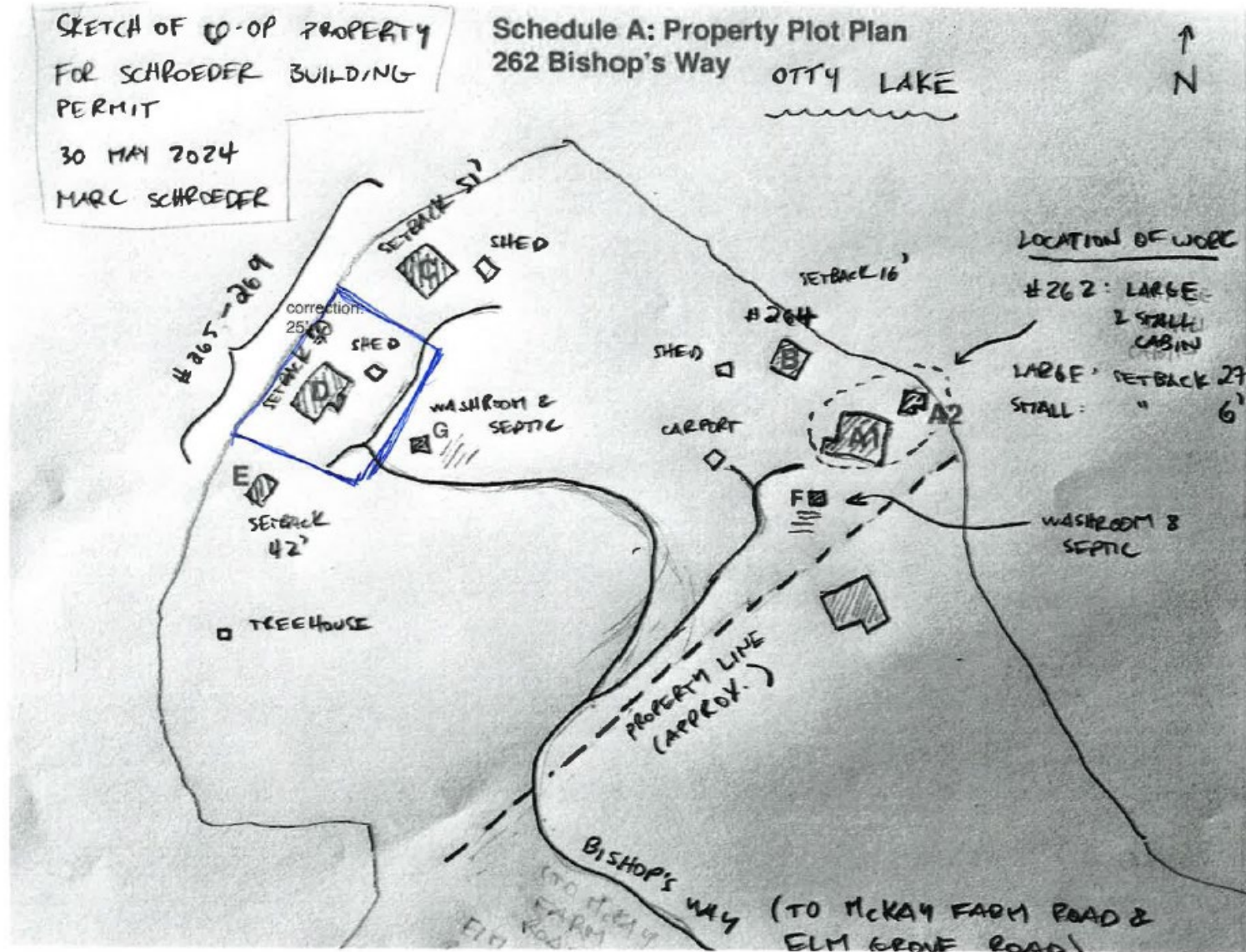
**Noelle Reeve,
Planner**

Approved for Submission By:

Original signed

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

Attachment 1 – Site Sketch



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2025-0XX

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (SCOTTON AND CARMICHAEL – 262, 264, 265, 267, 269 BISHOPS WAY) (PT LOT 1, CONCESSION 7, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

AND WHEREAS, this By-Law implements the policies and intentions of the Official Plan;

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

GENERAL REGULATIONS

1.1 THAT, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Seasonal Residential (RS) to Residential Limited Services Special Exception-200 (RLS-200) on the lands legally described as Part Lot 1, Concession 7, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll #091191102532900), 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 5.3.4 (Exception Zones):

200. RLS-200 (Part Lot 1, Concession 7, North Burgess)

Notwithstanding the provisions of Section 3.29 and 5.3.2 on the lands zoned RLS-200 the following provisions shall prevail:

- 262 Bishops Way
 - dwelling size 64.7m²
 - water setback of 7.92m –

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx

- dwelling size 21.7m²
- water setback of 1.83m

- 264 Bishops Way –
 - dwelling size 30.3m²
 - water setback of 4.88m

- 265 Bishops Way
 - dwelling size 37.6m²
 - water setback of 12.8m

- 267 Bishops Way
 - dwelling size 57.2m²
 - water setback of 7.5m

- 269 Bishops Way
 - dwelling size 71.4m²
 - water setback of 15.5m

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. BY-LAWS TO BE AMENDED

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

4.1 ADOPTED BY COUNCIL this 26th day of August, 2025.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0XX**

Rob Rainer, Reeve

Amanda Mabo, Clerk

4.2 APPROVED BY THE REEVE this 26th day of August, 2025 pursuant to Reeve Decision/Direction #2025-XX.

Rob Rainer, Reeve

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0XX**

SCHEDULE “A”

Scotton and Carmichael – 262, 264, 265, 267, 269 Bishops Way
Part Lot 1, Concession 7
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law
To amend the Zoning provisions from
Seasonal Residential (RS) to
Residential Limited Services
Special Exception - 200 (RLS - 200)

Certificate of Authentication
This is Schedule “A” to By-Law 2025-0xx
passed this 26th day of August 2025.

Reeve

Clerk

Scotton and Carmichael Zoning By-law Amendment

Public Notice

Pursuant to the Planning Act, Notice of Public Meeting is to be provided a minimum of 20 days prior for a Zoning By-law Amendment. Notice was duly given by both the posting of the notice in a visible area for the property and by mailing to adjacent property owners within 120 metres of the location. Notice was also given to other public agencies as required.

1



1

Scotton and Carmichael Zoning By-law Amendment

Ontario Land Tribunal

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A "specified person" does not include an individual or a community association.

Please be cautioned that the Ontario Land Tribunal may dismiss all or part of an appeal without holding a hearing if the reasons set out in the appeal do not refer to land use planning grounds offended by the decision, the appeal is not made in good faith or is frivolous or vexatious or made only for the purpose of delay.

The Tribunal may also dismiss the appeal if the appellant did not make oral submission at the public meeting or did not make written submission before the plan or amendment were adopted.

If you choose to appeal, you must submit written reasons, the prescribed fee and any other background material requested.

2



2

Scotton and Carmichael

262, 264, 265, 267, 269 Bishops Way

Part Lot 1, Concession 7, Geographic Township of North Burgess

- The application applies to an approximately 2.06 ha (5.1-acre) lot with 360m (1,181ft) frontage on Otty Lake.
- The purpose of this application is to change the zoning from Seasonal Residential (RS) to Limited Services Residential – Special Exception 200 (RLS-200) for the 6 existing dwellings:
 - 262 Bishop Way – dwelling size 64.7m² at a water setback of 7.92m –
dwelling size 21.7m² at a water setback of 1.83m
 - 264 Bishop Way – dwelling size 30.3m² at a water setback of 4.88m
 - 265 Bishop Way – dwelling size 37.6m² at a water setback of 12.8m
 - 267 Bishop Way – dwelling size 57.2m² at a water setback of 7.5m
 - 269 Bishop Way – dwelling size 71.4m² at a water setback of 15.5m.

3



3

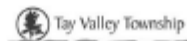
Scotton and Carmichael

262, 264, 265, 267, 269 Bishops Way

Part Lot 1, Concession 7, Geographic Township of North Burgess

- The amendment is required to recognize a year-round residence on a private road that does not meet water setbacks that came to light during a road naming process. As the property has been owned co-operatively since the 1940s, the owners seek rezoning for all the dwellings to be recognized as RLS-exceptions.

4



4

Scotton and Carmichael
262, 264, 265, 267, 269 Bishops Way



5



5

Scotton and Carmichael
Photos



6



6

Scotton and Carmichael Photos



7



7

Scotton and Carmichael Photos



8



8

Scotton and Carmichael Planner's Comments

Provincial Planning Statement (PPS)

- Chapter 2 Building Homes, Sustaining Strong and Competitive Communities – 2.5.1 Rural Areas in Municipalities:
states that "Healthy, integrated and viable rural areas should be supported by:
a) Building upon rural character and leveraging rural amenities and assets; and
b) Promoting regeneration." This section can be met as the dwelling is maintaining the same water setback from Otty Lake.
- Chapter 4: Wise Use and Management of Resources – 4.1.Natural Heritage states that, "Natural features and areas shall be protected for the long term", and Section 4.1.2 states that "The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features".

9



9

Scotton and Carmichael Planner's Comments

Provincial Planning Statement (PPS)

- Section 4.2.1 Water states, "Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations".
- The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

10

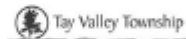


10

Scotton and Carmichael Planner's Comments Provincial Planning Statement (PPS)

- Section 4.6.2 Cultural Heritage and Archaeology states "Planning authorities shall not permit development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved". Areas of archaeological potential include lands that contain or are located within 300 meters of a primary water source such as a lakeshore, river or large creek. No new development is proposed.
- Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states "Development shall generally be directed to areas outside of hazards". No hazards have been identified.

11



11

Scotton and Carmichael County Sustainable Communities Official Plan

- Section 3 Rural land designation permits a variety of uses including residential uses.
- Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. No new development is proposed.

12



12

Scotton and Carmichael Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural and Organic Soils (on the western edge of the property). Section 2.3.3 Rural designation permits residential uses.
- Section 6.3.3.3 Residential Conversion from Secondary to Principal Use outlines the requirements for rezoning from RS to RLS to occur including: adequacy of septic, no environmental hazards, an Occupancy permit, etc. These requirements will be met for the subject property.
- Section 3.2.3.1 Waterfront Development states that "An adequate water setback serves an important function in relation to the protection of natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of the water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation.

13



13

Scotton and Carmichael Planner's Comments Official Plan

- Section 2.3.2.3 states "An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation."
- Section 3.2.7.3 Preservation of Vegetation states "As a condition of development or redevelopment, restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of the Waterfront shall be used as an example of how to restore and rehabilitate a disturbed shoreline.
- 3.2.10 Net Environmental Gain states "Waterfront development and redevelopment shall be required to demonstrate a net environmental gain in regard to increased setbacks, drainage design, new and improved septic systems, increased buffers, vegetation and habitat."
- No new development is proposed. Should new development (an addition or a rebuild larger than the existing dwellings) be proposed in the future, all the above considerations will come into play.

14



14

Scotton and Carmichael Planner's Comments Zoning

- Lot coverage at 1.9% and Floor Space Index at 1.4% are well below the 10% and 12% permitted.
- The lot is currently zoned Seasonal Residential (RS) and requires rezoning to Residential Limited Services - Special Exception 200 (RLS-200) to allow recognize a year-round residence that does not meet water setbacks on a private road and as the property has been owned co-operatively since the 1940s, the owners seek rezoning for all the dwellings to be recognized as RLS-exceptions.
 - 262 Bishop Way - dwelling size 64.7m² at a water setback of 7.92m – dwelling size 21.7m² at a water setback of 1.83m
 - 264 Bishop Way – dwelling size 30.3m² at a water setback of 4.88m
 - 265 Bishop Way – dwelling size 37.6m² at a water setback of 12.8m
 - 267 Bishop Way – dwelling size 57.2m² at a water setback of 7.5m
 - 269 Bishop Way – dwelling size 71.4m² at a water setback of 15.5m.

15

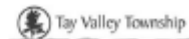


15

Scotton and Carmichael Planner's Comments

No expansion for the existing dwellings is permitted by this by-law. If in the future new development was proposed, moving farther back from the water would be required. A Site Plan Control Agreement would also be required to maintain the vegetation on the property.

16



16

Scotton and Carmichael RVCA Comments

Rideau Valley Conservation Authority (RVCA)

- The RVCA does not have any objections to the subject application provided the following mitigation measures are implemented:
 - 1. Any development activity and/or site alteration proposed within RVCA's regulated area (within 15 metres of a watercourse/waterbody) will require a permit from our office in accordance with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.
- The following condition should be included in a Site Plan Control Agreement if one is required in the future:
 - Roof runoff shall be collected and directed on-site and away from slopes, into natural or constructed leaching pits and/or rain barrels to provide the greatest infiltration of surface runoff. Runoff should not outlet directly towards the lake. Other Low Impact Development (LID) techniques should be used to deal with runoff from the hardened building surfaces (roofs, walkways, deck, driveways, etc.).

17



17

Scotton and Carmichael MRSSO Comments

Mississippi Rideau Septic System Office (MRSSO)

- The MRSSO recognizes that there are two shared wash houses with bathroom facilities on the property. However, because the property is owned in common, the septic facilities are not considered to be communal systems. (Communal systems service individually owned properties.

18



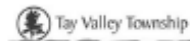
18

Scotton and Carmichael Comments Continued

Public Comments

- No comments were received at the time of the report.
- Members of the public are welcome to speak to the application at this meeting.

19

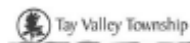


19

Scotton and Carmichael Recommendation

"THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 1, Concession 7, Geographic Township of Bathurst (Roll #0911-911-025-23900) known locally as 262, 264, 265, 267, 269 Bishops Way, from Seasonal Residential (RS) to Residential Limited Services - Special Exception 200 (RLS-200).

20



20

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

August 12th, 2025

Noelle Reeve, Planner

APPLICATION ZA25-05 –Taylor

STAFF RECOMMENDATION

It is recommended:

“THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 6, Concession 7, Geographic Township of North Burgess (Roll #0911-911-010-10400) known locally as 528 Otty Lake SW Shore Road, from Seasonal Residential (RS) to Residential Limited Services - Special Exception 199 (RLS-199).”

BACKGROUND

The application applies to an approximately 0.25-ha (0.62-acre) lot with 112.7m (370ft) frontage on Otty Lake.

The purpose of this application is to change the zoning from Seasonal Residential (RS) to Limited Services Residential – Special Exception 199 (RLS-199). The effect of the amendment is to allow a permanent residence to be built on a lot as a replacement for an existing cottage.

The rezoning also recognizes relief previously granted through a Minor Variance for a water setback of 18.9m on the east side and 23m on the west side of the cottage on Otty Lake, instead of the 30m required. The cottage meets the 30m water setback on the South side. Relief was also previously granted for encroachment for a deck by 1m and for a larger deck.

DISCUSSION

Provincial Planning Statement (PPS)

Chapter 2 Building Homes, Sustaining Strong and Competitive Communities – 2.5.1 Rural Areas in Municipalities states that “Healthy, integrated and viable rural areas should be supported by:

- c) Building upon rural character and leveraging rural amenities and assets; and
- d) Promoting regeneration.” This section can be met as the dwelling is maintaining the same water setback from Otty Lake and an outbuilding (storage container is moving back to meet the 30m water setback).

Chapter 4: Wise Use and Management of Resources – 4.1.Natural Heritage states that, “Natural features and areas shall be protected for the long term”, and Section 4.1.2 states that “The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained,

restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features”.

Section 4.2.1 Water states, “Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations”. A Site Plan Control Agreement will be executed for this property that will include a new septic system and require maintenance of the vegetation along the shoreline and back to the cottage from the lake which will protect water quality.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

Section 4.6.2 Cultural Heritage and Archaeology states “Planning authorities shall not permit development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved”. Areas of archaeological potential include lands that contain or are located within 300 meters of a primary water source such as a lakeshore, river or large creek. The dwelling is being rebuilt on the footings of the cottage so no new area will be disturbed. If archaeological artifacts are discovered, then an archeological assessment would be required.

Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states “Development shall generally be directed to areas outside of hazards”. No hazards have been identified.

Lanark County Sustainable Communities Official Plan

Section 3 Rural land designation permits a variety of uses including residential uses.

Section 5.4.4 of the County of Lanark’s Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. A Site Plan Control Agreement will be executed for this property that will include a new septic system and require maintenance of the vegetation along the shoreline and the area between it and the dwelling which will protect water quality.

Official Plan

The subject property is designated in the Official Plan as Rural. Section 2.3.3 Rural designation permits residential uses.

Section 6.3.3.3 Residential Conversion from Secondary to Principal Use outlines the requirements for rezoning from RS to RLS to occur including: adequacy of septic, no environmental hazards, an Occupancy permit, etc. These requirements will be met for the subject property.

Section 3.2.3.1 Waterfront Development states that “An adequate water setback serves an important function in relation to the protection of natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of the water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation.

Section 2.3.2.3 states “An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation.”

Section 3.2.7.3 Preservation of Vegetation states “As a condition of development or redevelopment, restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of the Waterfront shall be used as an example of how to restore and rehabilitate a disturbed shoreline.

3.2.10 Net Environmental Gain states “Waterfront development and redevelopment shall be required to demonstrate a net environmental gain in regard to increased setbacks, drainage design, new and improved septic systems, increased buffers, vegetation and habitat.”

All of these considerations will be met as the dwelling is being rebuilt as far back as possible on the property given that the septic system will be located to the rear of the dwelling. A Site Plan Control Agreement has been executed for this property that included a new septic system and requires vegetation of the shoreline and the area toward the cottage which will protect water quality.

Zoning By-Law

The lot is currently zoned Seasonal Residential (RS) and requires rezoning to Residential Limited Services - Special Exception 199 (RLS-199) to allow a proposed dwelling to be used as a year-round residence. The special exception recognizes the relief from the Zoning By-law previously granted by the Committee of Adjustment.

Floor space index of 4.2% is below the 12% permitted. Lot coverage is shown as 7.2% on the site sketch submitted. All other setbacks are met from the side yards and rear yard.

Planner

This application is to allow for the applicant to place a crawlspace under a dwelling to replace the existing cottage.

The applicant cannot move the dwelling back farther because of the location of the septic tank. A net environmental gain will occur. A Site Plan Control Agreement provides additional protection to the lake by ensuring a vegetative buffer is maintained along the shore and back to the dwelling and that runoff from the building is directed to the rear of the lot away from the lake.

Rideau Valley Conservation Authority (RVCA)

The RVCA does not have any objections to the subject application provided the following mitigation measures are implemented:

1 Any development activity and/or site alteration proposed within RVCA's regulated area (within 15 metres of a watercourse/waterbody) will require a permit from our office in accordance with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

The following condition should be included in the Site Plan Control Agreement:

- Roof runoff shall be collected and directed on-site and away from slopes, into natural or constructed leaching pits and/or rain barrels to provide the greatest infiltration of surface runoff. Runoff should not outlet directly towards the lake. Other Low Impact Development (LID) techniques should be used to deal with runoff from the hardened building surfaces (roofs, walkways, deck, driveways, etc).

Mississippi Rideau Septic System Office (MRSSO)

The applicant has submitted a Part 10/11 application which indicated the existing septic system was adequate.

Public Comments

None at the time of the report.

CONCLUSION

The Planner recommends that the proposed amendment be approved to rezone the lands at Concession 7, Part Lot 6, 528 Otty Lake SW Shore Road, Geographic Township of North Burgess (Roll number 091191101010400) from Seasonal Residential (RS) to Residential Limited Services Special Exception-199 (RLS - 199).

ATTACHMENTS

- i) Site Sketch
- ii) Zoning By-law

Prepared and Submitted By:

Original signed

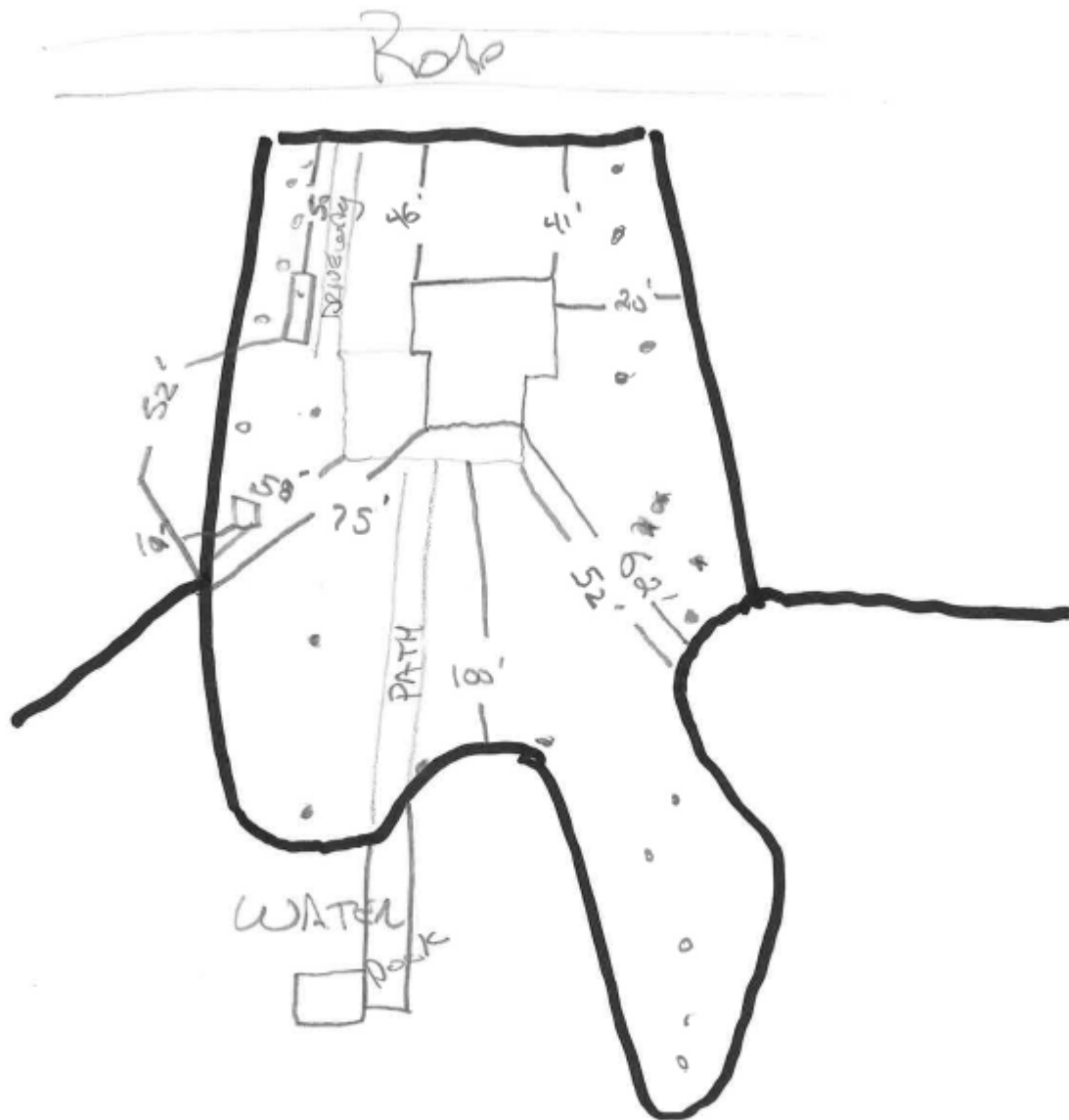
**Noelle Reeve,
Planner**

Approved for Submission By:

Original signed

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

Attachment 1 – Site Sketch



528 OTTY LAKE ROAD SW
Shore

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2025-0xx

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (TAYLOR) (528 OTTY LAKE SW SHORE ROAD, PART LOT 6, CONCESSION 7, GEOGRAPHIC TOWNSHIP OF NORHT 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

1.5 THAT, By-Law No. 2002-121 is hereby amended by amending the zoning from Seasonal Residential (RS) to Residential Limited Services Special Exception - 199 (RLS-199) on the lands legally described as Part Lot 6, Concession 7, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll # 091191101010400), 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 5.3.2 (Exception Zones).

199. RLS-199 (Part Lot 6, Concession 7, North Burgess)

Notwithstanding the provisions of Section 5.3.2, 3.29 and 3.30 on the lands zoned RLS-199 the following provisions shall prevail:

- Water Setback East side of dwelling (minimum) 18.9m
- Water Setback West side for dwelling (minimum) 23m

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx**

- Water Setback Encroachment for Decks 3m
- Deck area 54m²

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. BY-LAWS TO BE AMENDED

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

4.1 ENACTED AND PASSED this 26th day of August, 2025.

Robert Rainer, Reeve

Amanda Mabo, Clerk

4.2 APPROVED BY THE REEVE this 26th day of August, 2025 pursuant to Reeve Decision/Direction #2025-xx.

Rob Rainer, Reeve

THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx
SCHEDULE "A"

Taylor – 528 Otty Lake SW Shore Road
Part Lot 6, Concession 7
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning from
Seasonal Residential (RS) to
Residential Limited Services Special Exception-199
(RLS-199)

Certificate of Authentication

This is Schedule "A" to By-Law 2025-0xx
passed this 26th day of August 2025.

Reeve

Clerk

Taylor Zoning By-law Amendment

Public Notice

Pursuant to the Planning Act, Notice of Public Meeting is to be provided a minimum of 20 days prior for a Zoning By-law Amendment. Notice was duly given by both the posting of the notice in a visible area for the property and by mailing to adjacent property owners within 120 metres of the location. Notice was also given to other public agencies as required.

1



1

Taylor Zoning By-law Amendment

Ontario Land Tribunal

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A "specified person" does not include an individual or a community association.

Please be cautioned that the Ontario Land Tribunal may dismiss all or part of an appeal without holding a hearing if the reasons set out in the appeal do not refer to land use planning grounds offended by the decision, the appeal is not made in good faith or is frivolous or vexatious or made only for the purpose of delay.

The Tribunal may also dismiss the appeal if the appellant did not make oral submission at the public meeting or did not make written submission before the plan or amendment were adopted.

If you choose to appeal, you must submit written reasons, the prescribed fee and any other background material requested.

2



2

Taylor

528 Otty Lake SW Shore Road

Part Lot 6, Concession 7, Geographic Township of North Burgess

- The application applies to an approximately 0.25-ha (0.62-acre) lot with 112.7m (370ft) frontage on Otty Lake.
- The purpose of this application is to change the zoning from Seasonal Residential (RS) to Limited Services Residential – Special Exception 199 (RLS-199). The effect of the amendment is to allow a permanent residence to be built on a lot as a replacement for an existing cottage.
- The rezoning also recognizes relief previously granted through a Minor Variance for a water setback of 18.9m on the east side and 23m on the west side of the cottage on Otty Lake, instead of the 30m required. The cottage meets the 30m water setback on the South side. Relief was also previously granted for encroachment for a deck by 1m and for a larger deck.

3



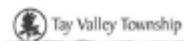
3

Taylor

528 Otty Lake SW Shore Road



4



4

Taylor Photos



5



5

Taylor Photos



6

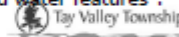


6

Taylor Planner's Comments Provincial Planning Statement (PPS)

- Chapter 2 Building Homes, Sustaining Strong and Competitive Communities – 2.5.1 Rural Areas in Municipalities:
states that "Healthy, integrated and viable rural areas should be supported by:
c) Building upon rural character and leveraging rural amenities and assets; and
d) Promoting regeneration." This section can be met as the dwelling is maintaining the same water setback from Bennett Lake.
- Chapter 4: Wise Use and Management of Resources – 4.1.Natural Heritage states that, "Natural features and areas shall be protected for the long term", and Section 4.1.2 states that "The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features".

7



7

Taylor Planner's Comments Provincial Planning Statement (PPS)

- Section 4.2.1 Water states, "Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations". A Site Plan Control Agreement will be executed for this property that will include a new septic system and require maintenance of the vegetation along the shoreline and back to the cottage from the lake which will protect water quality.
- The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

8



8

Taylor Planner's Comments Provincial Planning Statement (PPS)

- Section 4.6.2 Cultural Heritage and Archaeology states "Planning authorities shall not permit development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved". Areas of archaeological potential include lands that contain or are located within 300 meters of a primary water source such as a lakeshore, river or large creek. The dwelling is being rebuilt on the footings of the cottage so no new area will be disturbed. If archaeological artifacts are discovered, then an archeological assessment would be required.
- Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states "Development shall generally be directed to areas outside of hazards". No hazards have been identified.

9



9

Taylor County Sustainable Communities Official Plan

- Section 3 Rural land designation permits a variety of uses including residential uses.
- Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. A Site Plan Control Agreement has been executed for this property that has included a new septic system and require revegetation of the shoreline which will protect water quality.

10



10

Taylor Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural and MVCA regulated wetlands. Section 2.3.3 Rural designation permits residential uses.

11

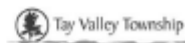


11

Taylor Planner's Comments Official Plan

- Section 6.3.3.3 Residential Conversion from Secondary to Principal Use outlines the requirements for rezoning from RS to RLS to occur including: adequacy of septic, no environmental hazards, an Occupancy permit, etc. These requirements are met for the subject property.
- Section 3.2.3.1 Waterfront Development states that "An adequate water setback serves an important function in relation to the protection of natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of the water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation.
- Section 2.3.2.3 states "An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation."

12

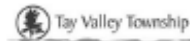


12

Taylor Planner's Comments Official Plan

- Section 3.2.7.3 Preservation of Vegetation states "As a condition of development or redevelopment, restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of the Waterfront shall be used as an example of how to restore and rehabilitate a disturbed shoreline.
- 3.2.10 Net Environmental Gain states "Waterfront development and redevelopment shall be required to demonstrate a net environmental gain in regard to increased setbacks, drainage design, new and improved septic systems, increased buffers, vegetation and habitat."
- All of these considerations will be met as the dwelling is being rebuilt as far back as possible on the property given that the septic system will be located to the rear of the dwelling. A Site Plan Control Agreement has been executed for this property that included a new septic system and requires vegetation of the shoreline and the area toward the cottage which will protect water quality.

13

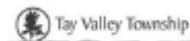


13

Taylor Planner's Comments Zoning

- The lot is currently zoned Seasonal Residential (RS) and requires rezoning to Residential Limited Services - Special Exception 199 (RLS-199) to allow a proposed dwelling to be used as a year-round residence. The special exception recognizes the relief from the Zoning By-law previously granted by the Committee of Adjustment.
- Floor space index of 4.2% is below the 12% permitted. Lot coverage is shown as 7.2% on the site sketch submitted. All other setbacks are met from the side yards and rear yard.

14



14

Taylor Planner's Comments

This application is to allow for the applicant to place a crawlspace under a dwelling to replace the existing cottage.

The applicant cannot move the dwelling back farther because of the location of the septic tank. A net environmental gain will occur as a new septic is being installed. A Site Plan Control Agreement provides additional protection to the lake by ensuring a vegetative buffer is maintained along the shore and back to the dwelling and that runoff from the building is directed to the rear of the lot away from the lake.

15



15

Taylor RVCA Comments

Rideau Valley Conservation Authority (RVCA)

- The RVCA does not have any objections to the subject application provided the following mitigation measures have been implemented in Site Plan Control Agreement:
 - Roof runoff shall be collected and directed on-site and away from slopes, into natural or constructed leaching pits and/or rain barrels to provide the greatest infiltration of surface runoff. Runoff should not outlet directly towards the lake. Other Low Impact Development (LID) techniques should be used to deal with runoff from the hardened building surfaces (roofs, walkways, deck, driveways, etc).
 - Any development activity and/or site alteration proposed within RVCA's regulated area (within 15 metres of a watercourse/waterbody) will require a permit from our office in accordance with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

16



16

Taylor MRSSO Comments

Mississippi Rideau Septic System Office (MRSSO)

- The applicant has submitted a Class 4 septic system application to the MRSSO for the dwelling to replace a holding tank.

17



17

Taylor Comments Continued

Public Comments

- No comments were received at the time of the report.
- Members of the public are welcome to speak to the application at this meeting.

18



18

Taylor Recommendation

"THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 6, Concession 7, Geographic Township of Bathurst (Roll #0911-911-010-10400) known locally as 528 Otty Lake SW Shore Road, from Seasonal Residential (RS) to Residential Limited Services - Special Exception 199 (RLS-199)."

PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT

August 12th, 2025

Noelle Reeve, Planner

APPLICATION ZA25-06 –Blythe

STAFF RECOMMENDATION

It is recommended:

“THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 5, Concession 7, Geographic Township of North Burgess (Roll #0911-911-010-07002) known locally as 727 Loons Way, from Seasonal Residential (RS) to Residential Limited Services (RLS).”

BACKGROUND

The application applies to an approximately 1.57-ha (3.90-acre) lot with 78m (257ft) frontage on Otty Lake.

The purpose of this application is to change the zoning from Seasonal Residential (RS) to Limited Services Residential. A two-storey dwelling is proposed to replace a one storey cottage. The two-storey building will have a smaller footprint than the existing one storey building.

DISCUSSION

Provincial Planning Statement (PPS)

Chapter 2 Building Homes, Sustaining Strong and Competitive Communities – 2.5.1 Rural Areas in Municipalities states that “Healthy, integrated and viable rural areas should be supported by:

- e) Building upon rural character and leveraging rural amenities and assets; and
- f) Promoting regeneration.” This section can be met as the dwelling is maintaining the same 33m water setback from Otty Lake.

Chapter 4: Wise Use and Management of Resources – 4.1.Natural Heritage states that, “Natural features and areas shall be protected for the long term”, and Section 4.1.2 states that “The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features”.

Section 4.2.1 Water states, “Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations”. A Site Plan Control Agreement will be executed for this property that will include

a septic system and will maintain vegetation of the shoreline and the area between the dwelling and the lake which will protect water quality.

The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

Section 4.6.2 Cultural Heritage and Archaeology states “Planning authorities shall not permit development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved”. Areas of archaeological potential include lands that contain or are located within 300 meters of a primary water source such as a lakeshore, river or large creek. The footprint of the disturbance will be smaller than the current footprint. If any archaeological materials are found during construction, an archaeological assessment will be required.

Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states “Development shall generally be directed to areas outside of hazards”. No hazards have been identified.

Lanark County Sustainable Communities Official Plan

Section 3 Rural land designation permits a variety of uses including residential uses.

Section 5.4.4 of the County of Lanark’s Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. A Site Plan Control Agreement will be executed for this property that will include a septic system and require maintenance of vegetation along the shoreline and between the lake and the dwelling which will protect water quality.

Official Plan

The subject property is designated in the Official Plan as Rural and Abandoned Mine Buffer. Section 2.3.3 Rural designation permits residential uses.

Section 6.3.3.3 Residential Conversion from Secondary to Principal Use outlines the requirements for rezoning from RS to RLS to occur including: adequacy of septic, no environmental hazards, an Occupancy permit, etc. These requirements will be met for the subject property.

Section 3.2.3.1 Waterfront Development states that “An adequate water setback serves an important function in relation to the protection of natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of the water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation.

Section 2.3.2.3 states “An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation.”

Section 3.2.7.3 Preservation of Vegetation states “As a condition of development or redevelopment, restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of the Waterfront shall be used as an example of how to restore and rehabilitate a disturbed shoreline.

3.2.10 Net Environmental Gain states “Waterfront development and redevelopment shall be required to demonstrate a net environmental gain in regard to increased setbacks, drainage design, new and improved septic systems, increased buffers, vegetation and habitat.”

All of these considerations will be met as the dwelling is being rebuilt 33m from the lake. A Site Plan Control Agreement will be executed for this property that will include a septic system and require maintenance of the vegetation of the shoreline and the area toward the cottage which will protect water quality.

Zoning By-Law

The lot is currently zoned Seasonal Residential (RS) and requires rezoning to Residential Limited Services to allow a proposed dwelling to be used as a year-round residence. The water setback is exceeded (at 33m). Lot coverage of 0.6% is well below the 10% maximum permitted and the Floor Space Index of 1.3% is well below the maximum of 12%. All other setbacks are met from the side yards and rear yard.

Planner

The application is straightforward as all zoning performance standards are met. The rezoning is permit year round use and those criteria are met – road access, adequate septic servicing, etc.

A new septic system will replace a holding tank contributing to an environmental net gain. A Site Plan Control Agreement will also provide net gain in environmental protection for the lake by ensuring a vegetative buffer is maintained along the shore and between the shore and dwelling and that runoff from the building is directed to the rear of the lot away from the lake.

Rideau Valley Conservation Authority (RVCA)

The RVCA does not have any objections to the subject application provided the following mitigation measures are implemented:

1 Any development activity and/or site alteration proposed within RVCA’s regulated area (within 15 metres of a watercourse/waterbody) will require a permit from our office in accordance with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

The following condition should be included in the Site Plan Control Agreement:

- Roof runoff shall be collected and directed on-site and away from slopes, into natural or constructed leaching pits and/or rain barrels to provide the greatest infiltration of

surface runoff. Runoff should not outlet directly towards the lake. Other Low Impact Development (LID) techniques should be used to deal with runoff from the hardened building surfaces (roofs, walkways, deck, driveways, etc).

Mississippi Rideau Septic System Office (MRSSO)

The applicant has submitted a Class 4 septic system permit that was approved to replace a holding tank.

Public Comments

None at the time of the report.

CONCLUSION

The Planner recommends that the proposed amendment be approved to rezone the lands at Concession 6, Part Lot 5, 727 Loons Way, Geographic Township of North Burgess (Roll number 091191101007002) from Seasonal Residential (RS) to Residential Limited Services (RLS) and that the owners enter into a Site Plan Control Agreement prepared by the Township.

ATTACHMENTS

- iii) Site Sketch
- iv) Zoning By-law

Prepared and Submitted By:

Original signed

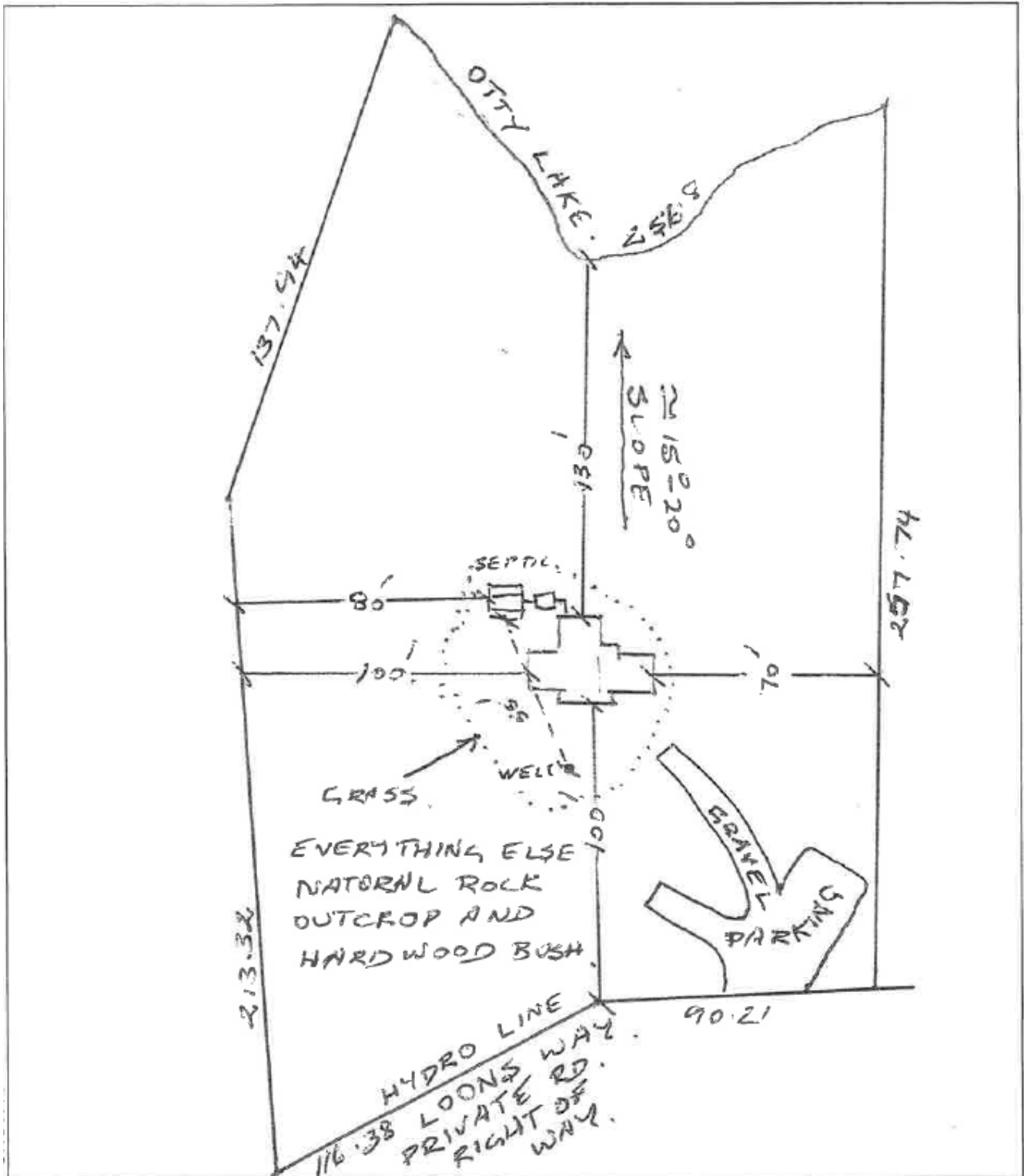
**Noelle Reeve,
Planner**

Approved for Submission By:

Original signed

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

Attachment 1 – Site Sketch



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2025-0xx

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (BLYTHE – 727 LOONS WAY) (PART LOT 5, CONCESSION 7, 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 Seasonal Residential (RS) to Residential Limited Services (RLS) on the lands legally described as Part Lot 5, Concession 7, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll # 091191101007002), in accordance with Schedule “A” attached hereto and forming part of this By-Law.
- 1.2 **THAT**, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.3 **THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

2. BY-LAWS TO BE AMENDED

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

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx**

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

4.1 ADOPTED BY COUNCIL this 26th day of August, 2025.

Rob Rainer, Reeve

Amanda Mabo, Clerk

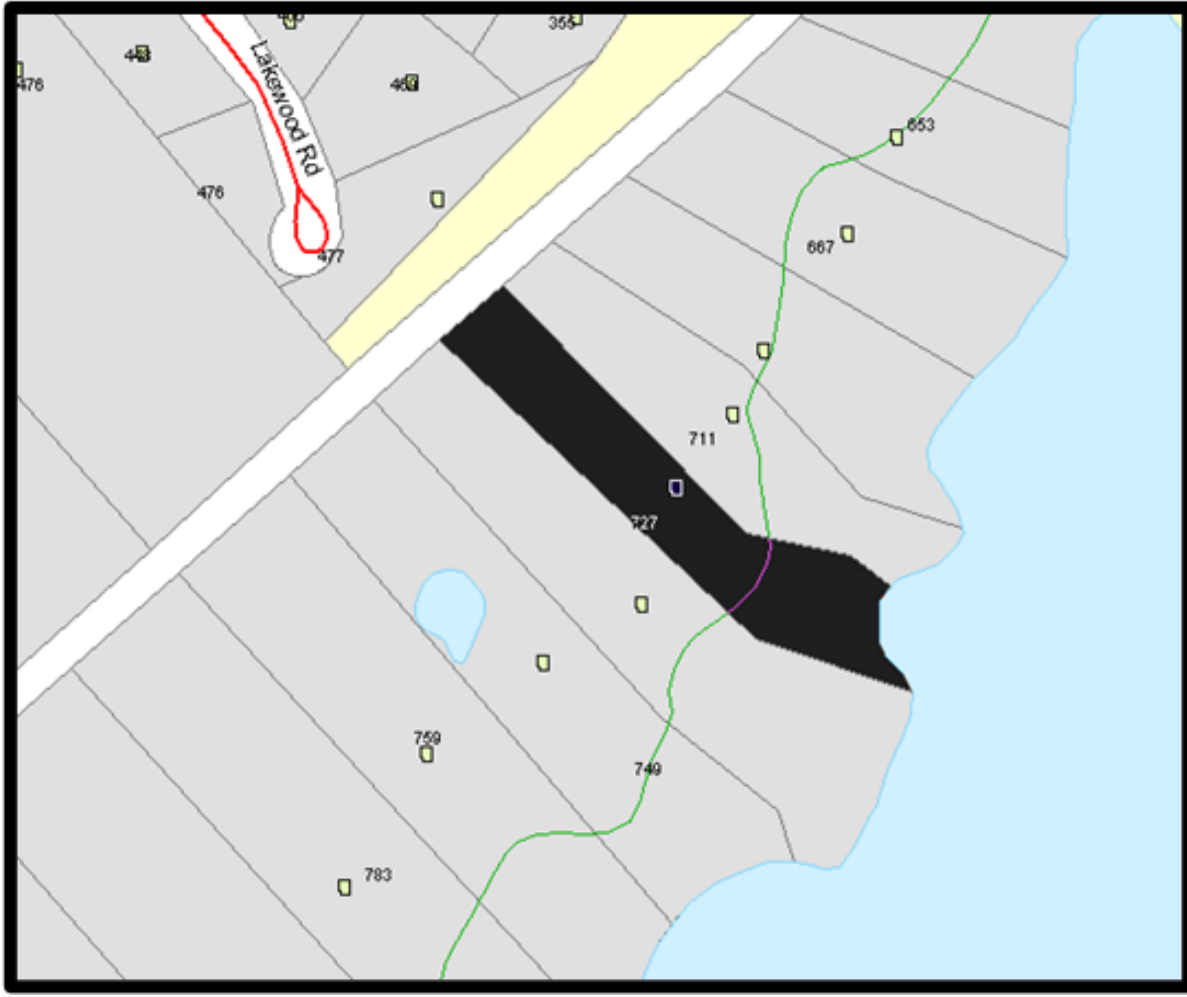
4.2 APPROVED BY THE REEVE this 26th day of August, 2025 pursuant to Reeve Decision/Direction #2025-XX.

Rob Rainer, Reeve

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2025-0xx**

SCHEDULE "A"

Blythe – 727 Loons Way
Part Lot 5, Concession 7
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law
To amend the Zoning from
Seasonal Residential (RS) to
Residential Limited Services (RLS)

Certificate of Authentication
This is Schedule "A" to By-Law 2025-0xx
passed this 26th day of August 2025.

Reeve

Clerk

Blythe Zoning By-law Amendment

Public Notice

Pursuant to the Planning Act, Notice of Public Meeting is to be provided a minimum of 20 days prior for a Zoning By-law Amendment. Notice was duly given by both the posting of the notice in a visible area for the property and by mailing to adjacent property owners within 120 metres of the location. Notice was also given to other public agencies as required.

1



1

Blythe Zoning By-law Amendment

Ontario Land Tribunal

Only the applicant, the Minister or a specified person or public body that has an interest in the matter may appeal the decision to the Ontario Land Tribunal. A "specified person" does not include an individual or a community association.

Please be cautioned that the Ontario Land Tribunal may dismiss all or part of an appeal without holding a hearing if the reasons set out in the appeal do not refer to land use planning grounds offended by the decision, the appeal is not made in good faith or is frivolous or vexatious or made only for the purpose of delay.

The Tribunal may also dismiss the appeal if the appellant did not make oral submission at the public meeting or did not make written submission before the plan or amendment were adopted.

If you choose to appeal, you must submit written reasons, the prescribed fee and any other background material requested.

2



2

Blythe

727 Loons Way

Part Lot 5, Concession 7, Geographic Township of North Burgess

- The application applies to an approximately 1.57-ha (3.90-acre) lot with 78m (257ft) frontage on Otty Lake.
- The purpose of this application is to change the zoning from Seasonal Residential (RS) to Limited Services Residential. A two-storey dwelling is proposed to replace a one storey cottage. The two-storey building will have a smaller footprint than the existing one storey building.

3



3

Blythe

727 Loons Way



4



4

Blythe Photos



5



5

Blythe Photos



6



6

Blythe Planner's Comments Provincial Planning Statement (PPS)

- Chapter 2 Building Homes, Sustaining Strong and Competitive Communities – 2.5.1 Rural Areas in Municipalities:
states that "Healthy, integrated and viable rural areas should be supported by:
 - e) Building upon rural character and leveraging rural amenities and assets; and
 - f) Promoting regeneration." This section can be met as the dwelling is maintaining the same 33m water setback from Otty Lake.
- Chapter 4: Wise Use and Management of Resources – 4.1.Natural Heritage states that, "Natural features and areas shall be protected for the long term", and Section 4.1.2 states that "The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity be natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and surface water features and ground water features".

7



7

Blythe Planner's Comments Provincial Planning Statement (PPS)

- Section 4.2.1 Water states, "Planning authorities shall protect, improve or restore the quality and quantity of water by: e) implementing necessary restrictions on development and site alterations". A Site Plan Control Agreement will be executed for this property that will include a septic system and will maintain vegetation of the shoreline and the area between the dwelling and the lake which will protect water quality.
- The aquifers throughout Tay Valley Township are vulnerable to surface contaminants due to thin or absent soils overlying bedrock that may be fractured. Where these conditions exist, it may be possible for contaminants to enter drinking ground water supplies. For this reason, care should be taken to avoid land uses and practices that may inadvertently lead to undesirable effects on groundwater (e.g., spilling gas on the ground).

8



8

Blythe Planner's Comments Provincial Planning Statement (PPS)

- Section 4.6.2 Cultural Heritage and Archaeology states "Planning authorities shall not permit development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved". Areas of archaeological potential include lands that contain or are located within 300 meters of a primary water source such as a lakeshore, river or large creek. The footprint of the disturbance will be smaller than the current footprint. If any archaeological materials are found during construction, an archaeological assessment will be required.
- Chapter 5 Protecting Public Health and Safety Section 5.2.2 b Natural Hazards states "Development shall generally be directed to areas outside of hazards". No hazards have been identified.

9



9

Blythe County Sustainable Communities Official Plan

- Section 3 Rural land designation permits a variety of uses including residential uses.
- Section 5.4.4 of the County of Lanark's Sustainable Communities Official Plan indicates that municipalities have an obligation to consider the impact of development and land use on waterbodies in order to ensure their long-term viability. A Site Plan Control Agreement will be executed for this property that will include a septic system and require maintenance of vegetation along the shoreline and between the lake and the dwelling which will protect water quality.

10

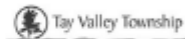


10

Blythe Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural and Abandoned Mine Buffer. Section 2.3.3 Rural designation permits residential uses.

11

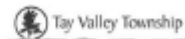


11

Blythe Planner's Comments Official Plan

- Section 6.3.3.3 Residential Conversion from Secondary to Principal Use outlines the requirements for rezoning from RS to RLS to occur including: adequacy of septic, no environmental hazards, an Occupancy permit, etc. These requirements are met for the subject property.
- Section 3.2.3.1 Waterfront Development states that "An adequate water setback serves an important function in relation to the protection of natural and cultural heritage characteristics and water quality of the lakes and rivers of the Township. The intent of the water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems, or the removal of the soil mantle and natural vegetation.
- Section 2.3.2.3 states "An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation."

12

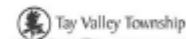


12

Blythe Planner's Comments Official Plan

- Section 3.2.7.3 Preservation of Vegetation states "As a condition of development or redevelopment, restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of the Waterfront shall be used as an example of how to restore and rehabilitate a disturbed shoreline.
- 3.2.10 Net Environmental Gain states "Waterfront development and redevelopment shall be required to demonstrate a net environmental gain in regard to increased setbacks, drainage design, new and improved septic systems, increased buffers, vegetation and habitat."
- All of these considerations will be met as the dwelling is being rebuilt as far back as possible on the property given that the septic system will be located to the rear of the dwelling. A Site Plan Control Agreement has been executed for this property that included a new septic system and requires vegetation of the shoreline and the area toward the cottage which will protect water quality.

13



13

Blythe Planner's Comments Zoning

- The lot is currently zoned Seasonal Residential (RS) and requires rezoning to Residential Limited Services to allow a proposed dwelling to be used as a year-round residence. The water setback is exceeded (at 33m). Lot coverage of 0.6% is well below the 10% maximum permitted and the Floor Space Index of 1.3% is well below the maximum of 12%. All other setbacks are met from the side yards and rear yard.

14



14

Blythe Planner's Comments

The application is straightforward as all zoning performance standards are met. The rezoning is permit year round use and those criteria are met – road access, adequate septic servicing, etc.

A Site Plan Control Agreement will provide net gain in environmental protection for the lake by ensuring a vegetative buffer is maintained along the shore and between the shore and dwelling and that runoff from the building is directed to the rear of the lot away from the lake.

15



15

Blythe RVCA Comments

Rideau Valley Conservation Authority (RVCA)

- The RVCA does not have any objections to the subject application provided the following mitigation measures will be implemented in Site Plan Control Agreement:
 - Roof runoff shall be collected and directed on-site and away from slopes, into natural or constructed leaching pits and/or rain barrels to provide the greatest infiltration of surface runoff. Runoff should not outlet directly towards the lake. Other Low Impact Development (LID) techniques should be used to deal with runoff from the hardened building surfaces (roofs, walkways, deck, driveways, etc).
 - Any development activity and/or site alteration proposed within RVCA's regulated area (within 15 metres of a watercourse/waterbody) will require a permit from our office in accordance with Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits.

16



16

Blythe MRSSO Comments

Mississippi Rideau Septic System Office (MRSSO)

- The applicant has submitted a Part 10/11 that was approved, therefore no further septic system application is required.

17



17

Blythe Comments Continued

Public Comments

- No comments were received at the time of the report.
- Members of the public are welcome to speak to the application at this meeting.

18



18

Blythe Recommendation

"THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 5, Concession 7, Geographic Township of Bathurst (Roll #0911-911-010-07002) known locally as 727 Loons Way, from Seasonal Residential (RS) to Residential Limited Services (RLS)."