
Tuesday, September 23rd, 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, Reeve Rob Rainer

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:

Jones

- 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 #ZA25-08: Philip Jones – *attached, page 4.***
2441 Scotch Line Road
Part Lot 1, Concession 10,
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

September 5, 2025

Noelle Reeve, Planner

APPLICATIONS ZA25-08 JONES

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 10, in the geographic Township of North Burgess, municipally known as 2441 Scotch Line Road from Agricultural (A) to Residential (R).

BACKGROUND

The application is a requirement of severance B25-008. The proposed severance will create a 0.8ha residential lot with frontage and access at 214 Ferrier Road East. The lot is too small to meet the performance standards of the Agriculture Zone (A) so must be rezoned to Residential (R).

The retained lot is an 87 ha lot zoned Agricultural(A) with frontage and access at 2441 Scotch Line Road.

DISCUSSION

Provincial Planning Statement (PPS)

Chapter 2 Building Homes, Sustaining Strong and Competitive Communities Section 2.2 Housing – states that Planners should facilitate “all types of residential intensification....to increase the number of housing units”.

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

- “a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration; and
- g) conserving biodiversity and considering the ecological benefits provided by nature”.

This section is satisfied as the severed lot does not detract from the rural landscape as it will retain most of the forest through a Development Agreement and is at the end of a rarely travelled dead-end road. The retained lot will not be developed as it is designated Agricultural and is in active farm use.

Chapter 4: Wise Use and Management of Resources Section 4.1. Natural Heritage states that, “Natural features and areas shall be protected for the long term”. There is Significant Woodlands – Deep Interior Forest on part of the proposed severed lot. There is a natural open space in the forest that will be the location for development and will be delineated in a Development Agreement.

Section 4.2.1 Water states, “Planning authorities shall protect, improve or restore the quality and quantity of water”. There are no waterbodies on the proposed severed or retained lots.

However, 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.

Section 4.3.2.3 Agriculture states, “New land uses in prime agricultural areas, including the creation of lots shall comply with the minimum distance separation formulae”. This requirement is met.

Section 4.6.2 Cultural Heritage and Archaeology “requires an archaeological survey near water”. There are no waterbodies on the proposed lot.

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”. There are no hazards on the proposed severed lot.

The application conforms to the requirements of the Provincial Planning Statement.

Lanark County Sustainable Communities Official Plan

Section 3 Rural Area Policies permits a variety of uses including residential and conservation uses.

Section 5.4.4 states, “The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on waterbodies throughout the County in order to ensure the long-term viability of this important natural and economic resource”. Section 5.5.8 Surface and Ground Water Protection and Enhancement further states, “Areas in the County have been identified as Highly Vulnerable Aquifers and Significant Groundwater recharge Areas in the Source Protection Plan”. This proposed lot, like almost all of the Township, is located in a Highly Vulnerable Aquifer.

The RVCA identified some best practices that could be considered including:

- increased well casing depths,
- increased distance of septic systems from drinking water wells,
- ensuring septic systems are located downgradient of wells,
- ensuring that wells and septic systems are properly maintained,
- avoiding the use of pesticides, herbicides, and fertilizers.

Section 5.5.4 Significant Woodlands only pertains to Lanark County Community Forests. The proposed lot is not a County Forest.

Section 6.1.1 Agricultural Resources states, “Local Official Plans shall identify Agricultural Resource lands”.

The Lanark County Sustainable Communities Plan requirements are met.

Official Plan

The subject property is designated Rural and Significant Woodlands – Deep Interior Forest.

The property was removed from the Agricultural designation under the Official Plan as part of the recent update to the Township’s Official Plan, adopted by Lanark County in 2025. The change in designation to Rural from Agriculture was supported because the Canada Land Inventory classification for the lot is the lowest – Class 7. Additionally, the proposed lot had never been used as part of the active sheep farm as it is forested so is not cropped or grazed for hay. Most significantly, however, is the location of the proposed lot at the end of a lightly used dead-end road. In other words, no further encroachment into the Agricultural designation would occur as there is no Township road beyond the lot.

Support for the lot being rezoned to Residential is found in the following sections of the Township Official Plan. Section 1.5.6 – Objectives – “To encourage the provision of an adequate supply and range of traditional and non-traditional housing types and supporting amenities to satisfy the needs of existing and future residents.”

Section 2.1 – Land Use Patterns - - “On rural land located in municipalities, permitted uses are: c) residential development, including lot creation, that is locally appropriate”.

Section 2.2.3.1.1 b) – Housing – “A variety of housing options are accommodated to meet the needs of present and future residents, subject to the limitations imposed by servicing and environmental considerations”. The size of the lot and its location at the end of a dead end road ensure servicing should be achieved.

Section 2.3.3 – Rural – designation allows residential uses.

Section 2.3.3.4 – Rural – lands are intended for low density residential development.

Section 3 Natural Heritage – Significant Woodlands – Deep Interior Forest is found on part of the property but an open area in the forest exists at the rear of the proposed lot.

Section 4.4.1.4 Water Supply and Sewage Disposal - The lot is 0.8 ha in size with development on only one side of the proposed lot. There is a house located on the north side, but no development is possible on the Agricultural land to the west of the proposed lot, none to the south as the road ends, and the existing development to the east is over 800m away, so no hydrogeological study was required.

Section 4.4.2 Source Water Protection - Almost all of the Township (with the exception of the area around Balderson) is a Highly Vulnerable Aquifer. Care should be taken that potential contaminants are not allowed on the ground.

Section 5.6.3.1 Minimum Distance Separation – was not required as there are no livestock facilities in the area.

Section 6.3.3.3 Strip development consisting of 3 adjacent lots with frontage less than 100m is not permitted. Ferrier Road East ends immediately to the south of this lot so the lot will have 60m frontage, not the 100m frontage requirement. However, there will be no development beyond the lot and little traffic comes down this dead-end road so the policy intent will be met.

Section 6.3.3.4 Consent Policies states, “Lots created by Consent shall generally front onto existing maintained public roads.” Ferrier Road East is a Township owned road.

The requirements of the Township Official Plan will be met by a Development Agreement on the new lot and through this rezoning application.

Zoning By-Law

The lot is currently zoned Agriculture (A) and must be rezoned to Residential (R) to reflect the lot size.

The proposed severed lot at 60m will meet the frontage requirements of 60m on a public road. The area requirement of 0.8 ha is undersized for a lot in the Rural zone so the severed lot will need to be rezoned to Residential.

The retained lot at 87 ha exceeds the area requirement for the Agricultural zone. It has over 110m of frontage so also exceeds the frontage requirement.

Planner

The Planner is in support of the rezoning to Residential as it meets the requirements of the Provincial Planning Statement, Lanark County Official Plan, and Township Official Plan.

Rideau Valley Conservation Authority (RVCA)

Supported the severance application.

Mississippi Rideau Septic System Office (MRSSO)

Supported the severance application.

Tay Valley Township Public Works

An address for the new lot has been confirmed.

Public Comments

No comments were received at the time of the report.

CONCLUSION

The Planner recommends that the proposed amendment be approved to rezone the lands at Part Lot 1, Concession 10, in the geographic Township of North Burgess, municipally known as 2441 Scotch Line Road from Agriculture (A) to Residential (R).

ATTACHMENTS

- i) Lot Location
- ii) Zoning By-law Amendment

Prepared and Submitted By:

Approved for Submission By:

Original signed

Original signed

**Noelle Reeve,
Planner**

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

Attachment 1 Lot Location



THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2025-0xx

A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (JONES – 214 FERRIER ROAD EAST) (PART LOT 1, CONCESSION 10, 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 Agricultural (A) to Residential (R) on the lands legally described as Part Lot 1, Concession 10, geographic Township of South Sherbrooke, now in Tay Valley Township, County of Lanark (Roll # 091191101031600), in accordance with Schedule "A" attached hereto and forming part of this By-Law.
- 1.2 **THAT**, all other applicable standards and requirements of By-Law No. 2002-121 shall continue to apply to the subject property.
- 1.3 **THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*, as amended.

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

2. ULTRA VIRES

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

3. BY-LAWS RESCINDED

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

4. EFFECTIVE DATE

4.1 ADOPTED BY COUNCIL this xxth day of October, 2025.

Rob Rainer, Reeve

Amanda Mabo, Clerk

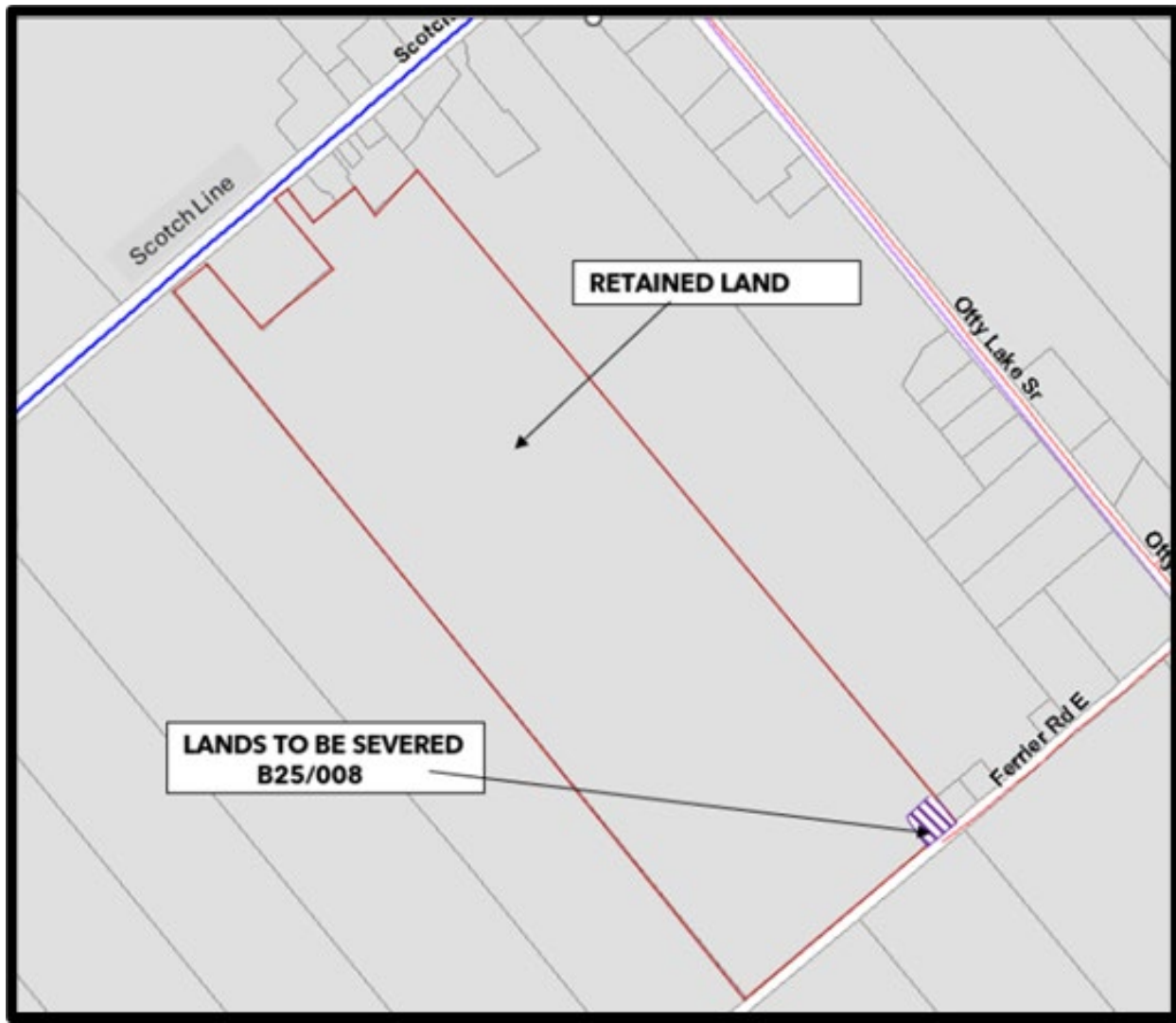
4.2 APPROVED BY THE REEVE this xxth day of October, 2025 pursuant to Reeve Decision/Direction #2025-0x.

Rob Rainer, Reeve

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

SCHEDULE "A"

Jones – 214 Ferrier Road East
Part Lot 1, Concession 10
Geographic Township of North Burgess
Tay Valley Township



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

Certificate of Authentication
This is Schedule "A" to By-Law 2025-0xx
passed this xth day of October 2025.

Reeve

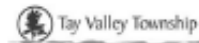
Clerk

Jones 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.

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Jones 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



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Jones

214 Ferrier Road East

Part Lot 1, Concession 10, Geographic Township of North Burgess

- The application is a requirement of severance B25-008.
- The proposed severance will create a 0.8ha residential lot with frontage and access at 214 Ferrier Road East.
- The lot is too small to meet the performance standards of the Agriculture Zone (A) so must be rezoned to Residential (R).

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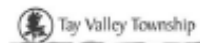


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Jones Location



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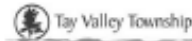
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Planner's Comments

Provincial Planning Statement (PPS)

- Chapter 2 Building Homes, Sustaining Strong and Competitive Communities Section 2.5.1 Rural Areas in Municipalities states, "Healthy, integrated and viable rural areas should be supported by:"
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration; and
 - g) conserving biodiversity and considering the ecological benefits provided by nature".
- This section is satisfied as the severed lot does not detract from the rural landscape as it will retain most of the forest through a Development Agreement and is at the end of a rarely travelled dead-end road. The retained lot will not be developed as it is designated Agricultural and is in active farm use.

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Planner's Comments

Provincial Planning Statement (PPS)

- Chapter 4: Wise Use and Management of Resources Section 4.1. Natural Heritage states that, "Natural features and areas shall be protected for the long term". There is Significant Woodlands – Deep Interior Forest on part of the proposed severed lot. There is a natural open space in the forest that will be the location for development and will be delineated in a Development Agreement.
- Section 4.2.1 Water states, "Planning authorities shall protect, improve or restore the quality and quantity of water". There are no waterbodies on the proposed severed or retained lots.

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Jones

Planner's Comments

Provincial Planning Statement (PPS)

- However, 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.
- Section 4.3.2.3 Agriculture states, "New land uses in prime agricultural areas, including the creation of lots shall comply with the minimum distance separation formulae". This requirement is met.
- Section 4.6.2 Cultural Heritage and Archaeology "requires an archaeological survey near water". There are no waterbodies on the proposed lot.

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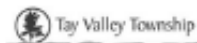
Jones

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". There are no hazards on the proposed severed lot.
- The application conforms to the requirements of the Provincial Planning Statement.

8



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Jones County Sustainable Communities Official Plan

- Section 3 Rural Area Policies permits a variety of uses including residential and conservation uses.
- Section 5.4.4 states, "The County of Lanark and its constituent municipalities have an obligation to consider the impact of development and land use on waterbodies throughout the County in order to ensure the long-term viability of this important natural and economic resource".
- While there are no waterbodies on the property, all of Tay Valley Township is a Highly Vulnerable Aquifer and care should be taken to prevent spills or contamination of the ground to ensure clean drinking water is maintained.

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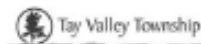


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Jones County Sustainable Communities Official Plan

- The RVCA identified some best practices that could be considered including:
 - increased well casing depths,
 - increased distance of septic systems from drinking water wells,
 - ensuring septic systems are located downgradient of wells,
 - ensuring that wells and septic systems are properly maintained,
 - avoiding the use of pesticides, herbicides, and fertilizers.

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Jones County Sustainable Communities Official Plan

- Section 5.5.4 Significant Woodlands only pertains to Lanark County Community Forests. The proposed lot is not a County Forest.
- Section 6.1.1 Agricultural Resources states, "Local Official Plans shall identify Agricultural Resource lands".
- The Lanark County Sustainable Communities Plan requirements are met.

11



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Jones Planner's Comments Official Plan

- The subject property is designated Rural and Significant Woodlands – Deep Interior Forest.
- The property was removed from the Official Plan Agricultural designation as part of the recent update to the Township's Official Plan, adopted by Lanark County in 2025.
- The change in designation to Rural from Agriculture was supported because the Canada Land Inventory classification for the lot is the lowest – Class 7. Additionally, the proposed lot had never been used as part of the active sheep farm as it is forested so is not cropped or grazed for hay.

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Jones Planner's Comments Official Plan

- The location of the proposed lot at the end of a lightly used dead-end road prevents encroachment into the Agricultural designation as there is no Township road beyond the lot.
- Support for the lot being rezoned to Residential is found in the following sections of the Township Official Plan. Section 1.5.6 – Objectives – “To encourage the provision of an adequate supply and range of traditional and non-traditional housing types and supporting amenities to satisfy the needs of existing and future residents.”

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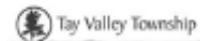


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Jones Planner's Comments Official Plan

- Section 2.1 – Land Use Patterns - - “On rural land located in municipalities, permitted uses are: c) residential development, including lot creation, that is locally appropriate”.
- Section 2.2.3.1.1 b) – Housing – “A variety of housing options are accommodated to meet the needs of present and future residents, subject to the limitations imposed by servicing and environmental considerations”. The size of the lot and its location at the end of a dead-end road ensure servicing should be achieved.

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Cameron Planner's Comments Official Plan

- Section 2.3.3 – Rural – designation allows residential uses.
- Section 2.3.3.4 – Rural – lands are intended for low density residential development.
- Section 3 Natural Heritage – Significant Woodlands – Deep Interior Forest is found on part of the property but an open area in the forest exists at the rear of the proposed lot.

15



15

Jones Planner's Comments Official Plan

- Section 4.4.1.4 Water Supply and Sewage Disposal - The lot is 0.8 ha in size with development on only the north side of the proposed lot. No development is possible on the Agricultural land to the west of the proposed lot, none to the south as the road ends, and the existing development to the east is over 800m away, so no hydrogeological study was required.
- Section 4.4.2 Source Water Protection - Almost all of the Township (with the exception of the area around Balderson) is a Highly Vulnerable Aquifer. Care should be taken that potential contaminants are not allowed on the ground.

16



16

Jones Planner's Comments Official Plan

- Section 5.6.3.1 Minimum Distance Separation – was not required as there are no livestock facilities in the area.
- Section 6.3.3.3 Strip development - consisting of 3 adjacent lots with frontage less than 100m is not permitted. Ferrier Road East ends immediately to the south of this lot so the lot will have 60m frontage, not the 100m. However, there will be no development beyond the lot and little traffic comes down this dead-end road so the policy intent will be met.

17



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Jones Planner's Comments Official Plan

- Section 6.3.3.4 Consent Policies states, "Lots created by Consent shall generally front onto existing maintained public roads." Ferrier Road East is a Township owned road.
- The requirements of the Township Official Plan will be met by a Development Agreement on the new lot and through this rezoning application.

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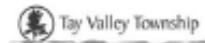
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Jones

Planner's Comments Zoning

- The lot is currently zoned Agriculture (A) and must be rezoned to Residential (R) to reflect the lot size.
- The proposed severed lot at 60m will meet the frontage requirements of 60m on a public road. The area requirement of 0.8 ha is undersized for a lot in the Rural zone so the severed lot will need to be rezoned to Residential.
- The retained lot at 87 ha exceeds the area requirement for the Agricultural zone. It has over 110m of frontage so also exceeds the frontage requirement.

19



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Jones

Comments Continued

Planner's Comments

- The Planner is in support of the rezoning to Residential as it meets the requirements of the Provincial Planning Statement, Lanark County Official Plan, and Township Official Plan.

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.

20



20

Jones Comments Continued

Rideau Valley Conservation Authority (RVCA)

Supported the severance application.

Mississippi Rideau Septic System Office (MRSSO)

Supported the severance application.

Tay Valley Township Public Works

An address for the new lot has been confirmed.

21



21

Jones Recommendation

"THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Part Lot 1, Concession 10, in the geographic Township of North Burgess, municipally known as 214 Ferrier Road East from Agricultural (A) to Residential (R)."

22



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