
Tuesday, December 2nd, 2025

5:30 p.m.

Municipal Office – 217 Harper Road, Perth, Ontario

Council Chambers

*5:30 p.m. Public Meeting - Zoning By-Law Amendment
Following Committee of the Whole Meeting*

Chair, Councillor Angela Pierman

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:

Mackler and White

- 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 #ZA25-12: Mackler and White – *attached, page 4.***
243 Hands Drive
Part Lot 16, Concession 6,
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

December 4th, 2025

Noelle Reeve, Planner

APPLICATION ZA25-12 – Mackler and White

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 6, geographic Township of North Burgess (Roll #0911-911-020-37700) known locally as 243 Hands Drive, from Rural (RU) to Seasonal Residential (RS).”

BACKGROUND

The application applies to an approximately 0.48 ha (1.2 acres) lot with 67.05m (220 ft) frontage on Black Lake.

The purpose of this application is to fulfil a condition of severance B24-055 to rezone the retained lands from Rural (RU) to Seasonal Residential (RS) to reflect the size of the retained lot.

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;
- b) promoting regeneration; and
- g) conserving biodiversity and considering the ecological benefits provided by nature;”.

Chapter 4 Wise Use and Management of Resources – 4.1.1 Natural Heritage states that, “Natural features and areas shall be protected for the long term.”

These requirements of the Provincial Planning Statement 2024 will be satisfied because no new construction is proposed on the retained land.

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 alteration. No Construction is proposed on the retained lot.

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.

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 - 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. This section is met as no new development is proposed.

Official Plan

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

Section 3.1.3.2 Wildlife Habitat and Adjacent Lands states, "the Natural Heritage System shown on Schedule B also contains linkages and corridors. These linkages and corridors mostly follow watercourses and wetlands and are intended to function as connections between significant features. For the purpose of this Plan, linkage and corridors will be considered to be wildlife habitat with a corresponding 30 m setback".

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 on this property.

Zoning By-Law

The lot is currently zoned Rural (RU) and requires rezoning to Seasonal Residential (RS) as a condition of a severance since its size meets the standards for that zone and it contains a seasonal dwelling.

Planner

The rezoning is required as a condition of severance application B24-055 as the retained lot is undersized for its current zoning of Rural so must be rezoned to Seasonal Residential.

Rideau Valley Conservation Authority (RVCA)

The application was not circulated to RVCA as there were comments from severance B24-055.

Mississippi Rideau Septic System Office (MRSSO)

The application was not circulated to MRSSO as no new building additions or plumbing fixtures are being proposed and they had commented on the severance.

Public Comments

None.

CONCLUSION

The Planner recommends that the proposed amendment be approved to rezone the lands at Concession 6, Part Lot 16, 243 Hands Drive, Geographic Township of North Burgess (Roll number 091191102037700) from Rural (RU) to Seasonal Residential (RS).

ATTACHMENTS

- i) Site Location
- ii) Zoning By-Law

Prepared and Submitted By:

Approved for Submission By:

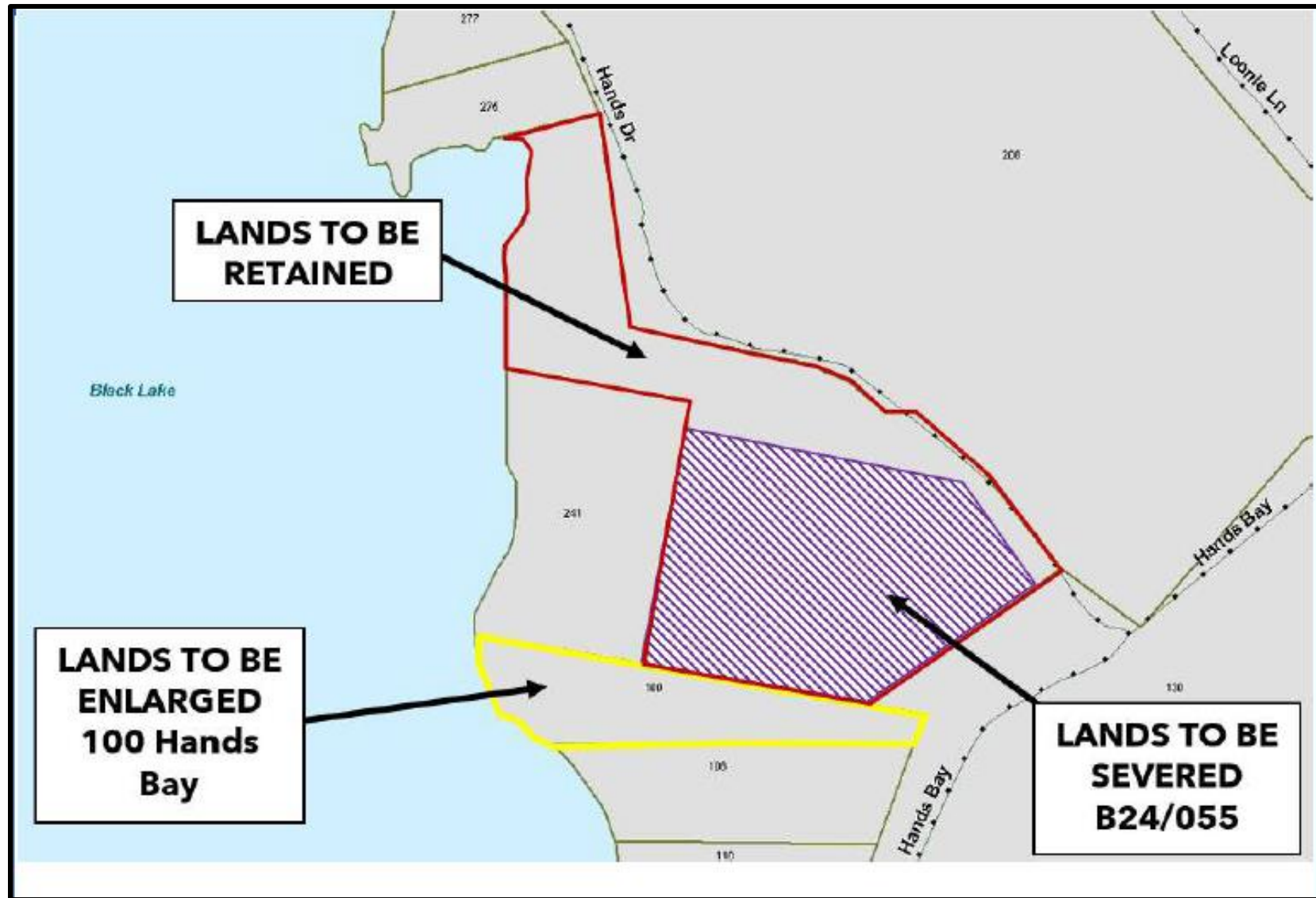
Original signed

Original signed

**Noelle Reeve,
Planner**

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

Attachment # 1 Site 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 (MACKLER AND WHITE – 243 HANDS DRIVE) (PART LOT 16, CONCESSION 6, GEOGRAPHIC TOWNSHIP OF NORTH BURGESS)

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

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

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

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

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

1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121 is hereby amended by amending the zoning on the retained land from Rural (RU) to Seasonal Residential (RS) on the lands legally described as Part Lot 16, Concession 6, geographic Township of North Burgess, now in Tay Valley Township, County of Lanark (Roll # 091191102037700), 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. ULTRA VIRES

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

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

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 December, 2025.

Rob Rainer, Reeve

Amanda Mabo, Clerk

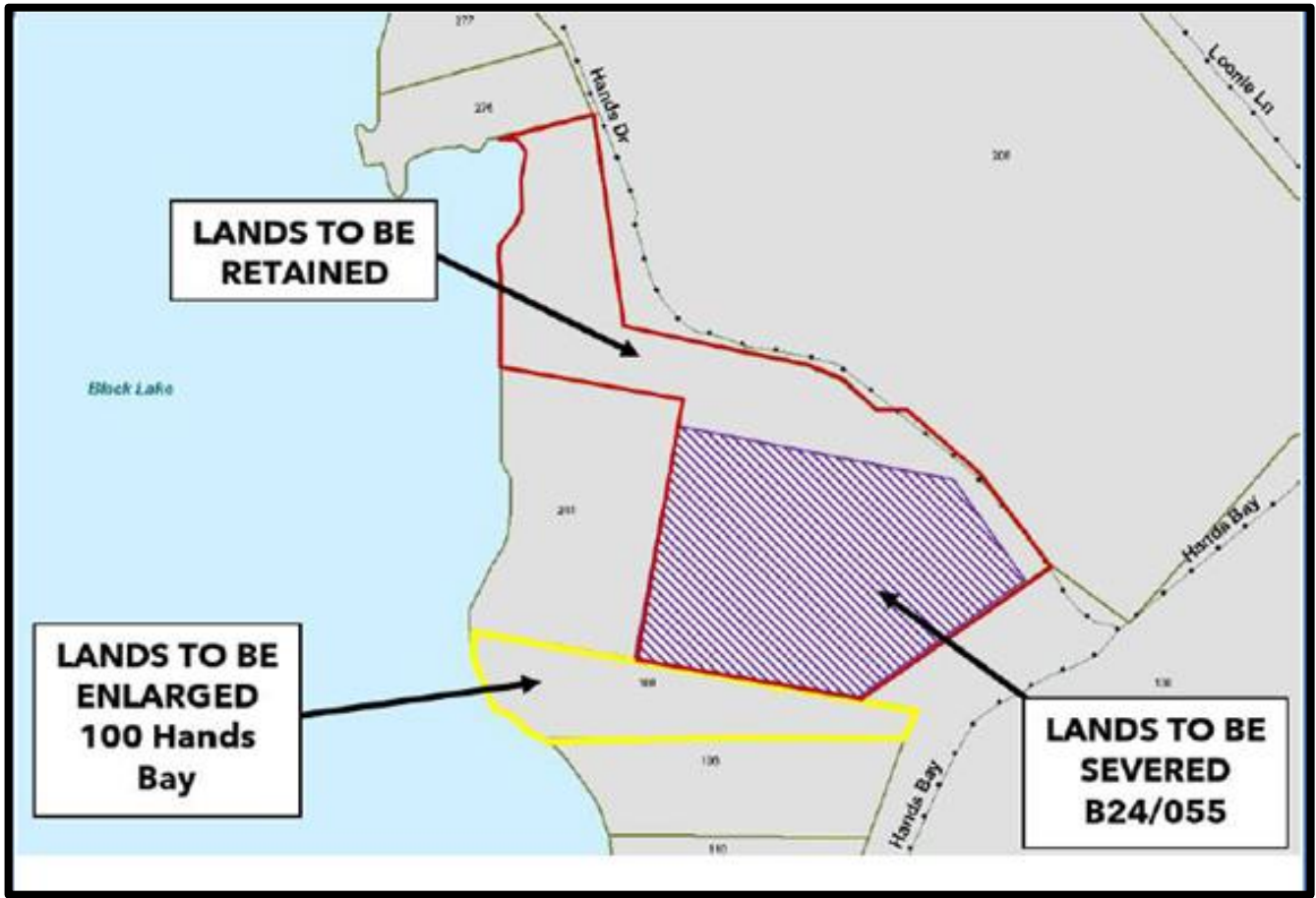
4.2 APPROVED BY THE REEVE this xxth day of December, 2025 pursuant to Reeve Decision/Direction #2025-xx.

Rob Rainer, Reeve

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

SCHEDULE "A"

Mackler and White – 243 Hands Drive
Part Lot 16, Concession 6
Geographic Township of North Burgess
Tay Valley Township



Area(s) Subject to the By-Law
To amend the Zoning on the retained lands from
Rural (RU) to
Seasonal Residential (RS)

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

Reeve

Clerk

Mackler and White 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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1

Mackler and White 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

Mackler and White

243 Hands Drive

Part Lot 16, Concession 6, Geographic Township of North Burgess

- The application applies to an approximately 0.48 ha (1.2 acres) lot with 67.05m (220 ft) frontage on Black Lake.
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3



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Mackler and White Location



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Mackler and White Photos



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Mackler and White 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:

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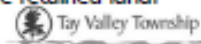
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Mackler and White Planner's Comments

- The rezoning is required as a condition of severance application B24-055 as the retained lot is undersized for its current zoning of Rural so must be rezoned to Seasonal Residential

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Mackler and White RVCA Comments

Rideau Valley Conservation Authority (RVCA)

- The application was not circulated to RVCA as there were comments from severance B24-055

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Mackler and White MRSSO Comments

Mississippi Rideau Septic System Office (MRSSO)

- The application was not circulated to MRSSO as no new building additions or plumbing fixtures are being proposed and they had commented on the severance.

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Mackler and White 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.

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Mackler and White Recommendation

"THAT, Zoning By-Law No. 02-021 be amended by changing the zoning of the lands at Concession 6, Part Lot 16, 243 Hands Drive, Geographic Township of North Burgess (Roll number 091191102037700) from Rural (RU) to Seasonal Residential (RS)."

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