

**Tuesday, November 9<sup>th</sup>, 2021  
5:30 p.m.  
Via GoToMeeting**

GoToMeeting: <https://global.gotomeeting.com/join/659809925>

---

**Members of the Public:**

Meetings are being held using GoToMeeting - Video Conferencing. By clicking the link above (allow extra time for downloading the program if it is the first time you have used GoToMeeting on your device), you will be able to see the agenda, see Members of Council and hear the proceedings of the meeting. Please ensure the volume on your device is **on** and **turned up** to hear the meeting. The Public is asked to ensure that their mic and camera buttons are off for the entire meeting.

---

As the province of Ontario continues to take significant steps to limit the transmission of the COVID-19 virus, the Township continues to protect the health and safety of the public, Council, Committee and Board Members, and employees while at the same time processing *Planning Act* applications. Therefore, the Township is holding an electronic public meeting, as per the Procedural By-Law, in accordance with the *Planning Act*, Section 34.

There will **NOT** be any ability to attend the public meeting in person to help prevent the spread of COVID-19. The public may participate by alternate means. The Township strongly encourages written comments to be submitted prior to the public meeting to [adminassistant@tayvalleytwp.ca](mailto:adminassistant@tayvalleytwp.ca). A video conference link will be available during the public meeting to enable the public to participate and make oral representations. There will also be the ability to view the meeting agenda and materials on an electronic device. The details to join the video conference and view the materials are located above.

---

## Video Conference Participation Etiquette

- a meeting via video conference shall never be treated differently than a meeting in person, whereby all attendees shall abide by proper meeting procedure and etiquette;
- we ask that all public attendees mute their cameras and mics; doing so will eliminate any background noise and create a much more seamless process
- the Chair will call the meeting to order at the time indicated on the agenda;
- roll call will be completed visually by the Chair;
- the Chair will then remind all attendees to place their devices on mute
- as the Chair moves through the agenda, he will call on the Planner to speak to each Application;
- for Members, we request that you retain your questions until the end of the report, at which time the Chair will ask if anyone has questions;
- just as during an in-person meeting, Members will be required to raise their hand and the Chair will call on you to speak;
- the same process will be used when the Applicant and the Public are asked for comments, anyone wishing to speak will need to unmute their mic and state their name and upon completion of your comment, re-mute your device

---

*5:30 p.m. Public Meeting - Zoning By-Law Amendment*

*Following: Committee of the Whole Meeting*

*Following: "Special" Committee of the Whole Meeting – Capital Budget*

***Chair, Reeve Brian Campbell***

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

### **2. INTRODUCTION**

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

**Matthews and Barker**

**The Rideau Group Inc.**

- 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.
- If a 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 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. Anyone may appeal the decision to the Ontario Land Tribunal by filing with the Clerk within 20 days of the notice of decision.
- 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 Administrative Assistant at [adminassistant@tayvalleytwp.ca](mailto:adminassistant@tayvalleytwp.ca).

### 3. APPLICATIONS

- i) **FILE #ZA21-18: Matthews & Barker – *attached, page 5.***  
**Farren Lake Lane 12A**  
**Part Lot 10, Concession 2**  
**Geographic Township of South Sherbrooke**
  - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
  - b) APPLICANT COMMENTS
  - c) PUBLIC COMMENTS
  - d) RECOMMENDATION
- ii) **FILE #ZA21-19: The Rideau Group Inc. – *attached, page 21.***  
**Sproule Road**  
**Part Lot 27, Concession 3**  
**Geographic Township of Bathurst**
  - a) PLANNER FILE REVIEW & PROPOSED BY-LAW
  - b) APPLICANT COMMENTS
  - c) PUBLIC COMMENTS
  - d) RECOMMENDATION

### 4. ADJOURNMENT

# APPLICATIONS

**PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT**

November 9<sup>th</sup>, 2021

**Noelle Reeve, Planner**

**APPLICATION ZA21-18 MATTHEWS & BARKER**

**STAFF RECOMMENDATION**

It is recommended:

**“THAT**, Zoning By-Law No. 02-121 be amended to rezone the lands at Farren Lake Lane 12A, Part Lot 10, Concession 2, Geographic Township of South Sherbrooke (Roll #091191401536019) from Seasonal Residential (RS) to Residential Limited Services Special Exception-188 (RLS-188).”

**BACKGROUND**

The application applies to an approximately 11 ha (27.5 acre) lot with water frontage of 84m (275 ft) on Farren lake as well as on a large pond at the rear of the lot.

The purpose of this application is to change the zoning of the property from Seasonal Residential (RS) to Residential Limited Services Special Exception -188 (RLS-188), to permit a year-round primary residence and garage on a private road to be set back 12m from the top of a steep slope.

The effect of the amendment is to allow a year-round dwelling on a private road that has a top of slope constraint of 12m.

**DISCUSSION**

**Provincial Policy Statement (PPS)**

Section 1.1.1 Building Strong Healthy Communities - states that “Healthy, livable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term...and c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.” This section can be met because the new proposed dwelling and septic system meet the 30m water setback and development is proposed before other cottages are accessed by the private road so can be considered a type of infill.

Section 2.2 of the PPS requires planning authorities to protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning. The 30m setback will be met.

Section 3.1 Natural Hazards is applicable to the proposed development due to the slope on the property. A slope stability analysis by Gemtec was submitted stating development could proceed at 12m from the top of slope.

### **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.

Section 7.0 Public Health and Safety requires that all development be carried out in a manner which ensures that life, safety and economic welfare be protected.

### **Official Plan**

The subject property is designated in the Official Plan as Rural and Abandoned Mine Site buffer. Section 3.6 Rural designation permits residential uses.

Section 2.24.1 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. An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation."

A setback of 30m will be met from the large pond and over 50m from Farren Lake.

Section 2.20.4 Steep Slopes and Erosion Lands states that the minimum setback is composed of: the stable slope allowance, plus toe erosion, plus the erosion allowance. But this setback can be reduced based on a geotechnical assessment. The Gemtec slope stability analysis established that 12m was the required setback from the top of the slope.

### **Zoning By-Law**

The lot is currently zoned Seasonal Residential (RS). Section 3.4 requires a lot to be rezoned to Residential Limited Services if a year-round dwelling is proposed on a private road.

Section 3.29 of the Zoning By-Law requires a 30 m setback from water which will be met.

### **Planner**

The applicants are proposing a permanent residence on a vacant lot. The property must be rezoned to Residential Limited Services as the permanent dwelling is proposed on a private road. The special exception is required to note the minimum setback from the steep slope of 12m.

## **Rideau Valley Conservation Authority (RVCA)**

The RVCA stated they support the application if the Zoning By-Law Amendment includes the wording:

Water setback (minimum) 42m.

Regular Site Plan Control Agreement requirements were suggested by RVCA.

## **Mississippi Rideau Septic System Office (MRSSO)**

The MRSSO confirmed there is sufficient area to install a class 4 system greater than 30 m from the pond and meet minimum Ontario Building Code setbacks. The sewage system may need to be located atop the hill to meet minimum requirements for slope, which must be no steeper than 1:4 (vertical rise:horizontal distance).

The MRSSO also noted that a significant amount of fill may be required due to exposed bedrock in the area. The fill can be reduced by using an advance treatment unit.

## **Public**

None at the time of this report.

## **CONCLUSION**

The Planner recommends that the proposed amendment be approved to rezone the lands at Farren Lake Lane 12A, Part Lot 10, Concession 2, Geographic Township of South Sherbrooke (Roll #091191401536019) from Seasonal Residential (RS) to Residential Limited Services Special Exception 188 (RLS -188).

## **ATTACHMENTS**

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

**Prepared and Submitted By:**

**Approved for Submission By:**

*Original signed*

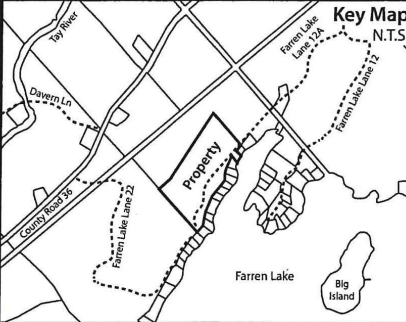
*Original signed*

**Noelle Reeve,  
Planner**

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

# Campeau Site Plan Sketch

637 Farren Lake Lane 12A  
 Part Lot 10, Concession 2  
 Geographic Twp. of South Sherbrooke  
 Township of Tay Valley  
 COUNTY OF LANARK



## Legend

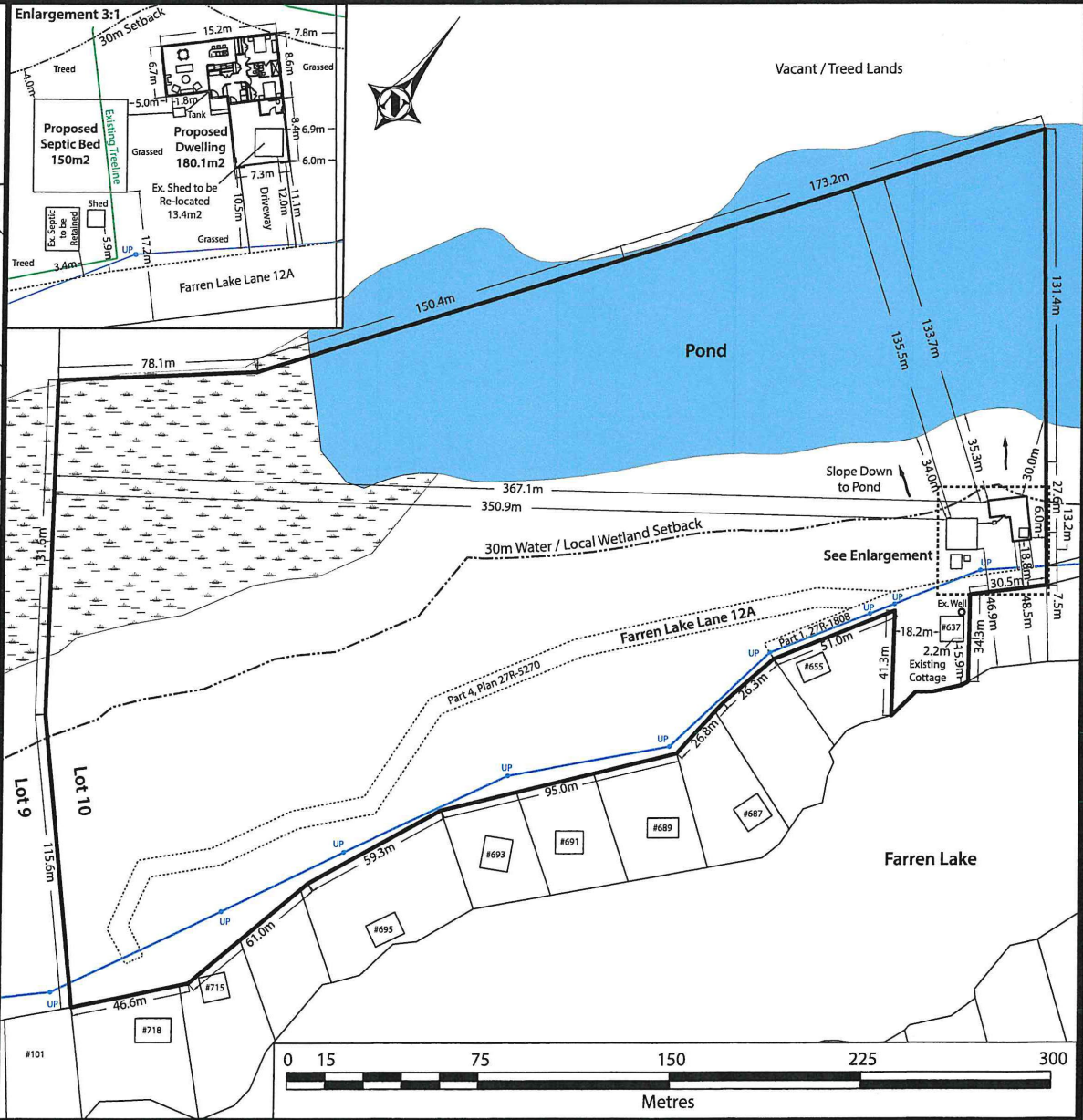
- Local Wetlands
- 30m Setback
- Hydro Lines
- Utility Poles

### Notes:

1. The subject property is currently split-zoned and will be subject to a Zoning By-Law Amendment to support the proposed development.
2. The existing cottage at 637 Farren Lake Lane 12A has its own septic system on the opposite side of the road. A new septic system will be installed on the property to support the proposed dwelling.
3. Location of the local wetlands derived from the Rideau Valley Conservation Authority Online GIS mapping.
4. Boundary and dimensions of the subject property derived in part from Plan 27R-10014 completed by MacDonald & Eberhardt Surveying Ltd. in November of 2011.

Version Date: November 20, 2020 | File No. 20-105

**ZANDERPLAN**  
 Your rural land planning experts  
 40 Sunset Boulevard, Perth, ON 613-264-9600





# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2021-XXX

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (BARKER AND MATTHEWS – FARREN LAKE LANE 12A) (PART LOT 10, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF SOUTH SHERBROOKE)

---

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

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

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

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

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

#### 1. GENERAL REGULATIONS

1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Seasonal Residential (RS) to Residential Limited Services Special Exception-188 (RLS-188) on the lands legally described as Part Lot 10, Concession 2, Geographic Township of (Roll #091191401536019), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

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

188. RLS-188 (Part Lot 10, Concession 2, South Sherbrooke)

Notwithstanding the provisions of Section 3.29, on the lands zoned RLS-187 the following provisions shall prevail:

- Water Setback dwelling from pond  
at rear of property (minimum) 42 m

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-XXX**

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

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 16<sup>th</sup> day of November 2021.

---

**Brian Campbell, Reeve**

---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-0XX**

**SCHEDULE "A"**

BARKER and MATTHEWS – Farren Lake Lane 12A  
Part Lot 10, Concession 2  
Geographic Township of south Sherbrooke  
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning provisions Seasonal Residential (RS) to Residential Limited Services Special Exception (RLS-188)

Certificate of Authentication

This is Schedule "A" to By-Law 2021-XXX passed this 16<sup>th</sup> day of November 2021.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

# Matthews & Barker

## 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.

### Ontario Land Tribunal

Please be cautioned that if, at a later date, a person or public body choose to appeal Council's decision on this matter to the Ontario Land Tribunal, the 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. This notice is not intended to discourage your objection in any way. It is intended only to inform you of your rights and obligations and to encourage early participation.

1



1

# Matthews & Barker

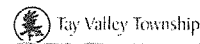
Farren Lake Lane 12A  
Part Lot 10, Concession 2, Geographic Township of South Sherbrooke

*The application applies to an approximately 11 ha (27.5 acre) lot with water frontage of 84m (275 ft) on Farren lake as well as on a large pond at the rear of the lot.*

*The purpose of this application is to change the zoning of the property from Seasonal Residential (RS) to Residential Limited Services Special Exception - 188 (RLS-188) to permit a year-round primary residence and garage on a private road to be set back 12m from the top of a steep slope.*

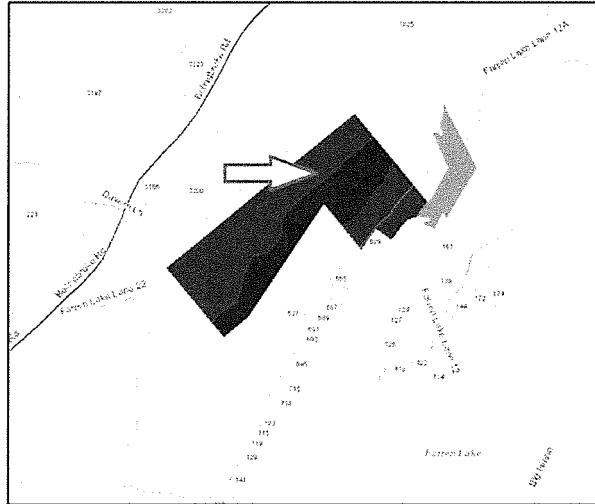
*The effect of the amendment is to allow a year-round dwelling on a private road that has a top of slope constraint of 12m.*

2



2

# Matthews & Barker Location

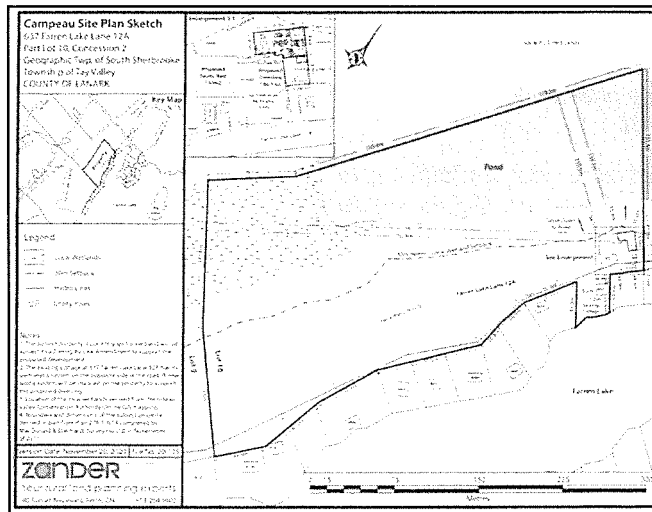


3

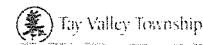


3

# Matthews & Barker Site Sketch

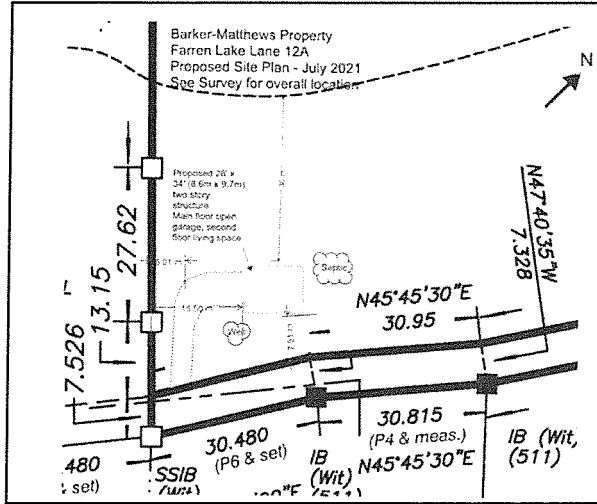


4



4

# Matthews & Barker Site Sketch

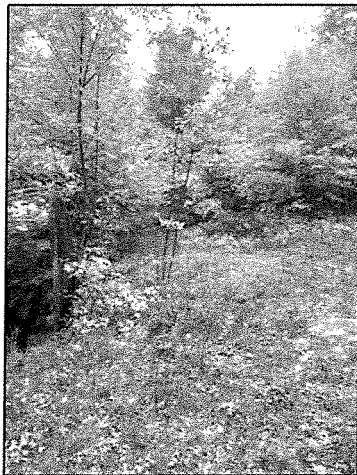


5

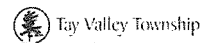


5

# Matthews & Barker Photos



6

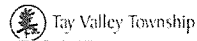


6

## Matthews & Barker Planner's Comments Provincial Policy Statement (PPS)

- Section 1.1.1 Building Strong Healthy Communities - states that "Healthy, livable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term...and c) avoiding development and land use patterns which may cause environmental or public health and safety concerns." This section can be met because the new proposed dwelling and septic system meet the 30m water setback and development is proposed before other cottages are accessed by the private road so can be considered a type of infill.

7

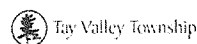


7

## Matthews & Barker Planner's Comments Provincial Policy Statement (PPS)

- Section 2.2 of the PPS requires planning authorities to protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for integrated and long-term planning. The 30m setback will be met.
- Section 3.1 Natural Hazards is applicable to the proposed development due to the slope on the property. A slope stability analysis by Gemtec was submitted stating development could proceed at 12m from the top of slope.

8



8

## Matthews & Barker 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.
- Section 7.0 Public Health and Safety requires that all development be carried out in a manner which ensures that life, safety and economic welfare be protected.

9

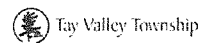


9

## Matthews & Barker Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural and Abandoned Mine Site buffer. Section 3.6 Rural designation permits residential uses.
- Section 2.24.1 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. An appropriate water setback can reduce phosphorus and other nutrient loads to the lake and in combination with vegetation, prevent erosion and sedimentation."

10



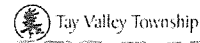
10



## Matthews & Barker Planner's Comments Official Plan

- A setback of 30m will be met from the large pond and over 50m from Farren Lake.
- Section 2.20.4 Steep Slopes and Erosion Lands states that the minimum setback is composed of: the stable slope allowance, plus toe erosion, plus the erosion allowance. But this setback can be reduced based on a geotechnical assessment. The Gemtec slope stability analysis established that 12m was the required setback from the top of the slope.

11

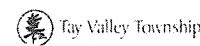


11

## Matthews & Barker Planner's Comments Zoning

- The lot is currently zoned Seasonal Residential (RS). Section 3.4 requires a lot to be rezoned to Residential Limited Services if a year-round dwelling is proposed on a private road
- Section 3.29 of the Zoning By-Law requires a 30 m setback from water which will be met.

12



12

## Matthews & Barker Planner's Comments

- The applicants are proposing a permanent residence on a vacant lot. The property must be rezoned to Residential Limited Services as the permanent dwelling is proposed on a private road. The special exception is required to note the minimum setback from the steep slope of 12m.

13



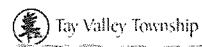
13

## Matthews & Barker Comments

### **Rideau Valley Conservation Authority (RVCA)**

- The RVCA stated they support the application if the Zoning By-Law Amendment includes the wording:  
"Water setback (minimum) of 42m"
- Regular Site Plan Control Agreement requirements were suggested by RVCA.

14



14

## Matthews & Barker Comments Continued

### **Mississippi-Rideau Septic System Office (MRSSO)**

- The MRSSO confirmed there is sufficient area to install a class 4 system greater than 30 m from the pond and meet minimum Ontario Building Code setbacks. The sewage system may need to be located atop the hill to meet minimum requirements for slope, which must be no steeper than 1:4 (vertical rise:horizontal distance).
- The MRSSO also noted that a significant amount of fill may be required due to exposed bedrock in the area. The fill can be reduced by using an advance treatment unit.

15



15

## Matthews & Barker Comments Continued

### **Public Comments**

- The Township has not received any public comments regarding this application.
- Members of the public are welcome to speak to the application at this meeting.

16



16

## Matthews & Barker Recommendation

"THAT, Zoning By-Law No. 2002-121 be amended to rezone a portion of the lands at Concession 2, Part Lot 10, Farren Lake Lane 12A, Geographic Township of South Sherbrooke (Roll #091191401536019) from Seasonal Residential (RS) to Residential Limited Services Special Exception 188 (RLS -188)."

17



**PUBLIC MEETING CONCERNING PROPOSED ZONING BY-LAW AMENDMENT**

November 9, 2021

**Noelle Reeve, Planner**

**APPLICATION ZA21-19 - THE RIDEAU GROUP INC. - REVISED**

**STAFF RECOMMENDATION**

It is recommended:

**“THAT**, Zoning By-Law No. 02-121 be amended to rezone the lands at Concession 3, Part Lot 27, Sproule Road, geographic Township of Bathurst (Roll #091191601543810) from Residential Special Exception - 21 (R-21) to General Industrial Special Exception - 4 (M-4).”

**BACKGROUND**

The application applies to an approximately 0.41ha (1.01 acre) vacant lot with 118.5m frontage on Sproule Road.

In August 2021, Council did not approve a previous application from the Rideau Group Inc. to rezone the property to General Industrial (M). The decision was based on concerns about the potential impact on the residential dwelling to the east of the property. The Rideau Group Inc. did not appeal Council’s decision, although clear planning grounds existed, given the majority of surrounding land uses are either commercial or industrial. Instead, the Applicants submitted a new, more narrowly focused application to rezone the property to a Special Exception to the General Industrial zone (M-4). The new application would limit the use of the property to the storage of supplies and materials provided by Rideau Pipe Inc. at their properties one lot to the south. To reinforce the limited nature of the proposed use, the draft Zoning By-Law amendment lists the type of materials to be stored including plastic septic tanks, pipes, etc. No hazardous materials will be stored on the subject site.

**DISCUSSION**

**Provincial Policy Statement**

Section 1.1.1 Building Strong Healthy Communities - states that “Healthy, livable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term...and c) avoiding development and land use patterns which may cause environmental or public health and safety concerns.” This section can be met as the proposed use is in keeping with other employment uses along County Road 511 and will not cause environmental or public health and safety concerns.

Other relevant sections of the *Provincial Policy Statement* (PPS) related to Rural Lands (Section 1), Wise Use and Management of Resources (Section 2) and natural or man-made hazards (Section 3) are also met. The proposal, therefore, is consistent with the policies of the PPS.

### **County Sustainable Communities Official Plan**

Section 3 Rural Land designation permits a variety of uses including industrial and commercial uses. The proposal, therefore, meets the Sustainable Communities Official Plan policies.

### **Official Plan**

The subject property is designated in the Official Plan as Rural, Organic Soils, and Source Water Protection Intake Zone 8. Section 3.6 Rural designation permits industrial and commercial uses.

Section 2.20.3 identifies requirements associated with Organic soils. These soils only become a concern when construction is proposed. No construction is proposed in this case.

Section 2.23.2 Source Water Protection identifies the subject lot as within Intake Protection Zone 8. The proposed use does not trigger a Risk Management Assessment under the *Mississippi Rideau Source Water Protection Plan* as no contaminants are proposed to be stored on the property.

Section 2.18.4 Land Use Compatibility requires setbacks between major facilities and sensitive land uses. The storage of plastic septic tanks and metal and plastic pipes is not considered a major facility under the Ministry of Environment's D-Series Guidelines. This section also seeks to minimize conflicts between land uses through buffering (e.g., a fence, vegetation, intervening land use, etc.).

The applicant proposes to install an 8-foot-high wooden fence along the east property line to provide screening to the adjacent residence. The proposal, therefore, meets the Township Official Plan policies.

### **Zoning By-Law**

The lot is currently zoned Residential Exception - 21 (R-21) as the previous owner had planned to build a duplex on the property. However, the property was sold as vacant land and the new owners have applied to rezone it to General Industrial Special Exception-4 (M-4) for the storage of supplies and materials provided by Rideau Pipe Inc.

The applicant is also requesting a recognition of the existing lot size (0.4ha) rather than the 1 ha required for a new lot, and a reduction in the front, rear and west side yard setbacks from 15m and 10m to 1m.

The east side yard setback abutting the residential use will be maintained at the required 10m from the lot line.

## **Planner**

The applicants, the Rideau Group Inc., have purchased the property to the west to serve as their business headquarters. They propose to use the subject lot to store plastic pipes and containers similar to their lot at 38 Highway 511. The area for storage is proposed to be located closer to the west of the lot than to the rear yard of the dwelling on the east border of the lot.

The applicants modified their original application to narrow the proposed use from General Industrial to the storage of supplies and materials provided by Rideau Pipe Inc.

The applicants have also proposed to place an 8ft high wooden fence along the east side lot line abutting the residential use and will maintain the 10m setback required from the east side lot line.

The Planner supports the use proposal as it is in keeping with the Commercial and Industrial zoning of the lots in the area and the use is more restrictive than on these other lots.

The Planner supports the proposal to recognize the existing lot size as its Industrial use is in keeping with other similar sized lots with Industrial uses in the area.

The Planner supports the proposal to reduce the rear, west side, and front yard setbacks as there is a buffer of trees between the rear yard lot line and the Commercial use to the north; there is a fence along the west side yard lot line with the Commercial use; and the front yard lot line is separated from the Industrial use to the south by a driveway, a row of trees, and a second driveway.

A Site Plan Control Agreement (SPCA) is required for a Commercial or Industrial use to delineate any landscaping or other requirements. The SPCA will include the requirement for fencing along the east lot line and indicate the 10m setback from the lot line. The SPCA will also include provisions indicating where the Rideau Pipe Inc. equipment will be stored and to maintain the grassed area and landscaping along the south lot line of the residential property. The SPCA will also prohibit trucks from idling waiting to unload materials onto the subject lot.

## **Rideau Valley Conservation Authority (RVCA)**

The RVCA was not circulated as there are no bodies of water on the subject lot or in the area.

## **Mississippi Rideau Septic System Office (MRSSO)**

The MRSSO was not circulated because no development is proposed.

## **Public**

A neighbour had questions about the location and type of the development including concerns about light shining into their dwelling, noise, and the potential for trucks to be idling at the site.

The provision of an 8 ft tall wooden fence by Rideau Pipe between the residence and the subject property and the prohibition on trucks idling on or beside the subject property will address these concerns.

A property owner on Sproule Road also expressed concern that Rideau Pipe Inc. should be aware of the shared snow plowing agreement for Sproule Road.

**CONCLUSION**

The Planner recommends that the proposed amendment be approved to rezone the lands at Concession 3, Part Lot 27, Sproule Road, Geographic Township of Bathurst (Roll #091191601543810) from Residential Exception-21 (R-21) to General Industrial Special Exception – 4 (M-4).

**ATTACHMENTS**

- i) Zoning By-law
- ii) Planning Justification by ZanderPlan Inc.
- iii) Letter from the owner of Rideau Pipe Inc.
- iv) Letter from Deanna Berry and Duane Krikke

**Prepared and Submitted By:**

**Approved for Submission By:**

*Original signed*

*Original signed*

**Noelle Reeve,  
Planner**

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



# THE CORPORATION OF TAY VALLEY TOWNSHIP

---

## BY-LAW NO. 2021-0xx

### A BY-LAW TO AMEND ZONING BY-LAW NO. 2002-121, AS AMENDED (THE RIDEAU GROUP INC – SPROULE ROAD) (PART LOT 27, CONCESSION 3, GEOGRAPHIC TOWNSHIP OF BATHURST)

---

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

**AND WHEREAS**, By-Law No. 2002-121, 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. 2002-12, as amended, as hereinafter set out;

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

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

#### 1. GENERAL REGULATIONS

- 1.1 **THAT**, By-Law No. 2002-121, as amended, is further amended by amending the zoning from Residential Exception-21 (R-21) to General Industrial Special Exception-4 (M-4) on the lands legally described as Part Lot 27, Concession 3, Geographic Township of Bathurst, now in Tay Valley Township, County of Lanark (Roll #091191601543810), in accordance with Schedule "A" attached hereto and forming part of this By-Law.

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2021-0xx**

**1.2 THAT** By-Law No. 2002-121, as amended, is further amended by adding the following new subsection at the end of Section 7.1.4 (Exception Zones):

M-4. Notwithstanding the provisions of Section 7.1.2 to the contrary, on the lands zoned M-4, the following provisions shall prevail:

- Permitted uses shall be restricted to storage of materials used by Rideau Group Inc. (e.g., plastic septic tanks, plastic and metal pipes, materials associated with well drilling). No hazardous materials will be stored on the site.
- Minimum lot area 0.41 ha
- Minimum Rear yard setback 1 m
- Minimum West side yard setback 1m
- Minimum Front yard setback 1m

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

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

**2. ULTRA VIRES**

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

**3. EFFECTIVE DATE**

ENACTED AND PASSED this 16<sup>th</sup> day of November 2021.

---

**Brian Campbell, Reeve**

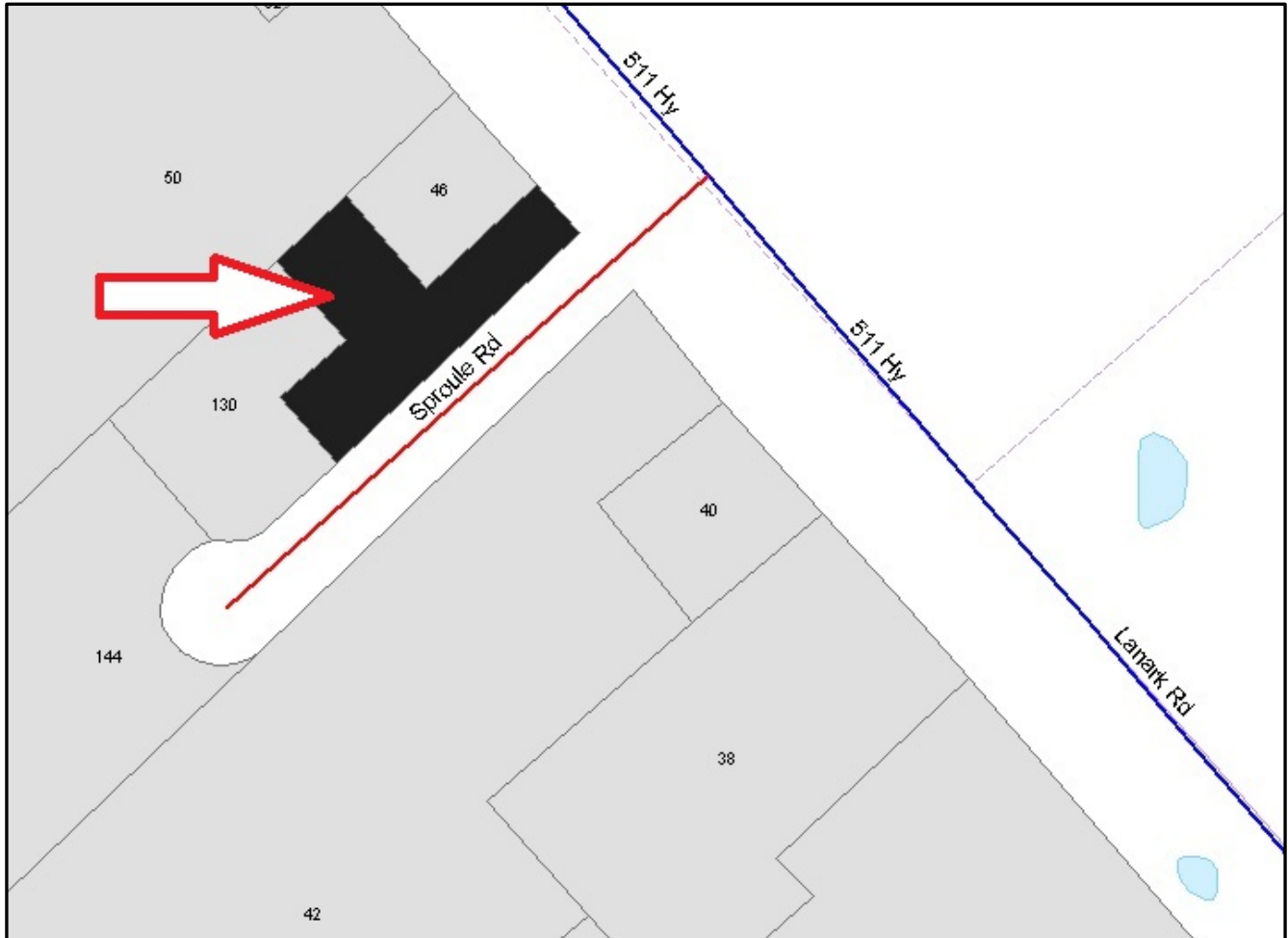
---

**Amanda Mabo, Clerk**

**THE CORPORATION OF TAY VALLEY TOWNSHIP  
BY-LAW NO. 2020-0xx**

**SCHEDULE "A"**

The Rideau Group Inc. – Sproule Rd  
Part Lot 27, Concession 3  
Geographic Township of Bathurst  
Tay Valley Township



Area(s) Subject to the By-Law

To amend the Zoning provisions  
Residential Exception-21 (R-21) to  
General Industrial Special Exception (M-4)

Certificate of Authentication

This is Schedule "A" to By-Law 2020-0xx  
passed this 16<sup>th</sup> day of November 2021.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

**ZANDERPLAN**  
Your rural land planning experts

September 217, 2021

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

**RE: Proposed Zoning By-Law Amendment  
Sproule Road  
Part Lot 27, Concession 3  
Geographic Township of Bathurst  
Assessment Roll Number: 0911 916 015 43810 00000  
Owner: The Rideau Group Inc.**

Dear Noelle,

ZanderPlan Inc. was retained by The Rideau Group Inc. to assist with a Zoning By-Law Amendment Application for their property on Sproule Road. The property lies in Part of Lot 27, Concession 3, in the Geographic Township of Bathurst. The applicant submitted a Zoning By-law Amendment Application in June 2021 (File ZA #21-13) to re-zone the property from Residential with an exception (R-21) to General Commercial (C). It is understood that the application was later changed to reflect a request for an Industrial zone on the property. Following the public process, it is understood that the application was denied by the Township, at least partly due to land use compatibility concerns with abutting residential uses.

The owner is submitting a new Zoning By-law Amendment application, now seeking to re-zone the property from General Residential with an exception (R-21), to General Industrial with an exception (M-x). The exception on the General Industrial zone is to allow a Contractor's Yard as the only permitted use on the property, thereby limiting the types of industrial uses that could occur in this location. In addition, the exception zone would recognize the existing lot area and permit reductions in the front, interior side and rear yard setbacks. It is notable that the required setback to the abutting residential use on the east side of the property will be maintained, with proposed mitigation measures to minimize land use conflicts.

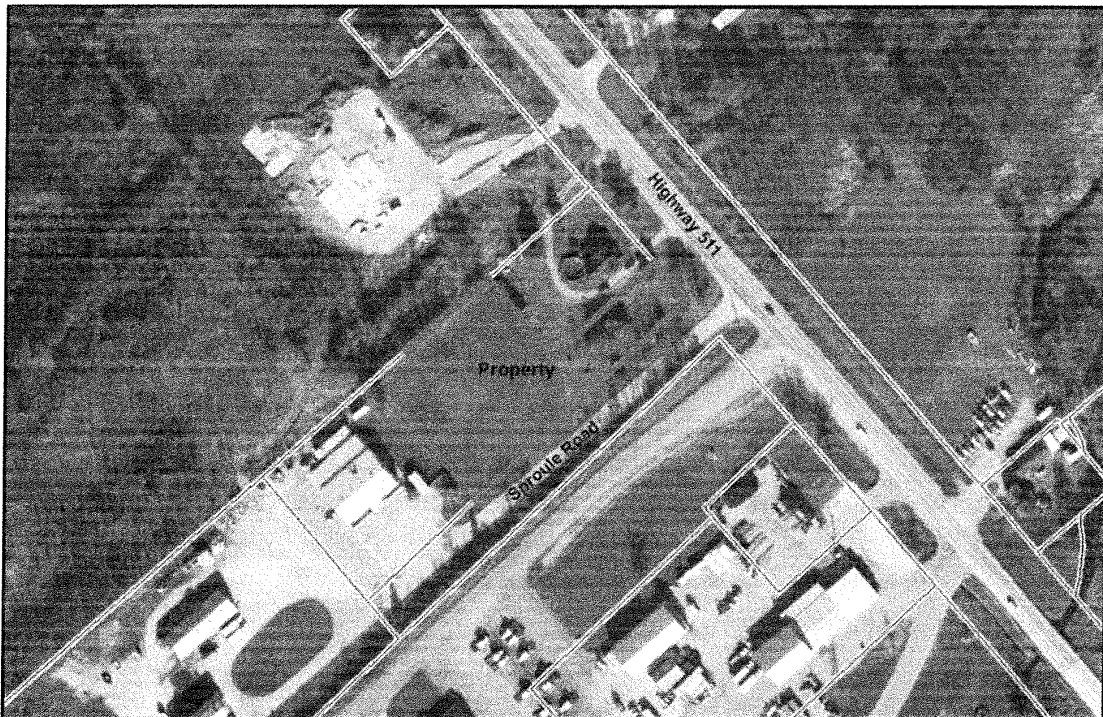
---

P.O. Box 20148 Perth, Ontario K7H 3M6 ph. 613-264-9600 fax: 613-264-9609 [www.zanderplan.com](http://www.zanderplan.com)

Page 1

**SUBJECT PROPERTY**

The subject property is located at the east side of the Township, immediately abutting County Road 511, as shown in Figure 1 below. It is irregular in shape, with 20 metres of frontage on Highway 511 at the east side, and approximately 115 metres of frontage on Sproule Road on the south side. The property abuts another parcel owned by the Rideau Group to the west, and abuts a veterinary clinic to the north. The narrow portion of the property closest to Highway 511 includes a ground sign and associated landscaping and trees; the property narrows out to a clearing in the central and west side.



**Figure 1. Aerial View of Sproule Road Property**

**PROPOSED USE**

The subject lands is proposed to be re-zoned to Industrial with an exception to allow a Contractor's Yard as the only permitted use. The property is owned by Rideau Group Inc., a local drilling equipment supplier. Rideau Group owns property to the southeast of the subject property at 38 and 40 Highway 511, and to the west, at 130 Sproule Road, which serves as their business regional office. The Group proposes to use the subject property for outdoor storage to store plastic pipes and containers similar to their lot at 40 Highway 511. The area for storage will be located closer to the west of the lot than to the rear yard of the dwelling on the east border of the lot, as shown on the attached sketch prepared by ZanderPlan Inc. The eastern portion of the property that is rectangular in shape and has frontage on Highway 511 will not be



developed; it will remain landscaped with the existing ground sign for Rideau Supply and associated vegetation. A driveway will be constructed to provide access to the subject site directly from Sproule Road, which is a municipal road.

**SURROUNDING CONTEXT**

The subject property is located in the Bathurst Ward of Tay Valley Township, on Sproule Road, which comes off of Highway 511. To the northeast, the site borders a residential property which contains a single detached dwelling. Across from Highway 511 to the northeast in the Township of Drummond/ North Elmsley, is a large property containing 2 multiple residential buildings, with 4 dwelling units each. Southeast of the property, across from Sproule Road, are properties zoned General Industrial. On the property directly across from Sproule Road is a transportation business, with outdoor storage of transport trucks. East of the transportation business is property owned by the Rideau Group, with buildings for Rideau Supply, and associated outdoor storage. The Rideau Group has bought the property behind the subject property to the west to serve as their regional office. The property that is to the northwest of the site is zoned as general commercial and has a veterinary clinic.

**PROVINCIAL POLICY STATEMENT, 2020**

The Provincial Policy Statement (PPS) was issued under Section 3 of the *Planning Act* and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014. The Provincial Policy Statement provides policy direction on matters of Provincial interest related to land use planning and development while providing for appropriate development and protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

**Section 1.0** of the PPS speaks to Building Strong Healthy Communities with policies for Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns in Section 1.1. The development of a Contractor’s Yard on the subject property would make use of vacant underutilized land, representing efficient development and land use patterns (Sec. 1.1.1a). The re-zoning of the subject property will accommodate an employment land use to meet long-term needs of a local business, will not result in any environmental or health and safety concerns, nor will it prohibit any settlement area from future expansion (Sec. 1.1.1b, 1.1.1c & 1.1.1d). The proposed use can be appropriately screened and buffered from the abutting residential uses, which the balance of the surrounding uses would generally be compatible with the proposed business on the site. The Contractor’s Yard will have access to a Municipal Road, minimizing the need for new land or servicing expansions to accommodate the development (Sec. 1.1.1e).

**Section 1.1.4** of the PPS provides policies for Rural Areas in Municipalities. Rural areas are important to the economic success of the Province. The proposed development will support a healthy integrated and viable rural area as it is in an area with numerous existing commercial and industrial land uses and will build upon the rural character of this area. The proposal will leverage the existing rural amenities and assets and use rural infrastructure efficiently as Sproule Road extends off of Highway 511, a major transportation corridor (Sec. 1.1.4a & 1.1.4b). The re-zoning of the subject property will allow the

---

P.O. Box 20148 Perth, Ontario K7H 3M6 ph. 613-264-9600 fax: 613-264-9609 [www.zanderplan.com](http://www.zanderplan.com)

expansion of an existing business, which has potential to promote diversification of the economic base and create employment opportunities through goods and services (Sec 1.1.4f).

**Section 1.1.5** of the PPS speaks to Rural Lands in Municipalities. The proposed development is compatible with the rural landscape and can be sustained by rural service levels (Sec. 1.1.5.3 & Sec. 1.1.5.4). Further, the development is appropriate to the infrastructure which is planned and available and avoids the need for the unjustified and/or uneconomical expansion of this infrastructure (Sec 1.1.5.5).

**Section 1.2.6** of the PPS speaks to Land Use Compatibility noting that “Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects”. The proposed development does not meet the definition of a major facility as defined in the Provincial Policy Statement, nor is the subject property near a major facility with which it would conflict. It is notable that the proposed Industrial use will abut a residential property, and measures will be taken during the Site Plan Control stage to minimize potential conflicts between the residential and industrial land uses, as described later in this Report..

**Section 1.6.6** of the PPS speaks to Sewage, Water and Stormwater. There are no plans for any buildings on the subject property at this time, which eliminates the need for sewage and water services. Stormwater management will be addressed at the Site Plan Control stage if required.

**Section 1.6.7** of the PPS speaks to Transportation Systems. The development will make efficient use of infrastructure as the subject property has direct access onto Sproule Road, a Municipal Road, which intersects Highway 511 to the northeast (Sec. 1.6.7.2).

**Section 2.0** of the PPS sets forth policies for the Wise Use and Management of Resources. The subject site does not contain any known resources recognized under Section 2.0 of the PPS.

**Section 2.2** of the PPS speaks to Water. It is notable that the subject property falls within an Intake Protection Zone (Scored – 8). The applicant is aware of the source water protection screening process, and this can be completed with the source water protection office at the Site Plan stage.

**Section 2.6** of the PPS speaks to Cultural Heritage and Archaeology. The subject site does not contain any known significant built heritage resources or significant cultural heritage landscapes. There are no natural or man-made hazards on or abutting the property that would require the policies of **Section 3.0** of the PPS to be addressed.

Overall, rezoning of the subject property to allow the proposed Contractor’s Yard on the property would be consistent with the policies of the Provincial Policy Statement, 2020.

**COUNTY OF LANARK OFFICIAL PLAN**

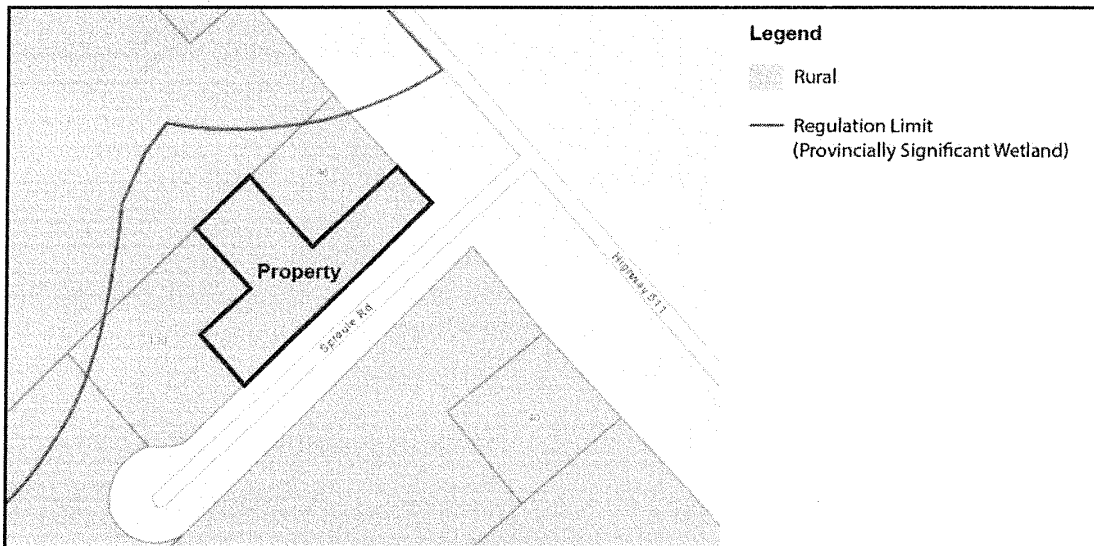
The Sustainable Communities Official Plan (SCOP) for the County of Lanark is a legal document adopted and approved under the *Planning Act*. The SCOP applies to all lands within the corporate limits of the County of Lanark. The Subject Property falls within the Rural Area Land Use Designation, as shown on Official Plan Schedule A.

Section 3 of the Official Plan provides policies for the Rural Land designation. There are a variety of land uses permitted in the Rural Land designation including industrial uses. The proposed development will maintain and protect the character and identity of the rural area by minimizing incompatibility between land uses. At the Site Plan Control stage there will be measures in place to minimize incompatibility between the Contractor's Yard and the abutting residential use (Sec. 3.3.4.1)

The proposed Zoning By-law Amendment would meet the intent of the SCOP policies.

**TOWNSHIP OF TAY VALLEY OFFICIAL PLAN**

The Tay Valley Township Official Plan applies to the entirety of Tay Valley Township. The subject property falls within the Rural land use designation as shown on Official Plan A – Land Use (Shown as Figure 2 below).



**Figure 2. Official Plan Schedule A – Land Use**

**Section 2.18.4** of the official plan provides Land Use Compatibility Policies. It is a policy of the Plan to minimize conflicts between incompatible land uses. The property owner is willing to construct an eight (8) foot wood fence on the subject property abutting the residential use, and to implement provisions





that ensure that no trucks will idle at the site, and limit hours of operation. These proposed measures will be implemented through Site Plan Control.

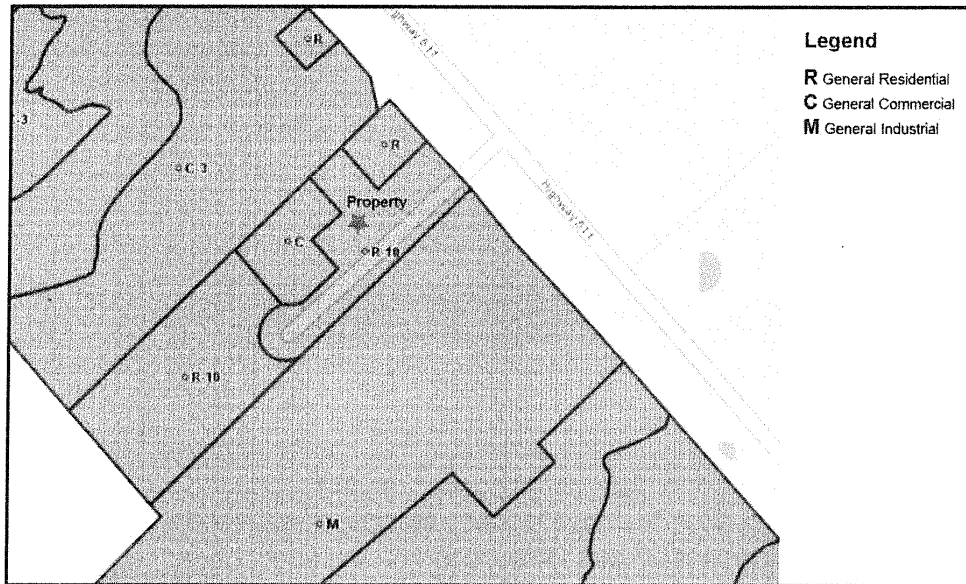
**Section 2.20.3** of the Official Plan provides policies for lands with the potential for organic soils. The subject property is identified as possessing organic soils, as shown on Schedule B of the Official Plan. The applicant is aware that there may be organic soils on the subject property, and any impact will be addressed at the Site Plan stage.

**Section 3.6** of the Official Plan provides policies for the Rural Area. The subject property is designated in the Official Plan as Rural. The Rural designation permits Industrial uses and provides Industrial Policies in Section 3.66. The proposed industrial use on the subject property will benefit the rural economy as the Contractor's Yard is associated with a local drilling equipment supplier that serves local businesses and residents (Sec. 3.6.6.1). The Contractor's Yard will comply with the Land Use Compatibility section of the Official Plan, and the outdoor storage area will be adequately buffered from the abutting residential property (Sec. 3.6.6.2 & Sec. 3.6.6.4).

Overall, the proposed Zoning By-law Amendment would meet the intent of the policies of the Township's Official Plan.

#### **TAY VALLEY TOWNSHIP ZONING BY-LAW NO. 02-121**

The subject property is currently zoned Residential Exception – 21 (R-21) as the previous owner had planned to build a duplex on the property. The property is currently vacant, and the applicant wishes to re-zone it to General Industrial with an Exception (M-x). The exception is to allow a Contractor's Yard as the only permitted use on the property, and to permit a reduction to the minimum lot area and front, interior and rear yard setback requirements. The reduction in the minimum lot area would simply recognize the existing area of the subject property. The reduction in yard setbacks to the north, south and west sides is expected to have minimal impact due to the commercial nature of those abutting land uses. It is notable that the required setback to the abutting residential use to the east will be maintained, with mitigation measures to minimize land use conflicts. See Figure 3 below for the zoning of the subject property and the surrounding properties.



**Figure 3. Tay Valley Township Zoning Map**

**Section 3.14** of the Zoning By-law provides general provisions for open storage. Open storage is a permitted use in the Industrial zone (Sec. 3.14). The open storage on the subject property will comply with the policies in Section 3.14. It is notable that a continuous buffer strip consisting of a fence, that has a height of 8 feet, will be provided to screen the open storage area from the abutting residential property.

**Section 3.24** of the Zoning By-law provides policies for Source Water Protection. The subject property falls within the IPZ-8 overlay zone, as shown on Schedule A-1. The applicant is aware of the source water protection screening process, and this can be completed with the source water protection office at Site Plan stage.

**Section 7.1** provides policies for the General Industrial Zone. The applicant is seeking to re-zone the property from General Residential with an exception (R-21), to General Industrial with an exception (M-x). The Contractor's Yard is a permitted use in the General Industrial Zone (Sec. 7.1.1). The property will be zoned with an exception to allow only the Contractor's Yard as a permitted use on the subject property. The exception zone allows for a much more restrictive zone on the subject property than the previous application filed in June, 2021, with the intent to be more compatible with the abutting residential use.

**Section 7.1.1** provides Zone Provisions for the Industrial Zone. In addition to restricting the permitted uses on site, the applicant is seeking exceptions for the minimum lot area, and the minimum front, interior side, and rear yard setback. Table 1 below provides the Industrial Zone provisions, with the required and proposed provisions. Exceptions will be needed to reduce the minimum lot area from 1 hectare to 0.4 hectares to recognize the existing lot size, and to reduce the front yard setback (Sproule Road) to 1 metre,

# ZANDERPLAN

Your rural land planning experts

the interior side yard setback (west side of the property only) to 1 metre, and the rear yard (north side of the property) setback to 1 metre.

**Table 1. Proposed Zoning Provisions for the Subject Property**

Industrial Zone Provisions	Required	Proposed
Lot Area (minimum)	1 ha	0.4 ha
Lot Frontage (minimum)	60 m	116 m
Front Yard (minimum)	15 m	1 m (Sproule Road)
Exterior Side Yard (minimum)	15 m	15 m (Highway 511)
Interior Side Yard (minimum)	10 m	1 m (West) 10 m (Abutting Residential east)
Rear Yard (minimum)	15 m	1 m (North)

**SUMMARY**

The applicant is proposing to re-zone the property at Sproule Road (Assessment Roll Number: 0911 916 015 43810) from General Residential with an exception (R-21) to General Industrial with an exception (M-x) to permit a Contractor’s Yard. An exception is required to recognize that the Contractor’s Yard will be the only permitted use on the site, and to permit the reduction in the lot area, and front yard on Sproule Road, interior side yard (west side), and rear yard setbacks. The required setback to the abutting residential use to the east side will be maintained to minimize land use conflicts. Further, the applicant will submit a Site Plan Control Application which will include mitigation measures to protect the abutting residential use.

The proposal is consistent with the policies of the 2020 Provincial Policy Statement and meets the intent of the policies in the County of Lanark’s Official Plan, and the Township of Tay Valley’s Official Plan, as it is consistent with the surrounding commercial and industrial land uses and will minimize incompatibility between the Industrial and Residential uses.

Should you require any additional information in order to process this application, please don’t hesitate to contact the undersigned.

All respectfully submitted by:



MacKenzie Van Horn, M.PI



Tracy Zander, M.PI, MCIP, RPP



Stratford Head Office 78 Wright Blvd. Stratford, ON N4Z 1H3 1-800-463-7648	Eastern Ontario Regional Office 130 Sproule Rd. Perth, ON K7H 3C9 1-800-268-7156	Amherst: 1-800-565-1575 Barrie: 1-855-728-4144 Hastings D C: 1-800-268-7156 Perth: 1-800-268-7156 Stratford: 1-800-463-7648
---	---	---

[www.RideauSupply.com](http://www.RideauSupply.com) - [Pros@RideauSupply.com](mailto:Pros@RideauSupply.com)

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

Dear Noelle,

I am writing to you to give you a little bit more information regarding our proposed zoning by-Law amendment that we submitted on September 29th, 2021. Although we do not agree with Tay Valley township's decision from the August meeting for our request, we didn't want to object. But felt instead, we would take a different route. We want to be a good neighbor and resident of this Township, and decided to reapply with more information and specifics so we can move forward together in a positive way. Rideau Supply has been in business in Tay Valley Township since 1975, and employs around 40 employees, and we would like to continue to support this area as we grow. In the attached application you will see that we have put together a very detailed plan, with a fence which will allow lots of space for our neighbor to enjoy their property while we conduct our business on ours. We would like to store products that we sell, pipe, both steel and plastics as well plastic tanks, and other products we provide to the water well industry in Ontario. All products are safe and cause no concern Environmentally. Also, I'd like to note that this open space was used in the past for storage by the previous owner, trailers, trucks, storage units, vans, pump trucks and a general overflow for his business on an ongoing basis was stored on this lot. So, we are actually not changing that much from what was being done in the past. I appreciate your time in this matter and look forward to a successful and positive relationship with both our neighbor as well as Tay Valley Township.

Warm Regards,

Arnold Mulder  
Rideau Supply,  
President

**From:** Deanna Berry <berry.deanna1@gmail.com>  
**Sent:** Tuesday, November 2, 2021 7:04 AM  
**To:** TVT Admin Assistant <adminassistant@tayvalleytwp.ca>  
**Subject:** Re: Notice of Public Meeting for Proposed Zoning By-Law Amendment ZA21-19 - The Rideau Group Inc.

Hi there,

I'd like my comments to be included in opposition of the Rezoning of Part Lot 27, Concession 3; The Rideau Group, Sproule Rd.

As homeowners who would be directly impacted by this rezoning, we'd like the Ontario Land Tribunal to have a record of our opposition to the rezoning of the adjacent land, as presented by The Rideau Group. I'd ask that the Land Tribunal review the minutes from the Tay Valley Council meeting (Aug 24) with our list of concerns. We'd also like to note the support from Council Members, as we appreciate their understanding of our concerns. It seems like this is something that is going to move forward, and we understand that The Rideau Group has proposed to use this land as a contractor's yard. Once the rezoning is approved, we are concerned with how much the land owner is restricted from using it for other General Industrial purposes. We'd ask that the Land Tribunal put restrictions and requirements in place to ensure the safety and protection of our property and environment. Many suggestions were discussed in detail at the council meeting in August.

Overall, we'd hope that residential consideration would be made for this community that works for all involved. Thanks again to the council for their support and efforts in protecting the value of our property and the interests of homeowners.

Thank you,  
Deanna Berry and Duane Krikke of 46 Hwy 511

On Tue, Oct 12, 2021 at 1:13 PM TVT Admin Assistant <adminassistant@tayvalleytwp.ca> wrote:

**Zoning By-Law Amendment Application ZA21-19 – The Rideau Group Inc.**

**Sproule Road**

**Concession 3, Part Lot 27, in the geographic Township of Bathurst, now in Tay Valley Township**

**Assessment Roll # 0911-916-015-43810**

## The Rideau Group Inc. 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.

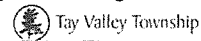
### **Ontario Land Tribunal**

Please be cautioned that if, at a later date, a person or public body choose to appeal Council's decision on this matter to the Ontario Land Tribunal, the 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. This notice is not intended to discourage your objection in any way. It is intended only to inform you of your rights and obligations and to encourage early participation.

1



1

## The Rideau Group Inc.

Sproule Road  
Part Lot 27, Concession 3, Geographic Township of Bathurst

*The application applies to an approximately 0.41ha (1.01 acre) vacant lot with 118.5m frontage on Sproule Rd.*

*In August 2021, Council did not approve a previous application from the Rideau Group Inc. to rezone the property to General Industrial (M), due to concerns of potential impact on the residential dwelling, adjacent to the property.*

*The purpose of this new application is to change the zoning of the property from Residential (R-21) to General Industrial Special Exception (M-4). The effect of the amendment is to permit the lot to be used as an overflow storage facility for supplies and materials provided by Rideau Pipe Inc, at their properties one lot to the south.*

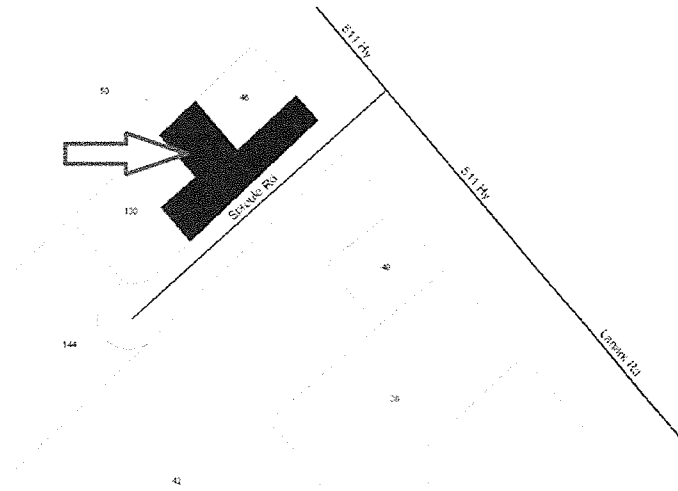
*The draft Zoning By-law amendment lists the type of materials to be stored including plastic septic tanks, pipes, etc. No hazardous materials will be stored on the subject site.*

2



2

## The Rideau Group Inc. Location



3

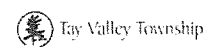


3

## The Rideau Group Inc. Planner's Comments Provincial Policy Statement

- Section 1.1.1 Building Strong Healthy Communities - states that "Healthy, livable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term...and c) avoiding development and land use patterns which may cause environmental or public health and safety concerns." This section can be met as the proposed use is in keeping with other employment uses along County Road 511 and will not cause environmental or public health and safety concerns.

4



4

## The Rideau Group Inc. Planner's Comments Provincial Policy Statement

- Other relevant sections of the Provincial Policy Statement (PPS) related to Rural Lands (Section 1), Wise Use and Management of Resources (Section 2) and natural or man-made hazards (Section 3) are also met. The proposal, therefore, is consistent with the policies of the PPS.

5

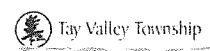


5

## The Rideau Group Inc. County Sustainable Communities Official Plan

- Section 3 Rural Land designation permits a variety of uses including industrial and commercial uses. The proposal, therefore, meets the Sustainable Communities Official Plan policies.

6



6



## The Rideau Group Inc. Planner's Comments Official Plan

- The subject property is designated in the Official Plan as Rural, Organic Soils, and Source Water Protection Intake Zone 8. Section 3.6 Rural designation permits industrial and commercial uses.
- Section 2.20.3 identifies requirements associated with Organic soils. These soils only become a concern when construction is proposed. No construction is proposed in this case.
- Section 2.23.2 Source Water Protection identifies the subject lot as within Intake Protection Zone 8. The proposed use does not trigger a Risk Management Assessment under the Mississippi Rideau Source Water Protection Plan as no contaminants are proposed to be stored on the property.

7

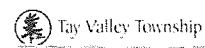


7

## The Rideau Group Inc. Planner's Comments Official Plan

- Section 2.18.4 Land Use Compatibility requires setbacks between major facilities and sensitive land uses. The storage of plastic septic tanks and metal and plastic pipes is not considered a major facility under the Ministry of Environment's D-Series Guidelines. This section also seeks to minimize conflicts between land uses through buffering (e.g., a fence, vegetation, intervening land use, etc.).
- The applicant proposes to install an 8-foot-high wooden fence along the east property line to provide screening to the adjacent residence. The proposal, therefore, meets the Township Official Plan policies.

8

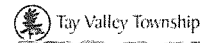


8

## The Rideau Group Inc. Planner's Comments Zoning

- The lot is currently zoned Residential Exception - 21 (R-21) as the previous owner had planned to build a duplex on the property. However, the property was sold as vacant land and the new owners have applied to rezone it to General Industrial Special Exception-4 (M-4) for the storage of supplies and materials provided by Rideau Pipe Inc.
- The applicant is also requesting a recognition of the existing lot size (0.4ha) rather than the 1 ha required for a new lot, and a reduction in the front, rear and west side yard setbacks from 15m and 10m to 1m.
- The east side yard setback abutting the residential use will be maintained at the required 10m from the lot line.

9

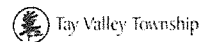


9

## The Rideau Group Inc. Planner's Comments

- The applicants propose to use the subject lot to store plastic pipes and containers similar to their lot at 38 Highway 511. The area for storage is proposed to be located closer to the west of the lot than to the rear yard of the dwelling on the east border of the lot.
- The proposed use has been narrowed from General Industrial to the storage of supplies and materials provided by Rideau Pipe Inc. The applicants are also maintaining a 10 m setback from the west side and proposing an eight-foot-high wooden fence.
- The lot size use proposed is in keeping with the Commercial and Industrial zoning of the lots in the area.
- A Site Plan Control Agreement is required for a Commercial or Industrial use to delineate any landscaping or other requirements.

10



10

## The Rideau Group Inc. Planner's Comments

- The Planner supports the proposal to reduce the rear, west side, and front yard setbacks as there is a buffer of trees between the rear yard lot line and the Commercial use to the north; there is a fence along the west side yard lot line with the Commercial use; and the front yard lot line is separated from the Industrial use to the south by a driveway, a row of trees, and a second driveway.
- A Site Plan Control Agreement (SPCA) will include the requirement for fencing along the east lot line and indicate the 10m setback from the lot line. The SPCA will also include provisions indicating where the Rideau Pipe Inc equipment will be stored and to maintain the grassed area and landscaping along the south lot line of the residential property. The SPCA will also prohibit trucks from idling waiting to unload materials onto the subject lot.

11



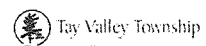
11

## The Rideau Group Inc. Comments

### **Rideau Valley Conservation Authority (RVCA)**

- The RVCA was not circulated as there are no bodies of water on the subject lot or in the area.

12



12

## The Rideau Group Inc. Comments Continued

### **Mississippi-Rideau Septic System Office (MRSSO)**

- The MRSSO was not circulated because no development is proposed.

13



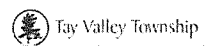
13

## The Rideau Group Inc. Comments Continued

### **Public Comments**

- A neighbour had questions about the location and type of the development including concerns about light shining into their dwelling, noise, and the potential for trucks to be idling at the site.
- The provision of an 8 ft tall wooden fence by Rideau Pipe between the residence and the subject property and the prohibition on trucks idling on or beside the subject property will address these concerns.
- A property owner on Sproule Rd also expressed concern that Rideau Pipe Inc. should be aware of the shared snow plowing agreement for Sproule Rd.

14



14

## The Rideau Group Inc. Recommendation

"THAT, Zoning By-Law No. 2002-121 be amended to rezone the lands at Sproule Road, Concession 3, Part Lot 27, Geographic Township of Bathurst (Roll #091191601543810) from Residential Exception-21 (R-21) to General Industrial Special Exception - 4 (M-4)."

15



15