



**Planning Advisory Committee Meeting
Monday, September 11, 2017 – 10:00 a.m.
Bud Clayton Memorial Room,
2069 Battersea Road, Glenburnie, ON**

AGENDA

Page

1. Call to Order

2. Adoption of the Agenda

- a) **That** the agenda for the September 11, 2017 meeting of the Planning Advisory Committee be adopted.

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Minutes

4 - 13

- a) Minutes of Meeting held June 28, 2017

That the minutes of the Planning Advisory Committee meeting held June 28, 2017 be adopted.

14 - 22

- b) Minutes of Public Meeting held August 19, 2017

That the minutes of the Planning Advisory Committee public meeting held August 19, 2017 be adopted.

5. Deputations and/or Presentations

23 - 52

- a) Mr. Peter Josephs, representing Ardoch Lake Developments, will address the Planning Advisory Committee with respect to Report 2017-106, Ardoch Lake Public Meeting Concerns
[See Reports to the Planning Advisory Committee clause a)]
- b) Sean Marshall President Pittsburgh Building & Energy Systems Inc, will address the Planning Advisory Committee with respect to Report 2017-107, Application for Draft Plan of Subdivision 10T-2017/001 (Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac (McFadden Road)
[See Reports to the Planning Advisory Committee clause b)]

6. Reports to the Planning Advisory Committee

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- a) **2017-106**

**Planning Advisory Committee
Ardoch Lake Public Meeting Concerns**

55 - 89

b) **2017-107**

**Planning Advisory Committee
Application for Draft Plan of Subdivision Approval 10T-2017/001
(Part of Lots 14, 15, Concession 8, Former Municipal Township of
Loughborough, Township of South Frontenac (McFadden Road))**

Whereas an application has been filed with the County of Frontenac for a Draft Plan of Subdivision located at Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac, known municipally as 5550 McFadden Road;

And Whereas the Planning Advisory Committee of the County of Frontenac considered all written and oral submissions received on this application, the effect of which helped Planning Advisory Committee make an informed decision;

And Whereas the application is consistent with the Provincial Policy Statement (2014), conforms to the Frontenac County Official Plan, Township of South Frontenac Official Plan, will comply with the Township of South Frontenac Zoning By-law, and has been reviewed in accordance with the criteria of Section 51 (24) of the *Planning Act*.

Therefore Be It Resolved That the Planning Advisory Committee receive the Planning Advisory Committee – Application for Draft Plan of Subdivision Approval 10T-2017/001 (Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac (McFadden Road) report;

And Further That Planning Advisory Committee endorse the approval of the proposed 10T-2017/001 subdivision development, including Draft Conditions of Approval attached to this report as Appendix A to be sent to County Council for approval on September 20, 2017.

90 - 113

c) **2017-108**

**Planning Advisory Committee
Planning and Economic Development 2018-2022 Five Year
Business Plan**

Be It Resolved That the Planning Advisory Committee accept the Planning Advisory Committee – Planning and Economic Development 2018-2022 Five Year Business Plan report for information;

And Further That the Planning Advisory Committee endorse the Planning and Economic Development 2018-2022 Five Year Business

Plan;

And Further That the Planning Advisory Committee endorse the Planning Project Proposals being presented to County Council.

7. Communications

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a) Correspondence from Martha and Gary Beach providing comments on Shield Shores Development

115 - 116

b) Correspondence from Deputy Warden Higgins regarding Lake Steward
 Exec Report for Ardoch Lake

8. Other Business

9. Next Meeting

a) The next meeting of the Planning Advisory Committee is scheduled for October 30, 2017 at 10:00 a.m. at the County Administrative Building.

10. Adjournment



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**Minutes of the Planning Advisory Committee Meeting
June 28, 2017**

A meeting of the Planning Advisory Committee was held in the Township of South Frontenac Council Chamber, 4432 George St, Sydenham, on Wednesday, June 28, 2017 at 4:00 p.m.

Present:

Deputy Warden Higgins, Chair
Councillor Smith, Vice-Chair
Warden Vandewal
Councillor Doyle (late 4:41 p.m.)
Phil Leonard
Jim McIntosh
Darwyn Sproule

Staff Present:

Jannette Amini, Manager of Legislative Services/Clerk (Recording Secretary)
Joe Gallivan, Director of Planning and Economic Development
Kelly Pender, Chief Administrative Officer
Megan Rueckwald, Community Planner

1. Call to Order

The Chair called the meeting to order at 4:00 p.m.

2. Adoption of the Agenda

Moved By: Councillor Smith
Seconded By: Mr. Leonard

That the agenda for the June 28, 2017 meeting of the Planning Advisory Committee be adopted.

Carried

3. Disclosure of Pecuniary Interest and General Nature Thereof

There were none.

4. Adoption of Minutes

a) Minutes of Meeting held April 10, 2017

Moved By: Councillor Smith

Seconded By: Mr. McIntosh

That the minutes of the Planning Advisory Committee meeting held April 10, 2017 be adopted.

Carried

5. Deputations and/or Presentations



6. Briefings

- a) Mr. Joe Gallivan**, Director of Planning and Economic Development provided the Planning Advisory Committee with his monthly committee briefing. A copy of his presentation is attached to the record in the Clerk's Office.

7. Reports to the Planning Advisory Committee

- a) 2017-088**
Planning Advisory Committee
Approval of the Township of North Frontenac Adopted Official Plan

Moved By: Councillor Smith

Seconded By: Councillor Doyle

Whereas the Council of the County of Frontenac considered all written and oral submissions received on this application, the effect of which helped Council to make an informed decision;

Be It Resolved That the Planning Advisory Committee receive and review the required documents for submission of the adopted Official Plan for the Township of North Frontenac;

And Further That the Council of the County of Frontenac approve the Township of North Frontenac Official Plan dated May 19, 2017, as contained in Appendix A subject to the following amendments:

That Section 1.6.5 be amended to remove at the end of the paragraph the words,

“but may decline to have a meeting if they refuse to adopt the amendment or the application is not deemed to be complete”; and further,

That Section 4.3.3 C - Conversion of Buildings to Live/Work Units clause vi) be amended to remove the words “a person directly” and replaced with “persons”.

Carried as Amended

(See motions to amend below which were Carried)

Motions to Amend

Moved By: Mr. Leonard

Seconded By: Mr. Sproule

That Section 1.6.5 be amended to remove at the end of the paragraph the words, “but may decline to have a meeting if they refuse to adopt the amendment or the application is not deemed to be complete”.

Carried

Moved By: Warden Vandewal

Seconded By: Councillor Doyle

That Section 4.3.3 C - Conversion of Buildings to Live/Work Units clause vi) be amended to remove the words “a person directly” and replaced with “persons”.

Carried

Ms. Megan Rueckwald provided a PowerPoint presentation of the North Frontenac Official Plan, a copy of which is attached to the record in the Clerk's Office.

b) 2017-089

Planning Advisory Committee

Applications for Plan of Vacant Land Condominium – Ardoch Lake

Mr. Gallivan provided an overview of the report which was provided to the Committee for information purposes only. The Committee set the date of the public meeting for Saturday, August 19 at 10 a.m. with the location to be determined.

Mr. Darwyn Sproule and Mr. Jim McIntosh were assigned to attend the site visit with Deputy Warden Higgins as the Mayor of the Township of North Frontenac.

**c) 2017-090
Planning Advisory Committee
Request from the Township of South Frontenac for expanded public
notification provisions regarding planning applications**

Moved By: Councillor Smith
Seconded By: Councillor Doyle

Be It Resolved That the Planning Advisory Committee accept the Planning Advisory Committee – Request from the Township of South Frontenac for expanded public notification provisions regarding planning applications report for information;

And Further That the Council of the County of Frontenac take no further action at this time.

Carried

The Committee recessed at 5:30 p.m.

8. Recess - reconvene at 6:00 p.m. for Public Meeting Session

Public Meeting Introduction

NOTICE OF COLLECTION – Personal information collected as a result of this public meeting and on the forms provided at the back of the room is collected under the authority of the *Planning Act* and will be used to assist in making a decision on these matters. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to Jannette Amini, Manager of Legislative Services/Clerk.

The purpose of public meetings is to present planning applications in a public forum as required by *The Planning Act*. Following presentations by staff, the meeting will then be opened to the public for comments and questions. Interested persons are requested to give their name and address for recording in the minutes. There is also a sign in sheet for interested members of the public at the back of the room.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion.

Public meeting reports are provided to inform the public of all relevant information. Information gathered is then referred back to Planning Staff for the preparation of a comprehensive report and recommendation to the Planning Advisory Committee to approve (with conditions) or to deny the application. The Committee then makes a recommendation on the applications to County Council. County Council is the approval authority for all applications for Plans of Subdivision and Plans of Condominium.

Following Council's decision notice will be circulated in accordance with the *Planning Act*, and anyone with an interest in the matter may file an appeal. Interested persons are advised that if a person or public body does not make oral submissions at a public meeting or make written submissions before the application is approved, the person or public body is not entitled to appeal the decision of Council to the Ontario Municipal Board, unless, in the opinion of the Board, there are reasonable grounds to do so.

**a) 2017-091
Review of Applications for Plan of Condominium, Part of Lots 15, 16 & 17, Concession IX, Storrington District, Township of South Frontenac (Shield Shores)**

Deputy Warden Higgins explained the purpose of the public meeting.

Ms. Jannette Amini, Manager of Legislative Services/Clerk, announced that pursuant to the requirements of the *Planning Act*, notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Frontenac Gazette on June 15, 2017. A courtesy notice was also placed on the County of Frontenac Website as well as on the Township of South Frontenac Website and was publicized through the County's Social Media outlets.

Deputy Warden Higgins reviewed the procedure for the public meeting and read the rights and obligations given to the Committee members and members of the public during public meetings.

Mr. Joe Gallivan, Director of Planning and Economic Development provided an overview of the proposed application for Plan of Condominium. A copy of his presentation is attached to the record in the Clerk's Office.

Mr. Mike Keene, Fotenn Consulting, representing the applicant, Barry Campbell, provided a PowerPoint presentation outlining the application, a copy of which is attached to the record in the Clerk's Office. He clarified that the Hydro right-of-way noted in Mr. Gallivan's report has been stopped up and closed. He further noted the studies that have been done in addition to those noted in Mr. Gallivan's report.

Deputy Warden Higgins asked that any person who wishes to receive notice of the passing of the proposed application for Plan of Condominium, should give their full name, address and postal code to the Clerk prior to leaving the meeting.

Deputy Warden Higgins provided members of the public with an opportunity to provide comment.

Ms. Sharon Freeman, adjacent land owner, asked if the home that was built earlier this spring meets the current setback standards of exceeding 30 metres. She also noted the "For Sale" sign on the lot on the other lane and asked if this was part of the development to which Mr. Keene responded that this is not part of the development; however is owned by the same person. The house under construction is located on lot

8 and would be part of the development. There are 2 white lots noted in the plan that are not part of this Plan of Condominium but are owned by the same person. These were developed 2 years ago.

Mr. Ross Sutherland stated that the map shown today is not the map that was dealt with last night and the comments in the environmental studies should be noted. Lots 1, 2, 6, 7, and 8 (waterfront lots at the lower level) were to have a no cut zone of any trees with a trunk greater than 8 inches in diameter; however that entire area has been cut so the concept of a no cut zone is not relevant. He suggested that the area along the lake frontage should have an aggressive re-planting plan as these lots are low to the water and they have been cut almost bare. He further suggested that this be a strict no cut zone and that this no cut zone be extended a further 15 metres back. With respect to the right-of-way's, he is unsure if they are all equal and asked if they are currently legally there or if they will be established. Mr. Keene responded that he will need to verify this. Mr. Sutherland noted that in South Frontenac, the Township is experiencing a shortage of waterfront property and that developers are finding unique ways to access to the waterfront with smaller water lot frontages. In the Townships Official Plan, Council spent a lot of time trying to protect waterfronts and lakes by requiring large lots with controlled access to the water by the public. These back lots gain limited access to the water which in turn increases their property value so this will likely increase more back lots being created. The concern is the concentration of septic's on the lakes. These rights-of-way are in essence lots in a functional sense as they provide deeded access to the water. He also expressed concern that a key factor in water health is the shoreline where 90% of species spend a significant part of their life cycle and these rights-of-way all become paths to the water. They may not have a dock; however back lot owners can bring patio stones to the lake, then deck chairs, then BBQ's then build storage sheds and now you have a waterfront that is no longer a naturalized shoreline. Essentially this development process is a way of getting around the Townships lot size requirements and he would encourage the committee to take this into consideration.

Mr. Matt Rennie stated that he is opposed to the configuration of the plan and supports the comments made by Mr. Sutherland. He noted the measurement of Lot 1 was previously noted as 91 metres; however the concept provided this evening now indicates 130m and questioned how this measurement was made. Mr. Keene confirmed that the lot is not 130m. Lot 2 consumes the entire bay so the frontage is less. Mr. Gallivan added that Township staff have confirmed that the frontage meets the zoning by-law requirements and that the Township will be holding a public meeting on the zoning by-law amendment at which time this concern may be brought forward. This is a township issue and if it does not meet the zoning by-law it will need to be changed. He further noted that prior to the County approving this application, it requires confirmation from the Township that it meets the Townships Official Plan and Zoning By-law. Mr. Rennie felt that unit 2 does not meet the requirements to which Mr. Keene responded that there are 2 lots that are not part of this plan and the lot being spoken of meets the Wellington Street frontage requirements. Mr. Rennie indicated that in general, he is concerned that when you look at this or any development in isolation it may not appear to be bad; however in 50 years if all land has been developed like this, it gets out of hand.

Deputy Warden Higgins concluded the Public Meeting and noted that staff will be presenting a comprehensive report on this matter to the Planning Advisory Committee at a future meeting.

The public meeting regarding the application for Plan of Condominium – Shield Shores adjourned at 6:50 p.m.

The Committee recessed at 6:50 p.m.

The Committee reconvened the Public Meeting at 7:00 p.m.

**b) 2017-092
Planning Advisory Committee – Public Meeting Report
Review of Applications for Plan of Subdivision – Part of Lots 14-15,
Concession 8, Former Municipal Township of Loughborough Part 2,
Township of South Frontenac: 10T-2017-001 (McFadden Road)**

Deputy Warden Higgins explained the purpose of the public meeting.

Ms. Jannette Amini, Manager of Legislative Services/Clerk, announced that pursuant to the requirements of the *Planning Act*, notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in The Frontenac Gazette on June 15, 2017. A courtesy notice was also placed on the County of Frontenac Website as well as on the Township of South Frontenac Website and was publicized through the County's Social Media outlets.

Deputy Warden Higgins reviewed the procedure for the public meeting and read the rights and obligations given to the Committee members and members of the public during public meetings.

Ms. Megan Rueckwald, Community Planner provided an overview of the proposed application for Plan of Subdivision. A copy of the presentation is attached to the record in the Clerk's Office.

Deputy Warden Higgins asked that any person who wishes to receive notice of the passing of the proposed application for Plan of Subdivision, should give their full name, address and postal code to the Clerk prior to leaving the meeting.

Deputy Warden Higgins provided members of the public with an opportunity to provide comment.

Mr. Shawn Marshall President of Pittsburgh Building and Applicant noted the housing crisis in Ontario and is pleased that he can be part of the solution. He also noted the current bidding wars in the housing market which indicates a lack of housing stock. He noted that the 2 water bodies in the plan are man-made water bodies and as such, is having discussions with the CRCA as these are seasonal water-bodies with no habitat in them so the normal 30m setback should not apply and is suggesting that a 15m

setback might be more appropriate. He felt that the type of person who will build on these lots is looking for a rural life style and will want to keep the trees and have the frontages as large as possible. He noted one comment from the Township around the Cataraqui Trail and whether there could be an easement to the lots; however the CRCA has advised that it does not provide private easements across the trail. This development requires no roads or infrastructure and will have no real traffic changes to the roadway.

Ms. Lyn Pople, 5539 McFadden Road has lived in her home since 1987 and during that time, the ownership of the subject property has changed hands 3 times and has allowed for 5 houses. She noted the adverse effects that any agitation to the site has had on her well, to the point where her pump required replacement and the pipes required shortening. In April of 2008 her plumbing system was filled with sand and the system was unusable at which point they were advised to try and pump out the sand but that this would offer no guarantees or they could install a new well. Since there has been no activity in the sand pit, she has had no issues with the well. She questioned who takes responsibility for their well if this proposal goes forward. She feels the testing that has been done on the site with respect to wells is inadequate and is concerned with the methods of well testing. The pre-existing wells in the report are all downhill and feels that the report uses guess work. She provided a written submission which is attached to the record in the Clerk's Office. In addition to her submission, she noted that the water bodies on the property did exist prior to this and last year was unusual due to the dry weather. Mr. John Pyke, Malroz Engineering advised that when they are doing well testing, they are looking for the studies to substantiate an adequate and sustainable long term yield for wells and there are guidelines established to determine how this is done. He responded to questions raised by Ms. Pople, noting that the testing done exceeded the requirements and expectations.

Mr. Mark Young indicated that he lives across from lot 1 and asked how many wells were drilled on this property and how can you test 5 lots with only 3 wells drilled to which Mr. Pyke responded that within the guidelines, it sets out the area for testing based on lot size. Mr. Young advised that after the testing was done, he took a sample bottle of water from his kitchen taps and provided the Committee with that sample, which indicated that the water was a cloudy tan colour.

Mr. Vern Revel, 5494 McFadden Road stated that this development would see 5 more houses being built with everyone drawing for water at the same time and pointed to the dirty water provided by Mr. Young and stated that there is no guarantee that this will not affect his well. The septic on lot 5 is above ground and noted that currently, the run off from that lot runs onto his property and questioned where this will leach. There are no guarantees that the rest of the neighbouring homes will not be affected.

Mr. Hank Pople stated that he lives across from lot 4 and during the well testing he was home all day and by 2:30 p.m. his well was down by 8 inches. He indicated that he spoke to the person doing the testing and they never checked the recovery time for the well. His well was back up the next morning; however he questioned how much water these lots will be taking. He noted that in the past when they were working on the well

all his taps were full of sand. The sand was pumped out and he had a new well drilled but once work starts again this will create sand in his well. With respect to the water-bodies noted on the development, he noted that when he was building his house he went to those water bodies to swim so lot 2 and 3 will require a lot of fill and he questioned where this fill will come from. His main concern is his water level.

Mr. Ross Sutherland noted that the water quality is related to the sand subsidy and suggested moving the development further back from the road. He also suggested that with respect to lot 5, you might want to put into the site plan that it be moved away from the border.

Deputy Warden Higgins asked those who spoke, the depth of their individual wells.

Mr. Shawn Marshall responded to the concern regarding the need for fill and noted that he has dug holes on the property and encountered only 1 area where he hit rock at 3 feet. There is no requirement for fill. He is surprised at the water comments and asked Mr. Pike if these issues indicate there is only 1 aquifer to which Mr. Pyke responded that it appears there may be 2 aquifers.

Ms. Lyn Pople asked how pumping only 1 well can sufficiently determine how that will affect neighbouring properties to which Mr. Pyke responded that the intent of the testing is to obtain bulk analysis and look for consistency among those tests. He again noted the guidelines which were followed and that a 6 hour test is generally representative of many lots and even if the development were to have 50 lots it would only require 5 wells to be tested.

Deputy Warden Higgins concluded the Public Meeting and noted that staff will be presenting a comprehensive report on this matter to the Planning Advisory Committee at a future meeting.

The public meeting regarding the application for Plan of Subdivision – McFadden Road adjourned at 7:45 p.m.

9. Communications

- a) From Mathew Rennie providing comments regarding Public Meeting Report 2017-091 Application for Plan of Condominium, Part of Lots 15, 16 & 17, Concession IX, Storrington District, Township of South Frontenac: Shield Shores

10. Other Business



11. Next Meeting

- a) The next regular meeting of the Planning Advisory Committee is scheduled for Monday, September 11, 2017 at 10:00 a.m. at the County Administrative Office.

12. Adjournment

Moved By: Councillor Smith

Seconded By: Councillor Doyle

That the meeting hereby adjourn at 7:45 p.m.

Carried



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**Minutes of the Planning Advisory Committee Meeting
August 19, 2017**

A meeting of the Planning Advisory Committee was held at the Ompah Community Hall, 10200 Road 509, Ompah on Saturday, August 19, 2017 at 10:00 AM

Present:

Deputy Warden Higgins, Chair
Warden Vandewal
Councillor Doyle
Phil Leonard
Jim McIntosh

Absent:

Darwyn Sproule
Councillor Smith

Staff Present:

Tara Mieske, Acting Clerk (Recording Secretary)
Joe Gallivan, Director of Planning and Economic Development
Megan Rueckwald, Community Planner

1. Call to Order

The Chair called the meeting to order at 10:00 a.m.

Public Meeting Introduction

Notice Of Collection – Personal information collected as a result of this public meeting and on the forms provided at the back of the room is collected under the authority of the *Planning Act* and will be used to assist in making a decision on these matters. All names, addresses, opinions and comments may be collected and may form part of the minutes which will be available to the public. Questions regarding this collection should be forwarded to Jannette Amini, Manager of Legislative Services/Clerk.

The purpose of public meetings is to present planning applications in a public forum as required by the *Planning Act*. Following presentations by staff, the meeting will then be opened to the public for comments and questions. Interested persons are requested to give their name and address for recording in the minutes. There is also a sign in sheet for interested members of the public at the back of the room.

No decisions are made at public meetings concerning applications, unless otherwise noted. The public meeting is held to gather public opinion.

Public meeting reports are provided to inform the public of all relevant information. Information gathered is then referred back to Planning Staff for the preparation of a comprehensive report and recommendation to the Planning Advisory Committee to approve (with conditions) or to deny the application. The Committee then makes a recommendation on the applications to County Council. County Council is the approval authority for all applications for Plans of Subdivision and Plans of Condominium.

Following Council's decision, notice will be circulated in accordance with the Planning Act, and anyone with an interest in the matter may file an appeal. Interested persons are advised that if a person or public body does not make oral submissions at a public meeting or make written submissions before the application is approved, the person or public body is not entitled to appeal the decision of Council to the Ontario Municipal Board, unless, in the opinion of the Board, there are reasonable grounds to do so.

2. Disclosure of Pecuniary Interest and General Nature Thereof

There were none.

3. Public Meeting Reports to the Planning Advisory Committee

- a) 2017-105
Planning Advisory Committee – Public Meeting Report
Review of Applications for Plan of Condominium – Part of Lots 22 & 23,
Concession 1 and Part of Lots 22 & 23, Concession 2, Geographic
Township of Clarendon, now in the Township of North Frontenac: File
10CD-2012/001 (Ardoch Lake)**

Deputy Warden Higgins explained the purpose of the public meeting.

Ms. Tara Mieske, Acting Clerk, announced that pursuant to the requirements of the *Planning Act*, notices were sent by mail to all property owners (according to the latest Assessment Rolls) within 120 metres of the subject property. A courtesy notice was also placed in *The Frontenac New* on July 27th, 2017 and in the *Heritage Gazette* on August 3rd, 2017. A courtesy notice was also placed on the County of Frontenac Website as well as on the Township of North Frontenac Website and was publicized through the County's and Township's Social Media outlets.

Deputy Warden Higgins reviewed the procedure for the public meeting and read the rights and obligations given to the Committee members and members of the public during public meetings.

Mr. Joe Gallivan, Director of Planning and Economic Development provided an overview of the proposed application for Plan of Condominium. A copy of his presentation is attached to the record in the Clerk's Office.

Deputy Warden Higgins asked that any person who wishes to receive notice of the passing of the proposed application for Plan of Condominium, should give their full name, address and postal code to the Clerk prior to leaving the meeting.

Deputy Warden Higgins provided members of the public with an opportunity to provide comment.

Peter Josephs, Planner representing Ardoch Lake Developments Inc. provided a presentation on the Application and an overview of the changes since the previous public meeting in 2014. He explained the common elements in the proposed development including the roads and open space areas. He advised the administration and ownership of these common elements will be the condominium corporation. The corporation will be responsible for the maintenance of the roads. He advised several reports including a Servicing Study, Environmental Impact Assessment and Archeological Study have been provided to the County along with amendments to these reports as required. Josephs noted the blocks will not permit any development. He also advised the lots are to be used for seasonal/extended-seasonal use only and will be zoned accordingly. He advised the initial plan consisted of 45 lots, 33 waterfront and 12 backlots. In 2014, the plan was amended to reduce the number of lots and amended again in 2017 to 24 waterfront lots and 3 blocks. He noted the revisions in 2017 included the amalgamation of lots and blocks. He noted some of the changes were to ensure protection of the wetland area. The road width was increased to meet the County requirements. Also, Road C was eliminated as it was no longer required. He advised Block B which was a common use area was eliminated and replaced with two lots. He advised as the Provincial Policy Statement had been amended in 2014, he has reviewed the proposal and made updates to ensure it is consistent with the new Provincial Policy Statement.

Brian Schonauer and Ruth Cooper represented the Ardoch Lake Landowners and provided the comments set out in the attached presentation (Attachment #1). In 2014 the Ardoch Lake Landowners retained Michalski Nielson Associates Limited to review the Application and requested a copy of this report be provided to each of the Planning Advisory Committee Members (Attachment #2).

Mr. Gallivan advised an Environmental Impact Study was completed on the proposal by Niblett. However; he will consult with Mississippi Valley Conservation Authority (MVCA) with respect to the heron rookery and the spawning beds.

Brian Schonauer advised his previous comments were on behalf of the Ardoch Lake Landowners and would like to provide his personal comments. He advised there is a shallow shoal in front of the proposed development which is a nursery and rearing area for walleye. This area has been recently enhanced. He advised the Niblett report identifies walleye habitat. He is also concerned with the impact of the increased number of motorized boats and personal watercraft due to the development. He advised mitigation is limited.

Mr. Gallivan asked if boats currently access Ardoch Lake from Malcolm Lake and if it is controlled. Schonauer advised boats access Ardoch Lake but generally is limited to two to three per day. He also noted these boats do not go over the shallow area due to the water depth.

Ruth Cooper advised two of the lots are very swampy at the water's edge and therefore would not have access to the water and would not be able to have docks.

Brian Schonauer asked if any of the Committee Members have been on the property. Schonauer asked if they had looked at the property from the water.

Deputy Warden Higgins advised three of the Committee Members had completed a site visit by walking the property but had not looked at the proposal from the water.

Brian Schonauer recommended the Committee go out in a boat to review the proposal.

Brian Schonauer advised with the narrow 45 metre lots the area 30 metres back from the water will be clear cut in order to accommodate a septic system, building, driveway, etc. There will be no vegetation left in this area. He recommended the lots have a 60 metre width to accommodate terrain. He also advised the heronry needs to be assessed properly. He advised MVCA has asked four times to have this completed.

Brian Schonauer provided a bottle of lake water to the Committee and noted how clear the water was. He advised they are trying to protect the water.

Glen Fowler, President, Malcolm and Ardoch Lake Landowners Association (MALLA) provided the comments set out in the attached presentation (Attachment #3).

Brian Schonauer asked if tertiary systems would be required to be used on the lots on the north shore of the lake.

Mr. Gallivan advised not on existing lots. However; he would recommend they be considered as a condition for the new lots being created on the lake by severance.

Brian Schonauer asked why the development is considered seasonal-extended seasonal and why the lake capacity wasn't completed using full time residential.

Mr. Gallivan advised the Ministry of Environment and Climate Change (MOECC) have been consulted with respect to the septic systems. Aqua Terra systems are being proposed for the development. These systems are certified in the Province of Quebec. He advised the effluent from one class four system equals ten aqua terra systems.

Brian Schonauer asked if the MOECC model included the existing lots on the lake and if they were considered as full-time use.

Mr. Gallivan advised the existing lots on the lake were included in the model.

Brenda Martin, Vice President, MALLA, advised they are currently completing a boating survey. She noted it is easy to survey the MALLA members but is finding it difficult to get visitors to complete the questionnaire. She advised they are trying to determine a baseline for boating activity to be used for statistics.

Ruth Cooper asked who is responsible for the maintenance of the tertiary systems.

Mr. Gallivan advised these systems are generally \$10,000 more expensive to install than a standard septic system. However; they take up less area. KFL&A Public Health are recommending the larger area for the bed anyway. These systems are required to be tested annually by the owner and the test results are to be provided to KFL&A Public Health. Gallivan advised it could be a condition that the results be provided to Township Council annually as well. He also advised the condominium agreement can be used to regulate how the land is being used. Therefore the condominium corporation could oversee and if the systems are not working they could require the system be repaired or replaced.

Brian Schonauer asked if the systems require a power source.

Mr. Gallivan advised these systems do not require power.

Carla Schonauer, Property Owner advised the Condominium Corporation is made up of the property owners within the development and they are responsible for managing the septic systems, roads, etc. She wanted to know what would happen if they did not do this.

Mr. Gallivan advised the Condominium Agreement would be between the Condominium Corporation and the Public Authority which in this case would be the Township. If the conditions of the Agreement are not being met the Township would have the ability to remedy the problem. This would be included as a condition in the Agreement.

Frank Shoniker, President, Shabomeka Landowners Association advised he is in support of the Ardoch Lake Landowners and came today to support them. He advised the proposal is sickening and would be very concerned if a similar proposal was proposed on Shabomeka Lake.

Patricia Bradbury, resident and campground owner in Ardoch area, advised she is against the development. She also asked if there had been any consideration given to upgrading the Ardoch Road. She also offered to provide the MALLA boat survey to her campers as they often go to Malcolm and Ardoch Lake. She also asked how they proposed to keep people and kids away from the wetland area.

Brian Schonauer advised there would not be any trails in this area. However; with the road so close to this area it is bound to happen.

Russ Brown, President, Buckshot Lake Association advised he supports the Ardoch Lake Landowners.

Glen Fowler asked about the docking being considered for the proposal and if there would be a common docking area.

Mr. Gallivan advised it is not part of the Application. He advised there is a Block to allow access to the water for the back lots.

Glen Fowler recommended the docking be clarified.

Ruth Cooper advised docks were shown on a previous plan. She also advised the Nielson report identifies some highly suspect lots and that each lot must have good siting for septic and building. She also noted even with the 30 metre buffer there will be a lot of disturbance when the lots are excavated for development. She advised this will increase the phosphorous levels in the lake. She advised the terrain (steep slopes) will lead to tiered dwellings which will increase the affluent into the lake.

Carla Schonauer asked how many residents there would be per condominium lot. And would the dwellings be two or three bedrooms?

Mr. Gallivan advised the density cannot be controlled by the number of bedrooms. It can be controlled by including a maximum dwelling size as a condition.

Carla Schonauer asked what the model is using.

Mr. Gallivan advised the model was completed by the MOECC and they would have assumptions they would use in this modelling system. He advised they used extended seasonal which is twelve months per year with the use low between November and May.

Deputy Warden Higgins requested Mr. Gallivan provide the modelling information from the MOECC to the Committee.

Mr. Gallivan advised there have recently been concerns with the increase in Airbnbs.

Ruth Cooper asked why the development would not be considered full time residential to address this potential use.

Mr. Gallivan advised this can be addressed by the Condominium Corporation.

Ruth Cooper asked if there is a limit on the size of the buildings.

Mr. Gallivan advised this has not been considered yet.

Ruth Cooper asked if the building would be constructed to year round standards.

Mr. Gallivan advised most property owners who are developing or re-developing waterfront lots are building the new buildings for year round use. He advised the 2014 Provincial Policy Statement has policies with respect to resource based recreational

use. This is the policies used to consider cottage development. Due to the lack of access to large markets these properties are unlikely to be used 365 days per year.

Brian Schonauer advised this is a short term view and does not consider the future use of the properties.

Mr. Gallivan advised he will have the model run using permanent use.

Janice Arthur, resident, asked if the Planning Advisory Committee could be introduced and the composition be explained.

Deputy Warden Higgins explained the composition of the committee being the four Mayors of the Townships and three community members and advised Francis Smith, Mayor, Central Frontenac and Darwyn Sproule, community member were not present today and each of the members present introduced themselves.

Brian Schonauer advised the Township of South Frontenac has a requirement for 90 metre frontage on waterfront lots and asked Warden Vandewal to clarify.

Warden Vandewal advised this is correct.

Wade Schonauer, property owner, asked if the Committee has looked at the proposed development area from the north side of the lake. He recommended the Committee look at this proposal from both the water and north side of the lake.

Ruth Cooper recommended someone with site plan knowledge review each of the lots and the reports. She also suggested the development be reviewed by the Planners at MVCA. She also advised that the current property owners on the lake pay their taxes, look after the lake and complete water testing and she noted that if the development proceeds why would they want to stay on the lake?

Bob Haynes, Co-Chair, North Frontenac Lake Alliance Association advised the association represents 15 to 20 lakes in North Frontenac. He advised the following progress should be done with respect to the development: the sensitive heron rookery be mapped and defined; the walleye spawning beds be reviewed; the lot width be reconsidered and be increase to the standard 60 metres as wider lots are better; and the development be considered as full time rather than seasonal as the lots will be used full time.

Patricia Bradbury advised there are walleye in the lake as the campers in her campground fish them in Ardoch Lake.

Janice Arthur asked who owns the common elements and how the wetland area will be protected.

Mr. Gallivan advised the common elements are owned by the condominium corporation. He noted the best way to protect the wetland area is through education. The conditions will include that there will be no access or trails permitted in this area. However; it could

be a condition that the developer prepare a best practice manual to educate the future owners. This manual could include the reasons for the setbacks and be very valuable in protecting this area.

Glen Fowler advised there is no boat launch on Ardoch Lake and they would have to use the launch on Malcolm Lake which would be more travel through the river. He advised the water is only four feet deep and this is a marsh habitat and is sensitive. He advised the increased boat traffic should be considered.

Wendy Higgins, resident, Malcolm Lake asked if the property would be serviced by hydro and asked if new lines would need to be installed.

Peter Josephs advised new hydro lines would need to be installed to service the properties.

Wendy Higgins asked if each property would be serviced by a well and what the impact would be of installing 30 drilled wells. She was concerned with fracking.

Mr. Gallivan advised there have been studies and the concerns with fracking and water wells but this mostly pertains to limestone areas which is not the case for this development. He advised this is not illegal and does not compare to the fracking being done for gas and oil. He advised each property will require a well and a hydrogeological study has been completed to ensure the water quantity is good and sustainable.

Wendy Higgins asked if there were sample wells drilled and at what depth.

Mr. Gallivan advised test wells have been drilled and the information on the depth would be included in the study.

Wendy Higgins advised she is supportive of reasonable development that is spread out. She advised Malcolm Lake is developed but the development is spread out. She advised development helps the municipality be sustainable and provides property taxes. She asked if the dead end road to the west will have an area for emergency services to turn around.

Mr. Gallivan advised the road will be built to the required standards including an area for emergency service vehicles to turn around.

Brenda Martin asked if the wells will be installed prior to the lots being sold.

Mr. Gallivan advised if a lot does not have potable water a building permit cannot be issued. The requirement to have the wells installed prior to the sale can be a condition.

Carla Schonauer advised the current use has no hydro. She wanted to know if lake water could be used to service the proposed lots. She also wanted to know if the property owners in the Condominium would outweigh the current owners.

Deputy Warden Higgins advised it will be the same rules for everyone.

Mr. Gallivan advised based on the comments received today he will be doing further research with some of the agencies and will prepare a report to the Planning Advisory Committee. He noted the report will not be prepared in time for the September Meeting.

Glen Fowler asked if the Planning Advisory Committee meetings were open to the public.

Deputy Warden Higgins advised the meetings are open to the public.

4. Communications



5. Next Meeting

- a) The next regular meeting of the Planning Advisory Committee is scheduled for Monday, September 11, 2017 at 10:00 a.m. at the County Administrative Offices.

6. Adjournment

The Public Meeting adjourned at 11:50 AM



August 1, 2017

Mr. Joe Gallivan, MCIP, RPP
Director of Planning and Economic Development
County of Frontenac
206 Battersea Road
Glenburnie, ON K0H 1S0

**Re: Ardoch Lake Developments Inc. -- Status Update
Application for Draft Plan of Vacant Land Condominium (Amended)
(County File No. 10CD-2012/001)
Application for Zoning By-law Amendment (Amended)
Part of Lots 22 and 23, Concession 1
Part of Lots 22 and 23, Concession 2
EcoVue Reference: 14-1463**

Dear Mr. Gallivan:

This letter-report is intended to provide an update on the proposed draft plan of vacant land condominium in advance of the public meeting scheduled for August 1, 2017. Further revisions to the draft plan have been undertaken since the first public meeting that was conducted in August 2014. This letter-report provides information on the history of the application, the rationale behind the revisions that were made, and an evaluation of the proposed applications in the context of the applicable policy documents that impact land use in the County of Frontenac.

1.0 Application Background

The draft plan of vacant land condominium for the subject lands has undergone a series of revisions since it was first submitted to the County in 2011. The history of the project is described below.

1.1 2011 Application for Vacant Land Plan of Condominium

The initial application for the draft plan of vacant land condominium was dated December 2, 2011 (the "2011 application"), and was deemed complete by the County on January 4, 2012. An application for an amendment to the Township's Zoning By-law was submitted at the same time.

The condominium proposal included 4 lots (units) on private individual well and septic services, of which 2 were shoreline lots and 17 were backshore lots. Three rights-of-way were proposed to allow for access to the lots. Four open space blocks and two wetland blocks were included as part of the plan.

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Part of Lots 22 and 23, Concessions 1 and 2, North Frontenac
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A copy of the December 2011 draft plan of condominium is attached as Appendix A.

1.2 2014 Revised Application

Based on the initial review and communications with municipal and agency staff, a number of revisions were made to the draft plan of vacant land condominium. The revised draft plan was submitted to the County on June 12, 2014, as a revision to the original 2011 application. Revisions made to the draft plan at this stage included the following:

- The total number of residential lots was reduced from 40 to 34. The number of shoreline lots remained the same (20).
- Lots 34 to 40 on the 2011 plan were merged into a single large lot labelled as Lot 34.
- Due to the reduction of lots overall, lots 41 through 40 on the initial plan were renumbered as lots 20 through 33.
- Lots 11, 12 and 13 on the 2011 plan were merged into two shoreline lots (labelled as Lots 7 and 8). The other lots were renumbered accordingly. This change was made by recommendation from Genivar (now WSP) to accommodate an acceptable lot servicing layout.
- Former Open Space Block D, in addition to lots 1 through 8 on the 2011 plan, were merged with Lot 1 to create a new Lot 1. On the 2014 revised plan, former Block D is shown as Lot 1A, but Lot 1 and 1A are to be identified as one unit in the plan of condominium (containing one dwelling).
- The southern boundary of Lot 1 was squared off, with the additional area being added to Open Space Block C.
- Road C (formerly within Lots 1-8 of the 2011 plan) was removed. The updated (2014) lot pattern rendered this road unnecessary.
- Based on Township comments, the width of Road B was widened from 14 metres to 20 metres.
- The 2014 revised application indicated that the proposed 34 dwellings are for seasonal residential (rather than "detached residential" as indicated in the 2011 application).

A copy of the June 2014 revised draft plan of condominium is attached as Appendix B.

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2.0 Current Revised Draft Plan (2017)

Based on the results of a meeting with the County on February 12, 2017, further revisions to the draft plan were suggested by County planning staff and adopted into the current version dated 2017. The County indicated that the overall goal of these revisions was to enhance the protection of the wetland in the southeast portion of the lands, and ensuring as minimal change as possible to the water quality of Ardoch Lake.

These changes resulted in a further reduction in the total number of lots from 34 (2014 plan) to 30. The number of shoreline lots has been reduced from 24 to 24, with six backshore lots. The following is a summary of the specific revisions:

1. Lot Consolidations

The following lot consolidations were made in the area adjacent to the wetland. These consolidations occurred to reduce the amount of development and disturbance in the area of the wetland as well as to create larger lots in the areas where a steep slope is present. This would provide for a larger area near the right-of-way for the location of a cottage.

Lot consolidations are as follows (referring to the lot numbers in the 2014 revised plan):

- Lots 1, 1A and 2 were combined and will be identified as one lot (Unit) in the plan of condominium. On the draft plan, Lot 1A and 2 are now shown as Lot 1A.
- Lots 3 through 5 were merged into one lot, which is now shown as Lot 2.
- The entirety of Lot 6 and the eastern half of Lot 7 were combined with Block D and identified as Block C on the new plan.
- The western half of Lot 7 was added to Lot 5 to create the new Lot 3.
- Lots 8 through 11 were combined to create two relatively equal sized lots (Lots 4 and 5 of the new plan).

2. Lot Additions:

Block B was removed and converted into two residential lots (Lots 6 and 7). This area was originally proposed to be undeveloped, but was found that site conditions and topography of the Block were beneficial for development relative to lots on the east of the lands.

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3. Wetland Blocks

Blocks C, D and E were consolidated for the purpose of creating one large wetland block. This will allow for greater protection of the wetland, ensuring that a condition of approval would set out no development throughout the entire block.

The above-noted changes are part of a proposed overall revision made to the existing formal application (i.e., 2011 as revised in 2014), and do not represent a formal resubmission of the draft plan of condominium at this time. Formal revisions can be submitted to the approval authority in consultation with the County and the Township.

A copy of the 2017 revised draft plan of condominium is attached as Appendix C.

3.0 Additional Documentation

Several new and updated reports have been released since the 2014 public meeting as well as changes to provincial policy. These include:

- Provincial Policy Statement, 2014 (PPS) □report submitted in 2014 (and summarized below in Section 3.1)□
- Environmental Impact Study □ Addendum (Niblett Environmental Associates Inc., March 201□)□
- Site Servicing Plan □□update (WSP, August 2017)□and
- Phosphorus Budget Assessment (MOECC, November 201□).

3.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) provides a policy framework for land use within the Province of Ontario. The planning authorities must ensure that their decisions are consistent with key provincial interests. The PPS was updated in 2014 (the original 2011 condominium application and planning report addressed the 200□ version of the PPS). Selected policies that impact the proposal are highlighted below.

3.1.1 Wise Use and Management of Resources – Natural Heritage

According to Section 2.1 of the PPS, natural features and areas shall be protected for the long term and that development and site alteration shall not be permitted within significant natural areas and habitat of endangered and threatened species. Although there has never been any development

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proposed in the wetland area, its protection has been enhanced in the latest proposal, with the surrounding open space block being consolidated into the wetland block.

It is therefore our opinion that the application is consistent with Section 2.1 of the PPS.

3.1.2 Water

Section 2.2.2 of the PPS states that *development and site alteration shall be restricted in or near sensitive surface water features and sensitive groundwater features...* The number of shoreline lots has been reduced since the submission of the application, from 2□ to 24. The applicant has also proposed to use a phosphorus reduction technology for the sewage systems of the shoreline lots. According to the MOECC (further described below), the condominium development as modelled for *extended seasonal* usage, represents an acceptable change in the phosphorus levels of Ardoch Lake. The application conforms to this section of the PPS.

3.1.3 Natural and Human-Made Hazards

Section 3.1 of the PPS addresses development that occurs within natural and human-made hazards. Where steep slopes have been identified as being potentially problematic for development, the draft plan has been revised to include larger lots, allowing for a greater area that is suitable for the placement of a cottage. The application is consistent with Section 3.1 of the PPS.

3.2 Environmental Impact Assessment – Addendum (Niblett Environmental Associates Inc., March 2015)

Niblett Environmental Associates Inc. (Niblett) prepared an addendum to their Environmental Impact Study to reflect the changes made to the draft plan. It is their conclusions that the consolidation of a number of the eastern lots provides for larger shoreline frontages and lot sizes, which allows for more options on where to place the dwelling and septic especially for lots where the topography was concerned. The new layout allows for greater setbacks from shoreline and wetland features. Niblett concludes that the revised draft plan of condominium does not change their recommendations, impact assessment or conclusions in the original EIS and subsequent response letters.

Niblett's letter is attached as Appendix D.

3.3 Site Servicing Plan – Update (WSP, August 2017)

To be submitted under a separate cover at a later date as Appendix E.

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3.4 Phosphorus Budget Assessment (Ministry of the Environment and Climate Change, November 2015)

The Ministry of the Environment and Climate Change (MOECC) prepared a Phosphorus Budget Assessment based on the revised draft plan of condominium. The report concludes that the impacts on the phosphorus concentrations on Ardoch Lake are considered acceptable as a result of the proposed development considered as extended seasonal usage. It is also recommended that the septic systems for the backshore lots be setback from the lake 300 metres. This can be accommodated under the current lot configuration.

The letter from the MOECC, including the Lakeshore Capacity Model, is attached as Appendix F.

4.0 Zoning By-law Amendment

EcoQuest has prepared a draft zoning by-law amendment for the associated draft plan of condominium, for review and discussion with the County and Township. This draft amendment is attached as Appendix G of this report.

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5.0 Summary

In conclusion, the proposed revisions to the draft plan of condominium are consistent with or conform to all applicable provincial and municipal policies and regulations and provide greater protections to the shoreline and wetland areas of the subject property.

☐ours sincerely,

ECOVUE CONSULTING SERVICES INC.



Peter A. Josephs, B.Sc., M.PL., MCIP, RPP
Senior Planner



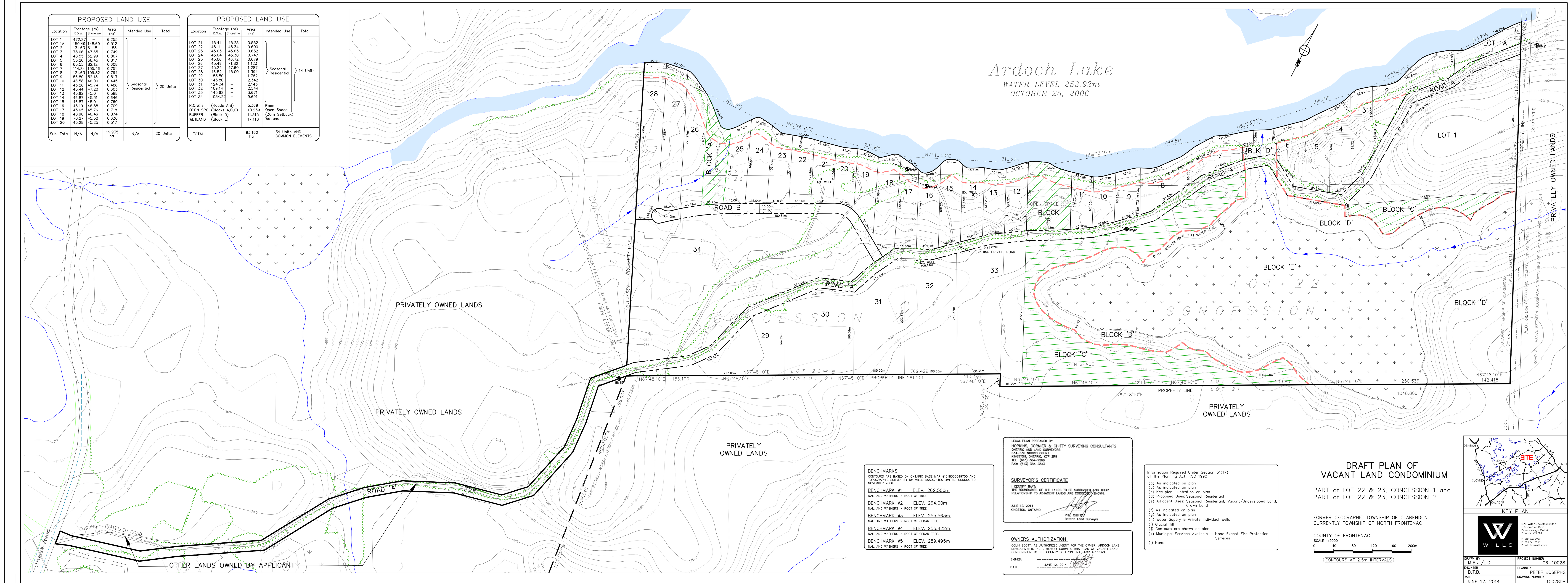
Nolan Drumm, B.A., B.☐RPI
Planner



Appendix A
Ardoch Lake Draft Plan of Condominium
☐ **ersion 1: December 2, 2011**
D.M. Wills Associates Limited



Appendix B
Ardoch Lake Draft Plan of Condominium
☐ **ersion 2: June 12, 2014**
D.M. Wills Associates Limited



Appendix C
Ardoch Lake Draft Plan of Condominium
☐ **ersion 3: January 24, 2017**
D.M. Wills Associates Limited



Appendix D
Environmental Impact Study Addendum
Review of Latest Site Plan (March 26, 201□)
Niblett Environmental Associates Inc.



Niblett Environmental Associates Inc.
Biological Consultants

March 26, 2015

PN 06-074

Mr. Colin Scott
c/o Mr. Peter Josephs
Peter Josephs, M.P.L., MCIP, RPP
Senior Planner
EcoVue Consulting Services Inc.
311 George St. N. Suite 200
Peterborough ON
K9J 3H3

**Subject: Ardoch Lake Vacant Land Plan of Condominium,
Lots, 22 and 23, Concession 2 (Geographic Township of Clarendon)
Township of North Frontenac, Ardoch Lake**

**Environmental Impact Study-Addendum
Review of latest site plan (March 2015)**

Dear Mr. Josephs,

Niblett Environmental Associates Inc. has been working with the client and agencies on this project for several years. We have received reviews by the Township and Mississippi Valley Conservation Authority (MVCA) twice for the original and later site plan on the draft plan and our EIS report on February 27 2012 and a subsequent memo to the County of Frontenac (memo from Matt Craig , Dec. 11, 2012) included several additional comments. Responses to previous reviews by MVCA have been submitted by NEA (March 18, 2013; October 18, 2012). Those responses included updates to our assessment based on changes to the lot uses, layout, setbacks and septic locations.

The site plan that was the subject of those 2012 and 2013 responses was based on 28 shoreline and 5 backshore lots. Lots 1-8 were adjusted slightly to accommodate the road frontages, buffers and area for the house and septic footprints and for topographic reasons.

Recent discussions have led to a new revised site plan (March 2015) that has reduced the number of shoreline lots to 24 with 6 backshore lots. Changes to the shoreline frontages due in part to topographic issues have resulted in adjustments to many of the shoreline lots. Block D has been widened to include larger buffers and additional shoreline.

The following comments are related to the revised site plan.

55 Mary Street West, Suite 112, Lindsay, Ontario K9V 5Z6 Tel: (705) 878-9399 Fax: (705) 878-9390
Email: mail@niblett.ca website: www.niblett.ca

Ardoch Lake plan of condominium

Addendum to EIS

1. The amalgamation of former lots 1-5 into two lots has created options for placement of the dwelling and septic system that provide larger setbacks from the wetland and lakeshore and longer shoreline frontages. The topography was the main factor for those lot changes, not biological constraints.
2. The larger shoreline frontage on new Lot #2 (former lots 3, 4 and 5) and new Lot #3 (former lots 7 and 8) also provides more options for locating the dwelling and septic. This has resulted in options for the building envelope to be at least 50 metres (minimum) and up to 90 metres from the wetland and potentially greater than 30 m from the lakeshore. The lot is also setback further from the outlet creek from the wetland.
3. Block D along the lake shoreline has been widened substantially providing a buffer greater than 85 m on both sides of the outlet creek. The original buffer was 15 m. In addition, the Block is located at the closest point to the wetland and creates an increased separation from the wetland and the lake. This will have a benefit to wildlife moving between the two features, enhance water quality and protect a larger section of forest and forested shoreline habitat. The shoreline frontage within the block has been increased from 30 m to over 160 metres, encompassing a forested area of 3.65 acres. The widening of the Block D also moves the residential lots to the east and west, increasing the wetland setback from the nearest potential dwelling on the adjacent western lot (2.91 acres) to over 90 metres and to over 50 metres from the adjacent eastern lot (5.85 acres).
4. The removal of shoreline park Block B and replacement with two lots, does not have any additional impacts in terms of the conclusions of our EIS.

Conclusions

The changes to the lot layout have provided for larger shoreline frontages on several eastern lots and reduced the shoreline lot numbers from 28 to 24 along Ardoch Lake. This has resulted in greater setbacks from the wetland features.

Overall the reduced lot numbers have not changed the recommendations, impact assessment or conclusions in the EIS and subsequent response letters. There will still be no negative impacts on the natural features or their ecological functions of the wetland or Ardoch Lake from this development, if our recommendations are implemented.

If more information on the above responses is required, please contact me.

Sincerely,



Chris Ellingwood, President and Sr. Terrestrial and wetland biologist

Appendix E
Site Servicing Study
WSP Group

Appendix F
Ardoch Lake Phosphorus Budget Assessment
Ministry of the Environment and Climate Change

Ministry of the Environment
and Climate Change

P.O. Box 22032
Kingston, Ontario
K7M 1S5
613-494-4000 or 1-800-267-0774
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Ministère de l'Environnement et de l'Action
en matière de changement climatique

C.P. 22032
Kingston (Ontario)
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MEMORANDUM

November 17, 2011

TO: Jon Orpana
Planner - Air, Pesticides and Environmental Planning
Technical Support Section
Eastern Region

FROM: Victor Castro
Surface Water Scientist
Technical Support Section
Eastern Region

RE: Proposed Ardoch Lake Condominium
Part of Lot 22 and 23, Concession 1 and 2
Township of North Frontenac

The following comments provide an update on the proposed Ardoch Lake Condominium application as it relates to the Phosphorus Budget Assessment and changes that have been made to the development proposal. These comments are a follow-up to the meetings we had with Mr. Joe Gallivan, Director of Planning, County of Frontenac on June 1, 2011 and a subsequent meeting with Mr. Gallivan and Messrs. Gord Mitchell and Matt Doyle from the Kingston, Frontenac Lennox & Addington Public Health Unit on September 21, 2011.

This application has seen a number of iterations since the first technical report was submitted in 2011. As a result, the Phosphorus Budget Assessment has been revised several times by the consultant to address: 1) changes in lot numbers and configuration, 2) occupancy type for existing and proposed development, and 3) use of phosphorus reduction technologies.

The latest changes to the development proposal have been modelled by the Ministry of the Environment and Climate Change (MOECC) at the request of the County of Frontenac. This model-run incorporates the following modifications and/or assumptions:

1. The Ardoch Lake condominium proposal has reduced the number of waterfront lots from 26 to 24. Six (6) backlots are still proposed, however, these lots have considerable land areas that are beyond 300 metres from the lake. At these distances they have not been included in the impact assessment.
2. The County of Frontenac has directed that all existing and vacant lots of record, including the condominium development proposal, be modelled as "extended seasonal" uses.

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3. There have been three (3) new lots recently created by severance on the shores of Ardoch Lake. These lots, along with the nineteen (19) existing properties, have been factored into the model.
4. The developer has proposed to use a phosphorus reduction technology (Premier Tech Aqua) for the sewage systems servicing all twenty four (24) waterfront lots to minimize impacts on water quality of Ardoch Lake. This technology has been reviewed by MOECC and is capable of consistently achieving a phosphorus effluent limit of at least 1 mg/L. This effluent concentration has been factored into the model.

- Consideration of downstream impacts to Malcolm Lake.

Modelling results are attached to this memorandum. Three (3) development scenarios were run as per the direction of the County of Frontenac: 1) existing development conditions including a predicted background (pre-development) total phosphorus (TP) concentration and a calculated background plus 0.0 TP threshold 2) conversion of all existing development and vacant lots of record to extended seasonal 3) addition of condominium development (with phosphorus treatment) to scenario 2. The following table provides a summary of the key modelled results:

Modelled Scenario	Predicted TP concentration (ug/L)
Background (Pre-development)	6.36
Background plus 0.0 TP Threshold	6.36
1 Existing Development	7.77
2 Existing Development and Vacant Lots Converted to Extended Seasonal Usage	6.63
3 Condominium Development (with TP treatment) added to Scenario 2	6.00

As you can see from the above table, the modelled background TP concentration for Ardoch Lake is 6.36 ug/L. The calculated background plus 0.0 threshold is therefore 6.36 ug/L. Under the existing development scenario (1), the predicted lake TP concentration is 7.77 ug/L. This predicted concentration is within 7.4% of measured values for Ardoch Lake. This is considered an acceptable modelling estimate.

Converting all the existing cottages and vacant lots of record to extended seasonal usage results in the lake phosphorus concentration increasing to 6.63 ug/L (Scenario 2). The model further predicts that the condominium development will increase the lake TP concentration to 6.00 ug/L (Scenario 3). This small relative change from 6.63 ug/L to 6.00 ug/L is attributed to the significant loading reductions resulting from the

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installation of the phosphorus treatment units. Depending on the phosphorus levels in the raw sewage influent, these units are capable of reducing sewage phosphorus by 0% to 100% before the final effluent even goes into the leaching field. The leaching field will provide further attenuation of phosphorus, particularly if they are constructed using acidic soils.

Under the modelled scenarios, both the conversion of existing cottages to extended seasonal and the condominium development will increase phosphorus levels in Ardoch Lake. These increases are below the background plus 10% threshold and would therefore be considered an acceptable change in lake phosphorus levels.

The above comments only address phosphorus impacts to Ardoch Lake. Other concerns have been raised related to recreational and aesthetic values such as increased boat traffic and congestion, boat safety issues, increased noise, visual impairment and increased fishing pressures. These issues cannot be addressed through the lake capacity assessment and are not within the mandate of the MOECC. I will defer these matters to the planning authority and other appropriate agencies.

In terms of phosphorus impacts to the downstream Malcolm Lake, I have previously indicated that the lakeshore capacity model does not predict within acceptable limits for this lake. In such cases, the default position would be to apply the Interim Provincial Water Quality Objective (PWQO) for phosphorus of 10 µg/L. With measured spring phosphorus levels averaging around 7.5 µg/L for Malcolm Lake, I do not expect that the upstream load would result in exceedances of the PWQO.

Conclusions and Recommendations:

1. Impacts on Ardoch Lake phosphorus concentrations resulting from the conversion of existing development to an extended seasonal usage and the proposed condominium are considered acceptable.
2. Modelled phosphorus loadings attributed to the condominium development are based on the installation of phosphorus reduction technology. Without phosphorus treatment, Ardoch Lake would only have capacity for eight (8) condominium lots (assuming an extended seasonal usage for all development).
3. The sewage systems for each individual lot will require a Permit issued by the Kingston, Frontenac Lennox & Addington Public Health Unit, under the Ontario Building Code (OBC). This Permit does not regulate the phosphorus treatment unit since phosphorus is not currently a regulated contaminant under the OBC. As such, it will be important for the development agreements to ensure that: 1) the phosphorus add-on units are incorporated onto the approved septic system 2) phosphorus add-on units are maintained and inspected as per manufacturer

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specifications 3) a monitoring program be implemented 4) monitoring results be provided to the County of Frontenac, Health Unit and MOECC. I can provide the County of Frontenac with more details regarding an appropriate monitoring frequency, parameters, and reporting structure if and when they get to that stage.

4. The Zoning By-law for the six (6) backlots should require that all septic systems be located beyond the 300 metre setback from the lake.
5. The waterfront lots should maintain a minimum 30 metre setback for all structures and sewage systems, and the buffer lands should be protected during and after construction.
6. Full sized leaching beds should be incorporated into the design of the sewage systems to provide enhanced treatment of the final effluent. All lots are large enough to accommodate full sized beds. Leaching beds should be constructed with imported acidic soils to promote phosphorus attenuation.

If you have any questions regarding the above, please contact me at (613) 40-6062.



Victor Castro, B.Sc. M.Pl.
City of Frontenac

Attachments

cc: Greg Faaren, Water Resources Unit Supervisor
Tara MacDonald, Ottawa District Office Supervisor
Joe Gallivan, Director of Planning, County of Frontenac
Gord Mitchell, Kingston Frontenac Lennox Addington Public Health Unit
Matt Doyle, Kingston Frontenac Lennox Addington Public Health Unit

c: File SW 13 04 01 07 02 (Ardoch Lake)

Appendix G
Draft Zoning By-law
EcoQue Consulting Services Inc.

ARDOCH LAKE DEVELOPMENTS INC.
PT. LOTS 22 & 23, CONC. 1 & 2 (CLARENDON)

**THE CORPORATION OF THE
TOWNSHIP OF NORTH FRONTENAC**

BY-LAW NO. 2017-____

"DRAFT FOR REVIEW PURPOSES"

Being a By-law under the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to amend By-law No. 15-04, as amended, the Township of North Frontenac Comprehensive Zoning By-law, with respect to certain lands located in Part of Lots 22 and 23, Concessions 1 and 2, (Geographic Township of Clarendon), Township of North Frontenac.

WHEREAS By-law No. 15-04 was passed under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, and regulates the use of land and the use and erection of buildings and structures within the Township of North Frontenac

AND WHEREAS the Council of the Township of North Frontenac conducted a public meeting in regard of the subject application as required by Section 34(12) of the *Planning Act*, R.S.O. 1990, as amended

AND WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, as amended, permits Council to pass an amending Zoning By-law, and the Council of the Township of North Frontenac deems it advisable to amend By-law No. 15-04 with respect to the lands described in this By-law

AND WHEREAS the matters herein are in conformity with the provisions of the Official Plan of the Township of North Frontenac, as amended

NOW THEREFORE the Council of the Township of North Frontenac hereby enacts as follows:

1. By-law No. 15-04, as amended, is hereby amended as follows:
 - (a) Schedule A2 of Ward II of By-law No. 15-04, as amended, is hereby amended by changing the zone category of certain lands located in Part of Lots 22 and 23, Concessions 1 and 2, from the Rural and Limited Service Rural (LSR) Zone and the Waterfront Residential (RW) Zone to the Waterfront Residential Exception 6 (RW-X6) Zone and the Environmental Protection (EP) Zone, as shown on Schedule A attached hereto and forming part of this By-law.

- (b) Section 6.4 of By-law No. 1-04, entitled "Exception Zones" is hereby amended by the addition of a new subsection m "Ardoch Lake Plan of Vacant Land Condominium" which shall read as follows:

(m) Ardoch Lake Vacant Land Plan of Condominium, Lots 22 and 23, Concessions 1 and 2

Notwithstanding any other provisions of this By-law to the contrary, on the lands zoned **RW-X6** the following provisions shall apply:

(a) Permitted Uses:

- (i) Accessory Use
- (ii) Bed and Breakfast Establishment
- (iii) Dwelling - Seasonal
- (iv) Group Home
- (v) Home Based Business
- (vi) Park
- (vii) Parking Area
- (viii) Public Service Use
- (ix) Public Utility
- (x) A Shoreline Structure shall permit a private dock only.

(b) Special Regulations:

- (i) The minimum setback from the high water mark of Ardoch Lake shall be 30 metres (98.4 ft.)
- (ii) Section 4.1.1(h) shall not apply save and except for a maximum of one private dock per lot
- (iii) Section 4.1.1(k) shall not apply
- (iv) Section 4.20 (b) shall not apply
- (v) Section 4.21.1(b) shall not apply and no use of land, building or structures except a conservation use shall be

permitted within 30 metres (□□4 ft.) of a Significant Wetland□

- (vi) Section 4.22.1 (a) shall require a maximum Shoreline Activity Area width of 3 metres (□□ ft.)□
 - (vii) Section 4.22.2 shall require a minimum Shoreline Frontage depth of 30 metres (□□4 ft.)□
 - (viii) All other provisions of this By-law, as amended, shall apply.□
2. This By-law shall become effective on the date that it is passed by the Council of the Township of North Frontenac, subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1□□0, as amended.
3. The Clerk is hereby authorized and directed to proceed with the giving of notice under Section 34(1□) of the *Planning Act*, R.S.O. 1□□0, as amended.

READ a first and second time this _____ day of _____, 2017.

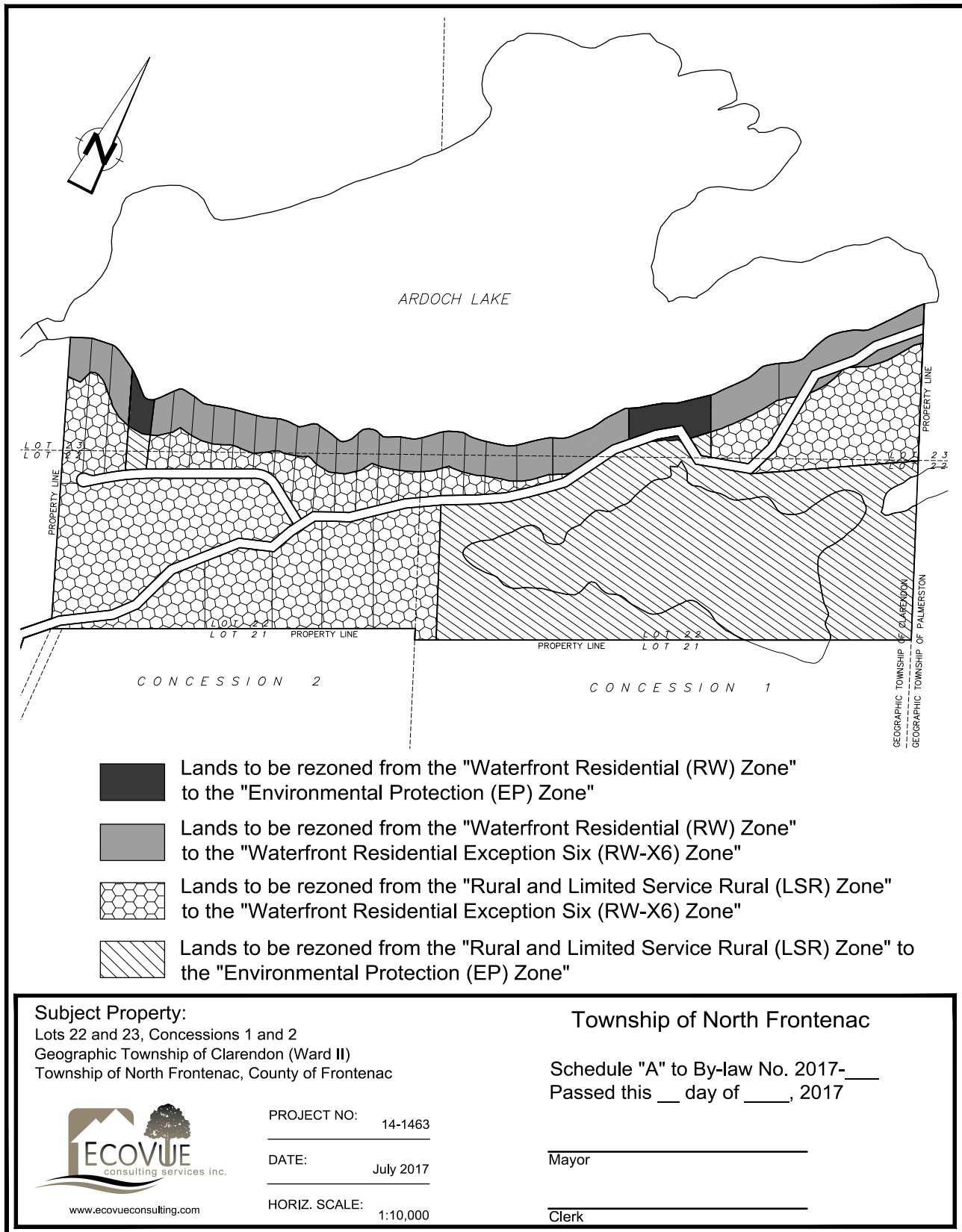
MAYOR

CLERK

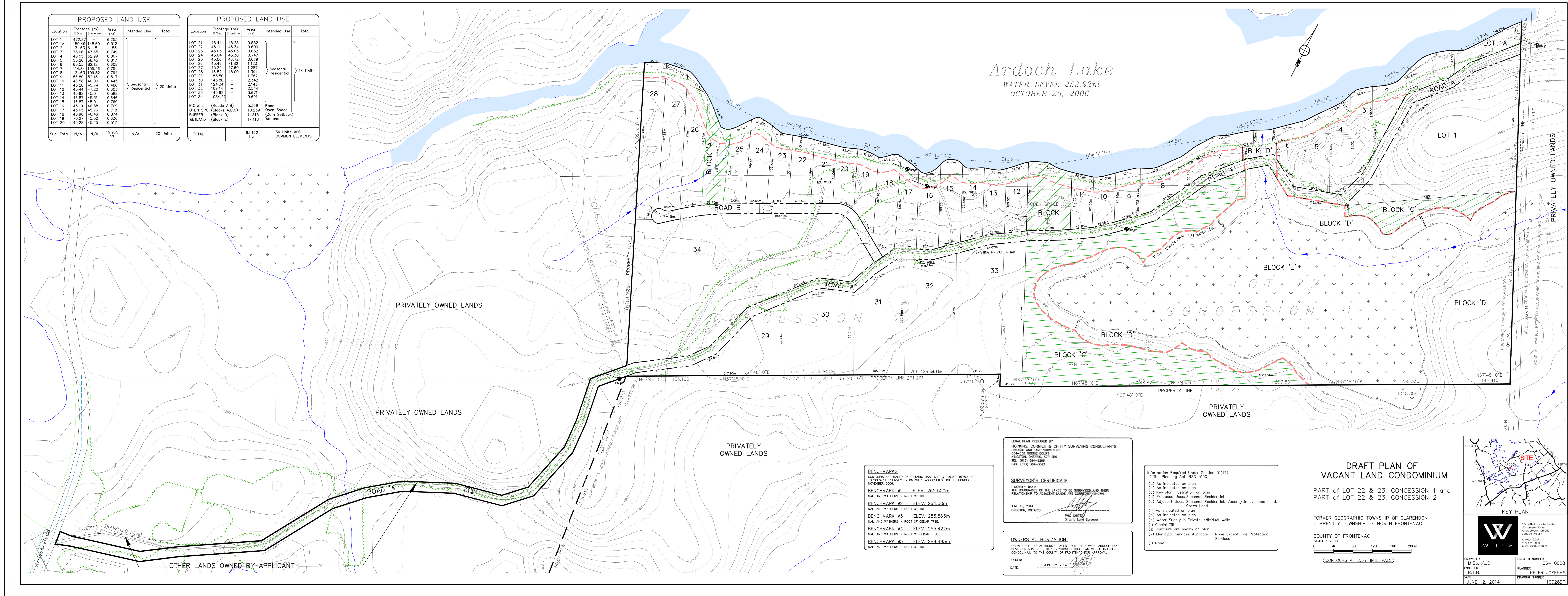
READ a third time and finally passed this _____ day of _____, 2017.

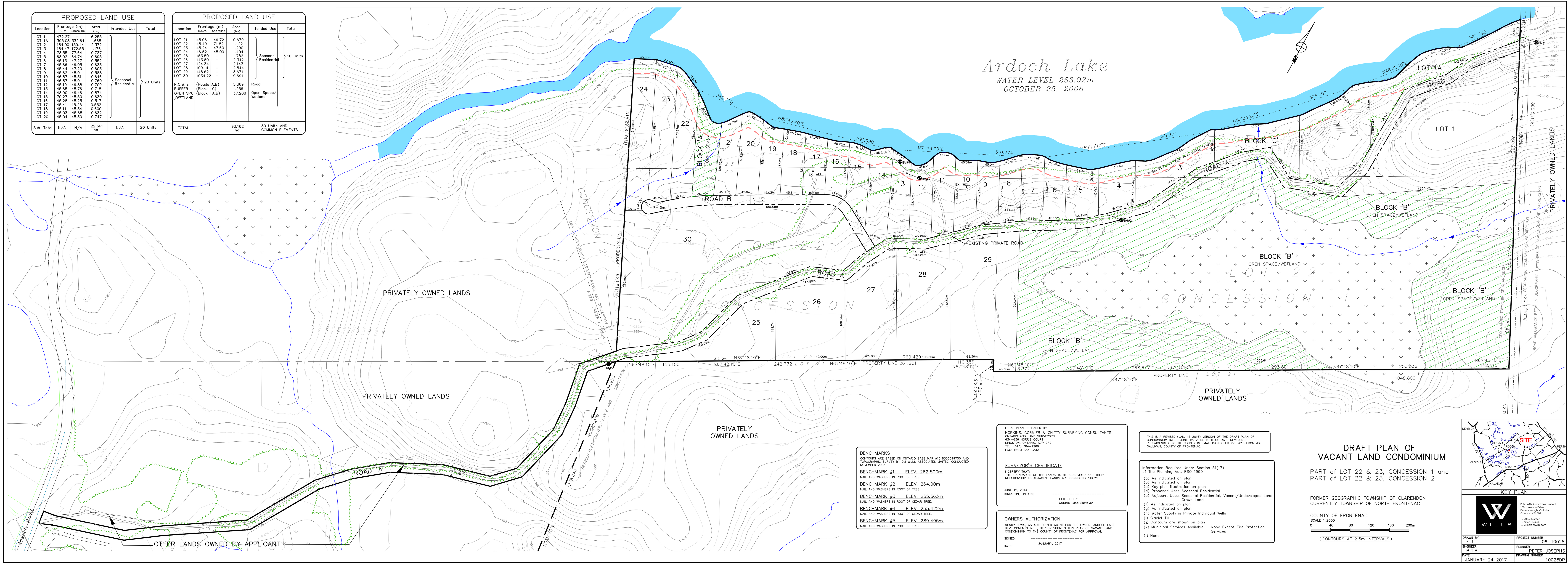
MAYOR

CLERK











Report 2017-106

Committee Information Report

To: Chair and Members of the Planning Advisory Committee
From: Joe Gallivan, Director of Planning & Economic Development
Date of meeting: September 11, 2017
Re: Planning Advisory Committee – Ardoch Lake Public Meeting Summary

Recommendation

This report is for information purposes only.

Background

The Planning Advisory Committee held a Public Meeting on August 19, 2017 pursuant under the *Planning Act* regarding an application for a Plan of Condominium submitted by EcoVue Consulting Services Inc. on behalf of the applicant, Ardoch Lake Developments, with respect to lands legally described as Part of Lots 22 & 23, Concession 1 and Part of Lots 22 & 23, Concession 2, Geographic Township of Clarendon, now in the Township of North Frontenac.

The Public Meeting served as an opportunity for residents to provide comments on the development proposal and to also inform the Committee about some of the local issues that affect the Ardoch Lake area. The purpose of this report is to provide the Planning Advisory Committee with information concerning comments and questions raised at that public meeting.

Comments

The subject land is located on the south side of Ardoch Lake, southeast of the hamlet of Ardoch, with access via Ardoch Road. The lands are legally described as Part of Lot 22 and 23, Concessions 1 and 2, geographic Township of Clarendon, Township of North Frontenac. The surrounding area generally is rural and wooded, with cottages and camps located on the north side of the lake. The subject property is approximately 93 hectares (230 acres). The property can be described as somewhat hilly, with rock outcrops, some meadows, extensive tree cover, and a large swamp located at the eastern end of the lands. The property also has shoreline frontage on Ardoch Lake of 1,884 metres (1.2 miles).

The applicant has applied for a vacant land condominium (i.e., lotting pattern, road layout, and wetland protection) and the zoning necessary to allow for this development.

An application was first submitted and deemed complete on January 4, 2012 for 45 units; however after detailed review by commenting agencies, a revised application was submitted proposing 34 units. The application has been revised and the total number of lots have been reduced to 28 units.

A number of issues were raised by citizens at the August 19th meeting including:

- Ecological concerns on the local water habitat, including the heron rookery located in the large wetland within the subject lands and the walleye spawning beds near the south shore of Ardoch Lake;
- Increase in boat traffic on that lake as a result of new development;
- Concern that the required 30 metre setbacks on narrow 45 metre lots will leave little to no room for vegetation;
- Future maintenance of the proposed tertiary septic systems;
- Clarification on docking provisions;
- Increased phosphorous levels in the lake as a result of new development; and
- Whether the residential lots will be used on seasonal or year round basis.

A copy of the minutes of the Public Meeting are attached to the agenda.

Sustainability Implications

As stated in *Directions for Our Future*, Government decision-making processes are clear, transparent, forward thinking and focused on the longer term. The public is interested, informed, and meaningfully involved in local governance.

Financial Implications

There are no direct financial implications associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Planning & Economic Development Department
Township of North Frontenac
Members of the Public
Commenting Agencies



Report 2017-107

Committee Recommend Report

To: Chair and Members of the Planning Advisory Committee

From: Megan Rueckwald, Community Planner

Date of meeting: September 11, 2017

Re: Planning Advisory Committee – Application for Draft Plan of Subdivision Approval 10T-2017/001 (Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac (McFadden Road))

Recommendation

Whereas an application has been filed with the County of Frontenac for a Draft Plan of Subdivision located at Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac, known municipally as 5550 McFadden Road;

And Whereas the Planning Advisory Committee of the County of Frontenac considered all written and oral submissions received on this application, the effect of which helped Planning Advisory Committee make an informed decision;

And Whereas the application is consistent with the Provincial Policy Statement (2014), conforms to the Frontenac County Official Plan, Township of South Frontenac Official Plan, will comply with the Township of South Frontenac Zoning By-law, and has been reviewed in accordance with the criteria of Section 51 (24) of the *Planning Act*.

Therefore Be It Resolved That the Planning Advisory Committee receive the Planning Advisory Committee – Application for Draft Plan of Subdivision Approval 10T-2017/001 (Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac (McFadden Road) report;

And Further That Planning Advisory Committee endorse the approval of the proposed 10T-2017/001 subdivision development, including Draft Conditions of Approval attached to this report as Appendix A to be sent to County Council for approval on September 20, 2017.

Background

On March 21, 2017 a Plan of Subdivision for Draft Approval was submitted by IBI Group on behalf of Sean Marshall of Pittsburgh Building and Energy Systems Inc., with respect to lands legally described as Part of Lots 14-15, Concession 8, Former Municipal

Township of Loughborough, Township of South Frontenac and known as 5550 McFadden Road. The Draft Plan of Subdivision showing the proposed development submitted with the application is attached to this report as Appendix B and Appendix C is an aerial image outlining the lands.

The applicant is proposing to develop a Plan of Subdivision to permit the creation of five vacant lots on private services for residential development. The lots will have an area of approximately 2-3 hectares and will have frontage and individual entrances on McFadden Road. Attachment 1 to this report is the Draft Plan of Subdivision submitted with the application and Attachment 2 is an aerial map outlining the subject lands.

The County of Frontenac deemed the application complete on April 8th, 2017 pursuant to the requirements of the *Planning Act*. The application was then circulated to the relevant commenting agencies and comments received thereafter.

The Planning Advisory Committee held a Public Meeting pursuant to the *Planning Act* on June 28, 2017. Concerns from the public were raised at this meeting mostly surrounding the impact the proposed development would have on water quality of neighbouring properties.

The purpose of this report is to update the Planning Advisory Committee of outstanding recommendations and conditions provided by the commenting agencies and resolutions that Planning Staff have achieved per the recommendations. Further, the report will provide the committee with a response to the comments received at the Public Meeting. Finally, the purpose of this report is to recommend a set of appropriate Draft Approval Conditions.

Proposed Development

The subject land is 12.99 hectares in size with approximately 445 m of frontage along McFadden Road and is located three kilometers west of Perth Road Village. The subject site is located in a predominately rural area within the Township. There are clusters of existing rural residential development directly north and northeast of the site on Norway Road. Existing uses to the east, south, and west include a mixture of agricultural, rural residential and undeveloped wooded lots. The southeast corner of the property abuts the Cataraqui Trail, which is maintained by the Cataraqui Region Conservation Authority.

The site was formerly an active sand pit. The sand pit licence has been surrendered and the lands have been rehabilitated. The subject lands have been re-designated in the Township's Official Plan from 'Mineral Aggregate' to 'Rural' to reflect the rehabilitation of the land. The lands are vacant and are described as in the Hydrogeological Study a "hummocky from borrow pits and soil working". Two artificial ponds are located on the site; one is located near the eastern central portion of the subject property and the other in the southern central portion of the site. No easements dissect the property.

The five new residential lots and units will be accessed through five individual lot entrances off McFadden Road. The lots will range in size from 2.1 – 3.3 hectares, with

road frontages from 76.2 m to 121.7 m (Table 1). Each lot will be privately serviced with individual private septic and water services.

Table 1. Lot area and frontage for the proposed 5 lots.

Lot Number	Frontage (m)	Area (ha)
1	76.4	2.5
2	83.2	2.2
3	76.2	2.1
4	87.3	2.9
5	121.7	3.3

Technical Circulation Process

The application has been circulated to a number of internal departments and external agencies for review and comments. As of this date of writing, comments have been received from the following agencies:

- Township of South Frontenac
- KFL&A Public Health
- Malroz Peer Review (Hydrogeology)
- Ministry of Municipal Affairs and Housing
- Ontario Power Generation (OPG)
- Union Gas
- Canada Post
- Hydro One
- Cataraqui Region Conservation Authority

All comments provided by the commenting agencies listed above are available for review on the County's [Google Drive](#).

Planning staff organized a meeting on August 22nd, 2017 to review outstanding comments provided by commenting agencies with the applicant and address any outstanding issues. The meeting was attended by Sean Marshall (owner/applicant), Mark Touw (applicant's planner), Andrew Schmidt (CRCA), Paul Johnston (applicant's hydrogeologist), and John Pyke (County's retained hydrogeologist). At the meeting, issues discussed revolved around comments received at the Public Meeting regarding the impact the proposed development may have on neighbouring wells, the recommended buffer distance required from the westernmost two wetlands on the subject property, and outstanding response documents to be prepared by the applicant.

Following the meeting, the applicant's planner sent out a response letter prepared by Niblett Environmental Associates regarding the outstanding comments from the CRCA dated August 8, 2017 (Appendix D). The Stormwater Management Brief was also revised to include re- and post-developments flows as indicated by the CRCA and dated

August 2, 2017. The CRCA provided confirmation dated September 7, 2017 stating that the concerns had been addressed and provided conditions to be included in the Subdivision Agreement (Appendix E).

On September 7, 2017 ASC Environmental Inc. provided a response letter that addressed the concerns of the public that arose at the Public Meeting on June 28, 2017 (Appendix F). On September 8, 2017 John Pyke of Malroz Engineering Inc., the hydrogeologist retained by the County, reviewed the finalised letter and provided comments that the letter reasonably responds to the concerns brought forward at the Public Meeting and discussed at the meeting on August 22nd.

As of the writing of this report, concerns presented by the commenting agencies have been addressed by the applicant and the commenting agencies have provided recommended conditions for Draft Plan Approval.

Planning Analysis

Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) provides policy direction from the province on matters of provincial interest related to land use planning and development. The PPS provides that efficient land use and development patterns support sustainability by promoting strong, livable, healthy and resilient communities among other things. Section 2 of the *Planning Act* requires that decisions be `consistent with` the PPS.

The PPS encourages efficient land use planning to create and maintain strong communities and a healthy environment while encouraging economic growth over the long-term. It recognizes that rural areas are important to the economic success and quality of life of the province. To this end, section 1.4.1 states, among other things, that we should build on the rural character and leverage rural amenities and assets.

Section 1.1.5.2 of the PPS permits limited residential development on rural lands in municipalities and Section 1.1.5.7 says that opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraint on these uses.

The proposed development is consistent with the direction of the PPS. In terms of its location, as outlined above, the proposed large lots with low density on a public road will build on the rural character, will contribute to the mix of rural housing and will not require the undue extension of municipal infrastructure. Further, the lots are not located within close proximity to conflicting land uses and are not situated on prime agricultural land. Further analysis will be done with the writing of the comprehensive report and comments received from commenting agencies.

County of Frontenac Official Plan

The County of Frontenac Official Plan was approved by the Ministry of Municipal Affairs and Housing in January 2016 and came into force and effect on February 2, 2016. The

plan sets out the general direction for planning and development by defining strategic goals, broad objectives and policies. Section 3 – Growth Management sets out policies intended to help guide new development across the County as well as manage change at a regional level. The policies in the Rural Lands section are meant to recognize the importance of rural areas for future growth and create guidelines for development that is sensitive to the surroundings.

The proposed lots are anticipated to fit within the rural character of the surrounding lands, are located along a public road, and lot size and shape directly relates to the site's topography, vegetation, and soil and drainage characterizations. The proposed lots are adequate in size to provide for individual services and do not land lock any adjacent parcels. Finally, the proposed development is compatible with the surrounding area.

Environmental Sustainability is also a focus of the Official Plan. Section 7 – Environmental Sustainability speaks to the need to maintain the County's environmental health which in turn benefits the economy and society as well. The Environmental Impact Study concluded that the woodland and majority of the wetland on the property have limited ecological function. The study also identified features of interest, such as the butternut trees, and the setbacks required. Consultation has been carried out with the commenting agencies to ensure the proposal is consistent with the County Official plan.

Township of South Frontenac Official Plan (2003)

As noted above, the land is designated 'Rural' in the Official Plan on Schedule A. Lands designated as 'Rural' in the Township Official Plan are characterized by a rural landscape. The type and amount of development in the Rural Area shall be consistent with maintaining the rural character, natural heritage, and cultural landscape in the Township.

In the correspondence provided to the County, the Township has stated that Township staff are of the opinion that the development, as presented, conforms to the South Frontenac Official Plan. It is important to note that the Planning Report submitted with the application speaks to the proposed development conforming to the current South Frontenac Official Plan 2003 as well as the 2014 Draft Official Plan.

A Planning Report, dated March 2017 prepared by IBI Group Inc., was submitted in support of the Plan of Subdivision application. It further outlines the policies of the PPS, County Official Plan, and Township Official Plan that support the proposed development. The report is available through the County's [Google Drive](#).

Comments and Discussion

County Planning Staff are in support of the five lot Draft Plan of Subdivision and are recommending that Draft Aplan Approval be granted based on the proposed draft plan conditions as set out in Appendix A.

Draft Approval Conditions

The proposed draft approval conditions reflect the comments from the Township and other commenting agencies such as Cataraqui Region Conservation Authority, KFL&A Public Health, etc. The Township subdivision agreement will be the main document to implement these comments and conditions. While most of the draft conditions are standard, the Township and the Cataraqui Region Conservation Authority provided conditions specific to the proposed development. For instance, the Owner shall agree in writing to relocate the Hydro Pole located within the road allowance outside of Lot 5 to the border of the development and the road allowance. Specific conditions have also been included to recognize the reduced setback from the two westernmost wetlands on the property.

John Pyke will be in attendance at the September 11, 2017 Planning Advisory Committee meeting to respond to any questions from the Planning Advisory Committee.

Based on the foregoing comments and discussion, County staff are of the opinion that the Draft Plan of Subdivision and related draft conditions represent good planning.

Sustainability Implications

As stated in *Directions for Our Future*, Government decision-making processes are clear, transparent, forward thinking and focused on the longer term. The public is interested, informed, and meaningfully involved in local governance.

Financial Implications

There are no direct financial implications associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Planning and Economic Development Department
County Departments
Township of South Frontenac
Members of the Public
Commenting Agencies (CRCA, KFL&A, Canada Post, etc)
Applicant's Consultants
John Pyke, Environmental Geoscientist, Malroz Engineering Inc.

Applicant: Pittsburgh Building & Energy Systems Inc. (Marshall)	Date of Decision:
File No.: 10T-2017/001	Date of Notice:
Subject Lands: 5550 McFadden Road; Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac, County of Frontenac	

CONDITIONS TO APPROVAL**The conditions of approval for the draft plan of subdivision are as follows:****1. Approved Draft Plan:**

- A. That this draft plan approval applies to the Draft Plan of Subdivision located on Part of Lots 14 and 15, Concession 8, Township of South Frontenac, Former Municipal Township of Loughborough, County of Frontenac dated by the owner March 20, 2017 prepared and certified by Josselyn Engineering Inc. and Hopkins Chitty Land Surveyors Inc., comprising a total of five residential lots.

2. Subdivision Agreement:

- A. That the owner of the subject land enter into a subdivision agreement with the Township of South Frontenac, prepared to the satisfaction of the municipality, to be registered on title of the subject land. A copy of the subdivision agreement shall be provided to the County of Frontenac by the Township of South Frontenac.

3. Financial Requirements:

- A. That the owner agree in writing to satisfy all the requirements, financial and otherwise of the Township of South Frontenac concerning the installation of services and drainage and other works, in accordance with the Township's Design Criteria and Guidelines, and that this shall be reflected in the Subdivision Agreement.
- B. That the Owner shall reimburse the Township of South Frontenac and County of Frontenac for all legal, engineering, planning, administrative expenses and permit fees, including the cost of any peer review that the Township of South Frontenac or County of Frontenac may require in relation to the Plan of Subdivision.
- C. That the Owner agrees to deposit with the Township, securities in the form of a letter of credit representing 100% of the estimated cost of the works to be provided with respect to the subdivision. The letter of credit shall be reduced, in accordance with the terms and conditions of the Subdivision Agreement.
- D. That the Owner agrees for the Subdivision Agreement to contain a provision requiring the Owner to pay development charges, in place at the time of the

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issuance of the building permit, prior to the issuance of the building permit until the development charges have been paid in full.

4. Permits

- A. The Owner shall agree in writing to obtain permits or approvals as may be required from Federal, Provincial, Municipal, or local authorities and to file copies thereof with the Township.

5. Access

- A. That the owner shall agree in writing that all entrances to the lots, including entrance culverts, be located and constructed to the satisfaction to the Township.
- B. That the subdivision agreement shall provide that 0.3 metre reserves be identified by survey at the following locations: (i) along Lot 4 where the lot abuts the Cataraqui trail; and (ii) along Lot 5 where the lot abuts the Cataraqui Trail to be held in trust by the Township to allow pedestrian access to the Cataraqui Trail once permitted.
- C. That the subdivision agreement shall provide that an easement is created to allow pedestrian access from Lots 1, 2, and 3 to the Cataraqui Trail where the Trail abuts the property at Lots 4 and 5.

6. On-Site Sewage Disposal and Water Systems:

- A. That the Subdivision Agreement include a requirement that any abandoned wells must be decommissioned according to MOECC guidelines.
- B. That the Subdivision Agreement include a requirement that any septic systems that may be present on the site and which are not planned to be used as part of the development be decommissioned as per applicable regulations.
- C. That the recommendations outlined in the letter dated June 16, 2017 from KFL&A Public Health be addressed to the satisfaction of the Township for the five lot development.
- D. That the Owner agree in writing that the site servicing plan showing the location of the house, well, 500m² envelope for sewage system locations is to be provided to all purchasers of lots in the subdivision along with conditions 6 E-G that will become part of the Subdivision Plan.

Applicant: Pittsburgh Building & Energy Systems Inc. (Marshall)	Date of Decision:
File No.: 10T-2017/001	Date of Notice:
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- E. The Owner shall agree in writing that primary and alternate locations as identified as Drawing No. 6 in the Hydrogeological Study, Servicing Options and Terrain Analyses report prepared by ASC Environmental Inc. are to be reserved and maintained. No constructions of wells, homes, driveways, pools, garages or other structures is to take place in the primary of alternate area.
- F. The Owner shall agree in writing that if sewage systems are required to be raised, pumps may be required.
- G. The Owner shall agree in writing that deviations from the locations on the site servicing plan identified as Drawing No. 6 in the Hydrogeological Study, Servicing Options and Terrain Analysis report prepared by ASC Environmental Inc. with respect to sewage system location may require the submission of an engineering report/design and terrain analysis supporting the proposed changes (including potential impact on adjoining properties).
- H. That all requirements and recommendations specified in the Hydrogeological Study, Servicing Options and Terrain Analyses Report, dated August 31, 2016, from ASC Environmental Inc., updated by covering letter dated September 7, 2017 from ASC Environmental, and all associated drawings be complied with for the five lot development.

7. Stormwater:

- A. Prior to any grading or construction on the site and prior to the registration of the Plan, the Owner shall agree in writing to submit a lot grading and drainage plan and a sediment and erosion control plan to the satisfaction of Frontenac County, the Township, and the Cataraqui Conservation Authority to be included in the Subdivision Agreement.
- B. Prior to any grading or construction on the site and prior to the registration of the Plan, the Owner shall agree to in writing submit a detailed stormwater management plan prepared by a qualified Professional Engineer and approved to the satisfaction of Frontenac County, the Township, and the Cataraqui Conservation Authority. The appropriate text to implement the findings will be included in the Subdivision Agreement. The detailed stormwater management plan should include mitigative measures that will be put in place to reduce the anticipated 3% increase in post-development flows.
- C. That the Owner agree to the final design, construction, maintenance and financing of the stormwater infrastructure, including ditches, swales, retention facilities, and grading and drainage plans in accordance with the Stormwater Management Brief prepared by Josselyn Engineering Inc., March 10, 2017, along with the detailed stormwater management plan to be prepared and in

Applicant: Pittsburgh Building & Energy Systems Inc. (Marshall)	Date of Decision:
File No.: 10T-2017/001	Date of Notice:
Subject Lands: 5550 McFadden Road; Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac, County of Frontenac	

accordance with the Township's Design Criteria and Standards to the satisfaction of the Township.

8. Parkland Dedication:

- A. That the Owner agrees in writing to pay cash-in-lieu of parkland dedication in accordance with approved Township policies.

9. Environment:

- A. That the recommendations of the environmental impact study, entitled Environmental Impact Study, Pittsburgh Building & Energy Systems Inc. Plan of Subdivision, 5550 McFadden Road, prepared by Niblett Environmental Associates Inc. in March 2017 be addressed to the satisfaction of the Township and Catarqui Conservation Authority.
- B. That the Owner agree in writing that development within 15 meters of the two westernmost wetlands identified on the property in Figure 1 of the Environmental Impact Study prepared by Niblett Environmental Associates Inc. (12 SWT2-2 Willow Mineral thicket Swamp and 9 MAM2-10 Forb Mineral Meadow Marsh) be prohibited and that the lands within 15 metres of these wetland areas will be maintained as a no-cut buffer, within which there be no disturbance of the soil mantle or vegetation cover.
- C. That the Owner agree in writing that development within 30 metres from the wetlands and waterbodies not listed in Condition 9 B are not to be distributed and are to be left in state as of the date of draft approval and that the subdivision agreement include provisions that would require protection of restoration of the 30 buffer area.

10. Utilities and On-Site Works:

- A. That the Owner agrees in writing that provisions for the conveyance of easements and/or agreements as may be required for services, utilities (hydro, gas, cable, telephone, etc.) or drainage purposes shall be satisfactory to the Township shall be granted to the appropriate authority.
- B. That the Owner agrees in writing to relocate, at no expense to the Township, the existing hydro pole in front of Lot 5 that is located within the road allowance to being along the lot line between the development and the road allowance to be consistent with other hydro pole locations. Further, if required by the Township, install and power street lighting to the satisfaction of the Township and in accordance with Design Criteria and Guidelines.

Applicant: Pittsburgh Building & Energy Systems Inc. (Marshall)	Date of Decision:
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- C. That the Owner agree in writing that all servicing including telecommunications, hydro, etc. be installed generally underground to the satisfaction of the Township.
- D. That the Owner agree in writing that public utilities, including without limitation Bell Canada, Hydro One, etc., are adequate to service the proposed development and installed to the satisfaction of the Township.
- E. The Owner agree in writing that a Canada Post Community Mail Boxes (CMBs) shall be located at a location on the road allowance beside Lot 1 on McFadden Road to the satisfaction of Township and any additional developer requirements per Canada Post requirements shall be carried out to the satisfaction of Canada Post.

11. Human Remains:

- A. The subdivision agreement shall contain a clause providing that any Owner(s) be advised, and also that a notice be placed in the purchase and sale agreement alerting any prospective purchasers that in the event that human remains are discovered during construction or site development of a lot, that the property owner shall immediately contact the OPP, the Ministry of Tourism, Culture and Sport and the Registrar or Deputy Registrar of the Cemeteries Unit of the Ministry of Consumer Services (or the applicable agencies at the time of final approval).

12. Archaeological Resources:

- A. That if during the process of development any archaeological resources or human remains of Aboriginal interest are encountered, the Algonquins of Ontario Consultation Office will be contacted immediately at:

Algonquins of Ontario Consultation Office
31 Riverside Drive, Suite 101
Pembroke, Ontario K8A 8R6
Telephone: (613) 735-3759
Fax: (613) 735-6307
email: algonquins@nrtco.net

13. Revisions to Draft Plan:

- A. Prior to Final Subdivision Approval, the Owner shall submit a revised Plan, if required, to reflect any significant alterations caused from this Draft Plan Approval.

Applicant: Pittsburgh Building & Energy Systems Inc. (Marshall)	Date of Decision:
File No.: 10T-2017/001	Date of Notice:
Subject Lands: 5550 McFadden Road; Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac, County of Frontenac	

- B. That if final engineering design(s) result in minor variations to the Plan (e.g. in the configuration of lots, etc.) these may be reflected in the Final Plan subject to the satisfaction of the Township and the County.

14. General conditions:

- A. That prior to final approval, the County of Frontenac is to be advised by the Township that this proposed subdivision conforms to the Township of South Frontenac Zoning By-law in effect. This will require a zoning by-law amendment to place the lands within the "R-Residential" zone and to recognize the reduced setback from 30 metres to 15 metres surrounding the two westernmost wetlands are recognized by the Cataraqui Region Conservation Authority.
- B. That the Owner agrees in writing that the Township may implement whatever measures it deems necessary to ensure development of the Plan of Subdivision proceeds according to the phasing plan set out in the Subdivision Agreement, including but not limited to the requirement of separate subdivision agreements, imposition of "h" holding zoning or 0.3 metre reserves.
- C. That when requesting final Approval from the County of Frontenac, the Owner shall accompany such request with the required number of originals and copies of the Final Plan, together with a surveyor's certificate stating that the lots/blocks thereon conform to the frontage and area requirements of the Zoning By-Law.
- D. That the Owner submit a Draft Plan of Subdivision Declaration for approval by the Township and County to ensure all conditions of approval will be satisfied.

15. Clearance Letters:

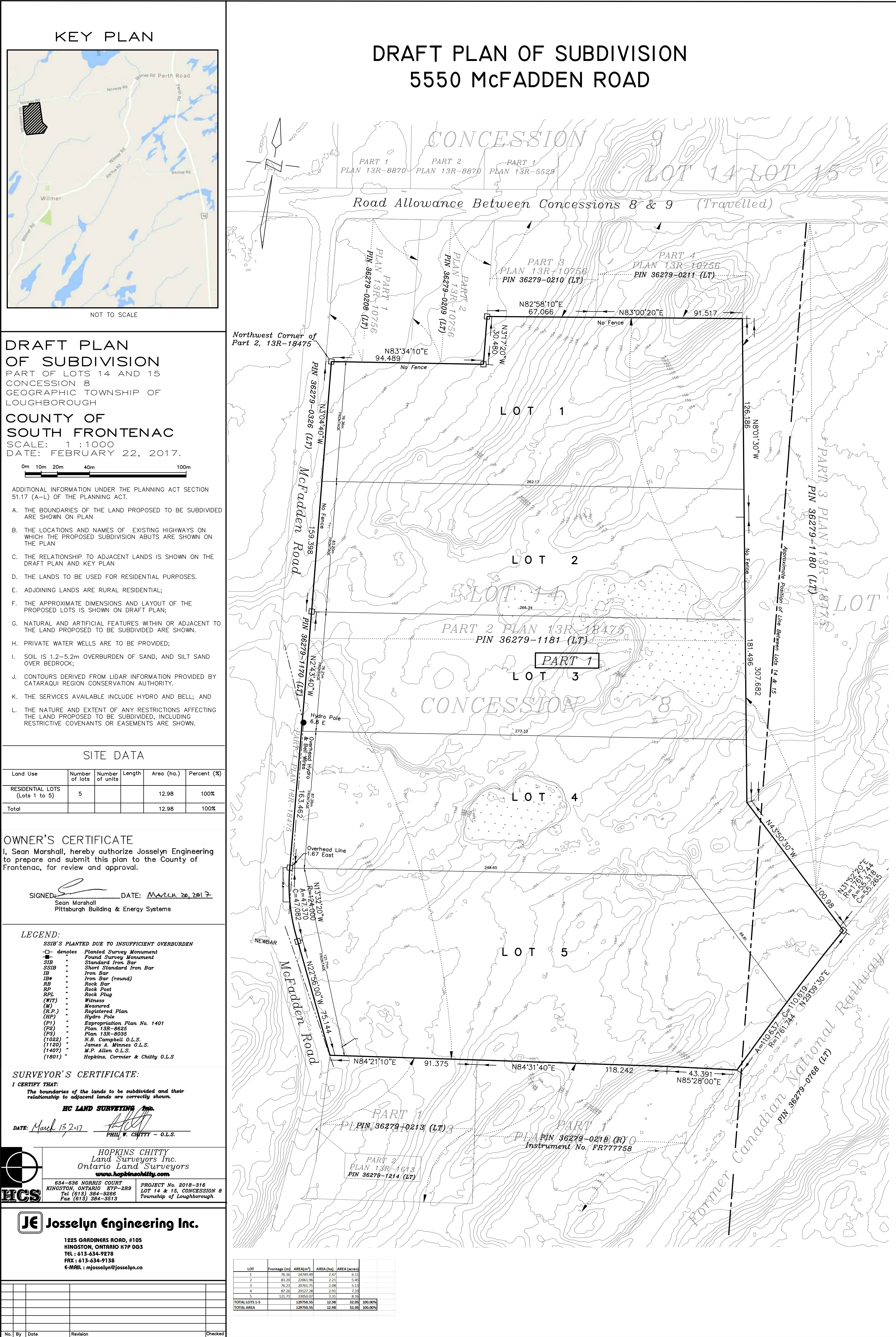
- A. That prior to Final Subdivision Approval, the County of Frontenac shall be advised that all Conditions of Draft Plan Approval have been satisfied; the clearance memorandum shall include a brief statement detailing how each condition has been met.
- B. That prior to Final Subdivision Approval, the County is to be advised in writing by the Township of South Frontenac of the method by which its conditions have been addressed.

Applicant: Pittsburgh Building & Energy Systems Inc. (Marshall)	Date of Decision:
File No.: 10T-2017/001	Date of Notice:
Subject Lands: 5550 McFadden Road; Part of Lots 14, 15, Concession 8, Former Municipal Township of Loughborough, Township of South Frontenac, County of Frontenac	

- C. That prior to Final Submission Approval, the County is to be advised in writing by KFL&A Public Health of the method by which its conditions have been addressed.
- D. That prior to Final Subdivision Approval, the County is to be advised in writing by Cataraqui Region Conservation Authority of the method by which its conditions have been addressed.

16. Lapsing Provisions:

- A. That pursuant to Section 51(32) of the *Planning Act*, this Draft Plan Approval shall lapse at the expiration of three (3) years from the date of issuance of Draft Plan Approval if final approval has not been given, unless an extension is requested by the Owner and, subject to review, granted by the approval authority.
- B. That pursuant to Section 51(33) of the *Planning Act*, the Owner may submit a request to the approval authority for an extension of the Draft Plan Approval. The extension period may be for a period of one (1) to three (3) years subject to the approval by the County of Frontenac. Request for any extension shall be provided no less than six (6) weeks prior to the lapsing date.

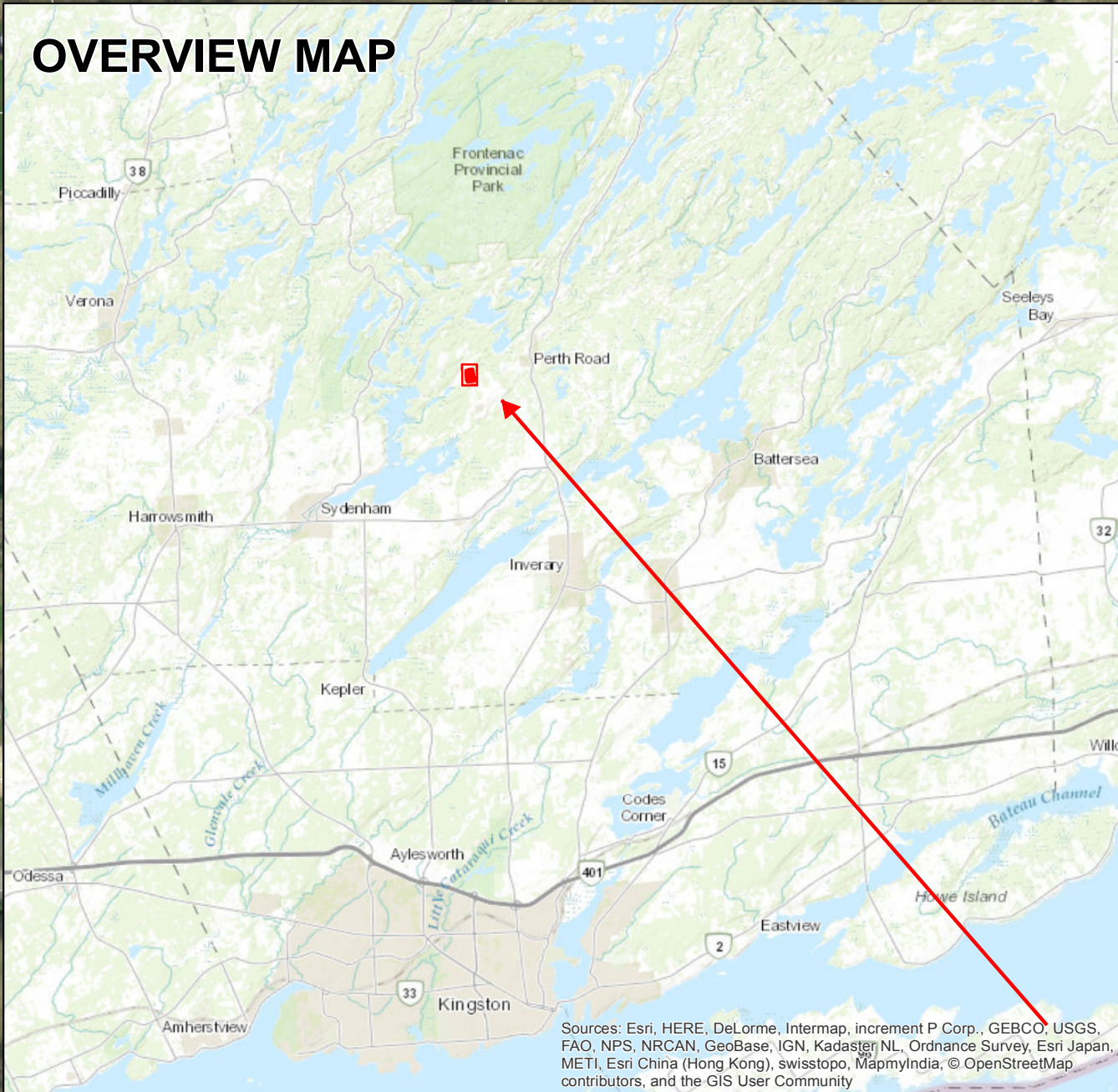




5550 MCFADDEN RD



OVERVIEW MAP



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox India, © OpenStreetMap contributors, and the GIS User Community



Legend

- Lots
- Parcel Fabric

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Niblett Environmental Associates Inc.
Biological Consultants

August 8, 2017

PN 16-079

Mr. Sean Marshall
President; Pittsburgh Building & Energy Systems Inc.
1910 Cole Road
Glenburnie, ON
K0H 1S0

**Subject: PITTSBURGH BUILDING & ENERGY SYSTEMS INC.
 PLAN OF SUBDIVISION
 5550 MCFADDEN ROAD
 PART LOT 14, CONCESSION 1
 TOWNSHIP OF SOUTH FRONTENAC**

ADDENDUM TO ENVIRONMENTAL IMPACT STUDY

Dear Mr. Marshall:

NEA submitted an EIS in support of a five lot plan of subdivision in the Township of South Frontenac. As part of the circulation of the planning and development application, Cataraqui Region Conservation Authority (CRCA) reviewed this report and provided comments on the EIS in a letter dated June 23rd, 2017.

This letter is in response to that review and our responses follow the order of their comments:

Comment 1.

The Environmental Impact Study (EIS) recommends a 15 metre setback from the wetland features identified on the property. Due to the nature of the water features identified on the property (e.g. artificially created, unconnected to a watercourse), staff are unclear as to whether or not the 30 metre water setback is applicable in this instance.

1. Staff recommend that the applicant discuss the 30 metre water setback requirement with the Township of South Frontenac planning department to confirm the applicability of the 30 metre water setback provisions.

55 Mary Street West, Suite 112, Lindsay, Ontario K9V 5Z6
e-mail: mail@niblett.ca

Tel: (705) 878-9399 Fax: (705) 878-9390
Website: www.niblett.ca

NEA Response:

NEA acknowledges that the wetland features identified on the property, based on CRCA definitions, the features on site are not “waterbodies” or “wetlands” because they are not hydrologically connected to a surface waterbody or watercourse and hence are not regulated under the Conservation Authorities Act.

These wetland features have also not been evaluated by MNRF or are considered provincially significant wetlands (PSW's) and therefore are not protected under the Provincial Policy Statement (2014).

In biological terms, these features are still considered wetlands although they have been artificially created (man-made) as a result of previous sand and gravel extractions.

Wetland #1P: community 7

This larger wetland extends off the property to the east. It does appear to have an outlet to the east. The feature also has a permanent water level and was found to have standing water in 2016 and 2017. This would meet the definition of a waterbody. A 30 m setback from the feature however does not constrain the location of a building envelope on any of the lots.

Wetland #2 (community 12)**Wetland #3 (community 9)**

These features are shallow depressions in the landscape that retain water for a short period of time, generally drying up during the summer months. As the soils in the area are coarse sand, the area is fairly well drained, this limits how long water will collect. These two low areas would not have permanent standing water. NEA would not consider these features to be waterbodies for setback purposes. The vegetation growing in these features (>50%) are considered facultative wetland plants thereby defining the communities as wetlands based on Ecological Land Classification criterion. There are no defined outlets or inlets to these features.

As previously noted in the EIS, a 15 metre buffer from these features is recommended to protect their ecological value. Furthermore, the plans do not show any development within the wetlands or the 15 m buffers.

Comments 2 and 3.**Natural Heritage**

The Provincial Policy Statement (PPS, 2014) suggests that development and site alteration shall not be permitted on adjacent lands to natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Staff are generally satisfied with the information contained within the Environmental Impact Study (EIS) provided in support of the application. However, on Page 26 of the EIS, it is noted that a 30 metre setback is usually afforded to wetlands and then suggests that a 15 metre setback from the wetland features identified on the property is recommended to "allow a reasonable amount of space for the proposed building envelopes." In the opinion of staff, it is not appropriate to suggest a setback reduction that is based on allowing development to occur unless, as the PPs suggests, it has been demonstrated that there will be no negative impacts.

2. *staff recommend that the language being used in this section of the EIS be reviewed by the applicant/consultant.*
3. *Staff generally recommend a 30 metre setback from a wetland as a best management practice. However, if it can be demonstrated that there will be no negative impacts resulting from a reduced setback and development is not subject to the 30 metre water setback in the Zoning By-law, a lesser setback may be appropriate.*

NEA Response:

As previously noted, based on CRCA definitions, the features on site do not meet the definition of "waterbody" or "wetlands" because they are not hydrogeologically connected to a surface waterbody or watercourse and hence are not regulated under the Conservation Authorities Act.

The South Frontenac Zoning By-Law 2003-75 does not have a definition for wetlands however defines 'waterbody' as: "any natural or constructed body of water including lakes, rivers, streams, channels, wetlands and navigable waterways, but excludes a drainage or irrigation channel. A 30 m setback from a waterbody is required according to Section 5.8.2 paragraph 'a' in the Zoning By-Law 2003-75.

Furthermore, as these features are not part of any PSW, they are not protected under the PPS.

As stated in the EIS, a 30 m buffer is a commonly recommended buffer from a wetland feature, in particular a provincially significant/evaluated wetland, but can be less depending on the ecological functions of the specific feature and the type of impacts anticipated from the development being proposed. In this case the wetlands have limited ecological functions due to their age, short hydroperiod and low diversity of plants, that limit the presence of wildlife and aquatic organisms (wetlands 12 and 9). The features are also isolated from other wetlands.

The nature of the development consists of large estate lots with defined building envelopes. As such the balance of the property is to be left undeveloped, including the identified wetland pockets. Typically, the main impacts from development are sedimentation,

nutrient inputs, loss of adjacent upland wildlife habitat (eg. nesting waterfowl, frog foraging area and a setback from a sensitive species living in the wetland). In this case, the runoff from the building envelopes will be directed to infiltrate into the soil, there are no sensitive bird or wildlife species nesting in the wetland and the seasonal ponding prevents algae development due to nutrients. The properties are also very flat, with limited potential for movement of the sandy sediment.

Based on the identified ecological functions and the low density of the development, a 15 m buffer is recommended by NEA from the two westernmost wetlands, as shown on Figure 1. The building envelopes have been adjusted accordingly to meet that recommendation.

We still conclude that no negative impacts on these wetland features are anticipated from the creation of residential dwellings on the lots, provided the recommendations of our report are implemented. Even though they are not waterbodies, we do recommend that they be preserved outside the building envelopes as they add to the biological diversity of the landscape.

Comment 4.

Additionally, page 21 of the EIS contains a recommendation that further breeding bird surveys should be conducted in 2017. Staff concur with this recommendation.

4. *Staff recommend that the results of the additional breeding bird surveys be provided prior to draft plan approval.*

NEA Response:

In addition to the incidental birds observed during the 2016 field investigations, one breeding bird survey was conducted during the breeding season on July 5th, 2017. The survey was timed to coincide with the dawn chorus and within acceptable weather parameters. The survey was modelled after the Ontario Breeding Bird Atlas (2nd) point count methodologies (2001) and used standardized data collection forms. The survey was a combination of point counts and area searches and covered all portions of the property. Incidental observations of birds were taken during the first site visit on September 9th, 2017.

A breeding bird species list was generated from the Atlas of the Breeding Birds of Ontario (Cadman et al., 1987) and Bird Studies Canada, (2005) for the 10 x 10 km atlas square that contains the study area (17PJ75). The data was reviewed to determine if any sensitive or significant breeding species have been recorded in the area of the development. Records of any special concern, threatened or endangered species were solicited from MNRF's make-a-map feature.

Significance on a national, provincial or regional level will be based on SARA (2016), COSEWIC (2017), SARO (2017), MNR (1993) and Bird Studies Canada (2005)

A total of twenty-eight (28) bird species were recorded within the study area (Appendix II) during the September 2016 and July 2017 field investigations. Three (3) of the species are considered area sensitive: the American redstart (*Setophaga ruticilla*), ovenbird (*Seiurus aurocapillus*) and the red-breasted nuthatch (*Sitta canadensis*) however as it was a migrant, breeding status is not confirmed in the study area. Other species noted are common to the area and would be considered resident species. These included northern flicker (*Colaptes auratus*), blue jay (*Cyanocitta cristata*), black-capped chickadee (*Poecile atricapillus*), American robin (*Turdus migratorius*), American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), gray catbird (*Dumetella carolinensis*), mourning dove (*Zenaida macroura*) and American goldfinch (*Carduelis tristis*). Also observed were migrating turkey vultures (*Cathartes aura*) and a great blue heron (*Ardea herodias*) flying over the area during the September visit. A common loon (*Gavia immer*) was heard during the July 2017 visit. Birds were present in the forested sections, regenerating habitats and the open areas.

None of the species observed during both 2016 and 2017 field investigations are considered species at risk or protected under the ESA.

It should also be noted that conversations with Tom Beaubiah at CRCA were held with the proponent on July 22, 2016. Mr. Beaubiah is responsible for reviewing applications in Frontenac County. He suggested at that time that a "scoped" EIS was required assuming no habitat for endangered species was found. He also suggested that it may only take one site visit to generate the EIS.

It is the opinion of NEA that the issue of the buffers on the wetland features identified on the property are related to Zoning and therefore suggest a rezoning of the property based on the above responses to CRCA comments.

Based on the comments and the additional information provided by NEA, there are no changes to the conclusions or recommendations of the EIS report.

Please contact us if you or the agencies require any additional information.

Sincerely,



Chris Ellingwood
President and Sr. Terrestrial and Wetland Biologist



CATARAQUI REGION CONSERVATION AUTHORITY

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0
Phone: (613) 546-4228 Toll Free (613 area code): 1-877-956-CRCA
Fax: (613) 547-6474 E-mail: info@crca.ca
Websites: www.crc.ca & www.cleanwatercataraqui.ca



September 7, 2017

CRCA File: SUBD/FRS/65/2017

Sent by email (jgallivan@frontenacounty.ca)

Mr. Joe Gallivan, Director of Planning and Economic Development
County of Frontenac
2069 Battersea Road
Glenburnie, Ontario
K0H 1S0

Dear Mr. Gallivan:

**Re: Application for Draft Plan of Subdivision 10T-2017/001 – Second Submission
Pittsburgh Building & Energy Systems Inc.
5550 McFadden Road; Part of Lots 14, 15, Concession 8,
Township of South Frontenac (Loughborough), County of Frontenac**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for draft plan of subdivision approval, including the following:

- Notice of Complete Application (April 8, 2017)
- Application for Plan of Subdivision (March 21, 2017)
- Planning Report, IBI Group (March, 2017)
- Draft Plan of Subdivision, Hopkins Chitty Land Surveyors Inc. (February 22, 2017)
- Drainage Report, Josselyn Engineering Inc. (March 10, 2017)
- Environmental Impact Study, NEA Inc. (March, 2017)

Staff provide the following comments for the County's consideration and for action/response from the applicant. Recommendations will be numbered and italicized for easy reference.

The following additional information was received by the CRCA:

- ***Addendum to Environmental Impact Study (NEA Inc., August 8, 2017)***
- ***Revised Stormwater Management Report (Josselyn Engineering Inc., August 2, 2017)***

Comments that are additional to our previous comments (letter of June 23, 2017) are in bold and italicized for quick reference.

Mr. Gallivan (10T-2017/001 – 5550 McFadden Road) – Second Submission
September 7, 2017

Summary of Proposal / Site Description

The proposal involves the creation of a subdivision development consisting of five (5) residential estate lots. The subject property is located on a relatively large piece of land (13 ha) having approximately 445 metres of road frontage onto McFadden Road. All of the proposed lots will have direct access onto McFadden Road.

The site was formerly an active sand pit. It is our understanding that the sand pit license has been surrendered and the lands rehabilitated. The property contains a mix of wooded upland areas, open fields and ponded areas. There are three wetland areas identified in the Environmental Impact Study (EIS) that have been artificially created due to the former pit operation.

The subject property is designated 'Rural' in the County of Frontenac Official Plan. The property is designated 'Rural' on Schedule A of the Township of South Frontenac Official Plan and is zoned 'Rural' (RU) in the implementing Zoning By-law.

Discussion

The main interests of the CRCA in this application are protection of the natural heritage features (e.g. wetlands, woodlands) identified on the subject property, water quality, as well as the provision of adequate stormwater management.

Water Quality

The South Frontenac Township Official Plan recognizes the need to minimize impacts to waterbodies by reducing phosphorous inputs, preventing erosion and maintaining natural appearances. Accordingly, the Official Plan (OP) and Zoning By-law require that all development occur at a minimum setback of 30 metres from the high water mark of a waterbody. The intent of this setback is to provide a buffer of undisturbed soil and vegetation, which will help to filter runoff, prevent soil erosion, and provide wildlife habitat.

The Environmental Impact Study (EIS) recommends a 15 metre setback from the wetland features identified on the property. Due to the nature of the water features identified on the property (e.g. artificially created, unconnected to a watercourse), staff are unclear as to whether or not the 30 metre waterbody setback is applicable in this instance.

- 1. Staff recommend that the applicant discuss the 30 metre water setback requirement with the Township of South Frontenac planning department to confirm the applicability of the 30 metre water setback provision.*

Addressed.

Natural Heritage

The Provincial Policy Statement (PPS, 2014) suggests that development and site alteration shall not be permitted on adjacent lands to natural heritage features unless the ecological function of the adjacent

Mr. Gallivan (10T-2017/001 – 5550 McFadden Road) – Second Submission
September 7, 2017

lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Staff are generally satisfied with the information contained within the Environmental Impact Study (EIS) provided in support of the application. However, on Page 26 of the EIS, it is noted that a 30 metre setback is usually afforded to wetlands and then suggests that a 15 metre setback from the wetland features identified on the property is recommended to “allow a reasonable amount of space for the proposed building envelopes.” In the opinion of staff, it is not appropriate to suggest a setback reduction that is based on allowing development to occur unless, as the PPS suggests, it has been demonstrated that there will be no negative impacts.

2. *Staff recommend that the language being used in this section of the EIS be reviewed by the applicant / consultant.*

Addressed. The addendum to the original EIS provides additional rationale in support of a setback reduction from 30 metres to 15 metres.

3. *Staff generally recommend a 30 metre setback from a wetland as a best management practice. However, if it can be demonstrated that there will be no negative impacts resulting from a reduced setback and development is not subject to the 30 metre water setback in the Zoning By-law, a lesser setback may be appropriate.*

Addressed. The addendum to the original EIS provides additional rationale in support of a setback reduction from 30 metres to 15 metres. Recognizing that these wetland features are not protected under the CRCA's Ontario Regulation 148/06 (as noted below), staff are pleased with the recommendation within the EIS to preserve these features as they do provide some, although limited, biological diversity to the landscape.

Additionally, page 21 of the EIS contains a recommendation that further breeding bird surveys should be conducted in 2017. Staff concur with this recommendation.

4. *Staff recommend that the results of the additional breeding bird surveys be provided prior to draft plan approval.*

Addressed. The addendum to the original EIS provides the results of an additional breeding bird survey and the report suggests that “none of the species observed during both 2016 and 2017 field investigations are considered species at risk or protected under the ESA.”

Stormwater Management

Per the March 10, 2017 Josselyn Engineering Inc. report (herein referred to as the March 2017 JEI report) 5 Estate residential lots are proposed, each with a minimum lot area of 8,000 m² (0.8 ha). Driveway entrances from McFadden Road are proposed, but no internal roads are proposed. The locations/dimensions of proposed dwellings as well as driveway dimensions are not shown on the Draft Plan. Staff note that the Planning Report suggests that the minimum lot area is actually 2.08 ha. This discrepancy should be rectified.

Mr. Gallivan (10T-2017/001 – 5550 McFadden Road) – Second Submission
September 7, 2017

The March 2017 JEI report describes existing site conditions. The report describes the drainage as falling "...generally to the southeast while a small portion is directed to the McFadden road allowance."

As part of the review by CRCA staff, MNR Ontario Flow Assessment Tools III was used as an additional aide to assess existing drainage. This tool indicates that 4 drainage areas exist on-site, with a considerable portion draining in a northeast direction. Site drainage may be more complex than the description in the report.

5. *Staff recommend that the applicant / consultant address the drainage discrepancy described above and provide additional recommendations if required.*

Addressed. The SWM report has been appropriately revised in consideration of this comment.

The soils on the site are described in the March 2017 JEI report as, "... consisting predominantly of sandy silt, sand, overlies bedrock at a minimum depth of 1.2 metres. The Draft Plan does include elevation contours, but the drainage report does not provide pre-development and post-development drainage area maps. The report indicates that the proposed development does not represent a significant increase to peak flows. The report recommends lot-level and conveyance Best Management Practices (BMPs) (e.g. minimal lot grading, preservation of existing landscape and drainage patters, roof leaders directed to grassed areas).

Based on review of the preliminary information submitted, CRCA staff generally agree with the low impact design approach as it is described in the March 2017 JEI report (e.g. minimal lot grading, preservation of existing landscape and drainage patters, roof leaders directed to grassed areas). However, the report and submitted drawings do not provide sufficient information and analysis to support the conclusion that the proposed development does not represent a significant increase to peak flows.

6. *Staff recommend that the applicant / consultant provide pre-development and post-development drainage area maps, and pre-development and post-development peak flow analysis.*

Addressed. The revised SWM report suggests that there will be a 3% increase in post-development flows and that these can be appropriately mitigated through best management practices.

Recommendation

Staff have no objection to the approval of application 10T-2017/001 and recommend that the following items be required as conditions of draft plan approval:

1. ***That a lot grading and drainage plan, and a sediment and erosion control plan be completed to the satisfaction of Frontenac County, South Frontenac Township ('Township') and the Cataraqui Region Conservation Authority ('CRCA'), and be included in the Subdivision Agreement.***
2. ***That a detailed stormwater management plan be prepared by a qualified Professional Engineer and approved to the satisfaction of Frontenac County, the Township, and the CRCA, and that appropriate text to implement its findings be included in the Subdivision Agreement. The detailed stormwater management plan should include more information about the***

Mr. Gallivan (10T-2017/001 – 5550 McFadden Road) – Second Submission
September 7, 2017

mitigation measures that will be put in place to reduce the anticipated 3% increase in post-development flows.

3. That the Subdivision Agreement include wording to reflect the spirit of the recommendations contained within the EIS:

- i) A provision prohibiting development within 15 metres of the identified wetlands on the property, and that the lands within 15 metres of these wetland areas will be maintained as a no-cut buffer, within which there be no disturbance of the soil mantle or vegetation cover.*

Ontario Regulation 148/06

The CRCA administers Ontario Regulation 148/06, *Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses*, made pursuant to Section 28 of the *Conservation Authorities Act*. The purpose of Ontario Regulation 148/06 is to ensure that proposed changes (e.g. development and site alteration) to a property are not affected by natural hazards, such as flooding and erosion, and that the changes do not put other properties at greater risk from these hazards, as well as to preserve the hydrologic and ecological functions of wetlands. Staff note that since the water features identified on the subject property are not connected to a watercourse, these features are not subject to regulation under Ontario Regulation 148/06.

Please inform this office in writing of any decisions made by the County regarding this application. If you have any general questions, please contact the undersigned at (613) 546-4228 extension 244, or via e-mail at aschmidt@crca.ca.

Yours truly,



Andrew Schmidt, C.Tech.
Supervisor, Development Review

cc: Forbes Symon, Manager of Development Services, Township of South Frontenac (via email)
Lindsay Mills, Planner, Township of South Frontenac (via email)
Pittsburgh Building & Energy Systems Inc., 1910 Cole Hill Road, Glenburnie, ON, K0H 1S0



Via: email

September 7, 2017

File: ASC-310 102I

Mr. Sean Marshall
Pittsburgh Building & Energy
1910 Cole Hill Road
Glenburnie, ON K0H1S0

Subject: Response to Neighbouring Resident Comments
Proposed 5 Lot Rural Residential Development
5550 McFadden Road, Township of South Frontenac

Dear Mr. Marshall:

We understand that a Planning Advisory Committee Meeting was held June 28, 2017 regarding the subject development and concerns were brought forward by neighbouring residents.

Based on our review of the neighbouring comments, understanding of the project, hydrogeological work undertaken to date, site visits, telecommunication with neighbours, review of MOECC well records and telecommunication with local well driller we offer the following comments and recommendations:

1.0 Resident Concerns

Ms. Lyn Pople – 5539 McFadden Road

Ms. Pople indicated that she has been a resident at 5539 McFadden Road (west of the subject property) since 1987. During the public meeting, she raised concern regarding past adverse well conditions experienced in 2008, that she attributed to past sand pit activity at the subject property. Based on conversation with Frontenac County personnel, we understand that the former sand pit located at the subject property was closed in 2006 (2006 By-Law Planning Justification Report for pit closure).

The hydrogeological work for the proposed 5 Lot Rural Residential Development was undertaken in the summer of 2016, during identified drought conditions. Ms. Pople's concerns predate the pumping tests undertaken in support of the proposed development.

491 O'Connor Drive, Kingston, ON

7P19

613 634 5596

File: ASC-310 102I
Proposed 5 Lot Rural Residential Development
5550 McFadden Road, Township of South Frontenac, ON

Page 5

September 7, 2017

On this basis, one would not anticipate adverse impact to the existing well water supply of the neighbouring resident at 5531 McFadden Road from the proposed 5 lot residential development.

2.0) Water Supply Assessment – Proposed 5 Lot Development

Referencing MOECC D-5-5 Technical Guideline for Private Wells (Water Supply Assessment) a minimum of 3 test wells are required for water supply assessment for sites up to 15 hectares. Three test wells were advanced for the proposed 13-hectare development. Test well locations and neighbouring resident properties are shown on the attached Plan.

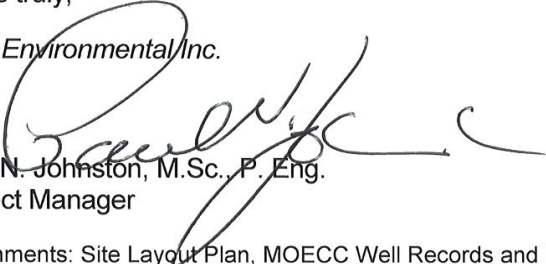
Pumping tests were conducted on the test wells in summer 2016 during identified drought conditions to assess seasonal variability and long-term water supply and quality in accordance with MOECC D-5-5 Technical Guideline for Private Wells. Results of pumping tests have confirmed groundwater supply available in the aquifer to meet D-5-5 protocols for seasonal variability, peak demand, interference and long-term water taking without adversely impacting upon existing residents.

3.0) Closing

In summary, the hydrogeological work conducted during the summer of 2016 demonstrates sufficient long term water supply and quality for the proposed 5 lot rural residential development without adversely impacting upon the existing neighbouring residents. We trust that this information meets your satisfaction. If you have questions or concerns regarding this document please contact the undersigned.

Yours truly,

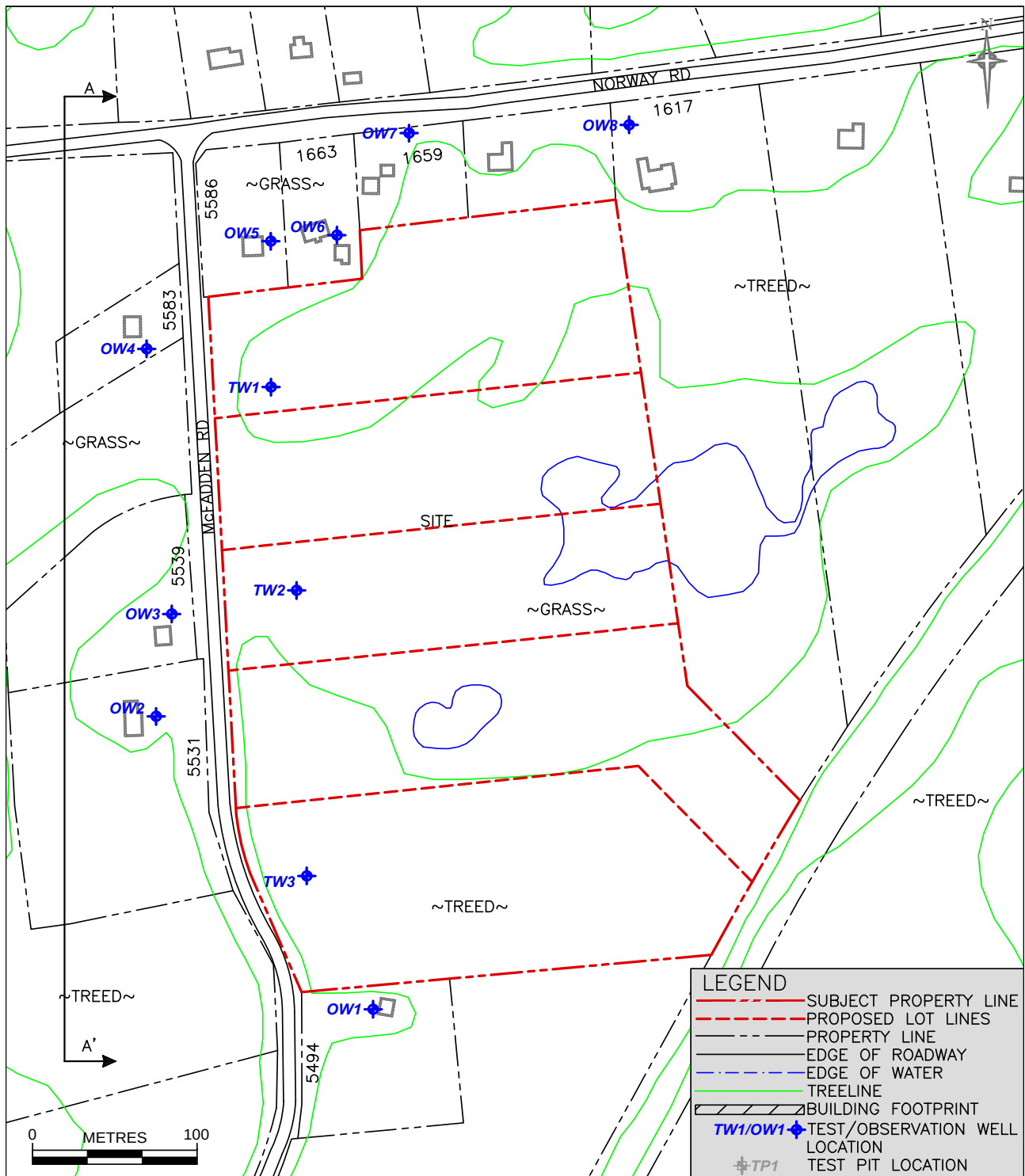
ASC Environmental/Inc.


Paul N. Johnston, M.Sc., P. Eng.
Project Manager

Attachments: Site Layout Plan, MOECC Well Records and Laboratory Analyses



1305 Princess Street, Kingston, ON
K7M 3E3
(613) 634 - 5596



TEST WELL/OBSERVATIONWELL LOCATION PLAN
 Hydrogeological Assessment
 Pittsburgh Building & Energy
 5550 McFadden Road, Perth Road, ON

Drawing No. 1
 File: ASC-310


 Ministry
 of the
 Environment
 ONTARIO

WATER WELL RECORD

The Ontario Water Resources Act

FORM NO. 100-1 (1-77) (P. 100-1)

PROJECT NO. **40123**

DATE **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

OWNER **YOUNG MARK**

ADDRESS **1000 PINE ROAD**

CITY/TOWN **MISSISSAUGA**

PROVINCE **ON**

POSTAL CODE **L4W 1G1**

TELEPHONE **874-1234**

DATE OF RECORD **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

WATER RECORD

DATE OF RECORD **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

WATER RECORD

DATE OF RECORD **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

WATER RECORD

DATE OF RECORD **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

WATER RECORD

DATE OF RECORD **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

WATER RECORD

DATE OF RECORD **10-1-78**

WELL NO. **10**

WELL TYPE **1**

WELL DEPTH **10**

WELL DRAINAGE AREA **10**

WATER RECORD

DATE OF RECORD **10-1-78**

WELL NO. **10**

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CERTIFICATE OF ANALYSIS

Final Report

C.O.C.: G65788

REPORT No. B17-24877

Report To:

ASC Environmental
1305 Princess St.,
Kingston ON K7M 3E3 Canada
Attention: Paul Johnston

Caduceon Environmental Laboratories
285 Dalton Ave
Kingston Ontario K7K 6Z1
Tel: 613-544-2001
Fax: 613-544-2770

DATE RECEIVED: 28-Aug-17
DATE REPORTED: 31-Aug-17
SAMPLE MATRIX: Groundwater

JOB/PROJECT NO.: ASC-310
P.O. NUMBER: ASC-310
WATERWORKS NO.

			Client I.D.	OW4				
			Sample I.D.	B17-24877-1				
			Date Collected	25-Aug-17				
Parameter	Units	R.L.	Reference Method	Date/Site Analyzed				
Turbidity	NTU	0.2	SM2130B	29-Aug-17/K	0.8			
Iron	mg/L	0.005	SM 3120	31-Aug-17/O	0.017			
Manganese	mg/L	0.001	SM 3120	31-Aug-17/O	< 0.001			

R.L. = Reporting Limit

Test methods may be modified from specified reference method unless indicated by an *

Site Analyzed=K-Kingston,W-Windsor,O-Ottawa,R-Richmond Hill,B-Barrie

Michelle Dubien
Lab Manager

The analytical results reported herein refer to the samples as received. Reproduction of this analytical report in full or in part is prohibited without prior consent from Caduceon Environmental Laboratories.

Page 1 of 1.



Report 2017-108

Committee Information Report

To: Chair and Members of the Planning Advisory Committee

From: Joe Gallivan, Director of Planning & Economic Development

Date of meeting: September 11, 2017

Re: Planning Advisory Committee – Planning and Economic Development 2018-2022 Five Year Business Plan

Recommendation

Be It Resolved That the Planning Advisory Committee accept the Planning Advisory Committee – Planning and Economic Development 2018-2022 Five Year Business Plan report for information;

And Further That the Planning Advisory Committee endorse the Planning and Economic Development 2018-2022 Five Year Business Plan;

And Further That the Planning Advisory Committee endorse the Planning Project Proposals being presented to County Council.

Background

The Planning Advisory Committee, under its Mandate and Terms of Reference, is responsible, subsequent to the approval of the budget, consider budget proposals and business plans for the Planning & Economic Development Department pertaining to items within the Advisory Committee mandate.

Departments are required annually to prepare and provide to Council a rolling five (5) year Business Plan, which is presented to Council as part of the budget deliberations.

Comments

The purpose of the departmental business plans is to set out the department's goals and strategic direction, including major initiatives that will be undertaken to meet the departmental objectives in order to provide budget projections over a 5 year planning cycle. This allows Council to have a reasonable expectation of issues and concerns over the course of their term. This is done by outlining existing service levels of the department, any major policy or program review anticipated and any proposed service level changes during the course of the plan.

As noted in the Planning and Economic Development Business Plan, this department is responsible for being one of the key leaders in the implementation of the three strategic planning goals established by County Council, those being:

- To focus on service delivery of the aging population across the Frontenacs, which is large and growing and will need more public services and facilities in the coming years;
- Work with the Townships, other Eastern Ontario Counties, and the Province of Ontario on preparing for a “post-landfill reality” to ensure the issue is dealt with on a regional basis; and
- Focus efforts through the Economic Development Charter to set priorities for economic development objectives and revenue generation.

A copy of the Planning and Economic Development Department 2018-2022 Business Plan is attached to this report as Appendix A.

The County of Frontenac’s Budget Policy sets out that each year, the base budget only include current service levels. Any service level changes are required to be presented to County Council as a project proposal during the budget deliberations. There are currently two (2) project proposals being presented to Council for the 2018 budget deliberations that affect Planning, those being:

- Population Projections, and
- Sustainability Reserve Fund (note: at the time of writing of this report it has not yet been confirmed that this project proposal will be considered for the 2018 budget).

Population Projections

County wide population projections have been completed twice, in 2006 and again in 2011. In 2011, a Population, Housing, Employment Projections for the Frontenac’s was carried out by Watson and Associates as well as Permanent and Seasonal projections which are done by Townships.

The 2016 Census will provide improved rural information and it should be noted that Projections provide the foundation for planning, including Official Plan updates/amendments and Economic Development support.

The cost of this project which staff are proposing to be carried out in 2018 will be taken from the Sustainability Reserve at a cost of approximately \$35,000.

Sustainability Reserve Fund

The County of Frontenac has a Sustainability Reserve which was established in 2016 to allow for proactive decision-making on long range planning projects, as well as to cover any costs of Ontario Municipal Board Hearings. Sustainability Projects would include such things as:

- Land use planning / regional planning / economic development projects that provide Council with a 10 -20 year vision or action plan.

- Similar value to capital projects (i.e., long term lifespan)

The Sustainability Reserve Fund also supports the costs of Ontario Municipal Board (OMB) Hearings. Bill 139, the *Building Better Communities and Conserving Watersheds Act*, 2017 has received first reading in the Ontario Legislature. In part, it is the result of the provincial government's review of the OMB's scope and effectiveness. In the absence of the details that regulations are likely to bring, there is considerable speculation as to the impact of the proposed changes. The implications in terms of time and cost under the proposed changes will depend on caseload; however some official plan hearings will no longer be heard so there may be cost and time implications. It is hoped that the province will permit municipalities to use the freed up capacity caused by fewer or shorter hearings to schedule multi-member hearings, spend more time writing decisions and undertake more professional development. The proposed new regime introduces a possible double appeal with a second hearing following a recommendation by the tribunal to the municipality and this may generate additional work.

Council allocated \$30,000 through the budget process in 2016 and it was agreed to increase that amount by 2% to \$30,600 for 2017.

- The Reserve currently has a balance of \$219,000; however the Communal Services project, which was approved during the 2017 budget, will reduce this by another \$85,000. After accounting for the \$30,600 to be contributed in 2017, the reserve will have an estimated year-end balance of \$164,600.
- In 2018, the proposed population projections would reduce the reserve by a further \$35,000. By maintaining the 2017 base amount and increasing the contribution by 2% from 2017 to \$31,212, the projected 2018 year-end balance would be \$160,800.

There will be a challenge of meeting priorities in the strategic plan as well the risk of not dealing with regional issues on a timely basis. Staff may be asking Council to allocate a supplementary \$40,000 to the 2018 allocation, bringing the contribution in 2018 to \$71,212 (\$31,212 + \$40,000)

Sustainability Implications

As stated in *Directions for Our Future*, Government decision-making processes are clear, transparent, forward thinking and focused on the longer term. The public is interested, informed, and meaningfully involved in local governance.

Financial Implications

There are no direct financial implications associated with this report. Approval of the noted project proposals lies with County Council

Organizations, Departments and Individuals Consulted and/or Affected

Planning & Economic Development Department
Alex Lemieux, Deputy Treasurer
Kelly Pender, Chief Administrative Officer

Business Plan 2018-2022

Department: Planning & Economic Development
Unit: n/a
Director: Joe Gallivan
Manager: Richard Allen
Version/Date: v.05 – 30 August 2017

Department/Unit Strategic Goals

To ensure land use planning advice to County Council and the member Townships that recognize the rural character of the Frontenac region that is based on a solutions-oriented framework, and to promote economic development that can benefit all citizens and businesses.

Furthermore, the Department is responsible for being one of the leaders in the implementation of the three strategic planning goals established by County Council:

1. To focus on service delivery of the aging population across the Frontenac region which is large and growing and will need more public services and facilities in the coming years;
2. Focus efforts through the Economic Development Charter to set priorities for economic development objectives and revenue generation; and
3. Work with the Townships, other Eastern Ontario Counties, and the Province of Ontario on preparing for a “post-landfill reality” to ensure the issue is dealt with on a regional basis and potentially through an Eastern Ontario Growth Plan.

Key Strategic Directions

1. Ensure that plans are in place to be a leader in rural land use planning and the long term sustainability of the Frontenac region.
2. To develop and maintain a regional plan that deals with cross-jurisdictional, collaborative issues for the County and Townships to improve infrastructure, stabilize and improve villages, and protect the natural heritage system.
3. To work with Council, Townships, citizens, businesses, and other stakeholders to strengthen the economic opportunities across the region.

Alignment with Council Strategic Priorities:

Goal #3 Economic Development and Value for Taxpayers:

By ensuring that the County has numerous opportunities to work collaboratively with the Townships and other Eastern Ontario regions to advance economic development opportunities.

Sustainability & Resilience

Ensuring a strategic long term view of regional planning and economic development. Minimum 20 year focus.

Department Function

Planning & Economic Development staff comprised of the Director of Planning & Economic Development, the Manager of Economic Development, the Community Planner, and the Community Development Officer (contract) provide services to the County and the Townships in the following areas:

- Regional Land Use Planning
- Strategic Planning
- Township Official Plan and Zoning Updates
- Ongoing Economic Development Initiatives (Brand Ambassador program)
- Special Projects (e.g., Private Roads, Communal Servicing, Seniors Housing, Accommodation Study, Regional Signage)
- Trail Development and Management
- Tourism Development and Visitor Attraction
- Sustainability Initiatives

Legislative Framework

- *The Planning Act, R.S.O. 1990, c*
<http://www.ontario.ca/laws/statute/90p13>
- *Provincial Policy Statement (2014)*
<http://www.mah.gov.on.ca/Page10679.aspx>
- *The Municipal Act, 2001, S.O. 2001, c. 25*
<http://www.ontario.ca/laws/statute/01m25>
- *Development Charges Act*
<http://www.mah.gov.on.ca/Page9839.aspx>
- *Environmental Protection Act*
<http://www.ontario.ca/laws/statute/90e19>

- Canadian Environmental Protection Act
<http://www.ec.gc.ca/lcpe-cepa/default.asp?lang=En&n=26A03BFA-1>
- Source Water Protection Plans
<http://crca.ca/watershed-management/studies-and-mapping/source-water-protection/>
<http://quintessourcewater.ca/web/>
<http://www.mrsourcewater.ca/en/>
- Frontenac County Official Plan (approved January, 2016)
- Township Official Plans and Zoning By-laws
- Trails Master Plan (2009)
- Economic Development Charter for the Frontenacs (2015)

Relationships

Planning & Economic Development will work with County Council and Township Councils, external agencies, upper level governments, citizens, and businesses.

Internal:

- County Council
- Planning Advisory Committee
- Community Development Advisory Committee
- County Administration

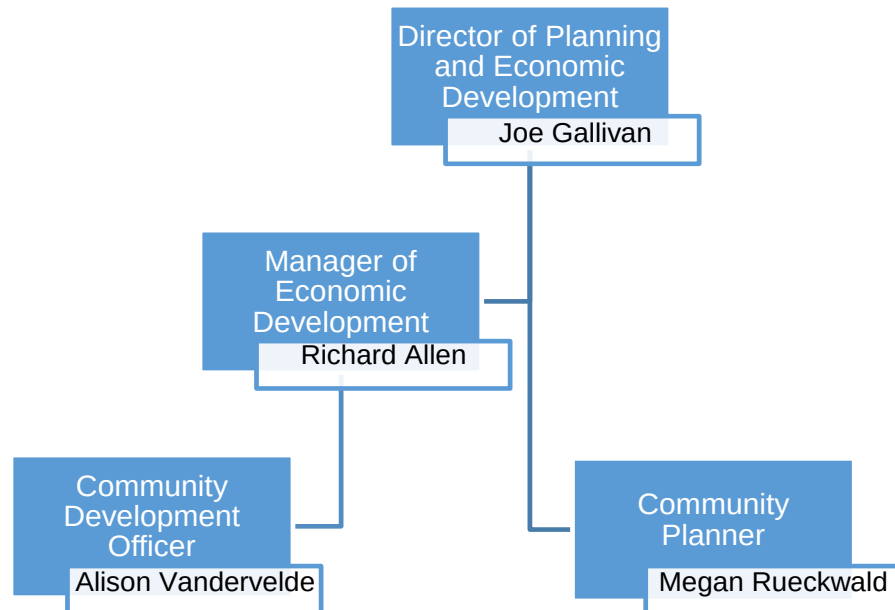
External: The majority of relationships for Planning & Economic Development are external:

- Citizens – consultation on land use planning issues, information/data sharing, economic development projects.
- Upper Level Governments – communicating with Provincial ministries (e.g., Municipal Affairs, Environment and Climate Change, Natural Resources and Forestry, Tourism Culture and Sport) and Federal Departments (Environment, Finance) to seek advice, apply for grant funding, and to lobby County policy positions.
- Member Municipalities – work with Townships on collaborative planning to strengthen the region.
- Local External Agencies – a key part of regional collaboration. The Department will communicate, consult, and work with agencies such as North Frontenac and South Frontenac Community Services, Community Futures Development Corporation (CFDC), Eastern Ontario Trails Alliance (EOTA), Ducks Unlimited, Land 'O Lakes Tourism, The Great Waterway, Ontario Highlands and Cottage/Lake associations.

- Local Business – as part of the implementation of the Economic Action Plan staff will work with existing businesses and start-up businesses to stabilize and improve local business activity, particularly those operating within the core/focus of County Council's economic agenda.
- Brand Ambassadors – Frontenac Brand Ambassadors will help to elevate the profile of the Frontenac region, collaborate with each other to create economic opportunity and assist in the development of investment or tourism products.

Employee Complement

	2017	2018	2019	2020	2021
Full Time (non-union)	2	2	3	3	3
Full Time (union)	1	1	1	1	1
Part-time (non-union)	0	0	0	0	0
Part-time (union)	0	0	0	0	0
Contract (incl. summer students)	2	3	2	2	2
Total Employees	5	6	6	6	6
Total FTE	3	3	4	4	4
Total Salaries/FTE					



Existing Service Levels

Policy Planning

- Development and management of Frontenac County Official Plan
- Ongoing preparation and management of local Community Improvement Plans.
- Special projects: Communal Services Study, Seniors Housing, Population and Employment Projections, Natural Heritage Study.
- Sustainability Planning
- Trails Master Plan implementation

Land Use Planning

- Subdivisions – review and approval in conjunction with Townships.
- Township Planning (North Frontenac, Central Frontenac, Frontenac Islands)
 - Full Services
 - Official Plan and Zoning By-law Updates
 - Planning reports for Zoning Amendments, Official Plan Amendments, minor variances, severances, easements/right of ways.
 - Site visits
- Township Council and/or Committee attendance
- Consultation/advice to citizens and developers on planning matters.
- Ontario Municipal Board (OMB) attendance to provide planning evidence.

Economic Development Action Implementation

- Advancing Economic Development in the Frontenacs Through Collaboration (RED Program 2016-2019)
 - Accommodation Study
 - Brand Recognition Campaign

- Community Development Officer
- Ferry by Foot Program
- Local Food / Agri-business Awareness
- Uniform Signage (Farm Gate, Artisan, Trail)
- Web Based Portal
- Business Development
 - Lead generation, collaboration & follow-up
 - Brand Ambassador Program Administration
 - Goat Dairy Farm Development
- Tourism Product Development and Visitor Attraction

Federal and Provincial Funding Opportunities

- Submissions for grant funding for economic development related projects.

Trail Management and Construction

- K&P Trail construction project management
- K&P Trail maintenance
- Trail Stakeholder relations

Major Policy/Program Review:

	2017	2018	2019	2020	2021	2022
County Official Plan			x			
Community Improvement Plans	x	x	x	x	x	x
Local Township Planning	x	x	x	x	x	x
Private Roads Study	x	x				
Economic Development Action Plans	x	x	x	x	x	x
Communal Services Study	x	x				
ICSP (Directions for Our Future) update			x			
Trails Master Plan		x	x			
Population and Employment Projections update		x				x
Tourism Investment, Sales & Marketing Plan		x	x	x	x	x

Department Objectives (will link to KPIs below)

1. Integrate Land Use Planning and Economic Development actions
2. Improve communication and public consultation with citizens
3. Implement Economic Development Charter
 - a. Trips & Trails
 - b. Food & Beverage
 - c. Recreation Lifestyle
 - d. Demographics (Seniors, Young Families)

Major Initiatives to meet Department Objectives

1. Increase Public Awareness	2. Community Development Officer	3. Update Township Official Plans and Zoning By-laws to Encourage Small Business Start-Ups
Objectives: 1, 2 Description: Planning & Economic Development Department was created in January, 2015. Greater awareness is needed for the general public to understand our services and ongoing projects. Tools being used to increase awareness include outreach through social media, a new inFrontenac.ca website, promotion of the Frontenac logo and brand, and visibility at public events. Timelines: 2015-2021 (ongoing) Responsibility: Director of Planning & Economic Development; Manager of Economic Development. Resources: Internal with assistance from Community Planner, Community Development Officer, GIS Specialist, Manager of IT, Communications, and CAO. Resources: External working with CFDC, Townships, and Frontenac County 'Brand Ambassadors'.	Objectives: ALL Description: Through the work done on the Economic Development Charter, it was recommended that a Community Development Officer position be created to focus directly on implementation of the Economic Action Plans. This 3-year contract position has been in place since August, 2016, and acts as the 'point person' for working with existing and potential businesses in Frontenac. Timelines: 2016 to 2019 Responsibility: Director of Planning & Economic Development; Manager of Economic Development. Resources: Internal Community Development Reserve Plan Resources: External RED Funding (until 2019)	Objectives: 1, 3 Description: Frontenac County provides planning services to North, Central, and Frontenac Islands Townships. Each Township Official Plan and Zoning By-law will undergo a review and update over the next five years. One of the goals will be to update policy and zoning rules to make it easier for new small scale farming, artisanal businesses, and other rural start-up businesses to be permitted with limited planning approvals. Timelines: 2016 to 2021 Responsibility: Director of Planning Resources: Internal Community Planner, GIS Specialist Resources: External Township Councils and staff, CFDC, Ministry of Municipal Affairs, Ministry of Environment and Climate Change, Ministry of Natural Resources and Forestry.

4. Private Roads Study Implementation	5. Seniors Housing	6. Community Improvement Plans
Objectives: 1 Description: Official Plan Amendments for each Township plan to implement the County Council approved Private Roads Study. Timelines: 2016-2018 Responsibility: Director of Planning & Economic Development Resources: Internal Community Planner, GIS Resources: External Township staff	Objectives: 1, 3d Description: Ongoing development of a seniors housing project in each Township. Marysville (Frontenac Islands) project commenced in 2015, Sydenham (South Frontenac) in 2016, and Central Frontenac in 2017. Timelines: 2015 to 2021 Responsibility: Director of Planning & Economic Development, CAO's Office Resources: Internal Manager of Corporate Services, GIS Specialist Resources: External Township Staff, Housing Consultant (\$6,000 for each business plan update)	Objectives: 1 Description: Continuation of CIP program across the Frontenac region. Harrowsmith CIP approved in 2016. Ongoing program management in North Frontenac, Sharbot Lake, and Marysville. A Regional CIP is proposed for 2018. Timelines: 2014 to 2022 Responsibility: Manager of Economic Development, Community Planner Resources: Internal Community Development Officer, GIS Specialist, Communications Officer, Finance Resources: External Township Staff

7. Trail Promotion & Development	8. Brand Identity & Regional Signage	9. Communal Servicing Study
Objectives: 1, 3 Description: With the clean-up of the Verona Trailhead site now completed, initiatives to educate local residents and businesses about the trail and its benefits are necessary. In addition, marketing initiatives to attract specific user groups must be developed. Staff will work with Township Public Works staff to update and complete a Trails Concept Plan to assist in active infrastructure development. The Ontario Commuter Cycling Program requires this plan to provide financial support to municipalities. Timelines: 2018 - 2021 Responsibility: Manager of Economic Development Resources: Internal GIS Specialist, Communications Resources: External Eastern Ontario Trails Alliance, Trail User Groups, Tourism Marketing Organizations, Accessibility Grants	Objectives: 3a, 3b, 3d Description: With regional brand in place, consistent signage across the region is necessary. Timelines: 2018 -2019 Responsibility: Manager of Economic Development Resources: Internal Communications Officer, Economic Dev. Coordinator Resources: External Township Staff, External Signage Firm, External Design Support	Objectives: 1 Description: A planning, fiscal, and environmental study to consider new development in settlement areas to be built using communal services. This can result in smaller lot sizes and better integration into the existing village fabric, and increase number of citizens within walking distance of commercial areas. Timelines: 2017 to 2018 Responsibility: Director of Planning & Economic Development Resources: Internal GIS Specialist, Finance Resources: External Consultant (\$85,000), Township staff

10. Ferry by Foot Campaign	11. Local Food Awareness	12. Web Portal
Objectives: 3a Description: The purpose of this initiative is to increase visits to Wolfe Island by encouraging visitors to Kingston to ride their bike or walk onto the ferry. After the campaign is established, staff will work to improve active transportation connections for island residents who choose to walk or bike on the ferry. Timelines: 2017 - 2019 Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications, Frontenac Islands Resources: External RED Program Funding, Tourism Kingston, Kingston Accommodation Partners, Great Waterway, Ministry of Transportation	Objectives: 3a, 3b Description: In 2017, the county worked with Frontenac CFDC and Township of South Frontenac to look at the local food system and what gaps exist between producers, processors and their markets. In 2018, will work on initiatives such as farm gate signage, local food shelves in our businesses, farm stay opportunities and pursuing the results of the gaps analysis. Timelines: 2017 - 2019 Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications Resources: External Frontenac CFDC	Objectives: 1, 3 Description: The web portal has been developed to be a resource of information for potential investors, visitors, and residents to Frontenac. The function, content and capability of the website will grow over time. This site hosts a business directory, available properties information, planning documents and contact information as well as project details. Timelines: 2017 - 2018 (For development and implementation) Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications, GIS Specialist Resources: External RED Program Funding, Frontenac News, Frontenac CFDC

13. Brand Ambassador Program	14. Wayfinding: Trail, Farm Gate, Local Food Signage	15. Accommodation Study Implementation
Objective: 3b Description: With over 100 Brand Ambassadors recruited in the first year of the program, resources need to be dedicated on an ongoing basis to providing services and support to the businesses who are part of this network. This can include regular one-on-one meetings, collaborative projects, events and providing promotional opportunities. Timelines: 2017 - 2019 Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications Resources: External Frontenac CFDC	Objective: 1, 3a, 3b, 3c Description: The purpose of this initiative is to increase the awareness of local businesses to users of regular commuter and tourist routes, including trails, boat ramps and other destinations. Timelines: 2017 - 2019 Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications, Frontenac Islands Resources: External RED Program Funding, Brand Ambassadors, Eastern Ontario Trails Alliance, Trail User Groups, Community Associations	Objective: 1, 3a, 3b, 3c Description: In July of 2017 the Accommodation Study recommendations were adopted by County Council and the Implementation Plan approved. The recommendations include developing a sophisticated approach to tourism investment and visitor attraction that will require several years of effort. Timelines: 2018 - 2021 Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications, Frontenac Islands Resources: External RED Program Funding, Brand Ambassadors, Eastern Ontario Trails Alliance, Trail User Groups, Community Associations

16. Dairy Goat Farms	17. Tourism Product Development & Visitor Attraction	18. Completion of the K&P Trail to Sharbot Lake
Objective: 3b Description: The opportunity to take part in the goat dairy industry and related supply chain has revealed an industry in its infancy and can provide opportunity for new and existing agricultural operations in Frontenac Timelines: 2017 - 2025 Responsibility: Manager of Economic Development Resources: Internal Resources: External Kingston Economic Development, OMAFRA, Feihe International, Frontenac Federation of Agriculture, National Farmers Union Local 316	Objective: 3a, 3b, 3c Description: Through the development of the Brand Ambassador program, the Accommodation Study and the Economic Development Charter, it has become clear that much of the Frontenac economy requires an element of Tourism for economic health and sustainability. With the launch of the Frontenac Brand, conditions are good for the development of tourism productions and to increase efforts to attract visitors to Frontenac on a year round basis. Timelines: 2017 - 2021 Responsibility: Community Development Officer, Manager of Economic Development Resources: Internal Communications Resources: External Land O Lakes Tourism Association, Ontario Highlands, The Great Waterway, Brand Ambassador Network	Objectives: 1, 3 Description: The K&P Trail completion to Sharbot Lake has been a priority for several years, with construction starting in late 2016. Work on the this project has been delayed primarily due to property acquisition issues, new accessibility considerations and unanticipated costs of trail construction. The Manager of Economic Development has created a clear project plan in response to these challenges for the remaining segments requiring construction, reviewed by County Council in September of 2017. Timelines: 2018 Responsibility: Manager of Economic Development Resources: Internal GIS Specialist, Communications Resources: External Eastern Ontario Trails Alliance, Trail User Groups, Accessibility Grants, Trans Canada Trail, Central Frontenac Public Works Department

Service Level Changes

Proposed Service Level Change		Rationale/ Relative to Objectives
2018		
2019	Continue Community Development Coordinator Position	Maintain service levels and face-to-face interactions with businesses and other partners in community development.
2020		
2021		
2022	Eastern Ontario Trails Alliance Agreement Renewal	

Risk Analysis:

Level	Issue
Risk	1. <u>Loss of Community Development Officer Position</u> The Community Development Officer is funded 40% through RED funding and 60% through a dedicated reserve, both set to expire in 2019. Loss of this position will mean service levels to community will significantly drop in regard to management of Brand Ambassador Program and other Community and Economic Development Actions
Caution	1. <u>Communal Services Study</u> – developers may be risk averse to building this type of subdivision. 2. <u>Accommodation Study Implementation</u> : If staff time and funds are not allocated for implementing the study recommendations, the initial investment in the study will not prove valuable.
Advisement	1. <u>Significant OMB Appeals / Legal Issues</u> – appeals of subdivisions, Official Plan Amendments, could result in many staff hours being used. 2. <u>Frontenac Community Futures Development Corporation</u> – Federal Funding to the CFDC is discretionary and not legislated. Loss of Funding to the CFDC would result in a major gap in economic and community development support in Frontenac. 3. <u>Land 'O Lakes Tourist Association</u> — Over recent years, LOLTA has seen a decline in memberships and relies on discretionary funding from local municipalities. The Economic Development Charter is focused on visitor attraction across the three themes, and strong tourism product development and visitor marketing is an important element of success. The LOTLA brand and their ability to attract new visitors to Frontenac is limited by the lack of resources. 4. <u>Shared Services with Townships</u> — Any change in these agreements could impact levels of service from Planning and Economic Development.

Risk Mitigation Strategies:

Issue	Mitigation Strategy
Risk	1. [1]Establish a Community Development Reserve with contributions of \$50,000 in 2018, 2019 & 2020 to help ease the position into place as a permanent role.
Caution	1. To support new development on communal services, planning staff and the consulting firm will need to hold a number of meetings with the public, with Township staff and Councils, and the development industry. It needs to be made clear from the outset that there are significant benefits – social, financial, community building, housing market – that can result from a more dense and compatible style of development in settlement areas. 2. Funds have been included in the 5 year business plan to implement the recommendations of the Accommodation Study. Partnership and grant opportunities will be sought in partnership the Great Waterway and Ontario Highlands.
Advisement	1. Monitor number of appeals, consider seeking settlements when appropriate. 2. Continue to work with the Frontenac CFDC as a partner in the region, promoting their small business support services, financing options and collaborating where appropriate. 3. Address relationship with LOLTA through shared campaigns and making use of partnership programs offered through Regional Tourism Organizations Ontario Highlands and The Great Waterway. 4. Townships are not only partners but purchasers of our services. Operations must reflect the best value for each municipal partner.

Key Success Factors:

Regional Vision

- Ensuring that County Council has a regional perspective when considering land use and economic development issues.
- Providing County Council with proactive solutions on key regional issues (e.g., watershed planning, regional transportation, development servicing options).

Strong Relationships

- Open and collaborative project coordination with municipal partners.
- Maintain and participate in relationships with City of Kingston, Ontario East Economic Development Commission, Eastern Ontario Warden's Caucus, Great Waterway, Ontario Highlands and Land O Lakes Tourism Association.
 - Demonstrated by regional projects endorsed by County Council.

Effective Project Management

- The Planning and Economic Development team must be able to manage priorities and workload associated with day-to-day operations, while continuing to meet milestones associated with numerous projects

Council as Community Champions

- The members of County Council and their township colleagues can be the champions of economic development and planning policies in our communities, and serve as the informed connecting link to the various opportunities, plans and programs

Key Performance Indicators[2]:

Land Use Planning

- % Planning Recommendations Endorsed

Economic Development

Short Term (Annual Reporting):

- Number of business relationships facilitated
- Amount of business expansion facilitated (sq.ft / jobs created)
- New businesses launched/relocated to Frontenac
- Increased Visitors to Frontenac
- # Investments (Commercial property purchased, redeveloped)
- # Trail Users (Permits, Annual Counts, Trail Counter, Strava)
- # Beds in Frontenac

Long Term (Reported Each Council Term):

- Increased assessment value in proximity to Trail network (MPAC Data)
- More youth in our communities (Census Data)
- Community Improvement Plan(s) Positive ROI

The key performance indicators for the Planning & Department are intended to provide Council and the public with an indication that service delivery is on track

Respectfully Submitted,

Joe Gallivan
Director of Planning & Economic Development

Megan Rueckwald
Community Planner

Richard Allen
Manager of Economic Development

Alison Vandervelde
Community Development Officer

To: The Frontenac County Planning Advisory Committee
c/o Ms. Jannette Amini, County Clerk (jamini@frontenaccountry.ca),
Mr. Joe Gallivan, Director Planning & Economic Development
County of Frontenac, 2069 Battersea Road, Glenburnie ON K0H 1S0

To: South Frontenac Township Council,
Forbes Symon, Manager of Development Services

From: Martha & Gary Beach

Date: September 4th, 2017

Re: The Shield Shores Residential Development Plan

We resided on Dog Lake for 15 years – less than 1000 feet from the Shield Shores development site. Currently we have a waterfront farm property on Dog Lake, also in very close proximity to Shield Shores.

We are the developers of the recent Johnston Point development on Loughborough Lake. At the County Council Meeting it was stated after Draft Plan Conditions were approved that Johnston Point is a template of how waterfront development should take place moving forward in the County of Frontenac.

To that end, we believe Shield Shores Approved Conditions of Draft Plan Approval should also include similar conditions:

- i) All lots, both waterfront and back land, be subject to full site plan control, including pathways through, and development outside of the 30 meter buffer area of the lake, and that all possible and planned docking, buildings, and tiles beds be incorporated into the approved zoning bylaw and site plan specification. The CRCA should also be included in the circulation of Proposed Site Plans.
- ii) That all living trees greater than 4" diameter at breast height (DBH) within 40 meters of Dog Lake, not be removed.
- iii) Implementation of a SWM design that will ensure less runoff will get to the lake versus the pre-development or natural state, given the increase in hard surfaces – roofs, driveways, and laneways, compounded with some steep site slopes.
- iv) That full implementation of Ecological Services EIS recommendations, included in their report dated Jan. 10, 2016 be individually itemized as Draft Plan Conditions including a full review by the MNRF.
- v) That full implementation of RWDRT recommendations included in their review dated April 12, 2016, as well as any subsequent recommendations, be individually itemized as Draft Plan Conditions.

As noted above – comprehensive, lot specific Site Plan Control can only be a good move for waterfront developments moving forward, on all of our inland lakes in the Township.

Sincerely,

Martha & Gary Beach



Lake Steward Ardoch Lake Condominium Development – Dec. 2012

The following is an update to the MALA Executive in relation to the Ardoch Lake Condominium Development (ALCD) project.

The developer has reassessed the lake capacity for Ardoch Lake to determine the number of developed lots the lake can sustain. It concludes that there can be a maximum of 48 lots that can be developed on the waterfront. The ALCD has revised its project and removed 10 lots from the development and is now set at 35 versus 45 lots. This includes reducing waterfront lots from 33 to 29 and having an additional 6 back lots 300m setback from the lake for a total of 35 lots.

This allows for an additional 19 lots that can be developed along the shores of Ardoch Lake. There are currently 15 lots of record for the current roll numbers on Ardoch Lake which means the lake can only handle four more additional waterfront lots that could be severed from current property owners. Of the 15 current landowners there are three that have adequate frontage to sever their properties. In calculating their water frontage it is conceivable that there could be an additional 23 waterfront future lots from current landowners. Please note this calculation is based on the new official plan requirement of 61m (200 ft) frontage. It is important to note that the developer is using the current official plan of 45 m (148 ft) which is not applicable to future severances based on the new official plan and associated bylaws.

This one item alone is unfair to the current property owners and I suggest we push for a percentage split between the new developer and the current landowners for potential properties that could be severed per property owner. In other words ~ 25 % of available water frontage per property owner. This would be approximately split as follows.

Roll # plus ALCD	Available Water Frontage (ft)	# Of Properties @ 25%
070-020-30200	2000	6
070-020-30300	1800	5
070-020-30390	494	0
070-020-30400	1444	4
ALCD	6180	21
Total		36
# of non severable properties		12
Grand Total		48

It is important to note that the Ministry of Environment (MOE) reported on March 1, 2012 does not agree with the January 10 2011 letter provided by Genivar when providing a phosphorous budget assessment to support the development on Ardoch Lake. Of key importance is that fact that the MOE stated that current vacant lots were not taken into consideration. Also they stated that from a land use perspective the County and the Township need to consider whether they want to allocate the remaining capacity solely to this development. I would think no, hence the suggested allocation of available land in the previous table.

My concern is that MALA membership only includes one of the landowners who could sever their property. If we are to continue our fight for controlled development we should have the backing of landowners on Ardoch Lake as members.

In addition to number of lots I still have the following issues that need to be addressed.

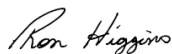
- The proposed septic systems are apparently not approved in Canada.
- The lake capacity model is based on seasonal only and does not take into consideration eventual full time residents.
- The application does not specify type of hosing i.e. seasonal or full time. Why was it deemed complete by the County?
- Recreational activity is not controlled and therefore we have no way of specifying types of recreation such seadoos, motor sizes etc. nor do I think we want to get specific in these areas as we already have multiple boat sizes, motors, etc. Would be great if we get to appoint with the condominium board to have input on rules and regulations but that is down the road.
- MNR has not assessed the wetlands.
- MVC has a number of concerns that have been responded to but not reviewed by MVC at this point.

Going ahead

I have been invited to a meeting to represent MALA with the County, Township, Planner and Developer to address our concerns. I will represent MALA based on the concerns mentioned above and will provide the following recommendations at that meeting.

1. Address vague and incomplete issues on the application.
2. Strongly recommend the percentage split of lots mentioned in the table in this report.
3. Seek clarification on the Canadian approval of septic systems.
4. Request the lake capacity be redone and include a portion of full time residents in the model.
5. Address any open issues that may stem from the MVC review of ALCD response to their concerns.
6. Request frontage to be 61m versus 45m which should be doable with the reduced number of lots.

In addition I will send a request to MNR to assess the wetlands and we should send an update to members after the Dec 21'st meeting.



Ron Higgins

MALA Lake Steward